

MINUTES OF THE HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE

The meeting was called to order by Chairperson Pat Colloton at 1:30 p.m. on January 29, 2009, in Room 535-N of the Capitol.

All members were present.

Committee staff present:

Jason Thompson, Office of the Revisor of Statutes
Athena Andaya, Kansas Legislative Research Department
Jerry Donaldson, Kansas Legislative Research Department
Jackie Lunn, Committee Assistant

Conferees appearing before the Committee:

Tom Drees, Chairman, Kansas Sentencing Commission's Subcommittee on Proportionality & Ellis County Attorney

Others attending:

Helen Pedigo, Executive Director, Kansas Sentencing Commission
Tom Drees, Chairman, Kansas Sentencing Commission

Chairperson Colloton announced to the Committee would be briefed on the report of the Proportionality Subcommittee and the first bill regarding recodification and proportionality would be next week.

Chairperson Colloton called for bill introductions and recognized Representative McCray-Miller. Representative McCray-Miller stated she had a bill introduction for a bill regarding sexual abuse. She referred the Committee to a written copy (Attachment 1) and turned the explanation of the bill introduction over to Jason Thompson, Revisor's Office. Mr. Thompson stated the bill was requested by Representative Davis and explained the intent.

Representative Brookens made a motion to move the bill for introduction. Representative Spalding seconded. Motion carried.

Next, Chairperson Colloton recognized Dan Gibb, Attorney General's Office, to request a bill introduction. Mr. Gibb stated he would like to request a bill be introduced regarding the Speedy Trial Act. Mr. Gibb explained the intent of the bill regarding the tolling of the Speedy Trial Act when an appeal by the prosecution is taken.

Representative Dillmore made a motion to move the bill for introduction. Representative Frownfelter seconded. Motion carried.

Chairperson Colloton announced to the Committee that January 30, 2009 is the last day to introduce an individual bill and gave a quick review of the agenda for next week. She then introduced Tom Drees, Ellis County Attorney to give a briefing on the proportionality subcommittee report. Mr. Drees provided a written copy entitled *Kansas Sentencing Proportionality Recommendations* (Attachment 2) Mr. Drees stated he is the chairperson of the Kansas Proportionality Subcommittee which was formed in 2007 and began his briefing of their recommendations. He stated the report was initially adopted by the Kansas Sentencing Commission in January 2008. The Kansas Criminal Code Recodification Commission (KCCRC) worked with the Kansas Sentencing Commission to formulate a joint set of recommendations on proportionality issues. This revised report contains the Proportionality Subcommittee's recommendations along with the revisions and additions of the KCCRC. The KCCRC approved these recommendations except for those that are outside the scope of its legislative mandate. As the KCCRC is directed by statute to recodify the criminal code, it decided not to make any recommendations outside of Chapter 21 or the criminal drug provisions of Chapter 65.

CONTINUATION SHEET

Minutes of the House Corrections And Juvenile Justice Committee at 1:30 p.m. on January 29, 2009, in Room 535-N of the Capitol.

Mr. Drees highlighted the following:

- Recommendations concerning the sentencing grid
- Recommendations concerning drug laws
- Recommendations concerning property offenses
- Recommendations concerning repeat domestic battery offenses

Mr. Drees stated the report presents the findings of an analysis which include, but are not limited to, the following suggestions for modification and improvement.

- Merge drug and nondrug grids into one, single sentencing grid.
- Amend the severity levels of some property, drug, domestic violence, and sex offences in order to reemphasize presumptive imprisonment for violent person felonies as well as for repeat and habitual offenders.
- Adopt quantity and actual financial loss thresholds for drug and property offenses to minimize sentence disparity and ensure proportionality.
- Adopt general policy changes which reflect actual practice and appropriate proportional sentences.

Mr. Drees reviewed the proposed merged sentencing grid while addressing questions of the Committee. In closing, he stated the effective date of the bill would be 2010.

Upon the conclusion of the briefing there was a short question and answer session.

Chairperson Colloton stated that the Committee would have a hearing on the recodification of the drug laws bill next week and recognized Jason Thompson, Revisor's Office. Mr. Thompson stated that the Committee needed to withdraw a motion made earlier in the House Corrections and Juvenile Justice Committee meeting on January 14, 2009 to introduce the proportionality bill related to sex offences because the requesting party no longer wants the bill.

Representative Patton and Representative Kinzer jointly moved to withdraw the motion to introduce the proportionality bill related to sex offenses that was made in the Committee meeting of January 14, 2009. Representative Roth seconded. Motion carried.

Chairperson Colloton adjourned the meeting at 2:58 p.m. with the next meeting scheduled February 2, 2009 at 1:30 p.m. in room 535N.

AN ACT concerning sexual abuse.

Sec. 1. K.S.A. 21-3503 is hereby amended to read as follows: 21-3503. (a) Indecent liberties with a child is engaging in any of the following acts with a child who is 14 or more years of age but less than 16 years of age:

X (1) Any lewd fondling or touching of the person of either the child or the offender, done or submitted to with the intent to arouse ~~or to satisfy the sexual desires of either the child or the offender, or both;~~ or

X (2) soliciting the child to engage in any lewd fondling or touching of the person of another with the intent to arouse or satisfy ~~the sexual desires of the child, the offender or another.~~

abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person

(b) It shall be a defense to a prosecution of indecent liberties with a child as described in subsection (a)(1) that the child was married to the accused at the time of the offense.

(c) Indecent liberties with a child is a severity level 5, person felony.

Sec. 1. K.S.A. 21-3504 is hereby amended to read as follows: 21-3504. (a) Aggravated indecent liberties with a child is:

(1) Sexual intercourse with a child who is 14 or more years of age but less than 16 years of age;

(2) engaging in any of the following acts with a child who is 14 or more years of age but less than 16 years of age and who does not consent thereto:

(A) Any lewd fondling or touching of the person of either the child or the offender, done or submitted to with the intent to ~~arouse or satisfy the sexual desires of either the child or the offender, or both;~~ or

(B) causing the child to engage in any lewd fondling or touching of the person of another with the intent to ~~arouse or satisfy the sexual desires of the child, the offender or another;~~ or

abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person

(3) engaging in any of the following acts with a child who is under 14 years of age:

(A) Any lewd fondling or touching of the person of either the child or the offender, done or submitted to with the intent to ~~arouse or to satisfy the sexual desires of either the child or the offender, or both;~~ or

(B) soliciting the child to engage in any lewd fondling or touching of the person of another with the intent to ~~arouse or satisfy the sexual desires of the child, the offender or another.~~

abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person

(b) It shall be a defense to a prosecution of aggravated indecent liberties with a child as provided in subsection (a)(1), (a)(2)(A) and (a)(3)(A) that the child was married to the accused at the time of the offense.

(c) Except as provided further, aggravated indecent liberties with a child as described in subsections (a)(1) and (a)(3) is a severity level 3, person felony. Aggravated indecent

liberties with a child as described in subsection (a)(2) is a severity level 4, person felony. When the offender is 18 years of age or older, aggravated indecent liberties with a child as described in subsection (a)(3) is an off-grid person felony.

Sec. 1. K.S.A. 21-3508 is hereby amended to read as follows: 21-3508. (a) Lewd and lascivious behavior is:

(1) Publicly engaging in otherwise lawful sexual intercourse or sodomy with knowledge or reasonable anticipation that the participants are being viewed by others; or

(2) publicly exposing a sex organ or exposing a sex organ in the presence of a person who is not the spouse of the offender and who has not consented thereto, with intent to ~~arouse or gratify the sexual desires of the offender or another.~~

X

abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person

(b) (1) Lewd and lascivious behavior if committed in the presence of a person 16 or more years of age is a class B nonperson misdemeanor.

(2) Lewd and lascivious behavior if committed in the presence of a person under 16 years of age is a severity level 9, person felony.

Sec. 1. K.S.A. 21-3512 is hereby amended to read as follows: 21-3512. (a) Prostitution is performing for hire, or offering or agreeing to perform for hire where there is an exchange of value, any of the following acts:

- (1) Sexual intercourse;
- (2) sodomy; or
- (3) manual or other bodily contact

stimulation of the genitals of any person with the intent to ~~arouse or gratify the sexual desires of the offender or another~~.

(b) Prostitution is a class B nonperson misdemeanor.

abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person

Sec. 1. K.S.A. 21-3516 is hereby amended to read as follows: 21-3516. (a) Sexual exploitation of a child is:

(1) Except as provided in subsection (a)(5), employing, using, persuading, inducing, enticing or coercing a child under 18 years of age to engage in sexually explicit conduct for the purpose of promoting any performance;

(2) possessing any visual depiction, including any photograph, film, video picture, digital or computer generated image or picture, whether made or produced by electronic, mechanical or other means, where such visual depiction of a child under 18 years of age is shown or heard engaging in sexually explicit conduct with intent to arouse or satisfy the sexual desires or appeal to the prurient interest of the offender, the child or another;

(3) being a parent, guardian or other person having custody or control of a child under 18 years of age and knowingly permitting such child to engage in, or assist another to engage in, sexually explicit conduct for any purpose described in subsection (a)(1) or (2);

(4) except as provided in subsection (a)(6), promoting any performance that includes sexually explicit conduct by a child under 18 years of age, knowing the character and content of the performance;

(5) employing, using, persuading, inducing, enticing or coercing a child under 14 years of age to engage in sexually explicit conduct for the purpose of promoting any performance; or

(6) promoting any performance that includes sexually explicit conduct by a child under 14 years of age, knowing the character and content of the performance.

(b) As used in this section:

(1) "Sexually explicit conduct" means actual or simulated: Exhibition in the nude;

sexual intercourse or sodomy, including genital-genital, oral-genital, anal-genital or oral-anal contact, whether between persons of the same or opposite sex; masturbation; sado-masochistic abuse for the purpose of sexual stimulation; or lewd exhibition of the genitals, female breasts or pubic area of any person.

(2) "Promoting" means procuring, selling, providing, lending, mailing, delivering, transferring, transmitting, distributing, circulating, disseminating, presenting, producing, directing, manufacturing, issuing, publishing, displaying, exhibiting or advertising:

(A) For pecuniary profit; or

X (B) with intent to ~~arouse or gratify the sexual desire~~ or appeal to the prurient interest of ~~the offender, the child or another~~.

abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person

(3) "Performance" means any film, photograph, negative, slide, book, magazine or other printed or visual medium, any audio tape recording or any photocopy, video tape, video laser disk, computer hardware, software, floppy disk or any other computer related equipment or computer generated image that contains or incorporates in any manner any film, photograph, negative, photocopy, video tape or video laser disk or any play or other live presentation.

any person

(4) "Nude" means any state of undress in which the human genitals, pubic region, buttock or female breast, at a point below the top of the areola, is less than completely and opaquely covered.

(c) Except as provided further, sexual exploitation of a child is a severity level 5, person felony. Sexual exploitation of a child as described in subsection (a)(5) or (a)(6) when the offender is 18 years of age or older is an off-grid person felony.

(d) This section shall be part of and supplemental to the Kansas criminal code.

8-1

Sec. 1. K.S.A. 21-3517 is hereby amended to read as follows: 21-3517. (a) Sexual battery is the intentional touching of the person of another who is 16 or more years of age, who is not the spouse of the offender and who does not consent thereto, with the intent to ~~arouse or satisfy the sexual desires of the offender or another.~~

abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person

(b) Sexual battery is a class A person misdemeanor.

(c) This section shall be part of and supplemental to the Kansas criminal code.

Sec. 1. K.S.A. 21-3518 is hereby amended to read as follows: 21-3518. (a) Aggravated sexual battery is the intentional touching of the person of another who is 16 or more years of age and who does not consent thereto, with the intent to ~~arouse or satisfy the sexual desires of the offender or another~~ under any of the following circumstances:

- (1) When the victim is overcome by force or fear;
- (2) when the victim is unconscious or physically powerless;
- (3) when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of any alcoholic liquor, narcotic, drug or other substance, which condition was known by, or was reasonably apparent to, the offender.

(b) Aggravated sexual battery is a severity level 5, person felony.

(c) This section shall be part of and supplemental to the Kansas criminal code.

abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person

Sec. 1. K.S.A. 60-3102 is hereby amended to read as follows: 60-3102. As used in the protection from abuse act:

(a) "Abuse" means the occurrence of one or more of the following acts between intimate partners or household members:

(1) Intentionally attempting to cause bodily injury, or intentionally or recklessly causing bodily injury.

(2) Intentionally placing, by physical threat, another in fear of imminent bodily injury.

(3) Engaging in any of the following acts with a minor under 16 years of age who is not the spouse of the offender:

(A) The act of sexual intercourse; or

(B) any lewd fondling or touching of the person of either the minor or the offender, done or submitted to with the intent to arouse or to satisfy the sexual desires of either the minor or the offender, or both.

abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person

(b) "Intimate partners or household members" means persons who are or have been in a dating relationship, persons who reside together or who have formerly resided together or persons who have had a child in common.

(c) "Dating relationship" means a social relationship of a romantic nature. A dating relationship shall be presumed if a plaintiff verifies, pursuant to K.S.A. 53-601, and amendments thereto, that such relationship exists. In addition to any other factors the court deems relevant, the court shall consider the following factors in making a determination of whether a relationship exists or existed include:

(1) Nature of the relationship;

(2) length of time the relationship existed;

(3) frequency of interaction between the parties; and

(4) time since termination of the relationship, if applicable.

1-12

Kansas Sentencing Proportionality Recommendations



REPORT ON PROPOSED IMPROVEMENTS

AND

MODIFICATIONS TO

KANSAS SENTENCING LAWS

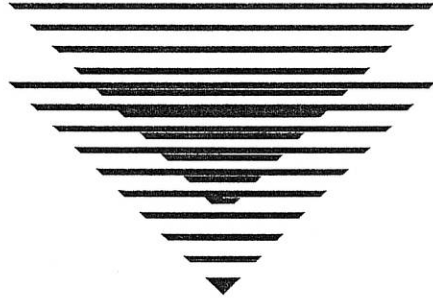
**As Approved by the
Kansas Sentencing Commission
and the
Kansas Criminal Code Recodification Commission
January, 2009**

Corrections and Juvenile Justice

Date: 1-29-09

Attachment # 2

Proportionality Subcommittee Members



Tom Drees (2007 - Present)
Ellis County Attorney, Chair

Paul Morrison
(2007)
Attorney General

Pastor Junius Dotson
(2007 - Present)
St Mark United Methodist Church

Rep. Janice Pauls
(2007 - Present)
House of Representatives

Chris Mechler
(2007 - Present)
Office of Judicial Administration

Patricia Biggs
(2007 - Present)
Kansas Parole Board

Kevin Graham
(2008 - Present)
Assistant Attorney General

Rick Kittel
(2007 - present)
KU School of Law

Ed Klumpp
(2007 - Present)
Kansas Recodification
Commission

**KANSAS SENTENCING COMMISSION
2009 Membership**

CHAIRMAN

Honorable Ernest L. Johnson, Judge, 29th Judicial District, Div. 5

CHIEF JUSTICE OR DESIGNEE

Honorable Christel E. Marquardt, Judge, Kansas Court of Appeals

APPOINTMENTS BY THE CHIEF JUSTICE

**Honorable Ernest L. Johnson, Chairman, Judge, 29th Judicial District, Div. 5
Honorable Richard M. Smith, Chief Judge, 6th Judicial District, Div. 2
Chris A. Mechler, Court Services Specialist, Office of Judicial Administration**

ATTORNEY GENERAL

Kevin A. Graham, Assistant Attorney General

APPOINTMENTS BY THE GOVERNOR

**Rick A. Kittel, Assistant Appellate Defender
Daniel E. Monnat, Private Defense Attorney
Thomas J. Drees, County Attorney
Annie E. Grevas, Director, 28th Judicial District Community Corrections
Pastor Junius B. Dotson (Public Member)
Dale A. Finger (Public Member)**

SECRETARY OF CORRECTIONS OR DESIGNEE

Roger K. Werholtz, Secretary of Corrections

KANSAS PAROLE BOARD CHAIRPERSON OR DESIGNEE

Patricia A. Biggs, Kansas Parole Board Designee

APPOINTMENTS BY THE SENATE PRESIDENT AND THE MINORITY LEADER

**Senator John L. Vratil, Senate District 11
Senator Greta H. Goodwin, Senate District 32**

APPOINTMENTS BY THE SPEAKER OF THE HOUSE AND THE MINORITY LEADER

**Representative Janice L. Pauls, House of Representatives District 102
Representative Kevin W. Yoder, House of Representatives District 20**

KANSAS CRIMINAL CODE RECODIFICATION COMMISSION

2009 Membership

The Kansas Criminal Code Recodification Commission is composed of sixteen members appointed by the legislative, executive and judicial branches. The members of the KCCRC are:

<u>Commission Member</u>	<u>Statutory Authority for Appointment</u>
Senator John Vratil	Senate Judiciary Committee, appointed by the President of the senate.
Senator David Haley	Senate Judiciary Committee, appointed by the Minority Leader of the Senate.
Representative Lance Kinzer	House of Representatives Judiciary Committee, appointed by the Speaker of the House of Representatives.
Representative Paul Davis	House of Representatives Judiciary Committee, appointed by the Minority Leader of the House of Representatives.
Representative Jan Pauls (January 2008 – Present)	House of Representatives, appointed by the Kansas Sentencing Commission.
Hon. Larry Solomon (July 2007 – December 2007)	District Judge, 30 th Judicial District, appointed by the Kansas Sentencing Commission.
Hon. Christel Marquardt	Judge, Court of Appeals, appointed by the Chief Justice of the Supreme Court.
Ed Klumpp	Chief of Police, Topeka, retired, appointed by the Attorney General.

Ed Collister	Defense attorney, appointed by the Governor.
Kim Parker	Deputy District Attorney, Sedgwick County, appointed by the Kansas County and District Attorneys Association.
Professor Tom Stacy	Professor of Law, appointed by the Dean of the University of Kansas School of Law.
Professor Michael Kaye	Professor of Law, appointed by the Dean of the Washburn University School of Law.
Steven L. Opat	County Attorney, Geary County, appointed by the Kansas Judicial Council Criminal Law Advisory Committee.
Debra Wilson	Appellate Defender, appointed by the Kansas Judicial Council Criminal Law Advisory Committee.
Hon. Richard Smith	District Judge, 6th Judicial District, appointed by the Kansas District Judges Association.
Jacqie Spradling (July 2007 – December 2008)	Assistant Attorney General.
Kristafer Ailsieger (January 2008 – present)	Assistant Solicitor General.

KANSAS SENTENCING
PROPORTIONALITY RECOMMENDATIONS

REPORT ON PROPOSED IMPROVEMENTS
AND
MODIFICATIONS TO KANSAS SENTENCING LAWS

AS APPROVED BY THE
KANSAS SENTENCING COMMISSION
AND THE
KANSAS CRIMINAL CODE RECODIFICATION COMMISSION

JANUARY, 2009

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I. INTRODUCTION

This report was initially adopted by the Kansas Sentencing Commission in January, 2008. The Kansas Criminal Code Recodification Commission (KCCRC) worked with the Kansas Sentencing Commission to formulate a joint set of recommendations on proportionality issues. This revised report contains the Proportionality Subcommittee's recommendations along with the revisions and additions of the KCCRC. The KCCRC approved these recommendations except for those that are outside of the scope of its legislative mandate. As the KCCRC is directed by statute to recodify the criminal code, it decided not to make any recommendations outside of Chapter 21 or the criminal drug provisions of Chapter 65.

In June, 2007, the Kansas Sentencing Commission formed a subcommittee to review proportionality of sentences. This subcommittee would work in conjunction with the Kansas Recodification Commission, charged with recodifying the criminal code. The subcommittee was asked to review changes in felony sentencing law since the inception of guidelines in 1993, to review the 2004 study by the Vera Institute of Justice, and to make recommendations regarding realigning and appropriately placing felonies by severity level within various crime categories and overall.

The establishment of the subcommittee was in keeping with the enumerated duties of the Commission pursuant to K. S. A. 74-9101(a) to:

(2) consult with and advise the legislature with reference to the implementation, management, monitoring, maintenance and operations of the sentencing guidelines system;

(7) make recommendations relating to modification to the sentencing guidelines as provided in K.S.A. 21-4725, and amendments thereto; and

(11) analyze problems in criminal justice, identify alternative solutions and make recommendations for improvements in criminal law, prosecution, community and correctional placement, programs, release procedures and related matters including study and recommendations concerning the statutory definition of crimes and criminal penalties and review of proposed criminal law changes.

The Kansas Sentencing Commission authorized the Proportionality Subcommittee to review and analyze all felony crimes in Kansas to ensure a system-wide overview in the comparison of offense severity for (a) presumptive prison sentences; (b) similar treatment of property, drug, and sex offenses with similar degrees of harm; (c) proportionate sentences for repeat domestic violence offenders; (d) proportionate sentences for drug and property crime offenses that minimize sentencing disparity between offenses with similar degrees of harm by utilizing threshold levels based on the quantity of drugs and the actual financial loss to the victim.

II. BACKGROUND

In 1989, the Kansas Legislature established the Kansas Sentencing Commission, directing the Commission to develop a sentencing guidelines model based on fairness and equity in sentencing. The Commission, called upon to recommend rational and consistent sentencing standards, established sentencing dispositions which were appropriate for all felonies based on a consideration of past practices and the availability of criminal justice resources. Given this directive, the Commission developed sentencing guidelines that met several goals:

1. To promote public safety by incarcerating violent offenders;
2. to reduce sentence disparity to ensure the elimination of any racial, geographical or other bias that may exist;
3. to establish sentences that are proportionate to the seriousness of the offense and the degree of injury to the victim;
4. to establish a range of easy to understand presumptive sentences that will promote "truth in sentencing"; and
5. to provide state and local correctional authorities with information to assist with population management options and program coordination; and to provide policy makers information that will enhance decisions regarding resource allocations.

In its preliminary recommendations to the Legislature, the Commission stated that, "Making the punishment proportional to the crime is a key ingredient in guidelines systems. This concept involves the development of a hierarchy of harms that result from different levels of criminal activity. Once this ordering process takes place, guideline sentences ensure that the punishment fits the harm." In recommending crime severity, the Commission determined that level of harm should be the main basis for punishment and thus created sentences that punish offenses involving greater harm more severely than offenses involving lesser harm. However, the Commission also recognized that offender intent should also play a part in determining level of punishment.

Three societal interests, in order of importance, were used to determine the level of harm involved in each crime seriousness ranking:

1. Protection of individuals from physical and emotional harm;
2. protection of private and public property rights; and
3. protection and preservation of the integrity of government institutions, public peace, and public morals.

Data reviewed by the Proportionality Subcommittee shows a large number of sentencing departures. The vast majority are downward departures. The number of downward departures suggests a disconnect between the current law on the books and the law in practice; or the possibility that the current severity level is not supported by the proportionality rationale that punishment should be relational to the degree of harm inflicted by the offense. Of equal concern is the consideration that border boxes contained on the grid are presumptive imprisonment border (PIB) boxes, yet result in a probation sentence approximately 80% of the time. There appears to be a disconnect between the law and practice in sentencing cases involving PIB boxes.

Also, in certain offenses, offender culpability does not seem proportional to the injury or harm to the victim. This is especially true for repeat property, domestic battery and drug offenses. The Subcommittee recognizes that offender culpability plays a role and should be considered in sentencing for repeat offenses.

With respect to drug offenses, changes are recommended to advance uniformity, consistency and proportionality, clarifying the distinction between offenses involving personal use possession and those involving distribution, manufacturing, or cultivation.

III. RECOMMENDATIONS

A. RECOMMENDATIONS CONCERNING THE SENTENCING GRID

1. Merge the nondrug and drug sentencing grids into one Kansas Sentencing Grid.
2. While one of the goals of the Kansas Sentencing Guidelines is to treat similar defendants similarly, the Subcommittee recognizes that a “one size fits all” sentencing structure leads to disproportional sentencing. For this reason the Subcommittee recommends that aggravating and mitigating sentences within each grid box, originally set at 5% above and below the standard sentence, be adjusted to 10% above and below the standard sentence.
3. In order to promote “truth in sentencing”, uniformity, proportionality, and prediction of prison bed space needs, it is important to place as many felonies on the grid as possible. Most off-grid and nongrid felonies would be placed on the grid, with the exception of first degree murder, capital murder, treason, terrorism, and furthering terrorism through weapons of mass destruction.
4. Most unclassified felonies (such as K.S.A. 75-4228, criminal and civil liability of treasurer and director of accounts and reports, and 75-4314, officer or employee receiving funds without subscribing and filing an oath) would be classified on the grid as severity level 10 nonperson felonies.
5. A name change from “border box” to “presumptive imprisonment - border box”, or “PIB” box, clarifies the original purpose and provides a renewed emphasis that these sentences are presumed imprisonment, recognizing that the sentencing court has discretion to impose a nonprison sanction.
6. Information would be provided to the court and considered in determining the appropriate disposition of cases in PIB boxes. Any party requesting the nonprison sanction shall be required to notify the court and opposing counsel prior to sentencing, regarding the proposed placement in a treatment program and/or a behavior modification program. The notice must provide a reasonable opportunity before sentencing for the presentence investigator to confirm and verify the availability and adequacy of the proposed treatment provider(s) and plan.

7. An increase from 8 border boxes to 16 PIB boxes would provide a mechanism to address the repeat property offender, to reduce the need for special rules, and to allow the court the discretion necessary to consider PIB sentencing on a case by case basis.
8. All sentences at severity level 5 would be presumptive imprisonment. PIB Boxes would exist at grid boxes 6-E through 6-I, 7-C through 7-F, 8-C through 8-F, and 9-C through 9-E.
9. Some special rules would be eliminated, including those associated with aggravated battery/aggravated assault of a law enforcement officer, felony driving under the influence, felony domestic battery, second or subsequent manufacture of a controlled substance, and third or subsequent forgery - See Appendix G.
10. Standard sentences would be amended according to the proposed grid – See Appendices A through C:

Severity Level	Proposed Range In Months	Current Range In Months
1	140-682	147-653
2	108-514	109-493
3	54-256	55-247
4	38-178	38-172
5	29-143	31-136
6	22-48	17-46
7	16-35	11-34
8	14-26	7-23
9	12-22	5-17
10	12-18	5-13

B. GENERAL POLICY CHANGES IN SENTENCING STATUTES

1. All felony sentences would be at least 12 months in length.
2. All class A misdemeanants would be supervised by court services.
3. The Subcommittee recommends that most crimes be placed on the grid with the exception of first degree murder, capital murder, treason, terrorism, and furthering terrorism through weapons of mass destruction. In order to predict prison bed space needs it is important to have as many felonies on the grid as possible.
4. The Subcommittee recommends that domestic battery felony offenders be supervised by community corrections.

5. K.S.A. 21-3413(a)(3)(D) Battery on a city or county corrections officer would be amended from a severity level 5 person felony to a severity level 9 person felony, with a sentencing enhancement of presumptive imprisonment.
6. K.S.A. 21-3414, Aggravated Battery would be modified as follows:
 - a. intentionally, resulting in great bodily harm would remain a severity level 4 person felony;
 - b. intentionally, resulting in bodily harm would remain a severity level 7 person felony;
 - c. recklessly, resulting in great bodily harm, currently a severity level 5 person felony, would be classified as a severity level 6 person felony; and
 - d. recklessly, resulting in bodily harm, currently a severity level 8 person felony, would be classified as a severity level 9 person felony.
7. K.S.A. 21-3415, Aggravated Battery on a Law Enforcement Officer would be modified as follows:
 - a. intentional, bodily harm or physical contact where great bodily harm can be inflicted, currently a severity level 4 person felony, would be classified as a severity level 5 person felony;
 - b. intentional, great bodily harm would remain a severity level 3 person felony; and
 - c. intentional, with a motor vehicle would remain a severity level 3 person felony.
8. K.S.A. 21-3609 –Abuse of a child; Intentionally torture, cruelly beat, or shake resulting in great bodily harm. Penalties would be amended from a severity level 5 person felony to a severity level 6 person felony if the infliction of cruel and inhuman corporal punishment is present; and a severity level 3 person felony, if torture, cruel beating, or shaking results in great bodily harm. A severity level 3 for conduct that results in great bodily harm provides more protection for children than the Aggravated Battery statute.
9. K.S.A. 21-3608a-Aggravated Endangering a Child; Intentionally cause or permit a child under 18 to be in a situation in which the child’s life, body or health is injured or endangered. Currently, this statute punishes conduct that both endangers and actually injures a child. This poses a conflict with other offenses that punish actual harm to the victim. In order to focus this offense on endangerment, the KCCRC recommends striking the phrase “is injured” and amending the offense from a severity level 9 to a severity level 7.
10. K.S.A. 21-3812(d) Aiding Person Required to Register Under the Kansas Offender Registration Act. Currently, this crime is ranked as a severity level 5 person felony. Amending this felony to a severity level 10 person felony brings it in line with the amendment recommended regarding K.S.A. 22-4903, Kansas Offender Registration Act.
11. K.S.A. 22-4903-Kansas Offender Registration Act; Failure to register as required. Currently, this crime is ranked as a severity level 5 person felony. Amending this felony to a severity level 9 person felony reflects a more proportional ranking.

12. K.S.A. 75-4228, 75-4314, 79-15, 137, 79-15,235(e), 79-3228(f) are all unclassified and are recommended to be moved onto the grid and classified as severity level 10 nonperson felonies.
13. Sex crimes against children should be brought back onto the sentencing grid. However, due to the complexity of this issue, the Commission continues to work toward a plan that will incorporate appropriate lengths of sentence, postrelease, and/or probation supervision.

C. RECOMMENDATIONS CONCERNING DRUG LAWS

The recommendations made in this section address, to a large degree, the concerns expressed in the Vera Study, which identified drug crimes in general as disproportionate to other felonies. Data examined by the Proportionality Subcommittee shows a large number of downward departures, suggesting a disconnect between the current law and practice; or the possibility the current severity level is not supported by the proportionality rationale that punishment should be relational to the degree of harm inflicted or threatened. The Proportionality Subcommittee makes the following recommendations based on the goals of uniformity and reductions in disparity, but which are equally calculated to ensure that sentences are proportionate to the seriousness of the offense and the degree of injury to the victim.

1. Amend language throughout from “within 1,000 feet of a school,” to “to a minor or in the presence of a minor” and increase the penalty one severity level to more clearly meet the intent to protect children regardless of their location. Define presence of a minor as:

“(1) a minor is within close physical proximity to the illegal activity; (2) the illegal activity is conducted in a place where minors can reasonably be expected to be present; or (3) the minor’s dwelling. Nothing in this section shall be construed to require that (1) a defendant actually be aware of the presence of a minor or (2) a minor actually be aware of the illegal activity.”

2. Adopt drug quantity thresholds based on four categories of small, medium, large and super for sale, distribution, and possession with intent to distribute. K.S.A. 65-4161 and 65-4163 (Sale or distribution of opiates, opium, narcotic drugs or designated stimulants) would be categorized as follows: Small quantity, severity level 9 person felony; medium quantity, severity level 7 person felony; large quantity, severity level 4 person felony; and super quantity, severity level 3 person felony. Only the weight of drug, not purity, shall be considered.
3. The KSC Subcommittee relies on the recommendations of the KCCRC as to the precise quantities which constitute small, medium, large, or super. - See Appendix F.
4. Personal use possession would be ranked as a severity level 10 nonperson felony. This one severity level includes K.S.A. 65-4160 (Personal use possession of opiates, opium, narcotic drugs or designated stimulants) and felony convictions of K.S.A. 65-4162 (Personal use

possession of depressants, stimulants or hallucinogenic drugs other substances). Present misdemeanor penalties for first-time possession would remain unchanged.

5. Strike enhancement provisions that increase severity levels for repeat drug offenses. Because of the modification to a "person" designation, penalties for repeat offenses would move the offender to more severe penalties along the criminal history continuum.
6. The alternative sentencing substance abuse treatment program pursuant to K.S.A. 21-4729 (SB 123) would remain intact.
7. Manufacturing of Methamphetamine would be a severity level 3 person felony, while manufacturing of all other drugs would be a severity level 5 person felony.
8. Drug repackaging and addition of diluents would be removed from the definition of "manufacturing."

Possession of drug paraphernalia would be a severity level 9 nonperson felony, and in addition, "to a minor or in the presence of a minor" increases the sentence one severity level. Delivery of a simulated controlled substance would be a severity level 9 nonperson felony under the identical condition. *This section is to be removed. In lieu of recommendation #9 (below) it is unnecessary to amend this severity level. This recommendation was presented to and approved by the KSC at the November 2008 meeting.*

9. Possession of drug paraphernalia and precursors would be integrated into the law of attempts. Possession of these items would be defined as a sufficient overt act to establish an attempted violation of the drug possession, distribution, or manufacturing offenses.
10. Language would be added to the offense of Representing a Non-Controlled Substance As a Controlled Substance. This language would clarify that an offender may be prosecuted for that offense and Theft By Deception.

D. RECOMMENDATIONS CONCERNING PROPERTY OFFENSES

All felony offenses resulting in loss of monetary value were reconciled. While presumptive imprisonment is generally reserved for violent offenders, the Subcommittee recognizes that repeat property offenders, especially burglars, pose a danger to society and warrant punishment through incarceration. Through modification of the Kansas sentencing grid, the number of special sentencing rules would be reduced. Property issues will be discussed and reviewed by the Recodification Commission during the first half of 2008. Property recommendations follow:

1. Adopt dollar value threshold requirements based on victim financial loss as follows:

Up to \$499.99 would be classified as a Class B nonperson misdemeanor;
\$500.00 - \$999.99 classified as a Class A nonperson misdemeanor;
\$1,000.00 - \$1,999.99 classified as a severity level 10 nonperson felony;

\$2,000.00 - \$24,999.99 classified as a severity level 9 nonperson felony;
\$25,000.00-\$49,999.99 classified as a severity level 8 nonperson felony;
\$50,000.00-\$74,999.99 classified as a severity level 7 nonperson felony;
\$75,000.00-\$99,999.99 classified as a severity level 6 nonperson felony;
\$100,000.00+ classified as a severity level 5 nonperson felony.

2. Increase the number of PIB Boxes to eliminate the need for several special rules and address repeat offenders.

E. RECOMMENDATIONS CONCERNING REPEAT DOMESTIC BATTERY OFFENSES

1. A 3rd or subsequent domestic battery would be reclassified from a nongrid felony as follows: A 3rd domestic violence would be classified as a severity level 7 person felony with a mandatory 30-day sentence; A 4th domestic battery would be classified as a severity level 7 person felony with a mandatory 90-day sentence; A 5th or subsequent domestic battery would be classified as a severity level 7 person felony with a mandatory one year sentence. Community Corrections would supervise probation upon release from the incarceration term. Community supervision would include a behavior modification program.
2. The Legislature should assure the availability of adequate and appropriate treatment providers.
3. The Subcommittee makes no recommendation regarding criminal history decay, pending release of a report from the Governor's Task Force on Domestic Violence.

IV. CONCLUSION

An assessment of the appropriateness of current sentences begins with an inquiry into whether current guideline sentences continue meeting the goal of proportionality, thereby ensuring that sentences are not only reasonably congruent with the seriousness of the offense, but bear some rational relationship to the degree of injury or harm to the victim as well. Of equal concern is the primary goal of sentencing, to reserve incarceration for violent and/or repeat offenders.

This report presents the findings of that analysis which include, but are not limited to, the following suggestions for modification and improvement:

1. Merge drug and nondrug grids into one, single Kansas sentencing grid;
2. amend the severity levels of some property, drug, domestic violence and sex offenses in order to reemphasize presumptive imprisonment for violent person felonies as well as for repeat and habitual offenders;
3. adopt quantity and actual financial loss thresholds for drug and property offenses to minimize sentence disparity and ensure proportionality; and

4. general policy changes which reflect actual practice and appropriate proportional sentences.

While one of the goals of the Kansas Sentencing Guidelines is to treat similar defendants similarly, the Subcommittee recognizes that a “one size fits all” sentencing structure leads to disproportional sentencing. For this reason the Subcommittee recommends that aggravating and mitigating sentences within each grid box, originally set at 5% above and below the standard sentence, be increased to 10% above and below the standard sentence. An increase from 8 border boxes to 16 PIB boxes would provide a mechanism to address the repeat property offender, to reduce the need for special rules, and to allow the court the discretion necessary to consider PIB sentencings on a case by case basis.

In reviewing the proportionality of sentences under the Kansas sentencing guidelines in relation to actual sentencing practices for particular offenses, there are specific steps that the state may consider based on the findings in this report. These would include:

1. The examination of the sentencing guidelines is to emphasize that presumptive imprisonment is the appropriate and proportional sentence for both person and some nonperson felonies, especially in those cases involving repeat or habitual offenders.
2. Adopt severity rankings for drug offenses based on thresholds of drug quantity to better identify the degree of harm and distinguish personal use from distribution, manufacturing, and cultivation.
3. Severity rankings for property offenses should be based on the amount of financial loss as the best predictor of amount of harm to the victim.
4. Propose policy changes calculated to harmonize current law with actual sentencing practice, thereby addressing a large number of downward departures, as shown by sentencing data collected.

It is the Subcommittee’s conclusion that adoption of the recommended changes herein will further the goal of proportional sentences, based upon the degree of harm to the victim and the seriousness of the offense, thereby ensuring public safety through appropriate sentencing. Such an approach will reserve prison for violent offenders and repeat nonviolent offenders and promote offender reformation through appropriate community sanctions.

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Appendix A
PROPOSED MERGED SENTENCING GRID

Category	A	B	C	D	E	F	G	H	I
Severity level	3+ Person Felonies	2 Person Felonies	1 Person & 1 Nonperson Felony	1 Person Felony	3+ Nonperson Felonies	2 Nonperson Felonies	1 Nonperson Felony	2+ Misdemeanors	1 Misdemeanor or No Record
I	682 620 558	645 586 527	299 272 245	278 253 228	257 234 211	235 214 193	215 195 176	193 175 158	172 156 140
II	514 467 420	482 438 394	231 210 189	215 195 176	198 180 162	182 165 149	165 150 135	149 135 122	132 120 108
III	256 233 210	238 216 194	114 104 94	107 97 87	99 90 81	91 83 75	83 75 68	74 67 60	66 60 54
IV	178 162 146	129 117 105	79 72 65	74 67 60	68 62 56	63 57 51	57 52 47	52 47 42	46 42 38
V	143 130 117	103 94 85	63 57 51	59 54 49	55 50 45	51 46 41	46 42 38	40 36 32	35 32 29
VI	48 44 40	45 41 37	42 38 34	39 35 32	35 32 29	33 30 27	31 28 25	29 26 23	26 24 22
VII	35 32 29	33 30 27	31 28 25	29 26 23	26 24 22	24 22 20	22 20 18	21 19 17	20 18 16
VIII	26 24 22	24 22 20	22 20 18	22 20 18	20 18 16	20 18 16	18 16 14	18 16 14	17 15 14
IX	22 20 18	20 18 16	18 16 14	18 16 14	17 15 14	17 15 14	15 14 13	14 13 12	13 12 12
X	18 16 14	15 14 13	14 13 12	14 13 12	14 13 12	13 12 12	13 12 12	13 12 12	13 12 12

Probation Terms

36 mon. recommended for felonies SL 1-5
18 mon. (up to) for felonies SL 8

Postrelease Terms

36 mon. for felonies SL 1-4
24 mon. for felonies SL 5-6
12 mon. for felonies SL 7-10

24 mon. recommended for felonies SL 6-7
12 mon. (up to) for felonies SL 9-10

Postrelease for felonies before 4/20/95:

24 mon. for felonies SL 1-6
12 mon. for felonies SL 7-10

*Probation and Postrelease terms reflect current law. The Sentencing Commission expects to present recommendations regarding these community supervision terms.

LEGEND
Presumptive Imprisonment
Presumptive Imprisonment (Border Box)
Presumptive Probation

2-17

SENTENCING RANGE - NONDRUG OFFENSES

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+ Misdemeanor	1 Misdemeanor 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

Probation Terms are:

- 36 months recommended for felonies classified in Severity Levels 1-5
- 24 months recommended for felonies classified in Severity Levels 6-7
- 18 months (up to) for felonies classified in Severity Level 8
- 12 months (up to) for felonies classified in Severity Levels 9-10

Postrelease Supervision Terms are:

- 36 months for felonies classified in Severity Levels 1-4
- 24 months for felonies classified in Severity Level 5-6
- 12 months for felonies classified in Severity Levels 7-10

Postrelease for felonies committed before 4/20/95 are:

- 24 months for felonies classified in Severity Levels 1-6
- 12 months for felonies classified in Severity Level 7-10

LEGEND
Presumptive Probation
Border Box
Presumptive Imprisonment

SENTENCING RANGE – DRUG OFFENSES

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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

LEGEND
Presumptive Probation
Border Box
Presumptive Imprisonment

Probation Terms are:

36 months recommended for felonies classified in Severity Levels 1-2

18 months (up to) for felonies classified in Severity Level 3

12 months (up to) for felonies classified in Severity Level 4

Postrelease Supervision Terms are:

36 months for felonies classified in Severity Levels 1-2

24 months for felonies classified in Severity Level 3

12 months for felonies classified in Severity Level 4 except for some K.S.A. 65-4160 and 65-4162 offenses on and after 11/01/03.

Postrelease for felonies committed before 4/20/95 are:

24 months for felonies classified in Severity Levels 1-3

12 months for felonies classified in Severity Level 4

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Appendix D
By Statute Number
Excluding Sex Offenses Against Children

Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
8-113	Automobiles/Vehicles; Various Vehicle Identification numbers; Unlawful acts			10	NP		
8-116(a)	Automobiles/Vehicles; VINs; Sale of vehicle with VIN destroyed, removed, etc.	2	L	10	NP		
8-116(c)	Automobiles/Vehicles; VINs; Destroy, alter, remove, etc. VIN			10	NP		
8-260(a)(5)	Drivers' Licenses; Use of false or fictitious name in any application for a DL			9	NP		
8-261a	Drivers' Licenses; Make a false affidavit; Penalty of perjury; Made during a felony trial			7	NP		
8-261a	Drivers' Licenses; Make a false affidavit; Penalty of perjury; Made in a cause, matter or proceeding other than a felony trial			9	NP		
8-2,144 (a)(1-2)	Commercial DUI - 3rd conviction: .04 or more; or, .04 or more as measured w/in two hours of the time of driving a commercial vehicle			**Nongrid	NP		
8-2,144 (a)(3)	Commercial DUI; 3rd conviction; Committing a violation of subsection (a) of K.S.A. 8-1567, or the ordinance of a city or resolution of a county which prohibits any of the acts prohibited thereunder			**Nongrid	NP		
8-603	Automobiles/Vehicles; Fair Trade Act; Sell or contract to sell motor vehicle or vehicles or other specific commodities to any dealer w/condition that dealer finance the purchase or sale only with/through a designated person			10	NP		
8-607	Automobiles/Vehicles; Fair Trade Act; Penalty for any violation of act			10	NP		
8-1327(a)(5)	Automobiles/Vehicles; Use of False or Fictitious Name on ID Application			9	NP		
8-1567(a)(1)	DUI; 3rd conviction; Alcohol concentration is .08 or more	810 / 655	L	**Nongrid	NP		
8-1567(a)(1)	DUI; 4th conviction; Alcohol concentration is .08 or more (Keep mandatory 90 day term, now served in KDOC as condition of probation, interlock, etc... further supervision with CC)	810 / 655	L	**Nongrid	NP		
8-1567(a)(2)	DUI; 3rd conviction; Alcohol concentration as measured within two hours of the time of operating or attempting to operate a vehicle, is .08 or more	810 / 655	L	**Nongrid	NP		
8-1567(a)(2)	DUI; 4th conviction; Alcohol concentration as measured within two hours of the time of operating or attempting to operate a vehicle, is .08 or more (Keep mandatory 90 day term, now served in KDOC as condition of probation, interlock, etc... further supervision with CC)	810 / 655	L	**Nongrid	NP		
8-1567(a)(3)	DUI; 3rd conviction; Driving under the influence of alcohol to a degree that renders the person incapable of safely driving a vehicle	810 / 655	L	**Nongrid	NP		
8-1567(a)(3)	DUI; 4th conviction; Driving under the influence of alcohol to a degree that renders the person incapable of safely driving a vehicle (Keep mandatory 90 day term, now served in KDOC as condition of probation, interlock, etc... further supervision with CC)	810 / 655	L	**Nongrid	NP		
8-1567(a)(4)	DUI; 3rd conviction; Driving under the influence of a drug or combination of drugs to a degree that renders the person incapable of safely driving a vehicle	810 / 655	L	**Nongrid	NP		
7(a)(4)	DUI; 4th conviction; Driving under the influence of a drug or combination of drugs to a degree that renders the person incapable of safely driving a vehicle (Keep mandatory 90 day term, now served in KDOC as condition of probation, interlock, etc... further supervision with CC)	810 / 655	L	**Nongrid	NP		

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Appendix D
By Statute Number
Excluding Sex Offenses Against Children

Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
8-1567(a)(5)	DUI; 3rd conviction; Driving under the influence of combination of alcohol & drug(s) to a degree that renders the person incapable of safely driving a vehicle	810 / 655	L	**Nongrid	NP		
8-1567(a)(5)	DUI; 4th conviction; Driving under the influence of combination of alcohol & drug(s) to a degree that renders the person incapable of safely driving a vehicle (Keep mandatory 90 day term, now served in KDOC as condition of probation, interlock, etc... further supervision with CC)	810 / 655	L	**Nongrid	NP		
8-1567(b)	DUI; 3rd conviction; Driving while habitual user of any narcotic, hypnotic, somnifacient or stimulating drug	810 / 655	L	**Nongrid	NP		
8-1567(b)	DUI; 4th conviction; Driving while habitual user of any narcotic, hypnotic, somnifacient or stimulating drug (Keep mandatory 90 day term, now served in KDOC as condition of probation, interlock, etc... further supervision with CC)	810 / 655	L	**Nongrid	NP		
8-1568(a)	Fleeing or Attempting to Elude a LEO; 3rd or subsequent conviction	216	L	9	P		
8-1568(b)	Fleeing or Attempting to Elude a LEO; Evade road block, drive reckless, involved in accident, commit 5 moving violations, attempt to elude from felony capture			9	P		
8-1602(a)	Failure to Remain; At scene of accident resulting in death of any person	1	L	9	P		
8-1602(a)	Failure to Remain; At scene of accident resulting in great bodily harm to any person			10	P		
8-1606(a)	Failure to Report Accident; Driver/occupant of vehicle involved in accident; Failure to report an accident resulting in death of any person			9	P		
8-1606(a)	Failure to Report Accident; Driver/occupant of vehicle involved in accident; Failure to report an accident resulting in great bodily harm to any person			10	P		
9-512	Kansas Money Transmitter Act; Penalty for knowingly violating provisions of the Act			9	NP		
9-2004(a)	Banking; Willfully swear or affirm falsely; Penalty as for perjury; In a felony trial			7	NP		
9-2004(a)	Banking; Willfully swear or affirm falsely; Penalty as for perjury; Other than in a felony trial			9	NP		
9-2002	Banking; Make false report, statement or entry in the books			8	NP		
9-2010	Banking; Insolvent bank receiving deposits			10	NP		
9-2012	Banking; Embezzlement with intent to injure or defraud; Amount less than \$500	1	M	7	NP	B	
9-2012	Banking; Embezzlement with intent to injure or defraud; Amount at least \$500 but < \$1,000	1	M	7	NP	A	
9-2012	Banking; Embezzlement with intent to injure or defraud; Amount at least \$1,000 but < \$2,000	1	M	7	NP	10	
9-2012	Banking; Embezzlement with intent to injure or defraud; Amount at least \$2,000 but < \$25,000	1	M	7	NP	9	
9-2012	Banking; Embezzlement with intent to injure or defraud; Amount at least \$25,000 but < \$50,000	1	M	7	NP	8	
9-2012	Banking; Embezzlement with intent to injure or defraud; Amount at least \$50,000 but < \$75,000	1	M	7	NP	7	
9-2012	Banking; Embezzlement with intent to injure or defraud; Amount at least \$75,000 but < \$100,000	1	M	7	NP	6	
9-2012	Banking; Embezzlement with intent to injure or defraud; Amount \$100,000 or more	1	M	7	NP	5	
9-2203(a), (b)	Mortgage Business Act: License required to conduct mortgage business; Registration required for a loan originator			7	NP	8	
9-2203(c)	Mortgage Business Act; Willful or knowing violation any of the provisions of this act, any rule and regulation			7	NP	8	
2(a)	Mortgage Business Act; Compensate, contract with or employ, any person engaged in mortgage business who is not properly licensed or registered			7	NP	8	

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Appendix D
By Statute Number
Excluding Sex Offenses Against Children

Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
9-2212(b)	Mortgage Business Act; Unauthorized employment of a person who has: (1) Had a license or registration denied, revoked, suspended or refused renewal; or (2) been convicted of any crime involving fraud, dishonesty or deceit			7	NP	8	
9-2212(c)	Mortgage Business Act; Delay closing of a mortgage loan for the purpose of increasing interest, costs, fees or charges payable by the borrower			7	NP	8	
9-2212(d)	Mortgage Business Act; Misrepresent material facts or make false promises intended to influence, persuade or induce an applicant for a mortgage loan, or mortgagee, to take a mortgage loan; Cause or contribute to such misrepresentation			7	NP	8	
9-2212(e)	Mortgage Business Act; Misrepresent to or conceal from an applicant for a mortgage loan or mortgagor, material facts, terms or conditions of a transaction to which the licensee or registrant is a party			7	NP	8	
9-2212(f)	Mortgage Business Act; Engage in any transaction, practice or business conduct that is not in good faith, or that operates a fraud upon any person connected with the making of, purchase or sale of any mortgage loan			7	NP	8	
9-2212(g)	Mortgage Business Act; Receive compensation for rendering mortgage business services when licensee or registrant has otherwise acted as a real estate broker or agent in connection with the sale of the real estate which secures the mortgage transaction w/o providing written disclosure as required			7	NP	8	
9-2212(h)	Mortgage Business Act; Engage in fraudulent residential mortgage brokerage or underwriting practices			7	NP	8	
9-2212(i)	Mortgage Business Act; Advertise, display, distribute, broadcast or televise, or cause or permit such, any false, misleading or deceptive statement or representation with regard to rates, terms or conditions for a mortgage loan			7	NP	8	
9-2212(j)	Mortgage Business Act; Record a mortgage if moneys are not available for the immediate disbursal to the mortgagor w/o informing the mortgagor in writing of a definite date by which payment shall be made and obtaining the mortgagor's written permission for the delay			7	NP	8	
9-2212(k)	Mortgage Business Act; Transfer, assign or attempt to transfer or assign, a license or registration to any other person			7	NP	8	
12-17,175(a)	Uniform Anatomical Gift Act; Knowingly purchase or sell a body part for transplantation or therapy			5	NP	8	
12-17,176	Uniform Anatomical Gift Act; Intentionally falsify, forge, conceal, deface or obliterate a document of gift or amendment or revocation of such, or refusal, for financial gain			10	NP	8	
16-305(b)	Funeral & Cemetery Merchandise Agreements; Misappropriation of funds; Amount less than \$500			A	NP	B	
16-305(b)	Funeral & Cemetery Merchandise Agreements; Misappropriation of funds; Amount at least \$500 but less than \$1,000			A	NP	A	
16-305(b)	Funeral & Cemetery Merchandise Agreements; Misappropriation of funds; Amount at least \$1,000 but less than \$2,000			9	NP	10	
16-305(b)	Funeral & Cemetery Merchandise Agreements; Misappropriation of funds; Amount at least \$2,000 but less than \$25,000			9	NP	9	
5(b)	Funeral & Cemetery Merchandise Agreements; Misappropriation of funds; Amount at least \$25,000 but less than \$50,000			7	NP	8	

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Appendix D
By Statute Number
Excluding Sex Offenses Against Children

Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
16-305(b)	Funeral & Cemetery Merchandise Agreements; Misappropriation of funds; Amount at least \$50,000 but less than \$75,000			7	NP	7	
16-305(b)	Funeral & Cemetery Merchandise Agreements; Misappropriation of funds; Amount at least \$75,000 but less than \$100,000			7	NP	6	
16-305(b)	Funeral & Cemetery Merchandise Agreements; Misappropriation of funds; Amount \$100,000 or more			7	NP	5	
16a-5-301(1)	Revised Uniform Consumer Credit Code; Remedies and penalties; Intentional violation of the act; 2nd or sub			7	NP		
17-12a101 et. seq.	Kansas Uniform Securities Act; Criminal Penalties; Intentional violation of this act, or rule adopted or order issued under this act, Except as provided in subsections (a) (2) through (a) (4), K.S.A. 2005 Supp. 17-12a504,(filing requirement) and amendments thereto, or the notice filing requirements of K.S.A. 2005 Supp. 17-12a302, (required filing of record) or 17-12a405, (notice filing requirement) and amendments thereto. An individual may be fined, but not imprisoned, if the individual did not have knowledge of the rule or order.			7	NP	9	
17-12a301(1-3)	Kansas Uniform Securities Act - Less than \$2,000 , Intentional, unlawful offering or selling security in this state: Security not a federally covered security; Security not exempt from registration; or, Security not registered			7	NP	10	
17-12a301(1-3)	Kansas Uniform Securities Act - At least \$2,000 but < \$25,000 , Intentional, unlawful offering or selling security in this state: Security not a federally covered security; Security not exempt from registration; or, Security not registered	2	L/M	7	NP	9	
17-12a301(1-3)	Kansas Uniform Securities Act - At least \$25,000 but < \$50,000 (presumptive imprisonment), Intentional, unlawful offering or selling security in this state: Security not a federally covered security; Security not exempt from registration; or, Security not registered	2	L/M	6	NP	8	
17-12a301(1-3)	Kansas Uniform Securities Act - At least \$50,000 but < \$75,000 (presumptive imprisonment), Intentional, unlawful offering or selling security in this state: Security not a federally covered security; Security not exempt from registration; or, Security not registered	2	L/M	6	NP	7	
17-12a301(1-3)	Kansas Uniform Securities Act - At least \$75,000 but < \$100,000 (presumptive imprisonment), Intentional, unlawful offering or selling security in this state: Security not a federally covered security; Security not exempt from registration; or, Security not registered	2	L/M	6	NP	6	
17-12a301(1-3)	Kansas Uniform Securities Act - \$100,000 or more (presumptive imprisonment), Intentional, unlawful offering or selling security in this state: Security not a federally covered security; Security not exempt from registration; or, Security not registered			5	NP		
17-12a401(a), (c)	Kansas Uniform Securities Act - Less than \$2,000 : Intentional violation of broker-dealer registration requirements; or, Intentional violation of broker-dealer limits on employment or association			7	NP	10	
17-12a401(a), (c)	Kansas Uniform Securities Act - At least \$2,000 but < \$25,000 : Intentional violation of broker-dealer registration requirements; or, Intentional violation of broker-dealer limits on employment or association			7	NP	9	
17-12a401(a), (c)	Kansas Uniform Securities Act - At least \$25,000 but < \$50,000 : Intentional violation of broker-dealer registration requirements; or, Intentional violation of broker-dealer limits on employment or association	2	L/M	6	NP	8	
17-12a401(a), (c)	Kansas Uniform Securities Act - At least \$50,000 but < \$75,000 : Intentional violation of broker-dealer registration requirements; or, Intentional violation of broker-dealer limits on employment or association	2	L/M	6	NP	7	

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
17-12a401(a), (c)	Kansas Uniform Securities Act - At least \$75,000 but < \$100,000 : Intentional violation of broker-dealer registration requirements; or, Intentional violation of broker-dealer limits on employment or association	2	L/M	6	NP	6	
17-12a401(a), (c)	Kansas Uniform Securities Act - \$100,000 or more (presumptive imprisonment): Intentional violation of broker-dealer registration requirements; or, Intentional violation of broker-dealer limits on employment or association			5	NP		
17-12a402(a), (d)	Kansas Uniform Securities Act - Less than \$2,000 : Intentional violation of agent registration requirements; or, Intentional violation of agent limits on employment or association			7	NP	10	
17-12a402(a), (d)	Kansas Uniform Securities Act - At least \$2,000 but < \$25,000 : Intentional violation of agent registration requirements; or, Intentional violation of agent limits on employment or association			7	NP	9	
17-12a402(a), (d)	Kansas Uniform Securities Act - At least \$25,000 but < \$50,000 : Intentional violation of agent registration requirements; or, Intentional violation of agent limits on employment or association			6	NP	8	
17-12a402(a), (d)	Kansas Uniform Securities Act - At least \$50,000 but < \$75,000 : Intentional violation of agent registration requirements; or, Intentional violation of agent limits on employment or association	2	L/M	6	NP	7	
17-12a402(a), (d)	Kansas Uniform Securities Act - At least \$75,000 but < \$100,000 : Intentional violation of agent registration requirements; or, Intentional violation of agent limits on employment or association			6	NP	6	
17-12a402(a), (d)	Kansas Uniform Securities Act - \$100,000 or more (presumptive imprisonment): Intentional violation of agent registration requirements; or, Intentional violation of agent limits on employment or association			5	NP		
17-12a403(a), (c), (d)	Kansas Uniform Securities Act - Less than \$2,000 : Intentional violation of investment adviser registration requirements; Intentional violation of investment adviser limits on employment or association; or, Intentional violation of investment adviser representative registration			7	NP	10	
17-12a403(a), (c), (d)	Kansas Uniform Securities Act - At least \$2,000 but < \$25,000 : Intentional violation of investment adviser registration requirements; Intentional violation of investment adviser limits on employment or association; or, Intentional violation of investment adviser representative registration			7	NP	9	
17-12a403(a), (c), (d)	Kansas Uniform Securities Act - At least \$25,000 but < \$50,000 : Intentional violation of investment adviser registration requirements; Intentional violation of investment adviser limits on employment or association; or, Intentional violation of investment adviser representative registration			6	NP	8	
17-12a403(a), (c), (d)	Kansas Uniform Securities Act - At least \$50,000 but < \$75,000 : Intentional violation of investment adviser registration requirements; Intentional violation of investment adviser limits on employment or association; or, Intentional violation of investment adviser representative registration	2	L/M	6	NP	7	
17-12a403(a), (c), (d)	Kansas Uniform Securities Act - At least \$75,000 but < \$100,000 : Intentional violation of investment adviser registration requirements; Intentional violation of investment adviser limits on employment or association; or, Intentional violation of investment adviser representative registration			6	NP	6	
17-12a403(a), (c), (d)	Kansas Uniform Securities Act - \$100,000 or more (presumptive imprisonment): Intentional violation of investment adviser registration requirements; Intentional violation of investment adviser limits on employment or association; or, Intentional violation of investment adviser representative registration			5	NP		
17-12a404(a), (e)	Kansas Uniform Securities Act - Less than \$2,000 : Intentional violation of investment adviser representative registration requirements; or, Intentional violation of investment adviser representative limits on employment or association			7	NP	10	

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
17-12a404(a), (e)	Kansas Uniform Securities Act - At least \$2,000 but < \$25,000 : Intentional violation of investment adviser representative registration requirements; or, Intentional violation of investment adviser representative limits on employment or association			7	NP	9	
17-12a404(a), (e)	Kansas Uniform Securities Act - At least \$25,000 but < \$50,000 : Intentional violation of investment adviser representative registration requirements; or, Intentional violation of investment adviser representative limits on employment or association			6	NP	8	
17-12a404(a), (e)	Kansas Uniform Securities Act - At least \$50,000 but < \$75,000 : Intentional violation of investment adviser representative registration requirements; or, Intentional violation of investment adviser representative limits on employment or association	2	L/M	6	NP	7	
17-12a404(a), (e)	Kansas Uniform Securities Act - At least \$75,000 but < \$100,000 : Intentional violation of investment adviser representative registration requirements; or, Intentional violation of investment adviser representative limits on employment or association			6	NP	6	
17-12a404(a), (e)	Kansas Uniform Securities Act - \$100,000 or more (presumptive imprisonment): Intentional violation of investment adviser representative registration requirements; or, Intentional violation of investment adviser representative limits on employment or association			5	NP		
17-12a501(1-3)	Kansas Uniform Securities Act - Less than \$2,000 , General Fraud in connection with offer, sale, or purchase of a security: Employing device, scheme or artifice to defraud; False statement of or omission of material fact; or, Engaging in act, practice, or course of business that operates as a fraud or deceit			7	NP	10	
17-12a501(1-3)	Kansas Uniform Securities Act - At least \$2,000 but < \$25,000 , General Fraud in connection with offer, sale, or purchase of a security: Employing device, scheme or artifice to defraud; False statement of or omission of material fact; or, Engaging in act, practice, or course of business that operates as a fraud or deceit			7	NP	9	
17-12a501(1-3)	Kansas Uniform Securities Act - At least \$25,000 but < \$50,000 , General Fraud in connection with offer, sale, or purchase of a security: Employing device, scheme or artifice to defraud; False statement of or omission of material fact; or, Engaging in act, practice, or course of business that operates as a fraud or deceit			5	NP	8	
17-12a501(1-3)	Kansas Uniform Securities Act - At least \$50,000 but < \$75,000 , General Fraud in connection with offer, sale, or purchase of a security: Employing device, scheme or artifice to defraud; False statement of or omission of material fact; or, Engaging in act, practice, or course of business that operates as a fraud or deceit			5	NP	7	
17-12a501(1-3)	Kansas Uniform Securities Act - At least \$75,000 but < \$100,000 , General Fraud in connection with offer, sale, or purchase of a security: Employing device, scheme or artifice to defraud; False statement of or omission of material fact; or, Engaging in act, practice, or course of business that operates as a fraud or deceit			5	NP	6	
17-12a501(1-3)	Kansas Uniform Securities Act - \$100,000 or more (presumptive imprisonment), General Fraud in connection with offer, sale, or purchase of a security: Employing device, scheme or artifice to defraud; False statement of or omission of material fact; or, Engaging in act, practice, or course of business that operates as a fraud or deceit			4	NP	5	
17-12a502(a)(1-2)	Kansas Uniform Securities Act - Less than \$2,000 , Intentional fraud in providing investment advice: Employ a device, scheme, or artifice to defraud another; or, Engage in act, practice, or course of business that operates as a fraud or deceit			7	NP	10	

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
17-12a502(a)(1-2)	Kansas Uniform Securities Act - At least \$2,000 but < \$25,000 , Intentional fraud in providing investment advice: Employ a device, scheme, or artifice to defraud another; or, Engage in act, practice, or course of business that operates as a fraud or deceit			7	NP	9	
17-12a502(a)(1-2)	Kansas Uniform Securities Act - At least \$25,000 but < \$50,000 , Intentional fraud in providing investment advice: Employ a device, scheme, or artifice to defraud another; or, Engage in act, practice, or course of business that operates as a fraud or deceit			5	NP	8	
17-12a502(a)(1-2)	Kansas Uniform Securities Act - At least \$50,000 but < \$75,000 , Intentional fraud in providing investment advice: Employ a device, scheme, or artifice to defraud another; or, Engage in act, practice, or course of business that operates as a fraud or deceit			5	NP	7	
17-12a502(a)(1-2)	Kansas Uniform Securities Act - At least \$75,000 but < \$100,000 , Intentional fraud in providing investment advice: Employ a device, scheme, or artifice to defraud another; or, Engage in act, practice, or course of business that operates as a fraud or deceit			5	NP	6	
17-12a502(a)(1-2)	Kansas Uniform Securities Act - \$100,000 or more (presumptive imprisonment), Intentional fraud in providing investment advice: Employ a device, scheme, or artifice to defraud another; or, Engage in act, practice, or course of business that operates as a fraud or deceit			4	NP	5	
17-12a505(a)	Kansas Uniform Securities Act; Misleading filings; Coercion; Obstruction; Make a false or misleading statement in a material respect or omission of material fact			8	NP		
17-12a505(b)	Kansas Uniform Securities Act; Misleading filings; Coercion; Obstruction; Intentionally influence, coerce, manipulate, or mislead another in connection with financial statements or appraisals to be used in offer, sale or purchase of securities			8	NP		
17-12a505(c)(1)	Kansas Uniform Securities Act; Misleading filings; Coercion; Obstruction; Alter, destroy, shred, mutilate, conceal, cover up or falsify any record with intent to impede, obstruct or influence an investigation			8	NP		
17-12a505(c)(2)	Kansas Uniform Securities Act; Misleading filings; Coercion; Obstruction; Alter, destroy, shred, mutilate or conceal a record with intent to impair the object's integrity or availability for the use in a proceeding			8	NP		
17-12a505(c)(3)	Kansas Uniform Securities Act; Misleading filings; Coercion; Obstruction; Take action harmful to another with the intent to retaliate, including, but not limited to, interference with lawful employment of such person			8	NP		
17-12a506	Kansas Uniform Securities Act; Misrepresentations concerning registration			8	NP		
17-1311a(a)	Cemetery Corporations; Misuse of the permanent maintenance fund; Amount less than \$500			7	NP	B	
17-1311a(a)	Cemetery Corporations; Misuse of the permanent maintenance fund; Amount at least \$500 but less than \$1,000			7	NP	A	
17-1311a(a)	Cemetery Corporations; Misuse of the permanent maintenance fund; Amount at least \$1,000 but less than \$2,000			7	NP	10	
17-1311a(a)	Cemetery Corporations; Misuse of the permanent maintenance fund; Amount at least \$2,000 but less than \$25,000			7	NP	9	
17-1311a(a)	Cemetery Corporations; Misuse of the permanent maintenance fund; Amount at least \$25,000 but less than \$50,000			7	NP	8	
17-1311a(a)	Cemetery Corporations; Misuse of the permanent maintenance fund; Amount at least \$50,000 but less than \$75,000			7	NP	7	

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
17-1311a(a)	Cemetery Corporations; Misuse of the permanent maintenance fund; Amount at least \$75,000 but less than \$100,000			7	NP	6	
17-1311a(a)	Cemetery Corporations; Misuse of the permanent maintenance fund; Amount \$100,000 or more			7	NP	5	
17-5412	Savings & Loans Code; Capital; Declaration of dividends			10	NP		
17-5811	Savings & Loans Code; Misc.; Accept payment when capital impaired			10	NP		
17-5812	Savings & Loans Code; Misc.; Fraudulent Acts			10	NP		
19-3519(b)(?)	Counties & County Officers; Water Supply & Distribution Districts; Fraudulent claims less than \$500			A	NP	B	
19-3519(b)(?)	Counties & County Officers; Water Supply & Distribution Districts; Fraudulent claims At least \$500 but < \$1,000			A	NP	A	
19-3519(b)(?)	Counties & County Officers; Water Supply & Distribution Districts; Fraudulent claims At least \$1,000 but < \$2,000			9	NP	10	
19-3519(b)(?)	Counties & County Officers; Water Supply & Distribution Districts; Fraudulent claims At least \$25,000 but < \$50,000			7	NP	8	
19-3519(b)(?)	Counties & County Officers; Water Supply & Distribution Districts; Fraudulent claims At least \$50,000 but < \$75,000			7	NP	7	
19-3519(b)(?)	Counties & County Officers; Water Supply & Distribution Districts; Fraudulent claims At least \$75,000 but < \$100,000			7	NP	6	
19-3519(b)(2)	Counties & County Officers; Water Supply & Distribution Districts; Fraudulent claims At least \$2,000 but < \$25,000			9	NP	9	
19-3519(b)(3)	Counties & County Officers; Water Supply & Distribution Districts; Fraudulent claims \$100,000 or more			7	NP	5	
21-3401(a)	Murder; First Degree; Intentionally and with premeditation	21	H	off-grid	P		
21-3401(b)	Murder; First Degree; In the commission of, attempt to commit, or flight from an inherently dangerous felony as defined in K.S.A. 21-3436	21	H	off-grid	P		
21-3402(a)	Murder; Second Degree; Intentional killing	29	H	1	P		
21-3402(b)	Murder; Second Degree; Recklessly, under circumstances manifesting extreme indifference to human life	11	H	2	P		
21-3403(a)-(b)	Voluntary Manslaughter - Intentional killing: Upon sudden quarrel or in heat of passion; or, Upon unreasonable but honest belief that deadly force was justified	8	H	3	P	3	
21-3404(a)-(c)	Involuntary Manslaughter: Recklessly; In the commission, or attempted commission, of other felonies; or, In commission of lawful act in unlawful manner	15(a) / 1(b) / 2(c)	H/M	5	P		
21-3406(a)(1)	Assisting Suicide; Knowingly, by force or duress, causing another to commit or attempt to commit suicide			3	P		
21-3406(a)(2)(A-B)	Assisting Suicide: Providing the physical means by which another commits or attempts to commit suicide; or, Participating in a physical act by which another commits or attempts to commit suicide			9	P		
21-3410(a)-(c)	Aggravated Assault: With a deadly weapon; While disguised in any manner designed to conceal identity; or, With intent to commit any felony	213	L	7	P		
21-3411(a)(1-2)	Aggravated Assault: On a state, county or city LEO; or, On a university or campus police officer	26	M	6	P		

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
21-3412a(a)(1)	Domestic Battery - 3rd within 5 years: Intentionally or recklessly causing bodily harm (mandatory 30 day sentence)	31	L	**Nongrid	P	7	
21-3412a(a)(1)	Domestic Battery - 4th within 5 years: Intentionally or recklessly causing bodily harm (mandatory 90 day sentence)	31	L	**Nongrid	P	7	
21-3412a(a)(1)	Domestic Battery - 5th or subsequent within 5 years: Intentionally or recklessly causing bodily harm (mandatory 1 year sentence)	31	L	**Nongrid	P	7	
21-3412a(a)(2)	Domestic Battery - 3rd within 5 years: Physical contact in rude, insulting or angry manner (mandatory 30 day sentence)	31	L	**Nongrid	P	7	
21-3412a(a)(2)	Domestic Battery - 4th within 5 years: Physical contact in rude, insulting or angry manner (mandatory 90 day sentence)	31	L	**Nongrid	P	7	
21-3412a(a)(2)	Domestic Battery - 5th or subsequent within 5 years: Physical contact in rude, insulting or angry manner (mandatory 1 year sentence)	31	L	**Nongrid	P	7	
21-3413(a)(2)(A-B)	Battery - Intentionally or recklessly causing bodily harm: Campus or university police officer; or, State, county or city LEO			7	P		
21-3413(a)(3)(A-D)	Battery: State correctional officer/employee; Juvenile correctional facility officer/ employee; Juvenile detention facility officer/employee; or, City or county correctional officer/employee	14(a) / 4(c) / 1(b) / 27	L/M	5	P	9	
21-3414(a)(1)(A)	Aggravated Battery; Intentionally causing great bodily harm or disfigurement	64	H	4	P		
21-3414(a)(1)(B)	Aggravated Battery; Intentionally causing bodily harm to another w/a deadly weapon, or in a manner whereby great bodily harm, disfigurement or death can be inflicted	234	M	7	P		
21-3414(a)(1)(C)	Aggravated Battery; Intentionally causing physical contact when done in a rude, insulting or angry manner w/a deadly weapon, or in a manner whereby great bodily harm, disfigurement or death can be inflicted	67	M	7	P		
21-3414(a)(2)(A)	Aggravated Battery; Recklessly causing great bodily harm or disfigurement	67	M	5	P	8	
21-3414(a)(2)(B)	Aggravated Battery; Recklessly causing bodily harm to another w/a deadly weapon, or in a manner whereby great bodily harm, disfigurement or death can be inflicted	70	L	8	P	9	
21-3415(a)(1)(A-B)	Aggravated Battery - Intentionally causing bodily harm or disfigurement: State, county or city LEO; or, Campus or university police officer	3	H	3	P		
21-3415(a)(2)(A-B)	Aggravated Battery - Intentionally causing bodily harm w/a deadly weapon or physical contact done in a rude, insulting or angry manner, w/a deadly weapon or in a manner whereby great bodily harm, disfigurement or death can be inflicted: State, county or city LEO; or, Campus or university police officer	4	L	4	P	5	

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
21-3415(a)(3)(A-B)	Aggravated Battery - Intentionally causing bodily harm with a motor vehicle: State, county or city LEO; or, Campus or university police officer			3	P		
21-3419(a)(1)	Criminal Threat; Threaten to commit violence w/ intent to terrorize another, to cause the evacuation of any building, place of assembly or facility of transportation, or in reckless disregard of the risk of causing such terror or evacuation	248	L	9	P		
21-3419(a)(2)	Criminal Threat; Threaten to adulterate or contaminate any food, raw agricultural commodity, beverage, drug, animal feed, plant or public water supply	248	L	9	P		
21-3419(a)(3)	Criminal Threat; Threaten to expose any animal in this state to any contagious or infectious disease	248	L	9	P		
21-3419a(a)	Aggravated Criminal Threat; Public, commercial or industrial building, place of assembly or facility of transportation is evacuated; Loss of productivity is less than \$500	1	L	6	P	B	
21-3419a(a)	Aggravated Criminal Threat; Public, commercial or industrial building, place of assembly or facility of transportation is evacuated; Loss of productivity is at least \$500 but less than \$1,000			5	P	A	
21-3419a(a)	Aggravated Criminal Threat; Public, commercial or industrial building, place of assembly or facility of transportation is evacuated; Loss of productivity is at least \$1,000 but less than \$2,000			5	P	10	
21-3419a(a)	Aggravated Criminal Threat; Public, commercial or industrial building, place of assembly or facility of transportation is evacuated; Loss of productivity is at least \$2,000 but less than \$25,000			5	P	9	
21-3419a(a)	Aggravated Criminal Threat; Public, commercial or industrial building, place of assembly or facility of transportation is evacuated; Loss of productivity is at least \$25,000 but less than \$50,000			4	P	8	
21-3419a(a)	Aggravated Criminal Threat; Public, commercial or industrial building, place of assembly or facility of transportation is evacuated; Loss of productivity is at least \$50,000 but less than \$75,000			4	P	7	
21-3419a(a)	Aggravated Criminal Threat; Public, commercial or industrial building, place of assembly or facility of transportation is evacuated; Loss of productivity is at least \$75,000 but less than \$100,000			4	P	6	
21-3419a(a)	Aggravated Criminal Threat; Public, commercial or industrial building, place of assembly or facility of transportation is evacuated; Loss of productivity is \$100,000 or more			4	P	5	
21-3420(a)-(d)	Kidnapping: For ransom, or as a shield or hostage; To facilitate flight or the commission of any crime; To inflict bodily injury or to terrorize the victim or another; or To interfere with the performance of any governmental or political function	13 / 3(b) / 3(c)	H/M	3	P		
21-3421	Aggravated Kidnapping; Bodily harm inflicted upon the person kidnapped	6	H	1	P	2	
21-3422(a)	Interference w/Parental Custody; Lead/take/carry away/decoy or entice away any child under 16 w/ intent to detain or conceal such child from parent, guardian, or other having the lawful charge of the child	3	L	10	P		
21-3422a(a)(1)	Aggravated Interference w/Parental Custody; Hiring one to commit crime of interference with parental custody	6	M	7	P		
21-3422a(a)(2)(A)	Aggravated Interference w/Parental Custody; Commission of interference with parental custody by one who has prior conviction of such crime	6	M	7	P		
21-3422a(a)(2)(B)	Aggravated Interference w/Parental Custody; Commission of interference with parental custody by one who commits the crime for hire	6	M	7	P		
21-3422a(a)(2)(C)	Aggravated Interference w/Parental Custody; Commission of interference with parental custody by one who takes the child outside the state w/o consent of one with custody or the court	6	M	7	P		

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
21-3422a(a)(2)(D)	Aggravated Interference w/Parental Custody; Commission of interference with parental custody by one who after lawfully taking the child outside the state while exercising visitation rights or parenting time, refuses to return the child at the expiration of that time	6	M	7	P		
21-3422a(a)(2)(E)	Aggravated Interference w/Parental Custody; Commission of interference with parental custody by one who at the expiration of any visitation rights or parenting time outside the state, refuses to return or impedes the return of the child	6	M	7	P		
21-3422a(a)(2)(F)	Aggravated Interference w/Parental Custody; Commission of interference with parental custody by one who detains or conceals the child in an unknown place, whether inside or outside the state	6	M	7	P		
21-3426	Robbery; Take property from person or presence of another by force or by threat of bodily harm	138	M	5	P		
21-3427	Aggravated Robbery; Armed w/ dangerous weapon or inflict bodily harm upon a person during robbery	125	H	3	P		
21-3428	Blackmail	1	M	7	NP		
21-3435(a)(1-3)	Exposing Another to a Life Threatening Communicable Disease - Intentionally and knowingly: Engage in sexual intercourse or sodomy with another individual; Sell or donate one's own blood, blood products, semen, tissue, organs or other body fluids; or, Share a hypodermic needle, syringe, or both, with another	2	H	7	P	6	
21-3437(a)(1)	Mistreatment of Dependant Adult; Intentionally and knowingly inflict physical injury, unreasonable confinement or cruel punishment upon a dependent adult	2	M	6	P	6	
21-3437(a)(2)	Mistreatment of Dependant Adult; Intentionally and knowingly take unfair advantage of a dependent adult's physical or financial resources; Amount is less than \$500			A	P	B	
21-3437(a)(2)	Mistreatment of Dependant Adult; Intentionally and knowingly take unfair advantage of a dependent adult's physical or financial resources; Amount is at least \$500 but less than \$1,000			A	P	A	
21-3437(a)(2)	Mistreatment of Dependant Adult; Intentionally and knowingly take unfair advantage of a dependent adult's physical or financial resources; Amount is at least \$1,000 but less than \$2,000	2	L	9	P	10	
21-3437(a)(2)	Mistreatment of Dependant Adult; Intentionally and knowingly take unfair advantage of a dependent adult's physical or financial resources; Amount is at least \$2,000 but less than \$25,000	2	L	9	P	9	
21-3437(a)(2)	Mistreatment of Dependant Adult; Intentionally and knowingly take unfair advantage of a dependent adult's physical or financial resources; Amount is at least \$25,000 but less than \$50,000			7	P	8	
21-3437(a)(2)	Mistreatment of Dependant Adult; Intentionally and knowingly take unfair advantage of a dependent adult's physical or financial resources; Amount is at least \$50,000 but less than \$75,000			7	P	7	
21-3437(a)(2)	Mistreatment of Dependant Adult; Intentionally and knowingly take unfair advantage of a dependent adult's physical or financial resources; Amount is at least \$75,000 but less than \$100,000			7	P	6	
21-3437(a)(2)	Mistreatment of Dependant Adult; Intentionally and knowingly take unfair advantage of a dependent adult's physical or financial resources; Amount is \$100,000 or more			6	P	5	
21-3437(a)(2)	Mistreatment of Dependant Adult; Intentionally and knowingly take unfair advantage of a dependent adult's physical or financial resources; Amount is less than \$1000 but committed by a person who has been convicted of this 2 or more time w/in 5 years			9	P		
21-3438(a)	Stalking; Second or subsequent conviction within 7 years; Same victim	5	L	8	P		
21-3438(a)	Stalking; When order issued pursuant to protection from stalking act, a temporary restraining order or an injunction is in effect against offender	6	L	9	P		

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By Statute Number
Excluding Sex Offenses Against Children

Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
21-3438(a)	Stalking; Intentional, malicious and repeated following or harassment of another and making a credible threat with intent to place such person in reasonable fear for such person's safety	5	L	10	P		
21-3439(a)(1-7)	Capital Murder - Intentional and premeditated killing: 1) In the commission of a kidnapping, or aggravated kidnapping, for ransom; 2) By contract or agreement; 3) By an inmate or prisoner while confined or in custody; 4) In the commission of rape, criminal sodomy, aggravated criminal sodomy, or any attempt of such; 5) Of a LEO; 6) Of more than one person as a part of the same act or transaction or in two or more acts that constitute a common scheme or course of conduct; or, 7) Of child under 14 in commission of kidnapping, or aggravated kidnapping, with intent to commit sex act	1	H	off-grid	P		
21-3442	Involuntary Manslaughter; While driving under the influence of alcohol or drugs	11	H/M	4	P		
21-3446(a)(1-2)	Trafficking: Recruit, harbor, transport, provide or obtain a person for forced labor or involuntary servitude; or, Benefit financially or receive anything of value for participation in trafficking			2	P		
21-3447(a)(1)(A-C)	Aggravated Trafficking: Trafficking involving kidnapping or attempted kidnapping; Committed for sexual gratification; or Resulting in a death			1	P		
21-3447(a)(2)	Aggravated Trafficking; Recruit, harbor, transport, provide or obtain a person under 18 for forced labor, involuntary servitude or sexual gratification			1	P	2	
21-3448(a)	Battery; Mental health employee	1	L	7	P		
21-3449(a)	Terrorism; Commit, attempt or conspire to commit any felony w/ intent to intimidate or coerce civilians, influence government policy, or affect the operation of any unit of government			off-grid	P		
21-3450(a)(1)	Illegal Use of Weapons of Mass Destruction; Intentionally, knowingly, and w/o lawful authority, develop, produce, stockpile, transfer, acquire, retain or possess any biological agents, chemical weapons, or nuclear materials for use as a weapon			off-grid	P		
21-3450(a)(2)	Illegal Use of Weapons of Mass Destruction; Knowingly assist a foreign state or organization to use WMDs			off-grid	P		
21-3450(a)(3)	Illegal Use of Weapons of Mass Destruction; Attempt, threaten or conspire to use WMDs			off-grid	P		
21-3451(a)-(d)	Furthering Terrorism/Illegal Use of Weapons of Mass Destruction; Receiving or acquiring property; Give or sel property; Facilitate transportation of property; Conduct financial transaction involving property for such use			1	P	ff-grid	
21-3502(a)(1)(A-C)	Rape - Nonconsensual: Victim overcome by force or fear; Victim unconscious or physically powerless; or, Victim with mental defect or apparently under effects of alcohol, drugs or other substance	35	H	1	P		
21-3502(a)(2)	Rape; Sexual intercourse with child under 14; Offender less than 18	23	H	1	P	3	
21-3502(a)(3-4)	Rape - Consent obtained by misrepresentation that intercourse is: Medically or therapeutically necessary; or Required w/in scope of authority	1	H	2	P		
21-3503(a)(1-2)	Indecent Liberties w/a Child 14 or more but < 16: Lewd fondling/touching; or, Soliciting such	29 / 1	M	5	P		
21-3504(a)(1)	Aggravated Indecent Liberties w/a Child; Sexual intercourse; Child 14 or more but less than 16	99	H	3	P	4	
21-3504(a)(2)(A-B)	Aggravated Indecent Liberties w/a Child 14 or more but < 16: Nonconsensual lewd fondling/touching; or, Causing child to engage in such	13	H	4	P		
21-3504(a)(3)(A-B)	Aggravated Indecent Liberties w/a Child < 14 - Offender < 18: Lewd fondling/touching; or, Soliciting such	70	H	3	P	4	
05(a)(2-3)	Criminal Sodomy: Committed with child 14 or more but < 16; or Causing child 14 or more but < 16 to engage in such	7	M/H	3	P	4	

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Appendix D
By Statute Number
Excluding Sex Offenses Against Children

Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
21-3506(a)(1-2)	Aggravated Criminal Sodomy - Offender < 18: Committed with child < 14; or Causing child < 14 to engage in such	17	H	1	P		
21-3506(a)(3)(A-C)	Aggravated Criminal Sodomy: Victim overcome by force or fear; Victim unconscious or physically powerless; or, Victim with mental defect or apparently under effects of alcohol, drugs or other substance	4	H	1	P		
21-3508(a)(1-2)	Lewd and Lascivious Behavior - Committed in presence of person < 16: Publicly engage in sexual intercourse or sodomy; or, Publicly expose a sex organ or expose a sex organ to one other than spouse	10	L	9	P		
21-3510(a)(1-2)	Indecent Solicitation of Child 14 or more but < 16: Commit or submit to unlawful sexual act; or, Inviting to enter secluded place	23	M	6	P		
21-3511(a), (b)	Aggravated Indecent Solicitation of a Child < 14: To commit or submit to unlawful sexual act; or, Inviting to enter secluded place	19 / 1	H	5	P		
21-3513(a)(1-8)	Promoting Prostitution - Prostitute is < 16: 1) Establish, own, maintain or manage a house of prostitution, or participate in such; 2) Permit a place owned/controlled by the defendant to be used as a house of prostitution; 3) Procure a prostitute for the house; 4) Induce another to become a prostitute; 5) Solicit a patron; 6) Procure a prostitute for a patron; 7) Procure or pay for transportation of, or transporting a person w/ intention of assisting or promoting that person's engaging in prostitution; or 8) Be employed to perform any act which is prohibited by this section			6	P		
21-3513(a)(1-8)	Promoting Prostitution - Prostitute is 16 or older - 2nd or sub: 1) Establish, own, maintain or manage a house of prostitution, or participate in such; 2) Permit a place owned/controlled by the defendant to be used as a house of prostitution; 3) Procure a prostitute for the house; 4) Induce another to become a prostitute; 5) Solicit a patron; 6) Procure a prostitute for a patron; 7) Procure or pay for transportation of, or transporting a person w/ intention of assisting or promoting that person's engaging in prostitution; or 8) Be employed to perform any act which is prohibited by this section			7	P		
21-3516(a)(1-4)	Sexual Exploitation of Child: Employ child less than 18 to engage in sexually explicit conduct; Possess visual medium of child less than 18 engaging in sexually explicit conduct; Parent, guardian or one with custody, knowingly permit child less than 18 to engage in sexually explicit conduct; or, Promote performance of child less than 18	10(b) / 6(a)	M/H	5	P	4	
21-3518(a)(1-3)	Aggravated Sexual Battery - Intentional nonconsensual touching of Child 16 or more: Victim overcome by force or fear; Victim unconscious or physically powerless; or, Victim with mental defect or apparently under effects of alcohol, drugs or other substance	27	H	5	P		
21-3520(a)(1)	Unlawful Sexual Relations; Consensual; between KDOC staff, volunteer or contract staff and inmate < 16	1	L	10	P		
21-3520(a)(10)	Unlawful Sexual Relations; Consensual; between Community Correctional Officer or contract employee and person 16 or older and under supervision	1	L	10	P		
21-3520(a)(2)	Unlawful Sexual Relations; Consensual; between parole officer, volunteer or contract staff and inmate or person under supervision	1	L	10	P		
21-3520(a)(3)	Unlawful Sexual Relations; Consensual; between LEO, jail staff or contract staff and inmate 16 or more	1	L	10	P		
21-3520(a)(4)	Unlawful Sexual Relations; Consensual; between LEO, Juvenile Detention officer or contract staff and inmate 16 or more	1	L	10	P		
21-3520(a)(5)	Unlawful Sexual Relations; Consensual; between JJA staff or contract staff and inmate 16 or more	1	L	10	P		

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Appendix D
By Statute Number
Excluding Sex Offenses Against Children

Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
21-3520(a)(6)	Unlawful Sexual Relations; Consensual; between JJA staff or contract staff and person 16 or more and under supervision	1	L	10	P		
21-3520(a)(7)	Unlawful Sexual Relations; Consensual; between SRS staff or contract staff and patient 16 or more	1	L	10	P		
21-3520(a)(8)	Unlawful Sexual Relations; Consensual; between teacher/person in authority and student	3	L	10	P		
21-3520(a)(9)	Unlawful Sexual Relations; Consensual; between Court Services Officer or contract employee and person 16 or older and under supervision	1	L	10	P		
21-3522(a)(1)	Unlawful Sexual Relations; Voluntary; Sexual intercourse between a child 14 or 15 and a person less than 19 and less than four years older than the child	39	L	8	P		
21-3522(a)(2)	Unlawful Sexual Relations; Voluntary; Sodomy between a child 14 or 15 and a person < 19 and < four years older than the child	1	L	9	P		
21-3522(a)(3)	Unlawful Sexual Relations; Voluntary; Lewd fondling/touching of a child 14 or 15 by a person less than 19 and less than four years older than the child	6	L	10	P		
21-3523(a)(1)	Electronic Solicitation; Of child believed to be less than 16 (14 or 15)	3	M	3	P	5	
21-3523(a)(2)	Electronic Solicitation; Of child believed to be less than 14	2	H	1	P	4	
21-3601(a)(1)	Bigamy; Marriage by a person who has another spouse living at the time of such marriage			10	NP		
21-3601(a)(2)	Bigamy; Marriage by an unmarried person to a person known to be the spouse of another			10	NP		
21-3601(a)(3)	Bigamy; Cohabitation in this state after marriage in another state or country under circumstances described in subsection (a)(1) or (a)(2)			10	NP		
21-3602	Incest; Sexual intercourse or sodomy w/a person who is 18 or more and a known biological relative	1	L	10	P		
21-3603(a)(1)	Aggravated Incest; Marriage to a person who is less than 18 and a known relative			7	P		
21-3603(a)(2)(A)	Aggravated Incest; Otherwise lawful intercourse or sodomy w/ a relative 16 or 17	2	M	5	P		
21-3603(a)(2)(B)	Aggravated Incest; Lewd fondling/touching w/ a relative 16 or 17	1	M	7	P		
21-3604(a)	Abandonment; Of child less than 16			8	P		
21-3604a	Aggravated Abandonment; Of a child less than 16 resulting in great bodily harm			5	P		
21-3605(a)(1)	Nonsupport of Child; Parent's unlawful failure, neglect or refusal to provide support/maintenance of the child	35	L	10	NP		
21-3605(b)(1)	Nonsupport of Spouse; Failure to provide for the support of a person's spouse	35	L	10	NP		
21-3608a(a)(1)(A)	Aggravated Endangering a Child; Intentionally causing or permitting a child under the age of 18 years to be placed in a situation in which the child's life, body or health is injured, [STRIKE - "is injured"]	11 / 6	L	9	P	7	
21-3608a(a)(3)	Aggravated Endangering a Child; Cause or permit a child to be in an environment where meth is sold, offered, or possessed w/ intent to sell	1	L	9	P	7	
21-3608a(a)(4)	Aggravated Endangering a Child; Cause or permit a child to be in an environment where drug paraphernalia or volatile, toxic or flammable chemicals are stored for manufacturing methamphetamine	11 / 6	L	9	P	7	
21-3609	Abuse of a child; Intentionally torture, cruelly beat, or shake resulting in great bodily harm [STRIKE -or inflict cruel and inhuman corporal punishment] upon any child < 18	23	M	5	P	3	
21-3609	Abuse of a child; Intentionally [STRIKE - torture, cruelly beat, or shake resulting in great bodily harm or] inflict cruel and inhuman corporal punishment upon any child < 18			5	P	6	
21-3610b(a)	Furnishing Alcoholic Beverages to Minor; For illicit purposes; Child less than 18			9	P		

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Appendix D
By Statute Number
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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
21-3612(a)(4)	Contributing to a Child's Misconduct; Sheltering or concealing a runaway child	8	L	8	P		
21-3612(a)(5)	Contributing to a Child's Misconduct; Encourage child under 18 to commit felony	4	L	7	P		
21-3701(a)(1)	Theft; Obtain or exert unauthorized control; Less than \$500			A	NP	B	
21-3701(a)(1)	Theft; Obtain or exert unauthorized control; At least \$500 but less than \$1,000			A	NP	A	
21-3701(a)(1)	Theft; Obtain or exert unauthorized control; At least \$1,000 but less than \$2,000	626	L	9	NP	10	
21-3701(a)(1)	Theft; Obtain or exert unauthorized control; At least \$2,000 but less than \$25,000	626	L	9	NP	9	
21-3701(a)(1)	Theft; Obtain or exert unauthorized control; At least \$25,000 but less than \$50,000	34	M	7	NP	8	
21-3701(a)(1)	Theft; Obtain or exert unauthorized control; At least \$50,000 but less than \$75,000	34	M	7	NP	7	
21-3701(a)(1)	Theft; Obtain or exert unauthorized control; At least \$75,000 but less than \$100,000	34	M	7	NP	6	
21-3701(a)(1)	Theft; Obtain or exert unauthorized control; \$100,000 or more	3	M	5	NP		
21-3701(a)(1)	Theft; Obtain or exert unauthorized control; Value < \$1,000 and committed by a person who has been convicted of theft two or more times	211	L	9	NP		
21-3701(a)(1)	Theft; Obtain or exert unauthorized control; From three establishments w/in 72 hours as part of the same act or transaction or, in two or more acts or transactions, constituting a common scheme or course of conduct			9	NP		
21-3701(a)(2)	Theft; By deception; Less than \$500			A	NP	B	
21-3701(a)(2)	Theft; By deception; At least \$500 but less than \$1,000			A	NP	A	
21-3701(a)(2)	Theft; By deception; At least \$1,000 but less than \$2,000	626	L	9	NP	10	
21-3701(a)(2)	Theft; By deception; At least \$2,000 but less than \$25,000	626	L	9	NP	9	
21-3701(a)(2)	Theft; By deception; At least \$25,000 but less than \$50,000	34	M	7	NP	8	
21-3701(a)(2)	Theft; By deception; At least \$50,000 but less than \$75,000	34	M	7	NP	7	
21-3701(a)(2)	Theft; By deception; At least \$75,000 but less than \$100,000	34	M	7	NP	6	
21-3701(a)(2)	Theft; By deception; \$100,000 or more			5	NP		
21-3701(a)(2)	Theft; By deception; Value < \$1,000 and committed by a person who has been convicted of theft two or more times	211	L	9	NP		
21-3701(a)(2)	Theft; By deception; From three separate establishments w/in 72 hours as part of the same act or transaction or in two or more acts or transactions constituting a common scheme or course of conduct			9	NP		
21-3701(a)(3)	Theft; By threat; Less than \$500			A	NP	B	
21-3701(a)(3)	Theft; By threat; At least \$500 but less than \$1,000			A	NP	A	
21-3701(a)(3)	Theft; By threat; At least \$1,000 but less than \$2,000	626	L	9	NP	10	
21-3701(a)(3)	Theft; By threat; At least \$2,000 but less than \$25,000	626	L	9	NP	9	
21-3701(a)(3)	Theft; By threat; At least \$25,000 but less than \$50,000	34	M	7	NP	8	
21-3701(a)(3)	Theft; By threat; At least \$50,000 but less than \$75,000	34	M	7	NP	7	
21-3701(a)(3)	Theft; By threat; At least \$75,000 but less than \$100,000	34	M	7	NP	6	
21-3701(a)(3)	Theft; By threat; \$100,000 or more			5	NP		
21-3701(a)(3)	Theft; By threat; Value < \$1,000 and committed by a person who has been convicted of theft two or more times	211	L	9	NP		
21-3701(a)(3)	Theft; By threat; From three separate establishments w/in 72 hours as part of the same act or transaction or in two or more acts or transactions constituting a common scheme or course of conduct			9	NP		

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Appendix D
By Statute Number
Excluding Sex Offenses Against Children

Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
21-3701(a)(4)	Theft; Stolen property; Knowing the property to have been stolen by another; Less than \$500			A	NP	B	
21-3701(a)(4)	Theft; Stolen property; Knowing the property to have been stolen by another; At least \$500 but less than \$1,000			A	NP	A	
21-3701(a)(4)	Theft; Stolen property; Knowing the property to have been stolen by another; At least \$1,000 but less than \$2,000	626	L	9	NP	10	
21-3701(a)(4)	Theft; Stolen property; Knowing the property to have been stolen by another; At least \$2,000 but less than \$25,000	626	L	9	NP	9	
21-3701(a)(4)	Theft; Stolen property; Knowing the property to have been stolen by another; At least \$25,000 but less than \$50,000	34	M	7	NP	8	
21-3701(a)(4)	Theft; Stolen property; Knowing the property to have been stolen by another; At least \$50,000 but less than \$75,000	34	M	7	NP	7	
21-3701(a)(4)	Theft; Stolen property; Knowing the property to have been stolen by another; At least \$75,000 but less than \$100,000	34	M	7	NP	6	
21-3701(a)(4)	Theft; Stolen property; Knowing the property to have been stolen by another; \$100,000 or more	3	M	5	NP		
21-3701(a)(4)	Theft; Stolen property; Knowing the property to have been stolen by another; Value less than \$1,000 and committed by a person who has been convicted of theft two or more times	211	L	9	NP		
21-3701(a)(4)	Theft; Stolen property; Knowing the property to have been stolen by another; From three separate establishments w/in 72 hours as part of the same act or transaction or in two or more acts or transactions constituting a common scheme or course of conduct			9	NP		
21-3704(a)	Theft of Services; Less than \$500			A	NP	B	
21-3704(a)	Theft of Services; At least \$500 but less than \$1,000			A	NP	A	
21-3704(a)	Theft of Services; At least \$1,000 but less than \$2,000	2	L	9	NP	10	
21-3704(a)	Theft of Services; At least \$2,000 but less than \$25,000	2	L	9	NP	9	
21-3704(a)	Theft of Services; At least \$25,000 but less than \$50,000			7	NP	8	
21-3704(a)	Theft of Services; At least \$50,000 but less than \$75,000			7	NP	7	
21-3704(a)	Theft of Services; At least \$75,000 but less than \$100,000			7	NP	6	
21-3704(a)	Theft of Services; \$100,000 or more			5	NP		
21-3707(a)	Giving a Worthless Check; Less than \$500			A	NP	B	
21-3707(a)	Giving a Worthless Check; At least \$500 but less than \$1,000; or, More than once w/in a seven day period if the combined total is at least \$500 but < \$1,000			A	NP	A	
21-3707(a)	Giving a Worthless Check; At least \$1,000 but less than \$2,000; or, More than once w/in a seven day period if the combined total is at least \$1,000 but < \$2,000	52	L	9	NP	10	
21-3707(a)	Giving a Worthless Check; At least \$2,000 but less than \$25,000	52	L	9	NP	9	
21-3707(a)	Giving a Worthless Check; At least \$25,000 but less than \$50,000			7	NP	8	
21-3707(a)	Giving a Worthless Check; At least \$50,000 but less than \$75,000			7	NP	7	
21-3707(a)	Giving a Worthless Check; At least \$75,000 but less than \$100,000			7	NP	6	
21-3707(a)	Giving a Worthless Check; \$100,000 or more			7	NP	5	

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By Statute Number
Excluding Sex Offenses Against Children

Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
21-3707(a)	Giving a Worthless Check; Less than \$1,000 if person has been convicted of giving a worthless check two or more times w/in 5 years	1	L	7	NP	10	
21-3710(a)(1)	Forgery; W/o authorization	690	L/M	8	NP		
21-3710(a)(2)	Forgery; Issuing or delivering a forged instrument knowing it is forged	690	L/M	8	NP		
21-3710(a)(3)	Forgery; Possess, with intent to issue or deliver, any forged instrument knowing it is forged	690	L/M	8	NP		
21-3711	False Writing; Knowingly make false writing w/intent to defraud, obstruct detection of a theft or felony offense or induce official action	113	L	8	NP		
21-3712	Destroying a Written Instrument; Knowingly tear, cut, burn, erase, obliterate or destroy a written instrument, in whole or in part, with intent to defraud			9	NP		
21-3713	Altering a Legislative Document; Intentionally mutilate, alter or change, otherwise than in the regular course of legislation, any act, bill or resolution introduced into or acted upon by either or both houses of the legislature of this state either before or after such act, bill or resolution has been signed by the governor.			9	NP		
21-3715(a)	Burglary; Knowingly w/o authority enter into or remain within any dwelling w/ intent to commit felony, theft or sexual battery therein	293	M	7	P		
21-3715(b)	Burglary; Knowingly w/o authority enter into or remain within any building not a dwelling w/intent to commit a felony, theft or sexual battery therein	355	M	7	NP		
21-3715(c)	Burglary; Knowingly w/o authority entering into or remaining within any motor vehicle, aircraft, or other means of conveyance w/intent to commit felony, theft or sexual battery therein	256	L	9	NP		
21-3716	Aggravated Burglary; Knowingly w/o authority enter into or remain within any structure or conveyance in which there is a human being, w/intent to commit a felony, theft or sexual battery therein	77	H	5	P		
21-3718(a)(1)(A-B)	Arson - Knowingly, by means of fire or explosive: Damage dwelling w/out consent of owner; or, W/intent to injure or defraud an insurer or lien holder			6	P		
21-3718(a)(1)(C)	Arson; Knowingly, by means of fire or explosive; Damage structure not a dwelling w/o consent of owner	26	M	7	NP		
21-3718(a)(1)(D)	Arson; Knowingly, by means of fire or explosive; Damage structure not a dwelling w/ intent to injure or defraud insurer or lien holder	26	M	7	NP		
21-3718(a)(2)	Arson; Knowingly, by means of fire or explosive; Damage a dwelling accidentally as a result of manufacture or attempted manufacture a controlled substance	14	M	7	P		
21-3718(a)(3)	Arson; Knowingly, by means of fire or explosive; Damage structure not a dwelling accidentally as result of manufacture or attempted manufacture a controlled substance			7	NP		
21-3719(a)(1)	Aggravated Arson; Arson to building in which there is a human being; Resulting in No substantial risk of bodily harm	5	M	6	P		
21-3719(a)(1-2)	Aggravated Arson: To building in which there is a human being resulting in substantial risk of bodily harm; or, Resulting in great bodily harm or disfigurement to a firefighter or law enforcement officer	1	H	3	P		
21-3720(a)(1-2)	Criminal Damage to Property - Damage Less than \$500 : Intentionally injure, damage, mutilate, deface, destroy, or substantially impair use of property w/o consent; or, W/intent to injure or defraud an insurer or lien holder			B	NP	B	

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By Statute Number
Excluding Sex Offenses Against Children

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
21-3720(a)(1-2)	Criminal Damage to Property - Damage At least \$500 but less than \$1,000: Intentionally injure, damage, mutilate, deface, destroy, or substantially impair use of property w/o consent; or, W/intent to injure or defraud an insurer or lien holder			B	NP	A	
21-3720(a)(1-2)	Criminal Damage to Property - Damage At least \$1,000 but less than \$2,000: Intentionally injure, damage, mutilate, deface, destroy, or substantially impair use of property w/o consent; or, W/intent to injure or defraud an insurer or lien holder	90	L	9	NP	10	
21-3720(a)(1-2)	Criminal Damage to Property - Damage At least \$2,000 but less than \$25,000: Intentionally injure, damage, mutilate, deface, destroy, or substantially impair use of property w/o consent; or, W/intent to injure or defraud an insurer or lien holder	90	L	9	NP	9	
21-3720(a)(1-2)	Criminal Damage to Property - Damage At least \$25,000 but less than \$50,000: Intentionally injure, damage, mutilate, deface, destroy, or substantially impair use of property w/o consent; or, W/intent to injure or defraud an insurer or lien holder	2	M	7	NP	8	
21-3720(a)(1-2)	Criminal Damage to Property - Damage At least \$50,000 but less than \$75,000: Intentionally injure, damage, mutilate, deface, destroy, or substantially impair use of property w/o consent; or, W/intent to injure or defraud an insurer or lien holder	2	M	7	NP	7	
21-3720(a)(1-2)	Criminal Damage to Property - Damage At least \$75,000 but less than \$100,000: Intentionally injure, damage, mutilate, deface, destroy, or substantially impair use of property w/o consent; or, W/intent to injure or defraud an insurer or lien holder	2	M	7	NP	6	
21-3720(a)(1-2)	Criminal Damage to Property - Damage \$100,000 or more: Intentionally injure, damage, mutilate, deface, destroy, or substantially impair use of property w/o consent; or, W/intent to injure or defraud an insurer or lien holder	2	M	7	NP	5	
21-3726	Aggravated Tampering w/a Traffic Signal; Result or could result in death or great bodily injury of any person			7	NP		
21-3729(a)(1-3)	Criminal Use of Financial Card - Less than \$500 w/in 7 days: Use w/o consent of the cardholder; Use revoked or canceled financial card; or, Use a falsified, mutilated, altered or nonexistent financial card			A	NP	B	
21-3729(a)(1-3)	Criminal Use of Financial Card - At least \$500 but less than \$1,000 w/in 7 days: Use w/o consent of the cardholder; Use revoked or canceled financial card; or, Use a falsified, mutilated, altered or nonexistent financial card			A	NP	A	
21-3729(a)(1-3)	Criminal Use of Financial Card - At least \$1,000 but less than \$2,000 w/in 7 days: Use w/o consent of the cardholder; Use revoked or canceled financial card; or, Use a falsified, mutilated, altered or nonexistent financial card	22	L	9	NP	10	
21-3729(a)(1-3)	Criminal Use of Financial Card - At least \$2,000 but less than \$25,000 w/in 7 days: Use w/o consent of the cardholder; Use revoked or canceled financial card; or, Use a falsified, mutilated, altered or nonexistent financial card	22	L	9	NP	9	
21-3729(a)(1-3)	Criminal Use of Financial Card - At least \$25,000 but less than \$50,000 w/in 7 days: Use w/o consent of the cardholder; Use revoked or canceled financial card; or, Use a falsified, mutilated, altered or nonexistent financial card	1	M	7	NP	8	

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
21-3729(a)(1-3)	Criminal Use of Financial Card - At least \$50,000 but less than \$75,000 w/in 7 days: Use w/o consent of the cardholder; Use revoked or canceled financial card; or, Use a falsified, mutilated, altered or nonexistent financial card	1	M	7	NP	7	
21-3729(a)(1-3)	Criminal Use of Financial Card - At least \$75,000 but less than \$100,000 w/in 7 days: Use w/o consent of the cardholder; Use revoked or canceled financial card; or, Use a falsified, mutilated, altered or nonexistent financial card	1	M	7	NP	6	
21-3729(a)(1-3)	Criminal Use of Financial Card - \$100,000 or more w/in 7 days: Use w/o consent of the cardholder; Use revoked or canceled financial card; or, Use a falsified, mutilated, altered or nonexistent financial card	1	M	7	NP	5	
21-3731(a)	Criminal Use of Explosives; To commit a crime; Placing a public safety at risk; or, Introducing such into an occupied building	1	M	6	P		
21-3731(a)	Criminal Use of Explosives; Unauthorized possession, manufacture or transportation of explosives and/or compounds or supplies that form explosives	1	M	8	P		
21-3734(a)(1-3)	Impairing a Security Interest; Damage personal property subject to a security interest with intent to defraud; Dispose of personal property subject to a security interest w/o consent; Fail to account for the proceeds of the sale of personal property subject to a security interest; Less than \$500			A	NP	B	
21-3734(a)(1-3)	Impairing a Security Interest; Damage personal property subject to a security interest with intent to defraud; Dispose of personal property subject to a security interest w/o consent; Fail to account for the proceeds of the sale of personal property subject to a security interest; At least \$500 but less than \$1,000			A	NP	A	
21-3734(a)(1-3)	Impairing a Security Interest; Damage personal property subject to a security interest with intent to defraud; Dispose of personal property subject to a security interest w/o consent; Fail to account for the proceeds of the sale of personal property subject to a security interest; At least \$1,000 but less than \$2,000	5	L	9	NP	10	
21-3734(a)(1-3)	Impairing a Security Interest; Damage personal property subject to a security interest with intent to defraud; Dispose of personal property subject to a security interest w/o consent; Fail to account for the proceeds of the sale of personal property subject to a security interest; At least \$2,000 but less than \$25,000	5	L	9	NP	9	
21-3734(a)(1-3)	Impairing a Security Interest; Damage personal property subject to a security interest with intent to defraud; Dispose of personal property subject to a security interest w/o consent; Fail to account for the proceeds of the sale of personal property subject to a security interest; At least \$25,000 but less than \$50,000			7	NP	8	
21-3734(a)(1-3)	Impairing a Security Interest; Damage personal property subject to a security interest with intent to defraud; Dispose of personal property subject to a security interest w/o consent; Fail to account for the proceeds of the sale of personal property subject to a security interest; At least \$50,000 but less than \$75,000			7	NP	7	
21-3734(a)(1-3)	Impairing a Security Interest; Damage personal property subject to a security interest with intent to defraud; Dispose of personal property subject to a security interest w/o consent; Fail to account for the proceeds of the sale of personal property subject to a security interest; At least \$75,000 but less than \$100,000			7	NP	6	
21-3734(a)(1-3)	Impairing a Security Interest; Damage personal property subject to a security interest with intent to defraud; Dispose of personal property subject to a security interest w/o consent; Fail to account for the proceeds of the sale of personal property subject to a security interest; \$100,000 or more			7	NP	5	

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
21-3736(a)(1-3)	Warehouse Receipt Fraud - Make, draw, issue or deliver a negotiable receipt for goods with knowledge that: The goods have not actually been received; The receipt contains a false statement; or, A former negotiable receipt for the same goods or any part thereof is outstanding and uncanceled, w/o plainly placing "duplicate" on the face thereof			10	NP		
21-3742(a)	Throwing Objects From Bridge or Overpass; Resulting in vehicle damage and injury to passenger of vehicle			6	P		
21-3742(a)	Throwing Objects From Bridge or Overpass; Resulting in injury to pedestrian			7	P		
21-3748(a)	Piracy of Recordings			9	NP		
21-3749(a)	Dealing in Pirated Recordings; At least 7 or more audio/visual or 100 sound recordings w/in 180 days			9	NP		
21-3750(a)	Nondisclosure of Source Recordings; At least 7 or more audio/visual or 100 sound recordings w/in 180 days			9	NP		
21-3755(b)(1)(A)	Computer Crime; Intentionally and w/o authorization access, damage, modify, alter, destroy, copy, disclose or take possession of a computer, computer system, computer network or other property	7	L	8	NP		
21-3755(b)(1)(B)	Computer Crime; Use computer, computer system, computer network or other property for purpose of devising or executing scheme or artifice with intent to defraud			8	NP		
21-3755(b)(1)(C)	Computer Crime; Intentionally exceed the limits of authorization and damage, modify, alter, destroy, copy, disclose or take possession of a computer, computer system, computer network or any other property			8	NP		
21-3756(a)(1)	Adding Dockage or Foreign Material to Grain; Knowingly; Grain intended to be marketed			9	NP		
21-3756(a)(2)	Adding Dockage or Foreign Material to Grain; Recombining any dockage or foreign material once removed from grain with any grain intended to be marketed			9	NP		
21-3757(b)	Odometers; Knowingly tamper with, adjust, alter, change, set back, disconnect or fail to connect the odometer of any motor vehicle in order to reflect lower than true mileage			9	NP		
21-3757(c)	Odometers; Conspire with another person to violate the provisions of this section			9	NP		
21-3757(d)	Odometers; Operate, with intent to defraud, motor vehicle knowing that the odometer is disconnected or nonfunctional			9	NP		
21-3757(e)	Odometers; Advertise for sale, sell, use or install on any part of a motor vehicle or on any odometer any device which causes the odometer to register other than true mileage			9	NP		
21-3757(f)	Odometers; Sell or offer to sell, with the intent to defraud, a motor vehicle knowing that the odometer was tampered with or otherwise altered in order to reflect a lower than true mileage			9	NP		
21-3757(g)(2)	Odometers; Repair or replacement; Failure to adjust an odometer or affix a notice regarding such adjustment			9	NP		
21-3757(g)(3)	Odometers; Repair or replacement; Remove or alter any notice affixed to a vehicle			9	NP		
21-3761(a)(1-2)	Railroad - Damage less than \$500 : Knowingly trespass on railroad property w/o consent; or, Maliciously or wantonly causing derailment of a train, railroad car or rail-mounted work equipment			A	NP	B	
21-3761(a)(1-2)	Railroad - Damage at least \$500 but less than \$1,000 : Knowingly trespass on railroad property w/o consent; or, Maliciously or wantonly causing derailment of a train, railroad car or rail-mounted work equipment			A	NP	A	
21-3761(a)(1-2)	Railroad - Damage at least \$1,000 but less than \$2,000 : Knowingly trespass on railroad property w/o consent; or, Maliciously or wantonly causing derailment of a train, railroad car or rail-mounted work equipment			8	NP	10	
21-3761(a)(1-2)	Railroad - Damage at least \$2,000 but less than \$25,000 : Knowingly trespass on railroad property w/o consent; or, Maliciously or wantonly causing derailment of a train, railroad car or rail-mounted work equipment			8	NP	9	

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
21-3761(a)(1-2)	Railroad - Damage at least \$25,000 but less than \$50,000 : Knowingly trespass on railroad property w/o consent; or, Maliciously or wantonly causing derailment of a train, railroad car or rail-mounted work equipment			8	NP	8	
21-3761(a)(1-2)	Railroad - Damage at least \$50,000 but less than \$75,000 : Knowingly trespass on railroad property w/o consent; or, Maliciously or wantonly causing derailment of a train, railroad car or rail-mounted work equipment			8	NP	7	
21-3761(a)(1-2)	Railroad - Damage at least \$75,000 but less than \$100,000 : Knowingly trespass on railroad property w/o consent; or, Maliciously or wantonly causing derailment of a train, railroad car or rail-mounted work equipment			8	NP	6	
21-3761(a)(1-2)	Railroad - Damage \$100,000 or more : Knowingly trespass on railroad property w/o consent; or, Maliciously or wantonly causing derailment of a train, railroad car or rail-mounted work equipment			8	NP	5	
21-3762(b)	Pyramid Promotional Scheme; Establish, operate, advertise or promote scheme			9	NP		
21-3763(a)	Counterfeiting; Retail value less than \$500			A	NP	B	
21-3763(a)	Counterfeiting; Retail value at least \$500 but less than \$1,000			A	NP	A	
21-3763(a)	Counterfeiting; Retail value at least \$1,000 but less than \$2,000			9	NP	10	
21-3763(a)	Counterfeiting; Retail value at least \$2,000 but less than \$25,000			9	NP	9	
21-3763(a)	Counterfeiting; Retail value at least \$25,000 but less than \$50,000			7	NP	8	
21-3763(a)	Counterfeiting; Retail value at least \$50,000 but less than \$75,000			7	NP	7	
21-3763(a)	Counterfeiting; Retail value at least \$75,000 but less than \$100,000			7	NP	6	
21-3763(a)	Counterfeiting; Retail value \$100,000 or more			7	NP	5	
21-3763(a)	Counterfeiting; 1000 or more items bearing marks; or 3rd or sub			7	NP		
21-3763(a)	Counterfeiting; More than 100 but less than 1,000 items bearing marks; or, Second violation			9	NP		
21-3764(a)-(e)	Theft Detection Shielding Device: Manufacturing or selling of a theft detection shielding device; Possession of theft detection shielding device; Possession of a theft detection device remover; Intentional removal of a theft detection device; or, Possession of a sales receipt or universal product code label	19(d) / 7(a) / 1(c)	L	9	NP		
21-3766(a)	Tampering w/a Pipeline; Intentional and unauthorized alteration of or interference with any part of a pipeline			6	NP		
21-3801(a)	Treason; Levying war against the state, adhering to its enemies, or giving them aid and comfort			off-grid	P		
21-3802(a)	Sedition; Advocating the overthrow or reformation of the government by violence or unlawful means			7	NP		
21-3805(a)(1-3)	Perjury - During felony trial: Falsely swear, testify, affirm, declare or subscribe to any material fact upon oath or affirmation; Falsely subscribe as true and correct under penalty of perjury any material matter in any declaration, verification, certificate or statement as permitted by K.S.A. 53-60; or, Intentionally, knowingly and falsely subscribe as true and correct under penalty of perjury any statement as required by K.S.A. 75-5743	1	L	7	NP		
21-3805(a)(1-3)	Perjury - In a cause, matter or proceeding other than a felony trial: Falsely swear to any material fact upon oath or affirmation; Falsely subscribe as true and correct under penalty of perjury any material matter in any declaration, verification, certificate or statement as permitted by K.S.A. 53-60; or, Intentionally, knowingly and falsely subscribe as true and correct under penalty of perjury any statement as required by K.S.A. 75-5743	6	L	9	NP		

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
21-3807(a)(1-2)	Compounding a Felony Crime - Accept or agree to accept anything of value: For a promise not to initiate or aid in the prosecution; or, For a promise to intentionally conceal or destroy evidence of a crime			8	NP		
21-3808(a)	Obstructing Legal Process or Official Duty; In the case of a felony; Authorized disposition of a felony	124	L	9	NP		
21-3810(a)(1)	Aggravated Escape From Custody; While held on charge or conviction of felony	98	M	8	NP		
21-3810(a)(2)	Aggravated Escape From Custody; While held on charge or adjudication as juvenile offender			5	NP		
21-3810(a)(3)	Aggravated Escape From Custody; While held prior to or upon finding of probable cause for evaluation as a sexually violent predator			8	NP		
21-3810(a)(4)	Aggravated Escape From Custody; While held upon commitment to treatment facility as a sexually violent predator			8	NP		
21-3810(a)(5)	Aggravated Escape From Custody; While held upon a commitment to the state security hospital			8	NP		
21-3810(a)(6)	Aggravated Escape From Custody; While held in custody by a person 18 or over who is being held on an adjudication of a felony			8	NP		
21-3810(a)(7)	Aggravated Escape From Custody; While incarcerated at a state correctional institution in custody of the secretary of corrections			5	NP		
21-3810(b)(1)	Aggravated Escape From Custody; By use of or threat of violence; While held on a charge or conviction of any crime			6	P		
21-3810(b)(2)	Aggravated Escape From Custody; By use of or threat of violence; While held on a charge or adjudication as a juvenile offender	1	M	5	P		
21-3810(b)(3)	Aggravated Escape From Custody; By use of or threat of violence; While held prior to or upon a finding of probable cause for evaluation as a sexually violent predator			6	P		
21-3810(b)(4)	Aggravated Escape From Custody; By use of or threat of violence; While held upon commitment to a treatment facility as a sexually violent predator			6	P		
21-3810(b)(5)	Aggravated Escape From Custody; By use of or threat of violence; While held upon a commitment to the state security hospital			6	P		
21-3810(b)(6)	Aggravated Escape From Custody; By use of or threat of violence; While held by a person 18 or over who is being held on charge or adjudication of a misdemeanor or felony			6	P		
21-3810(b)(7)	Aggravated Escape From Custody; By use of or threat of violence; While incarcerated at a state correctional institution in the custody of secretary of corrections	1	M	5	P		
21-3811(a)-(c)	Aiding an Escape: Assist one to escape from lawful custody; Supply object for use in making escape; or Introduce an object into an institution for use in an escape	2	L	8	NP		
21-3812(a)	Aiding a Felon; Knowingly aid any person who has committed a felony to avoid or escape arrest, trial, conviction or punishment for such felony	32	L*	8	NP		
21-3812(b)	Aiding a Person Charged as a Felon; Knowingly aid a person who has been charged with a felony to avoid or escape arrest, trial, conviction or punishment for such felony	2	L	8	NP		
21-3812(d)	Aiding Person Required to Register under Kansas Offender Registration Act			5	P	10	
21-3814(a)	Aggravated Failure to Appear; Willfully incurring forfeiture of an appearance bond and failing to surrender oneself within 30 days of forfeiture or conviction	49	L	10	NP		
21-3815(a)	Attempting to Influence a Judicial Officer			9	NP		

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
21-3817(a)(1)	Corrupt Conduct of a Juror; Promise or agree to give a verdict for or against any party in any proceeding			9	NP		
21-3817(a)(2)	Corrupt Conduct of a Juror; Receive evidence or information pertaining to the trial of which such juror has been or will be sworn, w/o the authority of the court or officer before whom such juror has been summoned, and w/o immediate disclosure of the same			9	NP		
21-3825(a)(1)	Aggravated False Impersonation; Becoming bail or security, or acknowledging or executing any bond or other instrument as bail or security, for any party in any proceeding	9	L	9	NP		
21-3825(a)(2)	Aggravated False Impersonation; Confessing any judgment	9	L	9	NP		
21-3825(a)(3)	Aggravated False Impersonation; Acknowledging the execution of any conveyance of property, or any other instrument which by law may be recorded	9	L	9	NP		
21-3825(a)(4)	Aggravated False Impersonation; Any other act in the course of a suit, proceeding or prosecution whereby the person who is represented or impersonated may be made liable for payment of any debt, damages, costs or sum of money, or such person's rights or interests may be in any manner affected	9	L	9	NP		
21-3826(a)	Trafficking in Contraband in Correctional Institution; Contraband consisting of firearms, ammunition, explosives or controlled substance; or By an employee of a correctional institution	9 / 1	M/L	5	NP		
21-3826(a)	Trafficking in Contraband in Correctional Institution; Introduce or attempt to introduce contraband into or upon the grounds of a correctional institution; Take, send, or attempt to take or send, contraband from any correctional institution	27	L/M	6	NP		
21-3829	Aggravated Interference w/Public Business			6	P		
21-3830(a)	Dealing in False Identification Documents; Reproducing, manufacturing, selling or offering for sale any identification document which simulates, purports to be or is designed to cause others to believe it to be an identification document and bears a fictitious name or other false information	1	L	8	NP		
21-3830(d)(1)	Identity Fraud - Vital Records; Supply false information to obtain a certified copy of a vital record	1	L	8	NP		
21-3830(d)(2)	Identity Fraud - Vital Records; Make, counterfeit, alter, amend or mutilate any certified copy of a vital record without lawful authority and with intent to deceive	1	L	8	NP		
21-3830(d)(3)	Identity Fraud - Vital Records; Willfully, knowingly obtain, possess, use, sell or furnish or attempt to obtain, possess or furnish to another for purpose of deception a certified copy of a vital record	1	L	8	NP		
21-3833(a)(1-5)	Aggravated Intimidation of a Witness or Victim: Express or implied threat of force or violence; In furtherance of a conspiracy; By one who has prior conviction for such; Witness or victim is under 18; or, Committed for pecuniary gain	15	M	6	P		
21-3838(a)	Unlawful Disclosure of Authorized Interception of Wire			10	NP		
21-3840(a)	Failure to register an aircraft			8	NP		
21-3841(a)(1)	Fraudulent Aircraft Registration; Presence, possession or operation of any aircraft registered to a nonexistent person, firm, business or corporation or to a firm, business or corporation which is no longer a legal entity			8	NP		
21-3841(a)(2)	Fraudulent Aircraft Registration; Knowingly supply false information in regard to the name, address, business name or business address of the owner of an aircraft in or operated in the state			8	NP		

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
21-3841(a)(3)	Fraudulent Aircraft Registration; Knowingly supply false information in regard to ownership of an aircraft in or operated in this state if it is determined that the firm, business or corporation is not, or has never been, a legal entity in this state or any other state or has lapsed as an entity			8	NP		
21-3842(a)(1)	Fraudulent Acts; Aircraft Identification Numbers; Knowingly buy, sell, offer for sale, receive, dispose of, conceal or have in possession any aircraft or part thereof on which the assigned identification numbers do not meet the requirements of the federal aviation regulations			8	NP		
21-3842(a)(2)	Fraudulent Acts; Aircraft Identification Numbers; Knowingly possess, manufacture, sell or exchange, offer for sale or exchange, supply in blank or give away any counterfeit manufacturer's aircraft identification number plate or decal used for the purpose of identification of any aircraft			8	NP		
21-3846(a)(1-7)	Medicaid - Value less than \$500 : 1) Make false or fraudulent claim for payment; 2) Make any false or fraudulent statement/representation for use in determining payments; 3) Make any false or fraudulent report or filing used in computing or determining a rate of payment; 4) Make any false or fraudulent statement/representation in connection with any report or filing used in computing or determining a rate of payment; 5) Knowingly make any statement/representation for use by another in obtaining any goods, service, item, facility or accommodation under the Medicaid program; 6) Make any claim for payment for any goods, service, item, facility, or accommodation, not medically necessary; 7) Make any wholly or partially false or fraudulent book, record, document, data or instrument, which is required to be kept or kept as documentation			A	NP	B	
21-3846(a)(1-7)	Medicaid - Value at least \$500 but < \$1,000 : 1) Make false or fraudulent claim for payment; 2) Make any false or fraudulent statement/representation for use in determining payments; 3) Make any false or fraudulent report or filing used in computing or determining a rate of payment; 4) Make any false or fraudulent statement/representation in connection with any report or filing used in computing or determining a rate of payment; 5) Knowingly make any statement/representation for use by another in obtaining any goods, service, item, facility or accommodation under the Medicaid program; 6) Make any claim for payment for any goods, service, item, facility, or accommodation, not medically necessary; 7) Make any wholly or partially false or fraudulent book, record, document, data or instrument, which is required to be kept or kept as documentation			A	NP	A	
21-3846(a)(1-7)	Medicaid - Value at least \$1,000 but < \$2,000 : 1) Make false or fraudulent claim for payment; 2) Make any false or fraudulent statement/representation for use in determining payments; 3) Make any false or fraudulent report or filing used in computing or determining a rate of payment; 4) Make any false or fraudulent statement/representation in connection with any report or filing used in computing or determining a rate of payment; 5) Knowingly make any statement/representation for use by another in obtaining any goods, service, item, facility or accommodation under the Medicaid program; 6) Make any claim for payment for any goods, service, item, facility, or accommodation, not medically necessary; 7) Make any wholly or partially false or fraudulent book, record, document, data or instrument, which is required to be kept or kept as documentation			9	NP	10	

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
21-3846(a)(1-7)	Medicaid - Value at least \$2,000 but < \$25,000 : 1) Make false or fraudulent claim for payment; 2) Make any false or fraudulent statement/representation for use in determining payments; 3) Make any false or fraudulent report or filing used in computing or determining a rate of payment; 4) Make any false or fraudulent statement/representation in connection with any report or filing used in computing or determining a rate of payment; 5) Knowingly make any statement/representation for use by another in obtaining any goods, service, item, facility or accommodation under the Medicaid program; 6) Make any claim for payment for any goods, service, item, facility, or accommodation, not medically necessary; 7) Make any wholly or partially false or fraudulent book, record, document, data or instrument, which is required to be kept or kept as documentation			9	NP	9	
21-3846(a)(1-7)	Medicaid - Value at least \$25,000 but < \$50,000 : 1) Make false or fraudulent claim for payment; 2) Make any false or fraudulent statement/representation for use in determining payments; 3) Make any false or fraudulent report or filing used in computing or determining a rate of payment; 4) Make any false or fraudulent statement/representation in connection with any report or filing used in computing or determining a rate of payment; 5) Knowingly make any statement/representation for use by another in obtaining any goods, service, item, facility or accommodation under the Medicaid program; 6) Make any claim for payment for any goods, service, item, facility, or accommodation, not medically necessary; 7) Make any wholly or partially false or fraudulent book, record, document, data or instrument, which is required to be kept or kept as documentation			7	NP	8	
21-3846(a)(1-7)	Medicaid - Value at least \$50,000 but < \$75,000 : 1) Make false or fraudulent claim for payment; 2) Make any false or fraudulent statement/representation for use in determining payments; 3) Make any false or fraudulent report or filing used in computing or determining a rate of payment; 4) Make any false or fraudulent statement/representation in connection with any report or filing used in computing or determining a rate of payment; 5) Knowingly make any statement/representation for use by another in obtaining any goods, service, item, facility or accommodation under the Medicaid program; 6) Make any claim for payment for any goods, service, item, facility, or accommodation, not medically necessary; 7) Make any wholly or partially false or fraudulent book, record, document, data or instrument, which is required to be kept or kept as documentation			7	NP	7	
21-3846(a)(1-7)	Medicaid - Value at least \$75,000 but < \$100,000 : 1) Make false or fraudulent claim for payment; 2) Make any false or fraudulent statement/representation for use in determining payments; 3) Make any false or fraudulent report or filing used in computing or determining a rate of payment; 4) Make any false or fraudulent statement/representation in connection with any report or filing used in computing or determining a rate of payment; 5) Knowingly make any statement/representation for use by another in obtaining any goods, service, item, facility or accommodation under the Medicaid program; 6) Make any claim for payment for any goods, service, item, facility, or accommodation, not medically necessary; 7) Make any wholly or partially false or fraudulent book, record, document, data or instrument, which is required to be kept or kept as documentation			7	NP	6	

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
21-3846(a)(1-7)	Medicaid - Value \$100,000 or more : 1) Make false or fraudulent claim for payment; 2) Make any false or fraudulent statement/representation for use in determining payments; 3) Make any false or fraudulent report or filing used in computing or determining a rate of payment; 4) Make any false or fraudulent statement/representation in connection with any report or filing used in computing or determining a rate of payment; 5) Knowingly make any statement/representation for use by another in obtaining any goods, service, item, facility or accommodation under the Medicaid program; 6) Make any claim for payment for any goods, service, item, facility, or accommodation, not medically necessary; 7) Make any wholly or partially false or fraudulent book, record, document, data or instrument, which is required to be kept or kept as documentation	1	M	7	NP	5	
21-3846(a)(8)	Medicaid; Submit false or fraudulent book, record, document, data or instrument to a LEO, attorney general, or to the department of SRS, in connection with any audit or investigation			9	NP		
21-3846(a)(9)	Medicaid; False or fraudulent statement/representation made w/ intent to influence an official, employee/agent of a state or federal agency having regulatory or administrative authority over the Kansas Medicaid program.			9	NP		
21-3847(a)(1)	Medicaid; Solicit or receive any remuneration, including kickbacks, bribes or rebates for Medicaid goods			7	NP		
21-3847(a)(2)	Medicaid; Offer or pay any remuneration, including kickbacks, bribes or rebates to any person for Medicaid goods			7	NP		
21-3847(a)(3)	Medicaid; Divide or share any funds illegally obtained from the Medicaid program			7	NP		
21-3847(b)	Medicaid; Trade a Medicaid number for money or other remuneration; Sign for services not received; Sell or exchange Medicaid goods purchased or provided under the Medicaid program for value			7	NP		
21-3849(a)	Medicaid; Destruction or concealment of records	1	L	9	NP		
21-3856(a)(1)	Obstruction of a Medicaid Fraud Investigation; Falsifying, concealing or covering up material fact			9	NP		
21-3856(a)(2)	Obstruction of a Medicaid Fraud Investigation; Knowingly making false writing or document			9	NP		
21-3901(a), (b)	Bribery: Offering a bribe; or, Accepting a bribe	1	L	7	NP		
21-3902(a)(5)	Official Misconduct; Knowingly destroy, tamper with or conceal evidence of a felony			8	NP		
21-3902(a)(6)	Official Misconduct; Submit a claim for expenses which is false or duplicate; Less than \$500			9	NP	B	
21-3902(a)(6)	Official Misconduct; Submit a claim for expenses which is false or duplicate; At least \$500 but less than \$1,000			9	NP	A	
21-3902(a)(6)	Official Misconduct; Submit a claim for expenses which is false or duplicate; At least \$1,000 but less than \$2,000			9	NP	10	
21-3902(a)(6)	Official Misconduct; Submit a claim for expenses which is false or duplicate; At least \$2,000 but less than \$25,000			9	NP	9	
21-3902(a)(6)	Official Misconduct; Submit a claim for expenses which is false or duplicate; At least \$25,000 but less than \$50,000			7	NP	8	
21-3902(a)(6)	Official Misconduct; Submit a claim for expenses which is false or duplicate; At least \$50,000 but less than \$75,000			7	NP	7	
21-3902(a)(6)	Official Misconduct; Submit a claim for expenses which is false or duplicate; At least \$75,000 but less than \$100,000			7	NP	6	

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Appendix D
By Statute Number
Excluding Sex Offenses Against Children

Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
21-3902(a)(6)	Official Misconduct; Submit a claim for expenses which is false or duplicate; \$100,000 or more			7	NP	5	
21-3904(a)	Presenting False Claim; Less than \$500	1	L	9	NP	B	
21-3904(a)	Presenting False Claim; At least \$500 but less than \$1,000			9	NP	A	
21-3904(a)	Presenting False Claim; At least \$1,000 but less than \$2,000			9	NP	10	
21-3904(a)	Presenting False Claim; At least \$2,000 but less than \$25,000			9	NP	9	
21-3904(a)	Presenting False Claim; At least \$25,000 but less than \$50,000			7	NP	8	
21-3904(a)	Presenting False Claim; At least \$50,000 but less than \$75,000			7	NP	7	
21-3904(a)	Presenting False Claim; At least \$75,000 but less than \$100,000			7	NP	6	
21-3904(a)	Presenting False Claim; \$100,000 or more			7	NP	5	
21-3905(a)	Permitting False Claim; Less than \$500			9	NP	B	
21-3905(a)	Permitting False Claim; At least \$500 but less than \$1,000			9	NP	A	
21-3905(a)	Permitting False Claim; At least \$1,000 but less than \$2,000			9	NP	10	
21-3905(a)	Permitting False Claim; At least \$2,000 but less than \$25,000			9	NP	9	
21-3905(a)	Permitting False Claim; At least \$25,000 but less than \$50,000			7	NP	8	
21-3905(a)	Permitting False Claim; At least \$50,000 but less than \$75,000			7	NP	7	
21-3905(a)	Permitting False Claim; At least \$75,000 but less than \$100,000			7	NP	6	
21-3905(a)	Permitting False Claim; \$100,000 or more			7	NP	5	
21-3910(a)	Misuse of Public Funds; Aggregate is less than \$500	2	L	9	NP	B	
21-3910(a)	Misuse of Public Funds; Aggregate is at least \$500 but less than \$1,000	2	L	9	NP	A	
21-3910(a)	Misuse of Public Funds; Aggregate is at least \$1,000 but less than \$2,000	2	L	9	NP	10	
21-3910(a)	Misuse of Public Funds; Aggregate is at least \$2,000 but less than \$25,000	2	L	9	NP	9	
21-3910(a)	Misuse of Public Funds; Aggregate is at least \$25,000 but less than \$50,000	2	L	7	NP	8	
21-3910(a)	Misuse of Public Funds; Aggregate is at least \$50,000 but less than \$75,000	2	L	7	NP	7	
21-3910(a)	Misuse of Public Funds; Aggregate is at least \$75,000 but less than \$100,000	2	L	7	NP	6	
21-3910(a)	Misuse of Public Funds; Aggregate is \$100,000 or more	2	L	5	NP		
21-4018(a)	Identity Theft; Monetary loss less than \$500	132	L/M	8	NP	B	
21-4018(a)	Identity Theft; Monetary loss at least \$500 but less than \$1,000	132	L/M	8	NP	A	
21-4018(a)	Identity Theft; Monetary loss at least \$1,000 but less than \$2,000	132	L/M	8	NP	10	
21-4018(a)	Identity Theft; Monetary loss at least \$2,000 but less than \$25,000	132	L/M	8	NP	9	
21-4018(a)	Identity Theft; Monetary loss at least \$25,000 but less than \$50,000	132	L/M	8	NP	8	
21-4018(a)	Identity Theft; Monetary loss at least \$50,000 but less than \$75,000	132	L/M	8	NP	7	
21-4018(a)	Identity Theft; Monetary loss at least \$75,000 but less than \$100,000	132	L/M	8	NP	6	
21-4018(a)	Identity Theft; Monetary loss more than \$100,000	1	H	5	NP		
21-4018(d)(1-3)	Identity Fraud: Supply false information to obtain an identification document; Make, counterfeit, alter, amend or mutilate any identification document without lawful authority and with intent to deceive; or, Obtain, possess, use, sell or furnish or attempt to obtain, possess or furnish to another an identification document for any purpose of deception	1	L	8	NP		
21-4019(a)	Unlawful Possession/Use of Scanning Device; Knowingly & w/intent to defraud			6	NP		

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Appendix D
By Statute Number
Excluding Sex Offenses Against Children

Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
21-4019(b)	Unlawful Possession/Use of Reencoder; Knowingly and with intent to defraud			6	NP		
21-4105(a)	Incitement to Riot			8	P	6	
21-4111(a)(2)(B-D)	Criminal Desecration by means other than by fire or explosive - Damage less than \$500 : Any public monument or structure; Any tomb, monument, memorial, marker, grave, vault, crypt gate, tree, shrub, plant or any other property in a cemetery; or, Any place of worship			9	NP	B	
21-4111(a)(2)(B-D)	Criminal Desecration by means other than by fire or explosive - Damage at least \$500 but < \$1,000 : Any public monument or structure; Any tomb, monument, memorial, marker, grave, vault, crypt gate, tree, shrub, plant or any other property in a cemetery; or, Any place of worship			9	NP	A	
21-4111(a)(2)(B-D)	Criminal Desecration by means other than by fire or explosive - Damage at least \$1,000 but < \$2,000 : Any public monument or structure; Any tomb, monument, memorial, marker, grave, vault, crypt gate, tree, shrub, plant or any other property in a cemetery; or, Any place of worship			9	NP	10	
21-4111(a)(2)(B-D)	Criminal Desecration by means other than by fire or explosive - Damage at least \$2,000 but < \$25,000 : Any public monument or structure; Any tomb, monument, memorial, marker, grave, vault, crypt gate, tree, shrub, plant or any other property in a cemetery; or, Any place of worship			9	NP	9	
21-4111(a)(2)(B-D)	Criminal Desecration by means other than by fire or explosive - Damage at least \$25,000 but < \$50,000 : Any public monument or structure; Any tomb, monument, memorial, marker, grave, vault, crypt gate, tree, shrub, plant or any other property in a cemetery; or, Any place of worship			7	NP	8	
21-4111(a)(2)(B-D)	Criminal Desecration by means other than by fire or explosive - Damage at least \$50,000 but < \$75,000 : Any public monument or structure; Any tomb, monument, memorial, marker, grave, vault, crypt gate, tree, shrub, plant or any other property in a cemetery; or, Any place of worship			7	NP	7	
21-4111(a)(2)(B-D)	Criminal Desecration by means other than by fire or explosive - Damage at least \$75,000 but < \$100,000 : Any public monument or structure; Any tomb, monument, memorial, marker, grave, vault, crypt gate, tree, shrub, plant or any other property in a cemetery; or, Any place of worship			7	NP	6	
21-4111(a)(2)(B-D)	Criminal Desecration - Damage \$100,000 or more , by means other than by fire or explosive: Any public monument or structure; Any tomb, monument, memorial, marker, grave, vault, crypt gate, tree, shrub, plant or any other property in a cemetery; or, Any place of worship			7	NP	5	
21-4201(a)(6)	Criminal Use of Weapons; Possess any device used to silence firearm	2	L	9	NP		
21-4201(a)(7)	Criminal Use of Weapons; Sell, manufacture, purchase, possess or carry a shotgun with a barrel less than 18 inches in length or any automatic weapons	4	L	9	NP		
21-4201(a)(8)	Criminal Use of Weapons; Possess, manufacture, sell, offer for sale, lend, purchase or give away any handgun cartridge with a plastic-coated bullet having a core of less than 60% lead by weight	2	L	9	NP		
21-4202(a)(1)	Aggravated Weapons Violation; Violation of subsections (a)(6), (a)(7) and (a)(8) of K.S.A. 21-4201 by a person who w/in 5 yrs preceding the violation, has been convicted of a nonperson felony or released from imprisonment for such	8	L	8	NP		
21-4202(a)(1)	Aggravated Weapons Violation; Violation of subsections (a)(1) through (a)(5) or (a)(9) of K.S.A. 21-4201 by a person who w/in 5 yrs preceding the violation, has been convicted of a nonperson felony or released from imprisonment for such	8	L	9	NP		

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By Statute Number
Excluding Sex Offenses Against Children

Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
21-4202(a)(2)	Aggravated Weapons Violation; Violation of subsections (a)(6), (a)(7) and (a)(8) of K.S.A. 21-4201 by a person who has been convicted of a person felony or has been released from imprisonment for such and has not had the conviction expunged or been pardoned for such crime	8	L	8	NP		
21-4202(a)(2)	Aggravated Weapons Violation; Violation of subsections (a)(1) through (a)(5) or (a)(9) of K.S.A. 21-4201 by a person who has been convicted of a person felony or has been released from imprisonment for such and has not had the conviction expunged or been pardoned for such crime	8	L	9	NP		
21-4204(a)(2)	Criminal Possession of Firearm; By a person who has been convicted of a person felony or violation of the uniform controlled substances act or adjudicated a juvenile offender and found to have possession of firearm at commission of offense.	25	L	8	NP		
21-4204(a)(3)	Criminal Possession of a Firearm; By a person who has been convicted of a felony other than (a)(4)(A) or violation of the uniform controlled substances act or adjudicated a juvenile offender and found not to have been in possession of a firearm at the time of commission of offense.	32	L	8	NP		
21-4204(a)(4)(A)	Criminal Possession of Firearm; By a person who has been convicted, within the preceding 10 years of a felony listed in this statute or released from imprisonment for such and found not to have been in possession of a firearm at the time of the commission of the offense.	34	L	8	NP		
21-4204(a)(4)(B)	Criminal Possession of Firearm; By a person who has been convicted, within the preceding 10 years of a nonperson felony, has been released from imprisonment for such or was adjudicated as a juvenile offender, and was found to have been in possession of a firearm at the time of the commission of the offense.	3	L	8	NP		
21-4204(a)(7)	Criminal Possession of Firearm; By one who is or has been a mentally ill person or, persons with alcohol or substance abuse problems, if subject to involuntary commitment for care and treatment.			8	NP	9	
21-4209(a)(1-3)	Criminal Disposal of Explosives - Sell, give or transfer to: A person under 21; A person who is both addicted to and an unlawful user of a controlled substance; or, A person who, w/in preceding 5 yrs, has been convicted of a felony or has been released from imprisonment for a felony			10	P		
21-4209a(a)	Criminal Possession of Explosives; Possession of explosive or detonating substance by one who, w/in 5 yrs preceding such possession, has been convicted of a felony or has been released from imprisonment for a felony	2	L	7	P		
21-4214(a)(1-5)	Obtaining Prescription Drug by Fraudulent Means - 2nd or subsequent offense: 1) Making, altering or signing of a prescription order by a person other than a practitioner or a mid-level practitioner; 2) Delivery of a prescription order known to have been made, altered or signed by a person other than a practitioner or a mid-level practitioner; 3) Possession of a prescription order with intent to deliver it knowing it to have been made, altered or signed by a person other than a practitioner or a mid-level practitioner; 4) Possession of a prescription-only drug known to have been obtained by a prescription order made, altered or signed by a person other than a practitioner or a mid-level practitioner; or, 5) Providing false information to a practitioner or mid-level practitioner for the purpose of obtaining a prescription-only drug	2	L	9	NP		
21-4215(a)(1-3)	Obtaining Prescription Drug by Fraudulent Means for Resale: Selling such drug; Offering such for sale; or, Possessing w/intent to sell	2	L	6	NP		
21-4219(a)	Criminal Discharge of Firearm; At unoccupied dwelling	5	M*	8	P		
21-4219(b)	Criminal Discharge of Firearm; At an occupied building or occupied vehicle resulting in great bodily harm	1	H	3	P		

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By Statute Number
Excluding Sex Offenses Against Children

Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
21-4219(b)	Criminal Discharge of Firearm; At an occupied building or occupied vehicle resulting in bodily harm	1	H	5	P		
21-4219(b)	Criminal Discharge of Firearm; At an occupied building or occupied vehicle	23	M	7	P		
21-4220(a)(1)	Unlawful Endangerment; Protect or attempt to protect the production of a controlled substance with a device or weapon which causes or is intended to cause damage or injury to another person			8	NP		
21-4220(a)(2)	Unlawful Endangerment; Protect or attempt to protect the production of a controlled substance with a device or weapon which causes physical injury			7	P		
21-4220(a)(3)	Unlawful Endangerment; Protect or attempt to protect the production of a controlled substance with a device or weapon which cause serious physical injury			5	P		
21-4221(a)(1-2)	Endangering the Food Supply: Bring into state any domestic animal which is affected with or exposed to foot-and-mouth disease; or, Exposing any animal in this state to foot-and-mouth disease			4	NP		
21-4221(a)(4)	Endangering the Food Supply; Expose any raw agricultural commodity, animal feed or processed food to foot-and-mouth disease			4	NP		
21-4222(a)(1-2)	Aggravated Endangering the Food Supply: Intent to cause damage to plants or animals or economic harm or social unrest; or Intent to cause illness or injury or death to human being(s)			3	NP		
21-4223(b)(2)	Traffic Control Signal Preemption Device; Unlawful Use; Resulting in traffic accident causing death of any person			5	P		
21-4223(b)(2)	Traffic Control Signal Preemption Device; Unlawful Use; Resulting in traffic accident causing injury to any person or damage to any vehicle or other property			7	P		
21-4223(b)(2-4)	Traffic Control Signal Preemption Device: Unlawful Use; Unlawful Sale; or, Unlawful Purchase			9	NP		
21-4227(a)	Criminal Street Gangs; Recruiting criminal street gang membership			6	P		
21-4228(a)(1-2)	Criminal Street Gangs - Intimidation: Threaten injury to or actual injury of another to deter them from assisting a gang member in withdrawing from the gang; or, to punish or retaliate against such person having withdrawn from a gang			5	P		
21-4232(a)	Tampering w/Electronic Monitoring Equipment			6	NP	8	
21-4301(a)(1-4)	Promoting Obscenity - 2nd or Sub: Providing obscene material or obscene device; Possess obscene material or obscene device w/ intent to provide it to others; Offer or agree to provide obscene material or obscene device; or, Produce, present or direct an obscene performance or participate in such			9	P		
21-4301a(a)	Promoting Obscenity to Minors; 2nd or subsequent offense			8	P		
21-4304(a)-(e)	Commercial Gambling: Operate or receive earnings of a gambling place; Receive/record/forward bets or offers to bet or, possess facilities to do so w/ such intent; For gain, become a custodian of anything of value bet or offered to be bet; Conduct a lottery, or possess facilities to do so with such intent; or, Set up for use or collect the proceeds of any gambling device			8	NP		
21-4306(a)	Dealing in Gambling Devices; Manufacture, transfer or possess with intent to transfer any gambling device or sub-assembly or essential part thereof			8	NP		
21-4308(a)-(c)	Installing Communications Facilities for Gamblers: Within a place known by installer to be a gambling place; Knowing that such facilities will be used principally for making or settling bets; or, Knowing that facilities are being used for making or settling bets, allowing their continued use			8	NP		

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By Statute Number
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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
21-4310(a)(1)	Cruelty to Animals; Intentionally and maliciously killing, injuring, maiming, torturing, burning or mutilating any animal (Keep mandatory 30 day term, now to be served in JAIL, with CC supervision to follow)	1	L	**Nongrid	NP	10	
21-4310(a)(2-5)	Cruelty to Animals - 2nd or subsequent offense: 2) Intentionally abandoning without providing for care; 3) Having custody and intentionally failing to provide food, potable water, protection from elements, exercise and other care needed for health and well-being; 4) Intentionally using wire, pole, stick, rope or other object to cause an equine to lose balance or fall, for sport or entertainment; or, 5) Intentionally causing any physical injury other than as describe in subsection (a)(1) (Keep mandatory 5 day term, now to be served in JAIL, with CC supervision to follow)	1	L	**Nongrid	NP	10	
21-4315(a)(1-3)	Unlawful Dog Fighting: Cause dog fighting for amusement or gain; Knowingly permit dog fighting on one's premises; or, Train, own, keep, transport or sell any dog for the purpose dog fighting			10	NP		
21-4318(a)	Cruelty to Animals; Inflicting harm, disability or death to a police dog, arson dog, assistance dog, game warden dog, or search and rescue dog (Keep mandatory 30 day term, now to be served in JAIL, with CC supervision to follow)	1	L	**Nongrid	NP	9	
21-4401(a)(1-3)	Racketeering - Threat or promise to: Diminish or eliminate competition; Increase, decrease or maintain the price of goods or services purchased or sold; or, Protect the business, person or family of the owner, proprietor or interested person by violence or other unlawful means			7	NP		
21-4405(a)-(e)	Commercial Bribery - Knowing violation of duty of fidelity or trust: By an agent or employee of another; By a person acting in a fiduciary capacity; By a lawyer, physician, accountant, appraiser or other professional adviser; By an officer, director, partner, manager, or other participant in the affairs of a corporation, partnership or unincorporated association; or, By an arbitrator or other purportedly disinterested adjudicator or referee			8	NP		
21-4406(a)(1-2)	Sports Bribery - Confer, offer or agree to confer, benefit upon: A sports participant; or, A sports official			9	NP		
21-4408	Tampering w/a Sports contest			9	NP		
22-2809a(b),(c)	Criminal Procedure; Conditions of Release; Surety or agent thereof; Second or subsequent offense			9	NP		
22-4405	Criminal Procedure; Agreement on Detainers; Escape from custody while in state on detainer			***Unc/10	NP	10	
22-4903	Kansas Offender Registration Act; Failure to register as required	49	L	5	P	9	
22-4904(c)(2)	Kansas Offender Registration Act; Failure to return verification to KBI	3	L	5	P	10	
25-1122d	Elections; False statement on an advanced voting application for ballot			9	NP		
25-1124	Elections; Person assisting a sick, physically disabled or illiterate voter in applying for or marking an advance voting ballot; Knowingly and willfully fail to sign and submit the statement required by this section or who exercises undue influence on the voting decision of such voter			9	NP		
25-2409	Elections; Bribery; Confer, offer or agree to confer, or solicit, accept or agree to accept any benefit as consideration to or from any person either to vote or withhold any person's vote, or to vote for or against any candidate or question submitted at any public election.			7	NP		
25-2411(a)	Elections; Perjury; Falsely swearing, affirming, declaring or subscribing; Statements in answer to questions of a person challenged as unqualified to vote			9	NP		
11(b)	Elections; Perjury; Falsely swearing, affirming, declaring or subscribing; Statements in answer to questions of a witness concerning the qualifications of a person to vote			9	NP		

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By Statute Number
Excluding Sex Offenses Against Children

Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
25-2411(c)	Elections; Perjury; Falsely swearing, affirming, declaring or subscribing; Statements in an affidavit prescribed by chapter 25 of the K.S.A. or other election law of the state, or by the secretary of state or county election officer under election laws of this state			9	NP		
25-2411(d)	Elections; Perjury; Falsely swearing, affirming, declaring or subscribing; Statements in answer to questions by a county election officer or deputy county election officer relating to application for voter registration of a person			9	NP		
25-2411(e)	Elections; Perjury; Falsely swearing, affirming, declaring or subscribing; Statements in answer to questions by an election board member to a person asking for voter assistance			9	NP		
25-2411(f)	Elections; Perjury; Falsely swearing, affirming, declaring or subscribing; Statements of any witness at an election contest			9	NP		
25-2412(a)-(c)	Elections - Forgery: Knowingly, w/intent to induce official action, sign or affix any name other than one's own to a certificate of nomination, nomination paper or any petition under the election laws of this state; Mark any other person's ballot without such person's consent; or, Mark any other person's ballot contrary to the directions of such person			8	NP		
25-2414	Elections; Possess false or forged election supplies			9	NP		
25-2415(a)(1-2)	Elections; Intimidation of voters; or, Intimidation of voters using media for false information			7	NP		
25-2417	Elections; Bribery of an election official			7	NP		
25-2418	Elections; Bribe acceptance by an election official			7	NP		
25-2420(a)	Elections; Fraud by Election Officer; Receive vote by a person not registered otherwise not qualified to vote			10	NP		
25-2420(b)	Elections; Fraud by Election Officer; Receive vote offered by a person who voted previously in same election			10	NP		
25-2420(c)	Elections; Fraud by Election Officer; Possess falsely made, altered, forged or counterfeit poll books, registration books, party affiliation lists, election abstracts or returns or any other election papers			10	NP		
25-2420(d)	Elections; Fraud by Election Officer; Receive, canvass, count or tally any ballots, votes or election returns which are fraudulent, forged, counterfeited or illegal			10	NP		
25-2420(e)	Elections; Fraud by Election Officer; Issue, grant, mail or deliver any false, fraudulent or illegal certificate of nomination or certificate of election			10	NP		
25-2420(f)	Elections; Fraud by Election Officer; Declare or otherwise proclaim false election result			10	NP		
25-2420(g)	Elections; Fraud by Election Officer; Declare or otherwise proclaim election result based upon fraudulent, fictitious or illegal votes			10	NP		
25-2420(h)	Elections; Fraud by Election Officer; Enter in poll book, registration book or party affiliation list the name of a person not qualified to vote			10	NP		
25-2420(i)	Elections; Fraud by Election Officer; Enter in poll book, registration book or party affiliation list the name of a person who has not voted when in fact such person has not voted			10	NP		
25-2421(a)	Elections; Suppression; Suppress a certificate of nomination, nomination papers, petition for nomination or any part thereof which has been duly filed			10	NP		
25-2421(b)	Elections; Suppression; Possess of a certificate of nomination, nomination papers or petition for candidacy entitled to be filed under any of the election laws of this state and suppressing, neglecting or failing to file the same at the proper time in the proper office			10	NP		

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Appendix D
By Statute Number
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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
25-2421a(1-3)	Elections - Voter Registration Suppression: Destroy any application for voter registration; Obstruct delivery of a signed application for voter registration; or, Fail to deliver a signed application for voter registration			10	NP		
25-2422(a), (b)	Elections - Unauthorized Voting Disclosure: Disclose or expose contents of a ballot or manner in which the ballot has been voted; or, Endeavor to induce a voter to show how the voter marks or has marked the voter's ballot			10	NP		
25-2423	Elections; Election Tampering; While being charged with no election duty, make or change any election record			8	NP		
25-2425(a), (b)	Elections - Voting Machine Fraud: Being in unlawful or unauthorized possession of a voting machine key; or, Intentionally tamper with, alter, disarrange, deface, impair or destroy any voting machine, automatic ballot, voting machine label or register or record made by a voting machine			10	NP		
25-2426	Elections; Printing and circulating sample or imitation ballots			10	NP		
25-2428	Elections; Destruction of Election Supplies; Destroy or deface any list of candidates, card of instruction, sample ballot or any election supplies			9	NP		
25-2429	Elections; Destruction of Election Papers; Destroy any certificate of nomination or nomination papers or any letter of withdrawal of a candidate			9	NP		
25-2431	Elections; False Impersonation of a Voter; Representing oneself as another and then voting or attempting such			9	NP		
25-2433(a)-(f)	Elections; Advance voting suppression; Knowingly acting in a prohibited manner with intent to impede, obstruct or exert undue influence on the election process (specific subsections not listed - see 2006 SL, Ch 196, Sect 5.)			9	NP		
25-4414(a)	Elections; Electronic Voting System Fraud; Unlawful or unauthorized possession of voting equipment, computer programs, operating systems, firmware, software or ballots			9	NP		
25-4414(b)	Elections; Electronic Voting System Fraud; Intentionally tamper with, alter, disarrange, deface, impair or destroy any electronic or electromechanical system or component part thereof, or any ballot used by such systems			9	NP		
25-4612(a)	Elections; Optical Scanning Equipment Fraud; Unlawful or unauthorized possession of ballots, optical scanning equipment, computer programs, operating systems, firmware or software			9	NP		
25-4612(b)	Elections; Optical Scanning Equipment Fraud; Intentionally tamper with, alter, disarrange, deface, impair or destroy any optical scanning equipment or component part thereof, or any ballot, operating system, firmware or software used by such system			9	NP		
32-1005(a)(1-4)	Commercialization of Wildlife - Value of \$1000 or more: Capture, kill, possess certain animals; Sell, barter, purchase certain animals; Ship, transport, receive certain animals; or, Purchase for use or consumption certain animals			10	NP		
34-293	Grain & Forage; Unlawful issuance of receipt for warehouse grain			10	NP		
34-295	Grain & Forage; Negotiation of receipt for encumbered grain w/intent to defraud			10	NP		
7(a)(1-2)	Mentally Ill, Incapacitated & Dependent Persons; Illegal disposition; purchase, acquisition or possession of assistance; Value less than \$500			A	NP	B	

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By Statute Number
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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
39-717(a)(1-2)	Mentally Ill, Incapacitated & Dependent Persons; Illegal disposition; purchase, acquisition or possession of assistance; Value at least \$500 but less than \$1,000			A	NP	A	
39-717(a)(1-2)	Mentally Ill, Incapacitated & Dependent Persons; Illegal disposition; purchase, acquisition or possession of assistance; Value at least \$1,000 but less than \$2,000			9	NP	10	
39-717(a)(1-2)	Mentally Ill, Incapacitated & Dependent Persons; Illegal disposition; purchase, acquisition or possession of assistance; Value at least \$2,000 but less than \$25,000			9	NP	9	
39-717(a)(1-2)	Mentally Ill, Incapacitated & Dependent Persons; Illegal disposition; purchase, acquisition or possession of assistance; Value at least \$25,000 but less than \$50,000			7	NP	8	
39-717(a)(1-2)	Mentally Ill, Incapacitated & Dependent Persons; Illegal disposition; purchase, acquisition or possession of assistance; Value at least \$50,000 but less than \$75,000			7	NP	7	
39-717(a)(1-2)	Mentally Ill, Incapacitated & Dependent Persons; Illegal disposition; purchase, acquisition or possession of assistance; Value at least \$75,000 but less than \$100,000			7	NP	6	
39-717(a)(1-2)	Mentally Ill, Incapacitated & Dependent Persons; Illegal disposition; purchase, acquisition or possession of assistance; Value \$100,000 or more:			7	NP	5	
39-720	Mentally Ill, Incapacitated & Dependent Persons; Welfare fraud; Value less than \$500			A	NP	B	
39-720	Mentally Ill, Incapacitated & Dependent Persons; Welfare fraud; Value at least \$500 but < \$1,000			A	NP	A	
39-720	Mentally Ill, Incapacitated & Dependent Persons; Welfare fraud; Value at least \$1,000 but < \$2,000			9	NP	10	
39-720	Mentally Ill, Incapacitated & Dependent Persons; Welfare fraud; Value at least \$2,000 but < \$25,000			9	NP	9	
39-720	Mentally Ill, Incapacitated & Dependent Persons; Welfare fraud; Value at least \$25,000 but < \$50,000			7	NP	8	
39-720	Mentally Ill, Incapacitated & Dependent Persons; Welfare fraud; Value at least \$50,000 but < \$75,000			7	NP	7	
39-720	Mentally Ill, Incapacitated & Dependent Persons; Welfare fraud; Value at least \$75,000 but < \$100,000			7	NP	6	
39-720	Mentally Ill, Incapacitated & Dependent Persons; Welfare fraud; \$100,000 or more			5	NP		
39-759(a)	Mentally Ill, Incapacitated & Dependent Persons; Unlawful acts relating to information concerning absent parents; Unauthorized requesting, obtaining, or seeking out confidential information obtained by the secretary under K.S.A. 39-758 or K.S.A. 39-7,136, 39-7,143 and 39-7,150 done under false pretenses; unauthorized, willful communicating confidential information			10	NP		
40-2,118(a)	Insurance; Fraudulent Acts; Less than \$500	1	L	C	NP	B	
40-2,118(a)	Insurance; Fraudulent Acts; At least \$500 but less than \$1,000	1	L	C	NP	A	
40-2,118(a)	Insurance; Fraudulent Acts; At least \$1,000 but less than \$2,000	1	L	8	NP	10	
40-2,118(a)	Insurance; Fraudulent Acts; At least \$2,000 but less than \$25,000	1	L	7	NP	9	
40-2,118(a)	Insurance; Fraudulent Acts; At least \$25,000 but less than \$50,000			6	NP	8	
40-2,118(a)	Insurance; Fraudulent Acts; At least \$50,000 but less than \$75,000			6	NP	7	
40-2,118(a)	Insurance; Fraudulent Acts; At least \$75,000 but less than \$100,000			6	NP	6	
40-2,118(a)	Insurance; Fraudulent Acts; \$100,000 or more			6	NP	5	
40-247(a)	Insurance; Insurance Agent or Broker Failure to Pay Premium; Less than \$500			A	NP	B	
40-247(a)	Insurance; Insurance Agent or Broker Failure to Pay Premium; At least \$500 less than \$1,000			A	NP	A	
40-247(a)	Insurance; Insurance Agent or Broker Failure to Pay Premium; At least \$1,000 less than \$2,000			9	NP	10	
40-247(a)	Insurance; Insurance Agent or Broker Failure to Pay Premium; At least \$2,000 less than \$25,000			9	NP	9	

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
40-247(a)	Insurance; Insurance Agent or Broker Failure to Pay Premium; At least \$25,000 less than \$50,000			7	NP	8	
40-247(a)	Insurance; Insurance Agent or Broker Failure to Pay Premium; At least \$50,000 less than \$75,000			7	NP	7	
40-247(a)	Insurance; Insurance Agent or Broker Failure to Pay Premium; At least \$75,000 less than \$100,000			7	NP	6	
40-247(a)	Insurance; Insurance Agent or Broker Failure to Pay Premium; \$100,000 or more			7	NP	5	
40-247(a)	Insurance; Insurance Agent or Broker Failure to Pay Premium; Premium is less than \$1000 and agent or broker has been convicted of this two or more times w/in 5 years			9	NP		
40-5013	Viatical Settlements Act; Violation of Act; Contract is less than \$500			A	NP	B	
40-5013	Viatical Settlements Act; Violation of Act; Contract is at least \$500 but less than \$1,000			A	NP	A	
40-5013	Viatical Settlements Act; Violation of Act; Contract is at least \$1,000 but less than \$2,000			9	NP	10	
40-5013	Viatical Settlements Act; Violation of Act; Contract is at least \$2,000 but less than \$25,000			9	NP	9	
40-5013	Viatical Settlements Act; Violation of Act; Contract is at least \$25,000 but less than \$50,000			7	NP	8	
40-5013	Viatical Settlements Act; Violation of Act; Contract is at least \$50,000 but less than \$75,000			7	NP	7	
40-5013	Viatical Settlements Act; Violation of Act; Contract is at least \$75,000 but less than \$100,000			7	NP	6	
40-5013	Viatical Settlements Act; Violation of Act; Contract is \$100,000 or more			7	NP	5	
40-5013	Viatical Settlements Act; Violation of Act; Contract is less than \$1000 but committed by a person who has been convicted of this crime two or more times w/in 5 years preceding the commission of this crime.			9	NP		
41-405	Kansas Liquor Control Act; Warehouse; False reports and unlawful removal			***Unc/10	NP	10	
44-1039	Kansas Act Against Discrimination; Falsely swear, testify, affirm, declare or subscribe to any material fact upon oath or affirmation required by the Kansas act against discrimination; At felony trial			7	NP		
44-1039	Kansas Act Against Discrimination; Falsely swear, testify, affirm, declare or subscribe to any material fact upon oath or affirmation required by the Kansas act against discrimination; At proceeding other than felony trial			9	NP		
44-5,125(a)(1)(A-E)	Worker's Comp. Fraud; Attempt to Gain Benefits - Less than \$500 : A) False or misleading statement; B) Misrepresent/conceal a material fact; C) Fabricate, alter, conceal or destroy a document; D) Receive temporary total disability benefits or permanent total disability benefits, not entitled to, while employed; or, E) Conspire with another person to commit any act described by paragraph (1) of this subsection (a)			A	NP	B	
44-5,125(a)(1)(A-E)	Worker's Comp. Fraud; Attempt to Gain Benefits - At least \$500 but less than \$1,000 : A) False or misleading statement; B) Misrepresent/conceal a material fact; C) Fabricate, alter, conceal or destroy a document; D) Receive temporary total disability benefits or permanent total disability benefits, not entitled to, while employed; or, E) Conspire with another person to commit any act described by paragraph (1) of this subsection (a)			A	NP	A	
44-5,125(a)(1)(A-E)	Worker's Comp. Fraud; Attempt to Gain Benefits - At least \$1,000 but less than \$2,000 : A) False or misleading statement; B) Misrepresent/conceal a material fact; C) Fabricate, alter, conceal or destroy a document; D) Receive temporary total disability benefits or permanent total disability benefits, not entitled to, while employed; or, E) Conspire with another person to commit any act described by paragraph (1) of this subsection (a)			9	NP	10	

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By Statute Number
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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
44-5,125(a)(1)(A-E)	Worker's Comp. Fraud; Attempt to Gain Benefits - At least \$2,000 but less than \$25,000 : A) False or misleading statement; B) Misrepresent/conceal a material fact; C) Fabricate, alter, conceal or destroy a document; D) Receive temporary total disability benefits or permanent total disability benefits, not entitled to, while employed; or, E) Conspire with another person to commit any act described by paragraph (1) of this subsection (a)			9	NP	9	
44-5,125(a)(1)(A-E)	Worker's Comp. Fraud; Attempt to Gain Benefits - At least \$25,000 but less than \$50,000 : A) False or misleading statement; B) Misrepresent/conceal a material fact; C) Fabricate, alter, conceal or destroy a document; D) Receive temporary total disability benefits or permanent total disability benefits, not entitled to, while employed; or, E) Conspire with another person to commit any act described by paragraph (1) of this subsection (a)			7	NP	8	
44-5,125(a)(1)(A-E)	Worker's Comp. Fraud; Attempt to Gain Benefits - At least \$50,000 but less than \$75,000 : A) False or misleading statement; B) Misrepresent/conceal a material fact; C) Fabricate, alter, conceal or destroy a document; D) Receive temporary total disability benefits or permanent total disability benefits, not entitled to, while employed; or, E) Conspire with another person to commit any act described by paragraph (1) of this subsection (a)			6	NP	7	
44-5,125(a)(1)(A-E)	Worker's Comp. Fraud; Attempt to Gain Benefits - At least \$75,000 but less than \$100,000 : A) False or misleading statement; B) Misrepresent/conceal a material fact; C) Fabricate, alter, conceal or destroy a document; D) Receive temporary total disability benefits or permanent total disability benefits, not entitled to, while employed; or, E) Conspire with another person to commit any act described by paragraph (1) of this subsection (a)			6	NP	6	
44-5,125(a)(1)(A-E)	Worker's Comp. Fraud; Attempt to Gain Benefits - \$100,000 or more : A) False or misleading statement; B) Misrepresent/conceal a material fact; C) Fabricate, alter, conceal or destroy a document; D) Receive temporary total disability benefits or permanent total disability benefits, not entitled to, while employed; or, E) Conspire with another person to commit any act described by paragraph (1) of this subsection (a)			5	NP		
44-5,125(b)	Worker's Comp. Fraud; Submit false claim that worker is covered by act			8	NP		
44-5,125(c)	Worker's Comp. Fraud; Health Care Worker; Submit claim for care not provided			9	NP		
44-5,125(d)(1-4)	Worker's Comp. Fraud - Attempt to Obtain Better Premium than Entitled: 1) False or misleading statement; 2) Misrepresent/conceal a material fact; 3) Fabricate, conceal or destroy a document; or, 4) Conspire with another person or persons to commit the acts described in clause (1), (2) or (3)			9	NP		
44-619	Regulation of Labor & Industry; Induce violation of act or orders			***Unc/10	NP	10	
44-719(a)	Employment Security Law; Make a false statement or representation/Fail to disclose a material fact, to obtain or increase any benefit or other payment under this act; Less than \$500			A	NP	B	
44-719(a)	Employment Security Law; Make a false statement or representation/Fail to disclose a material fact, to obtain or increase any benefit or other payment under this act; At least \$500 but less than \$1,000			A	NP	A	
44-719(a)	Employment Security Law; Make a false statement or representation/Fail to disclose a material fact, to obtain or increase any benefit or other payment under this act; At least \$1,000 but less than \$2,000			9	NP	10	
44-719(a)	Employment Security Law; Make a false statement or representation/Fail to disclose a material fact, to obtain or increase any benefit or other payment under this act; At least \$2,000 but less than \$25,000			9	NP	9	

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By Statute Number
Excluding Sex Offenses Against Children

Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
44-719(a)	Employment Security Law; Make a false statement or representation/Fail to disclose a material fact, to obtain or increase any benefit or other payment under this act; At least \$25,000 but less than \$50,000			7	NP	8	
44-719(a)	Employment Security Law; Make a false statement or representation/Fail to disclose a material fact, to obtain or increase any benefit or other payment under this act; At least \$50,000 but less than \$75,000			7	NP	7	
44-719(a)	Employment Security Law; Make a false statement or representation/Fail to disclose a material fact, to obtain or increase any benefit or other payment under this act; At least \$75,000 but less than \$100,000			7	NP	6	
44-719(a)	Employment Security Law; Make a false statement or representation/Fail to disclose a material fact, to obtain or increase any benefit or other payment under this act; \$100,000 or more			5	NP		
44-719(a)	Employment Security Law; Make a false statement or representation/Fail to disclose a material fact, to obtain or increase any benefit or other payment under this act; Value less than \$1,000 by a person w/two or more prior theft convictions			9	NP		
44-719(f)	Employment Security Law; Knowingly obtain or attempt to obtain a reduced liability for contributions			9	NP		
47-1827(a), (e)	Livestock & Domestic Animals; Intent to damage and destroy enterprise at facility, property in or on the facility; Intent to damage or destroy field crop, University or private research facility or federal, state or local government; Damage is less than \$500;			A	NP	B	
47-1827(a), (e)	Livestock & Domestic Animals; Intent to damage and destroy enterprise at facility, property in or on the facility; Intent to damage or destroy field crop, University or private research facility or federal, state or local government; Damage is at least \$500 but less than \$1,000;			A	NP	A	
47-1827(a), (e)	Livestock & Domestic Animals; Intent to damage and destroy enterprise at facility, property in or on the facility; Intent to damage or destroy field crop, University or private research facility or federal, state or local government; Damage is at least \$1,000 but less than \$2,000;			9	NP	10	
47-1827(a), (e)	Livestock & Domestic Animals; Intent to damage and destroy enterprise at facility, property in or on the facility; Intent to damage or destroy field crop, University or private research facility or federal, state or local government; Damage is at least \$2,000 but less than \$25,000;			9	NP	9	
47-1827(a), (e)	Livestock & Domestic Animals; Intent to damage and destroy enterprise at facility, property in or on the facility; Intent to damage or destroy field crop, University or private research facility or federal, state or local government; Damage is at least \$25,000 but less than \$50,000;			7	NP	8	
47-1827(a), (e)	Livestock & Domestic Animals; Intent to damage and destroy enterprise at facility, property in or on the facility; Intent to damage or destroy field crop, University or private research facility or federal, state or local government; Damage is at least \$50,000 but less than \$75,000;			7	NP	7	
47-1827(a), (e)	Livestock & Domestic Animals; Intent to damage and destroy enterprise at facility, property in or on the facility; Intent to damage or destroy field crop, University or private research facility or federal, state or local government; Damage is at least \$75,000 but less than \$100,000;			7	NP	6	
47-1827(a), (e)	Livestock & Domestic Animals; Intent to damage and destroy enterprise at facility, property in or on the facility; Intent to damage or destroy field crop, University or private research facility or federal, state or local government; Damage is \$100,000 or more;			7	NP	5	
47-1827(b)	Livestock & Domestic Animals; Exercise control w/intent to deprive owner and damage enterprise at facility			10	NP		
47-1821	Livestock & Domestic Animals; Marks & Brands; Unlawful branding or defacing of brands			***Unc/10	NP	10	

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
47-604	Livestock & Domestic Animals; Penalty for violating quarantine; 2nd or subsequent conviction			7	NP		
50-1002	Loan Brokers; Engage in business as an unregistered loan broker			7	NP		
50-1013(a)	Loan Brokers; Penalty for willful violation of the loan broker act			7	NP		
50-1017(1-3)	Loan Brokers; Employ any device, scheme or artifice to defraud; Make untrue statements of a material fact or omit a necessary material fact; or, Engage in any act, practice or course of business that operates or would operate as a fraud or deceit upon any person			7	NP		
50-1018	Loan Brokers; Make false or misleading filing or statement			7	NP		
50-718	Fair Credit Reporting Act; Obtaining information under false pretenses			7	P		
50-719	Fair Credit Reporting Act; Unauthorized disclosures by officers or employees			7	P		
51-301(a)	Motion Pictures; Unlawful use of a recording device; Second or subsequent conviction			9	NP		
55-1004	Oil & Gas; Disposal of Brines & Mineralized Waters; Dispose of certain waste in oil-field disposal wells at excessive pressures			9	NP		
55-1005	Oil & Gas; Disposal of Brines & Mineralized Waters; Use wells for the disposal of salt brines or other oil field wastes which do not meet the requirements for minimum depth			9	NP		
55-156	Oil & Gas; Regulatory provisions; Fail to plug well as required to protect water, prior to abandoning well			10	NP		
55-157	Oil & Gas; Regulatory provisions; Fail to cement in the surface casing as required to protect water			10	NP		
55-162(e)	Oil & Gas; Regulatory provisions; Removal of seal on well without proper approval			9	NP		
55-904(a)(1)	Oil & Gas; Disposal of Salt Water; Dispose of salt water in unauthorized manner; 2nd or subsequent violation			8	NP		
55-904(a)(1)	Oil & Gas; Disposal of Salt Water; Dispose of salt water in unauthorized manner			9	NP		
55-904(a)(2)	Oil & Gas; Disposal of Salt Water; Dispose of a substance not exempt under 40 C.F.R. 261.4(b)(5), as revised July 1, 1997, in a class II disposal or injection well; Second or subsequent violation			8	NP		
55-904(a)(2)	Oil & Gas; Disposal of Salt Water; Dispose of a substance not exempt under 40 C.F.R. 261.4(b)(5), as revised July 1, 1997, in a class II disposal or injection well			9	NP		
55-904(a)(3)	Oil & Gas; Disposal of Salt Water; Contract for the transportation of such salt water w/a person, firm, corporation, partnership or other association not licensed under K.S.A. 66-1,114; 2nd or subsequent violation			8	NP		
55-904(a)(3)	Oil & Gas; Disposal of Salt Water; Contract for the transportation of such salt water w/a person, firm, corporation, partnership or other association not licensed under K.S.A. 66-1,114			9	NP		
55-904(a)(4)	Oil & Gas; Disposal of Salt Water; Own, operate a vehicle being used for transportation of salt water containing an operable "trip-lever" accessible to a person in the passenger compartment of such vehicle; 2nd or subsequent violation			8	NP		
55-904(a)(4)	Oil & Gas; Disposal of Salt Water; Own, operate a vehicle being used for transportation of salt water containing an operable "trip-lever" accessible to a person in the passenger compartment of such vehicle			9	NP		
55-904(1-2)	Uniform Land Sales Practices Act: Offer or dispose of any interest in subdivided lands prior to registration; or, Dispose of interest in subdivided lands without a current public offering statement provided to purchaser			***Unc/10	NP	10	
55-905	Uniform Land Sales Practices Act; Penalty for willful violation of act			***Unc/10	NP	10	

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
59-2121(a)	Adoption; Receive or accept clearly excessive fees or expenses			9	NP		
65-2434	Uniform Vital Statistics Act; Vital records identity fraud related to birth, death, marriage and divorce certificates prosecuted pursuant to K.S.A. 21-3830			8	NP		
65-28,107(c)	Kansas Healing Arts Act; Falsify or forge the declaration of another/willfully conceal or withhold personal knowledge of the revocation of a declaration w/intent to cause a withholding or withdrawal of life-sustaining procedures contrary to the wishes of the declarant, and which directly causes life-sustaining procedures to be withheld or withdrawn and death to be hastened			7	P		
65-2859	Kansas Healing Arts Act; Filing false documents			8	NP		
65-2861	Kansas Healing Arts Act; False swearing			9	NP		
65-3025(a)	Kansas Air Quality Act; Knowingly violate an order issued under this act			10	NP		
65-3025(b)	Kansas Air Quality Act; Knowingly violate an approval or permit issued under this act			10	NP		
65-3025(c)	Kansas Air Quality Act; Unauthorized violation of this act or any rule and regulation promulgated under this act			10	NP		
65-3025(d)	Kansas Air Quality Act; Construct, modify, alter, use or operate an air contaminant emission stationary source without an approval or permit.			10	NP		
65-3025(e)	Kansas Air Quality Act; Refuse or hinder entry, inspection, sampling or examination or copying of records related to this act by an agent/employee of the secretary after identification of agent/employee and notice of the agent/employee purpose			10	NP		
65-3025(f)	Kansas Air Quality Act; Fail to pay any fee required by this act/rules/regulations under this act			10	NP		
65-3025(g)	Kansas Air Quality Act; Make any false material statement, representation or certification in any application, record, report, permit or other document filed, maintained or used for purposes of compliance with this act			10	NP		
65-3025(h)	Kansas Air Quality Act; Destroy, alter or conceal any record required to be maintained under this act.			10	NP		
65-3441(a)(1)	Solid & Hazardous Wastes; Knowingly dump or deposit, or permit such, any hazardous waste regulated by this act into any unauthorized facility			6	NP		
65-3441(a)(10)	Solid & Hazardous Wastes; Knowingly add, mix or blend any hazardous waste with fuel oil or any other fuel intended for use by residential consumers or sell such blended fuel to a residential consumer			6	NP		
65-3441(a)(11)	Solid & Hazardous Wastes; Knowingly transport and dispose of, or cause the transportation and disposition of, hazardous waste in a manner contrary to the rules and regulations, standards or orders of the secretary			6	NP		
65-3441(a)(11)	Solid & Hazardous Wastes; Transport and dispose of, or cause the transportation and disposition of, hazardous waste in a manner contrary to the rules and regulations, standards or orders of the secretary			10	NP		
65-3441(a)(12)	Solid & Hazardous Wastes; Knowingly operate a hazardous waste transfer facility at which hazardous waste is transferred from one or more containers to one or more different containers			6	NP		
65-3441(a)(12)	Solid & Hazardous Wastes; Operate a hazardous waste transfer facility at which hazardous waste is transferred from one or more containers to one or more different containers			10	NP		
65-3441(a)(2)	Solid & Hazardous Wastes; Knowingly construct, modify or operate a hazardous waste facility without a permit or other required written approval			6	NP		
65-3441(a)(3)	Solid & Hazardous Wastes; Knowingly violate any condition of any permit issued by the secretary			6	NP		

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
65-3441(a)(4)	Solid & Hazardous Wastes; Knowingly store, collect, treat or dispose of hazardous waste contrary to the rules and regulations, standards or orders of the secretary			6	NP		
65-3441(a)(5)	Solid & Hazardous Wastes; Knowingly refuse or hinder entry, inspection, sampling and the examination or copying of records related to this act by an agent/employee of the secretary after identification of such agent/employee and gives notice of their purpose			6	NP		
65-3441(a)(6)	Solid & Hazardous Wastes; Knowingly make false material statement or representation in any application, label, manifest, record, report, permit or other document filed, maintained or used in compliance w/ this act			6	NP		
65-3441(a)(7)	Solid & Hazardous Wastes; Knowingly destroy, alter or conceal any record required to be maintained under this act			6	NP		
65-3441(a)(8)	Solid & Hazardous Wastes; Knowingly fail to designate on a manifest a facility authorized to operate under the federal hazardous waste program or under an approved state hazardous waste program			6	NP		
65-3441(a)(9)	Solid & Hazardous Wastes; Knowingly transport hazardous waste to a facility not authorized to operate under the federal hazardous waste program or under an approved state hazardous waste program			6	NP		
65-4141(a)(1-2)	Drugs - Knowingly or intentionally use any communication facility: To commit or facilitate sales or purchases of controlled substances; or, To attempt to commit, conspire to commit or solicit sales or purchases of controlled substances	4	L	8	NP	10	
65-4142(a)-(d)	Drugs - Less than \$5,000 \$2,000 : Receive/acquire proceeds; Give/sell anything of value; Direct, plan, organize, finance transportation or transfer of proceeds; or, Conduct financial transaction w/proceeds to conceal/disguise nature, location, source, ownership or control of proceeds or to avoid reporting	2	L	d 4	NP	10	
65-4142(a)-(d)	Drugs - Less than \$5,000 at least \$2,000, but less than \$25,000 : Receive/acquire proceeds; Give/sell anything of value; Direct, plan, organize, finance transportation or transfer of proceeds; or, Conduct financial transaction w/proceeds to conceal/disguise nature, location, source, ownership or control of proceeds or to avoid reporting	2	L	d 4	NP	9	
65-4142(a)-(d)	Drugs - \$5,000 to \$100,000 at least \$25,000, but less than \$50,000 : Receive/acquire proceeds; Give/sell anything of value; Direct, plan, organize, finance transportation or transfer of proceeds; or, Conduct financial transaction w/proceeds to conceal/disguise nature, location, source, ownership or control of proceeds or to avoid reporting			d 3	NP	8	
65-4142(a)-(d)	Drugs - \$5,000 to \$100,000 at least \$50,000, but less than \$75,000 : Receive/acquire proceeds; Give/sell anything of value; Direct, plan, organize, finance transportation or transfer of proceeds; or, Conduct financial transaction w/proceeds to conceal/disguise nature, location, source, ownership or control of proceeds or to avoid reporting			d 3	NP	7	
65-4142(a)-(d)	Drugs - \$5,000 to \$100,000 at least \$75,000, but less than \$100,000 : Receive/acquire proceeds; Give/sell anything of value; Direct, plan, organize, finance transportation or transfer of proceeds; or, Conduct financial transaction w/proceeds to conceal/disguise nature, location, source, ownership or control of proceeds or to avoid reporting			d 3	NP	6	
42(a)-(d)	Drugs - \$500,000 \$100,000 or more: Receive/acquire proceeds; Give/sell anything of value; Direct, plan, organize, finance transportation or transfer of proceeds; or, Conduct financial transaction w/proceeds to conceal/disguise nature, location, source, ownership or control of proceeds or to avoid reporting			d 1	NP	5	

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
65-4142(a-d)	Drugs - \$100,000 to \$500,000: Receive/acquire proceeds; Give/sell anything of value; Direct, plan, organize, finance transportation or transfer of proceeds; or, Conduct financial transaction w/proceeds to conceal/disguise nature, location, source, ownership or control of proceeds or to avoid reporting			d 2	NP		
65-4152(a)(3)	Drugs; Possession of paraphernalia w/ intent to plant/grow/manufacture/convert/produce/analyze/pack/sell or distribute a controlled substance	97	L	d 4	NP	9	
65-4152(a)(4)	Drugs; Possession of anhydrous ammonia or pressurized ammonia in a container not approved for that chemical by the Kansas department of agriculture			d 4	NP	6	
65-4153(a)(1)	Drugs; Deliver, possess or manufacture w/ intent to deliver, any simulated controlled substances; [strike - within 1,000 feet of school; insert " to a minor or in presence of a minor"]			7	NP	8	
65-4153(a)(1)	Drugs; Deliver, possess or manufacture w/ intent to deliver, any simulated controlled substances	2	M	9	NP	9	
65-4153(a)(2)	Drugs; Deliver, possess or manufacture w/ intent to deliver, any drug paraphernalia, knowing it will be used to introduce a controlled substance into the human body in violation of K.S.A. 65-4162; Deliver to person under 18 years; or, [strike - within 1,000 feet of school; insert "in presence of a minor"]	3	L	9	NP	8	
65-4153(a)(3)	Drugs; Deliver, possess or manufacture w/ intent to deliver, any drug paraphernalia, knowing it will be used introduce a controlled substance into the human body in violation of uniform controlled substance act, except K.S.A. 65-4162; Deliver to person under 18 years of age; or, Deliver [strike - within 1,000 feet of school; insert "in presence of a minor"]	3	L	d 4	NP	8	
65-4153(a)(3)	Drugs; Deliver, possess or manufacture w/ intent to deliver, any drug paraphernalia, knowing it will be used introduce a controlled substance into the human body in violation of uniform controlled substance act, except K.S.A. 65-4162	3	L	9	NP	9	
65-4153(a)(4)	Drugs; Deliver, possess or manufacture with intent to deliver, any drug paraphernalia, knowing it will be used to plant, cultivate, grow, manufacture...a controlled substance; [strike - within 1,000 feet of school; insert " to a minor or in presence of a minor"]			d 3	NP	8	
65-4153(a)(4)	Drugs; Deliver, possess or manufacture with intent to deliver, any drug paraphernalia, knowing it will be used to plant, cultivate, grow, manufacture...a controlled substance [Strike statue - integrate into the law of attempts.]	3	L	d 4	NP		
65-4155(a)(1)	Drugs; Delivering noncontrolled substance to child under 18 by a person at least three years older than child and over 18 w/ express representation that the substance is a controlled substance [Strike statue - integrate into the law of attempts.]	3	L	9	NP		
65-4155(a)(2)	Drugs; Delivering noncontrolled substance to child under 18 by a person at least three years older than child and over 18 under circumstances inducing reasonable belief it is a controlled substance [Strike statue - integrate into the law of attempts.]	3	L	9	NP		
65-4159(a)(1)	Drugs; Unlawful manufacture or attempted unlawful manufacture of a controlled substance; Unlawful manufacture or attempted unlawful manufacture of methamphetamine	148	M	d 1	NP	3	P
65-4159(a)(2)	Drugs; Unlawful manufacture or attempted unlawful manufacture of a controlled substance; Unlawful manufacture or attempted unlawful manufacture of drugs other than methamphetamine	148	M	d 1	NP	5	P
65-4159a(1-2)	Drugs; Unlawful manufacture of a controlled substance; On or before effective date of act; Unlawful manufacture or attempted unlawful manufacture of methamphetamine			d 1	NP	3	P

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By Statute Number
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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
65-4159a(1-2)	Drugs; Unlawful manufacture of a controlled substance; On or before effective date of act; Unlawful manufacture or attempted unlawful manufacture of dugs other than methamphetamine			d 1	NP	5	P
65-4160(a)	Drugs; Possession of opiates, opium or narcotic drugs, or any stimulant designated in subsection (d)(1), (d)(3) or (f)(1) of K.S.A. 65-4107	1,883	L	d 4	NP	10	
65-4161(a)	Drugs; Possess w/ intent to sell; Opiates, opium or narcotic drugs, or any stimulant designated in subsection (d)(1), (d)(3) or (f)(1) of K.S.A. 65-4107; 1st offense; Super Quantity	387	M	d 3	NP	3	P
65-4161(a)	Drugs; Possess w/ intent to sell; Opiates, opium or narcotic drugs, or any stimulant designated in subsection (d)(1), (d)(3) or (f)(1) of K.S.A. 65-4107; 1st offense; Large Quantity	387	M	d 3	NP	4	P
65-4161(a)	Drugs; Possess w/ intent to sell; Opiates, opium or narcotic drugs, or any stimulant designated in subsection (d)(1), (d)(3) or (f)(1) of K.S.A. 65-4107; 1st offense; Medium Quantity	387	M	d 3	NP	7	P
65-4161(a)	Drugs; Possess w/ intent to sell; Opiates, opium or narcotic drugs, or any stimulant designated in subsection (d)(1), (d)(3) or (f)(1) of K.S.A. 65-4107; 1st offense; Small Quantity	387	M	d 3	NP	9	P
65-4161(a)	Drugs; Possess w/ intent to sell; Opiates, opium or narcotic drugs, or any stimulant designated in subsection (d)(1), (d)(3) or (f)(1) of K.S.A. 65-4107; 2nd conviction; or, First offense [strike - & within 1,000 feet of school; insert " to a minor or in presence of a minor"] Super Quantity	13 / 10	M	d 2	NP	2	P
65-4161(a)	Drugs; Possess w/ intent to sell; Opiates, opium or narcotic drugs, or any stimulant designated in subsection (d)(1), (d)(3) or (f)(1) of K.S.A. 65-4107; 2nd conviction; or, First offense [strike - & within 1,000 feet of school; insert " to a minor or in presence of a minor"] Large Quantity	13 / 10	M	d 2	NP	3	P
65-4161(a)	Drugs; Possess w/ intent to sell; Opiates, opium or narcotic drugs, or any stimulant designated in subsection (d)(1), (d)(3) or (f)(1) of K.S.A. 65-4107; 2nd conviction; or, First offense [strike - & within 1,000 feet of school; insert " to a minor or in presence of a minor"] Medium Quantity	13 / 10	M	d 2	NP	6	P
65-4161(a)	Drugs; Possess w/ intent to sell; Opiates, opium or narcotic drugs, or any stimulant designated in subsection (d)(1), (d)(3) or (f)(1) of K.S.A. 65-4107; 2nd conviction; or, First offense [strike - & within 1,000 feet of school; insert " to a minor or in presence of a minor"] Small Quantity	13 / 10	M	d 2	NP	8	P
65-4161(a)	Drugs; Possess w/ intent to sell; Opiates, opium or narcotic drugs, or any stimulant designated in subsection (d)(1), (d)(3) or (f)(1) of K.S.A. 65-4107; 3rd or subsequent conviction; Super Quantity	2 / 1	M/L	d 1	NP	3	P
65-4161(a)	Drugs; Possess w/ intent to sell; Opiates, opium or narcotic drugs, or any stimulant designated in subsection (d)(1), (d)(3) or (f)(1) of K.S.A. 65-4107; 3rd or subsequent conviction; Large Quantity	2 / 1	M/L	d 1	NP	4	P
65-4161(a)	Drugs; Possess w/ intent to sell; Opiates, opium or narcotic drugs, or any stimulant designated in subsection (d)(1), (d)(3) or (f)(1) of K.S.A. 65-4107; 3rd or subsequent conviction; Medium Quantity	2 / 1	M/L	d 1	NP	7	P
65-4161(a)	Drugs; Possess w/ intent to sell; Opiates, opium or narcotic drugs, or any stimulant designated in subsection (d)(1), (d)(3) or (f)(1) of K.S.A. 65-4107; 3rd or subsequent conviction; Small Quantity	2 / 1	M/L	d 1	NP	9	P
65-4162(a)(1-5)	Drugs - 2nd offense - Possession of: Depressants; Stimulants; Hallucinogenic; Substance in (g) of K.S.A. 65-4105 and (c), (d), (e), (f) or (g) of K.S.A. 65-4111; or, Anabolic steroids	387	L	d 4	NP	10	
65-4163(a)(1-5)	Drugs - Sell or possess w/ intent to sell or deliver: Depressants; Stimulants; Hallucinogenic; Substance in (g) of K.S.A. 65-4105 and (c), (d), (e), (f) or (g) of K.S.A. 65-4111; or, Anabolic steroids; Super Quantity	320	M	d 3	NP	3	P
65-4163(a)(1-5)	Drugs - Sell or possess w/ intent to sell or deliver: Depressants; Stimulants; Hallucinogenic; Substance in (g) of K.S.A. 65-4105 and (c), (d), (e), (f) or (g) of K.S.A. 65-4111; or, Anabolic steroids; Large Quantity	320	M	d 3	NP	4	P

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
65-4163(a)(1-5)	Drugs - Sell or possess w/ intent to sell or deliver: Depressants; Stimulants; Hallucinogenic; Substance in (g) of K.S.A. 65-4105 and (c), (d), (e), (f) or (g) of K.S.A. 65-4111; or, Anabolic steroids; Medium Quantity	320	M	d 3	NP	7	P
65-4163(a)(1-5)	Drugs - Sell or possess w/ intent to sell or deliver: Depressants; Stimulants; Hallucinogenic; Substance in (g) of K.S.A. 65-4105 and (c), (d), (e), (f) or (g) of K.S.A. 65-4111; or, Anabolic steroids; Small Quantity	320	M	d 3	NP	9	P
65-4163(a)(1-5)	Drugs - Sell or possess w/ intent to sell or deliver [strike - within 1,000 feet of school; insert " to a minor or in presence of a minor"] : Depressant; Stimulant; Hallucinogenic; Substance in (g) of K.S.A. 65-4105 and (c), (d), (e), (f) or (g) of K.S.A. 65-4111; or, Anabolic steroids; Super Quantity	15	M	d 2	NP	2	P
65-4163(a)(1-5)	Drugs - Sell or possess w/ intent to sell or deliver [strike - within 1,000 feet of school; insert " to a minor or in presence of a minor"] : Depressant; Stimulant; Hallucinogenic; Substance in (g) of K.S.A. 65-4105 and (c), (d), (e), (f) or (g) of K.S.A. 65-4111; or, Anabolic steroids; Large Quantity	15	M	d 2	NP	3	P
65-4163(a)(1-5)	Drugs - Sell or possess w/ intent to sell or deliver [strike - within 1,000 feet of school; insert " to a minor or in presence of a minor"] : Depressant; Stimulant; Hallucinogenic; Substance in (g) of K.S.A. 65-4105 and (c), (d), (e), (f) or (g) of K.S.A. 65-4111; or, Anabolic steroids; Medium Quantity	15	M	d 2	NP	6	P
65-4163(a)(1-5)	Drugs - Sell or possess w/ intent to sell or deliver [strike - within 1,000 feet of school; insert " to a minor or in presence of a minor"] : Depressant; Stimulant; Hallucinogenic; Substance in (g) of K.S.A. 65-4105 and (c), (d), (e), (f) or (g) of K.S.A. 65-4111; or, Anabolic steroids; Small Quantity	15	M	d 2	NP	8	P
65-4163(a)(1-5)	Drugs - Cultivation [more than 4 but fewer than 50]		M	d 2	NP	7	P
65-4163(a)(1-5)	Drugs - Cultivation [more than 50 but fewer than 100]		M	d 2	NP	5	P
65-4163(a)(1-5)	Drugs - Cultivation [more than 100]		M	d 2	NP	3	P
65-4164(a)	Drugs; Possess or possess w/ intent to sell or deliver; Substances in K.S.A. 65-4113 to child under 18			d 4	NP	7	P
65-4167(a)	Trafficking; Counterfeit Drugs; Value less than \$500			9	NP	B	
65-4167(a)	Trafficking; Counterfeit Drugs; Value at least \$500 but less than \$1,000			9	NP	A	
65-4167(a)	Trafficking; Counterfeit Drugs; Value at least \$1,000 but less than \$2,000			9	NP	10	
65-4167(a)	Trafficking; Counterfeit Drugs; Value at least \$2,000 but less than \$25,000			9	NP	9	
65-4167(a)	Trafficking; Counterfeit Drugs; Value at least \$25,000 but less than \$50,000			7	NP	8	
65-4167(a)	Trafficking; Counterfeit Drugs; Value at least \$50,000 but less than \$75,000			7	NP	7	
65-4167(a)	Trafficking; Counterfeit Drugs; Value at least \$75,000 but less than \$100,000			7	NP	6	
65-4167(a)	Trafficking; Counterfeit Drugs; Value \$100,000 or more			7	NP	5	
65-5707	Emergency Planning & Community Right-To-Know; Fail to submit lists of chemicals and M.S.D.S sheets			***Unc/10	NP	10	
65-5709	Emergency Planning & Community Right-To-Know; Violation of section 304 of the federal act, as adopted by K.S.A. 65-5707			***Unc/10	NP	10	
65-6703(a)	Abortion; Abortion of viable fetus; Second or subsequent conviction			10	NP		
65-6721(a)	Abortion; Partial birth abortion on viable fetus prohibited unless exceptions apply			10	NP		
65-27a04(a)-(b)	Fetal Organs & Tissue: Solicit, offer, knowingly acquire or accept or transfer any fetal tissue for consideration; or for purpose of transplanting such into another where tissue was obtained from abortion w/ promise that the donated tissue will be transplanted into a recipient specified by the donating individual			2	NP		

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
65-67a06(a)-(b)	Fetal Organs & Tissue: Offer monetary or other inducement to procure an abortion for the medical, scientific, experimental or therapeutic use of fetal organs or tissue; or, Offer/accept consideration for the fetal organs or tissue resulting from an abortion			2	NP		
65-67a07(a)	Fetal Organs & Tissue; Intentional, knowing or reckless use of fetal organs or tissue for medical, scientific, experimental or therapeutic use w/o voluntary and informed consent of the woman donating such tissue			2	NP		
65-67a09(c)	Child Rape Protection Act; Failure of a physician to comply with any provision of this section or any rule or regulation adopted hereunder; Second or subsequent conviction			10	NP		
65-6a40	Meat & Poultry; Violation of act involving intent to defraud, or any transportation or distribution or attempted transportation or distribution of an article that is adulterated			***Unc/10	NP	10	
65-7006(a)-(c)	Drugs: Possess precursors w/ intent to manufacture a controlled substance; Market, sell, distribute, advertise, or label precursors to a person w/knowledge that such person intends to use such to manufacture a controlled substance; or, Market, sell, distribute, advertise, or label precursors for indication of stimulation, mental alertness, weight loss, appetite control, energy or other indications not approved	38	L/M	d 2	NP	6	
66-137	Public Utilities; Powers of State Corporation Commission; Falsifying or destroying accounts/records			7	NP		
66-137	Public Utilities; Powers of State Corporation Commission; Falsifying or destroying accounts/records			7	NP		
66-2303(a)(1-2)	Criminal Trespass on a Nuclear Generating Facility - Entering/remaining unlawfully: In or on facility; or Within a structure or fenced yard of a facility.			6	P		
74-8717(a)	State Lottery; Forgery of lottery ticket			8	NP		
74-8718(a)(1)	State Lottery; 2nd or sub. Offense; Sell a lottery ticket or share at a price other than that fixed by rules and regulations adopted pursuant to this act			9	NP		
74-8718(a)(2)	State Lottery; 2nd or sub. Offense; Sell a lottery ticket or share by any person other than a lottery retailer authorized by the Kansas lottery			9	NP		
74-8718(a)(3)	State Lottery; 2nd or sub. Offense; Sell a lottery ticket or share to any person known to be < 18 years of age			9	NP		
74-8718(a)(4)	State Lottery; 2nd or sub. Offense; Sell a lottery ticket at retail by electronic mail, the internet or telephone			9	NP		
74-8719(a)(1)	State Lottery; 2nd or sub. Offense; Unlawful for the executive director, a member of the commission or an employee of the Kansas lottery to purchase lottery ticket or share in winnings			9	NP		
74-8719(a)(2)	State Lottery; 2nd or sub. Offense; Unlawful for an officer or employee of a vendor contracting with the Kansas lottery to supply gaming equipment or tickets to the Kansas lottery to purchase lottery ticket or share in winnings			9	NP		
74-8719(a)(3)	State Lottery; 2nd or sub. Offense; Unlawful for certain relatives of persons described by subsection (a)(1) or (2) of K.S.A. 74-8719 to purchase lottery ticket or share in winnings			9	NP		
74-8719(a)(4)	State Lottery; 2nd or sub. Offense; Unlawful for a person who resides in the same household as persons described by subsection (a)(1) or (2) of K.S.A. 74-8719 to purchase lottery ticket or share in winnings			9	NP		
74-8756(a)-(c)	Expanded Lottery Act; Specific wager and loan violations; Second or subsequent offense			9	NP		
74-8758(a), (b)	Expanded Lottery Act - 2nd or sub. Offense: Unauthorized playing of an electronic gaming machine at racetrack gaming facility, or, Unauthorized playing of an electronic gaming machine at lottery gaming facility			9	NP		
59	Expanded Lottery Act; Manipulation of a electronic gaming machine or lottery facility game with intent to change the outcome, pay out or operation thereof			8	NP		

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
74-8760(c)	Expanded Lottery Act; Knowingly cheating including possession of or use of cheating device			8	NP		
74-8761	Expanded Lottery Act; Place in operation, continue to operate any gray machine for use by the public			9	NP		
74-8810(j)(1)	Parimutuel Racing; 2nd or sub. Offense; Selling a parimutuel ticket or an interest in such a ticket to a person known to be under 21			8	NP		
74-8810(j)(10)	Parimutuel Racing; Sponge the nostrils or windpipe of a horse for the purpose of stimulating or depressing such horse or affecting its speed at any time during a race meeting			8	NP		
74-8810(j)(11)	Parimutuel Racing; Alter, or attempt to alter, the natural outcome of any race conducted by, or any simulcast race displayed by, an organization licensee or transmit or receive an altered race or delayed broadcast race if parimutuel wagering is conducted or solicited after off time of the race			8	NP		
74-8810(j)(12)	Parimutuel Racing; Influence or attempt to influence, by the payment or promise of payment of money or other valuable consideration, any person to alter the natural outcome of any race conducted by, or any simulcast race displayed by, an organization licensee			8	NP		
74-8810(j)(13)	Parimutuel Racing; Influence or attempt to influence any member, employee or appointee of the commission, by payment, in the performance of any official duty of that member, employee or appointee			8	NP		
74-8810(j)(14)	Parimutuel Racing; Fail to report knowledge of any violation of this act by another person for the purpose of stimulating or depressing any horse or greyhound, or affecting its speed			8	NP		
74-8810(j)(15)(A)	Parimutuel Racing; Falsify, conceal or cover up, by any trick, scheme or device, a material fact related to breeding, buying, selling or racing or prior racing record, pedigree, identity or ownership of a registered horse or greyhound			8	NP		
74-8810(j)(15)(B)	Parimutuel Racing; Make any false, fictitious or fraudulent statement or representation related to breeding, buying, selling or racing or prior racing record, pedigree, identity or ownership of a registered horse or greyhound			8	NP		
74-8810(j)(15)(C)	Parimutuel Racing; Knowingly make or use any false writing related to breeding, buying, selling or racing or prior racing record, pedigree, identity or ownership of a registered horse or greyhound			8	NP		
74-8810(j)(16)	Parimutuel Racing; Pass or attempt to pass, cash or attempt to cash any altered or forged parimutuel ticket knowing it to have been altered or forged			8	NP		
74-8810(j)(2)	Parimutuel Racing; 2nd or sub. Offense; Accept, transmit or deliver, from any person outside a racetrack facility, anything of value to be wagered in any parimutuel system of wagering within a racetrack facility			8	NP		
74-8810(j)(3)	Parimutuel Racing; Conduct or assist in the conduct of a horse or greyhound race, or the display of a simulcast race, where the parimutuel system of wagering is used or is intended to be used w/o a license			8	NP		
74-8810(j)(4)	Parimutuel Racing; Enter any horse or greyhound in any race conducted by an organization licensee knowing that the class or grade entered is not the true class or grade or knowing that the name under which entered is not the registered name			8	NP		
74-8810(j)(5)	Parimutuel Racing; Use or conspire to use any unusual device or lure for the purpose of affecting the speed of any horse or greyhound during a race			8	NP		
.0(j)(6)	Parimutuel Racing; Possess any unusual device or lure designed or intended to affect the speed of a horse or greyhound			8	NP		

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Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
74-8810(j)(7)	Parimutuel Racing; 2nd or sub. Offense; Administer or conspire to administer, any drug or medication to a horse or greyhound in violation of rules and regulations of the commission			8	NP		
74-8810(j)(8)	Parimutuel Racing; 2nd or sub. Offense; Possess or conspire to possess, any drug or medication for administration to a horse or greyhound in violation of rules and regulations of the commission			8	NP		
74-8810(j)(9)	Parimutuel Racing; 2nd or sub. Offense; Possess or conspire to possess, equipment for administering drugs or medications to horses or greyhounds in violation of rules and regulations of the commission			8	NP		
74-8810(k)(1)	Parimutuel racing; Illegal purchase of a parimutuel ticket by person 18 or over but less than 21; second or subsequent offense			8	NP		
74-9809(e)	Tribal Gaming Oversight; Use or conspire to use any device for the purpose of effecting the outcome of game			8	NP		
74-9809(h)(1)	Tribal Gaming Oversight; Knowingly use bogus or counterfeit chips or gaming billets; Knowingly substitute and use in any game, cards or dice that have been marked, loaded or tampered with			8	NP		
74-9809(h)(2)	Tribal Gaming Oversight; Knowingly use other than a lawful coin or legal tender of the U.S.A., or one of a denomination not intended to be used in an electronic game of chance			8	NP		
74-9809(h)(3)	Tribal Gaming Oversight; Win or attempt to win by any trick or sleight of hand performance, or by a fraud or fraudulent scheme, cards, dice or device, money or property or a representative of either, or reduce or attempt to reduce a losing wager, in connection with tribal gaming in a value of \$100 or greater			8	NP		
74-9809(i)	Tribal Gaming Oversight; Unauthorized possession or use of any cheating or thieving device			8	NP		
74-9809(j)	Tribal Gaming Oversight; Unauthorized possession or use of any key or device designed for the purpose of or suitable for opening or entering any electronic game of chance or similar gaming device or drop box			8	NP		
74-9809(k)(1)	Tribal Gaming Oversight; Knowingly conduct, carry on, operate, deal or allow to be conducted, carried on or dealt, any cheating or thieving class III game or device			8	NP		
74-9809(k)(2)	Tribal Gaming Oversight; Knowingly deal, conduct, carry on, operate or expose for play, any class III game or games played with cards, dice or any mechanical or electronic device, or any combination of such, which have been marked or tampered with, placed in a condition, or operated in a manner, which results in public deception, or alters normal chance or results of the game			8	NP		
74-9809(l)	Tribal Gaming Oversight; Knowingly use or possess any marked cards, loaded dice, plugged or tampered with machines or devices			8	NP		
74-9809(m)	Tribal Gaming Oversight; Possess any device, equipment or material known to have been manufactured, distributed, sold, tampered with or serviced in violation of the provisions of a tribal-state gaming compact			8	NP		
75-4228	State Departments; Liability of Treasurer and Director of Accounts and Reports			***Unc/10	NP	10	
75-4314	State Departments; Public Officers & Employees; Unlawful receipt of funds by a public official			***Unc/10	NP	10	
79-15,137(e)	Taxation; Death Tax; Intentionally sign a fraudulent return			***Unc/10	NP	10	
79-15,235(e)	Kansas Estate Tax Act; Representative intentionally signing a fraudulent return			***Unc/10	NP	10	
79-3228(f)	Taxation; Income Tax; Willfully sign a fraudulent return			***Unc/10	NP	10	
79-3333(a)	Taxation; Cigarettes & Tobacco Products; Retailer; Unlicensed sale of cigarette and tobacco products act.			8	NP		
79-3333(d)	Taxation; Cigarettes & Tobacco Products; Retailer; Sale of cigarettes via internet, telephone or mail w/o proper certification			8	NP		

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Appendix D
By Statute Number
Excluding Sex Offenses Against Children

Statute Number Violated	Statute Description	Freq.	Rank L, M, H	SL	P / NP	Revd SL	Revd P / NP
79-3333(e)	Taxation; Cigarettes & Tobacco Products; Retailer; Failure to verify date of birth or age of the purchaser.			8	NP		
79-3464e(a)(10)	Taxation; Motor Vehicle Fuel Taxes; Falsify, forge or willfully conceal any required books, papers, or records			10	NP		
79-3464e(a)(11)	Taxation; Motor Vehicle Fuel Taxes; Knowingly submit a false or forged application for licensure			10	NP		
79-3464e(a)(12)	Taxation; Motor Vehicle Fuel Taxes; Knowingly make any false/forged application for a refund permit or claim for refund; Knowingly make any false statement in application for a refund permit, or in any claim for a refund			10	NP		
79-3464e(a)(13)	Taxation; Motor Vehicle Fuel Taxes; Present, or cause to be presented, to the director for credit, or for refund, any false, forged or altered invoice of refund			10	NP		
79-3464e(a)(14)	Taxation; Motor Vehicle Fuel Taxes; Falsify, forge or alter any documents associated with the use, sale, manufacture or delivery of any motor fuels			10	NP		
79-3464e(a)(15)	Taxation; Motor Vehicle Fuel Taxes; Deliver or accept delivery of any motor fuel w/ intent to evade the obligation of collecting, remitting or accounting for motor fuel tax to this state, knowing that such fuel was intended to be delivered to a tax exempt entity or to a location outside the state of Kansas			10	NP		
79-3464e(a)(16)	Taxation; Motor Vehicle Fuel Taxes; Use dyed fuel other than for a nontaxable use			10	NP		
79-3464e(a)(17)	Taxation; Motor Vehicle Fuel Taxes; Willfully alter/attempt to alter, the strength or composition of any dye in any dyed fuel			10	NP		
79-3464e(a)(18)	Taxation; Motor Vehicle Fuel Taxes; Aid and abet in violations contained in paragraphs (10) through (17).			10	NP		
79-5208	Taxation; Marijuana & Controlled substances; Dealer distributing or possessing marijuana or controlled substances without affixing the appropriate stamps, labels or other indicia	65	L	10	NP		

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APPENDIX E

RECOMMENDATIONS REGARDING 2008 LEGISLATIVE AMENDMENTS

Statute Number Violated	Statutory Penalty Section	Statute Description	Severity Level	Attempt, Conspiracy, & Solicitation			Person Nonperson	Revd SL	Revd P / NP
				A	C	S			
NEW STATUTES OR SUBSECTIONS PASSED BY 2008 LEGISLATURE									
*21-3419a(a)	(b)	Aggravated Criminal Threat; Public, commercial or industrial building, place of assembly or facility of transportation is evacuated; effective Kansas Register	5	7	7	8	Person		
* 21-3438(a)(1)	(b)(1)	Stalking; Intentional or reckless engaging in targeted at specific person which would cause a reasonable person targeted person's circumstances to fear for such person's or immediate family member's safety and targeted person actually placed in such fear; second or subsequent conviction	7	9	9	10	Person		
* 21-3438(a)(2)	(b)(2)	Stalking; Intentional or reckless engaging in targeted at specific person which individual knows will place targeted person in fear for such person's or immediate family member's safety; second or subsequent conviction	5	7	7	8	Person		
* 21-3438(a)(3)	(b)(3)	Stalking; After notice of protective order prohibiting contact with a targeted person, intentionally or recklessly engaging in conduct listed in (f)(1) that violates the order and would cause a reasonable person in targeted person's circumstances to fear for such person's or immediate family's safety and targeted person actually placed in such fear; first conviction	9	10	10	10	Person		
* 21-3438(a)(3)	(b)(3)	Stalking; After notice of protective order prohibiting contact with a targeted person, intentionally or recklessly engaging in conduct listed in (f)(1) that violates the order and would cause a reasonable person in targeted person's circumstances to fear for such person's or immediate family's safety and targeted person actually placed in such fear; second or subsequent conviction	5	7	7	8	Person		
*21-3705(a)	(b)(2)	Criminal Deprivation of Property; Motor vehicle; third or subsequent conviction amend to second or subsequent; strike special rule making the 3rd and subsequent conviction presumptive prison	9	10	10	10	Nonperson	8	
*21-3811(a)	(d)(1)	Aiding an Escape; Assist one to escape from such lawful custody	8	10	10	10	Nonperson		
*21-3811(a)	(d)(2)	Aiding an Escape; Assist one to escape from such lawful custody;KDOC employee/volunteer or KDOC contractor employee/volunteer	4	6	6	7	Nonperson	5	
*21-3811(b)	(d)(1)	Aiding an Escape; Supply one any object or thing adapted or designed for use in making an escape	8	10	10	10	Nonperson		
*21-3811(b)	(d)(2)	Aiding an Escape; Supply one any object or thing adapted or designed for use in making an escape KDOC employee/volunteer or KDOC contractor employee/volunteer	4	6	6	7	Nonperson	5	
*21-3811(c)	(d)(1)	Aiding an Escape; Introduce into an institution any object or thing adapted or designed for use in a escape	8	10	10	10	Nonperson		
*21-3811(c)	(d)(2)	Aiding an Escape; Introduce into an institution any object or thing adapted or designed for use in a escape; KDOC employee/volunteer or KDOC contractor employee/volunteer	4	6	6	7	Nonperson	5	
*21-4205(a)	(c)	Defacing Identification Marks of Firearm	10	10	10	10	Nonperson		
*65-1657(h)	(m)	Pharmacy Act; Unlawful advertising of nonresident, nonregistered pharmacy; effective Kansas Register	10	10	10	10	Nonperson		

Appendix F Drug Distribution

The following draft merges the three current distribution statutes, K.S.A. 65-4161, 65-4163, and 65-4164 into one statute.

- (a) It shall be unlawful for any person to distribute, or possess with the intent to distribute any of the following controlled substances or controlled substance analogs thereof:
- (1) Opiates, opium or narcotic drugs, or any stimulant designated in subsection (d)(1), (d)(3) or (f)(1) of K.S.A. 65-4107 and amendments thereto.
 - (2) any depressant designated in subsection (e) of K.S.A. 65-4105, subsection (e) of K.S.A. 65-4107, subsection (b) or (c) of K.S.A. 65-4109 or subsection (b) of K.S.A. 65-4111, and amendments thereto;
 - (3) any stimulant designated in subsection (f) of K.S.A. 65-4105, subsection (d)(2), (d)(4) or (f)(2) of K.S.A. 65-4107 or subsection (e) of K.S.A. 65-4109, and amendments thereto;
 - (4) any hallucinogenic drug designated in subsection (d) of K.S.A. 65-4105, and amendments thereto or designated in subsection (g) of K.S.A. 65-4107 and amendments thereto or designated in subsection (g) of K.S.A. 65-4109 and amendments thereto;
 - (5) any substance designated in subsection (g) of K.S.A. 65-4105, and amendments thereto, and designated in subsection (c), (d), (e), (f) or (g) of K.S.A. 65-4111, and amendments thereto;
 - (6) any anabolic steroids as defined in subsection (f) of K.S.A. 65-4109, and amendments thereto.
- (b) It shall be unlawful for any person to distribute or possess with the intent to distribute a controlled substance or a controlled substance analog designated in K.S.A. 65-4113.
- (c) It shall be unlawful for any person to cultivate any controlled substance or controlled substance analog listed in subsection (a).
- (d) Except as further provided by any part of this subsection:
- (1) Violation of subsection (a) shall be:
 - (a) a severity level 9 person felony if the quantity of the material was less than 3.5 grams or less;
 - (b) a severity level 7 person felony if the quantity of the material was 3.5 grams or more but less than 100 grams;
 - (c) a severity level 4 person felony if the quantity of the material was 100 grams or more but less than 1 kilogram; or
 - (d) a severity level 3 person felony if the quantity of the material was 1 kilogram or more.
 - (2) Violation of subsection (a) with respect to material containing any quantity of marijuana, or an analog thereof, shall be:

- (a) a severity level 9 person felony if the quantity of the material was less than 25 grams;
 - (b) a severity level 7 person felony if the quantity of the material was 25 grams or more but less than 450 grams;
 - (c) a severity level 4 person felony if the quantity of the material was 450 grams or more but less than 30 kilogram; or
 - (d) a severity level 3 person felony if the quantity of the material was 30 kilograms or more.
- (3) Violation of subsection (a) with respect to material containing any quantity of heroin, or an analog thereof, shall be:
- (a) a severity level 9 person felony if the quantity of the material was 1 gram or less;
 - (b) a severity level 7 person felony if the quantity of the material was more than 1 gram but less than 3.5 grams;
 - (c) a severity level 5 person felony if the quantity of the material was 3.5 grams or more but less than 100; or
 - (d) a severity level 3 person felony if the quantity of the material was 100 grams or more.
- (4) Violation of subsection (a) with respect to material containing any quantity of a controlled substance, designated in K.S.A. 65-4105, K.S.A. 65-4107, K.S.A. 65-4109 or K.S.A. 65-4111, distributed by dosage unit, shall be:
- (a) a severity level 9 person felony if the number of dosage units was fewer than 10;
 - (b) a severity level 7 person felony if the number of dosage units was 10 or more but fewer than 100;
 - (c) a severity level 4 person felony if the number of dosage units was 100 or more but fewer than 1000; or
 - (d) a severity level 3 person felony if the number of dosage units was 1000 or more.
- (5) For any violation of subsection (a), the severity level of the offense shall be increased one level if the offender was 18 or more years of age and the controlled substance or controlled substance analog was distributed or possessed with the intent to distribute within the presence of a minor.
- (6) Violation of subsection (b) shall be a class A person misdemeanor except that it shall be a severity level 7 person felony if the substance was distributed to or possessed with the intent to distribute to a child under 18 years of age.
- (7) Violation of subsection (c) shall be:
- (a) a severity level 7 person felony if the number of plants cultivated was greater than 4 but fewer than 50;
 - (b) a severity level 5 person felony if the number of plants cultivated was 50 or more but fewer than 100;

- (c) a severity level 3 person felony if the number of plants cultivated was 100 or more.
- (e) In any prosecution under this section, there shall be a rebuttable presumption of an intent to distribute if any person possesses these quantities of the following controlled substances or analogs thereof:
 - (1) 450 grams or more of marijuana;
 - (2) 3.5 grams or more of heroin;
 - (3) 100 dosage units or more containing a controlled substance; or
 - (4) 100 grams or more of any other controlled substance.
- (f) It shall not be a defense to charges arising under this section that:
 - (1) the defendant was acting in an agency relationship on behalf of any other party in a transaction involving a controlled substance;
 - (2) the defendant did not know the quantity of the controlled substance; or
 - (3) the defendant did not know the specific controlled substance contained in the material that was distributed or possessed with the intent of distribution.
- (g) As used in this section:
 - (1) "material" means the total amount of any substance, including a compound or a mixture, which contains any quantity of a controlled substance.
 - (2) "dosage unit" means a controlled substance distributed or possessed with the intent to distribute as a discrete unit, including, but not limited to, one pill, one capsule, or one microdot, and not distributed by weight.
 - (a) For steroids, or controlled substances in liquid solution legally manufactured for prescription use, "dosage unit" means the smallest medically-approved dosage unit, as determined by the label, materials provided by the manufacturer, a prescribing authority, licensed health care professional or other qualified health authority.
 - (b) Except as otherwise provided below, illegally manufactured controlled substances in liquid solution, or controlled substances in liquid products not intended for ingestion by human beings, "dosage unit" means 10 milligrams, including the liquid carrier medium.
 - (c) For lysergic acid diethylamide (LSD) in liquid form, a dosage unit is defined as .4 milligrams, including the liquid carrier medium.

ADDITIONAL RULES SUPPLEMENTAL PAGE (IF APPLICABLE, check box of the special rule that applies and include this page with the corresponding count. Additional copies may be made as needed.) PLEASE DO NOT RENUMBER THIS PAGE. A special rule that changes the presumptive sentence, without constituting a departure, is applicable to this count because:

PUBLIC SAFETY OFFENSES APPLY:

1. **Person Felony Committed With a Firearm** – presumed prison. K.S.A. 2006 Supp. 21-4704(h).
2. **Aggravated Battery of a L.E.O.**, if criminal history is 6H or 6I – presumed prison. K.S.A. 2007 Supp. 21-4704(g).
3. **Aggravated Assault of a L.E.O.**, if criminal history is 6H or 6I – presumed prison. K.S.A. 2006 Supp. 21-4704(g).
4. **Crime Committed for Benefit of a Criminal Street Gang** – presumed prison. K.S.A. 2006 Supp. 21-4704(k).
11. **Extended Jurisdiction Juvenile Imposed** – both juvenile and adult sentences imposed, adult sentence stayed conditioned on successful completion of juvenile sentence. K.S.A. 2006 Supp. 38-2347 and 38-2364.

HABITUAL OR REPEAT OFFENSES APPLY:

5. **Persistent Sex Offender**, if current conviction is presumed prison – double the maximum duration. K.S.A. 2006 Supp. 21-4704(j).
42. **Second or Subsequent Manufacture of a Controlled Substance Conviction** – presumed prison, twice the maximum duration. K.S.A. 2006 Supp. 21-4705(e).
26. **Third or Subsequent Drug Possession**, occurring prior to July 1, 2008, if defendant has completed, been discharged from, or refused to participate in 2003 SB 123 treatment - presumed prison. **If third or subsequent felony drug possession occurs on or after July 1, 2008** - presumed prison. K.S.A. 2008 Supp. 21-4705(f) [Effective July 1, 2008.]
13. **Residential Burglary with a Prior Residential, Nonresidential or Aggravated Burglary Conviction** – presumed prison. K.S.A. 21-4704(l).
27. **Burglary With Two or More Prior Convictions for a Felony Violation of Theft, Burglary, or Aggravated Burglary** – presumed prison. K.S.A. 2008 Supp. 21-4704(p). [Effective July 1, 2008.]
29. **Felony Theft With Three or More Prior Convictions for a Felony Violation of Theft, Burglary, or Aggravated Burglary** – presumed prison. K.S.A. 2008 Supp. 21-4704(p). [Effective July 1, 2008.]
30. **For #27 or #29, Substance Abuse Underlying Factor, Tx More Effective to Reduce Reoffense Risk and Community Safety Served** – KDOC Intensive Substance Abuse Treatment Program, Return to Court Upon Successful Completion. K.S.A. 2008 Supp. 21-4704(p). [Effective July 1, 2008.]
31. **Third or Sub. Criminal Deprivation of a Motor Vehicle** – presumptive prison. K.S.A. 2008 Supp. 21-4704(n). [Effective July 1, 2008.]
16. **Second Forgery**, criminal history I – C, sentenced pursuant to sentencing requirements of K.S.A. 21-3710(b)(3), term of imprisonment not in KDOC. Criminal history A or B, - sentenced for severity level 8, NPF. K.S.A. 2006 Supp. 21-4704(i).
47. **Third or Sub. Forgery**, criminal history I – C, sentenced pursuant to sentencing requirements of K.S.A. 21-3710(b)(4), term of imprisonment not in KDOC. Criminal history A or B, - sentenced for severity level 8, NPF. K.S.A. 2006 Supp. 21-4704(i).
9. **Crime Committed While Incarcerated and Serving a Felony Sentence, or While on Probation, Parole, Conditional Release, or Postrelease Supervision for a Felony** – new sentence shall be imposed pursuant to consecutive sentencing provisions in K.S.A. 21-4608 and the court may impose prison even if presumption is nonprison. K.S.A. 2006 Supp. 21-4603d(f).
28. **Crime Committed While Incarcerated in a Juvenile Correctional Facility for an Offense That Would be a Felony if Committed by an Adult** – presumed prison. K.S.A. 21-4603d(f)(2).
10. **Crime Committed While on Felony Bond** – new sentence may be imposed pursuant to consecutive sentencing provisions in KSA 21-4608 and the court may impose prison even if presumption is nonprison. K.S.A. 21-4603d(f).

NONGRID OFFENSES APPLY:

6. **Felony D.U.I.** (third, fourth or subsequent) – nongrid, sentenced pursuant to specific mandatory sentencing requirements of K.S.A. 2006 Supp. 8-1567, term of imprisonment not to be served in KDOC. K.S.A. 2006 Supp. 21-4704(i).
8. **Felony Domestic Battery** – nongrid, sentenced pursuant to specific mandatory sentencing requirements of K.S.A. 2006 Supp. 21-3412a(b)(3), term of imprisonment not to be served in KDOC. K.S.A. 2006 Supp. 21-4704(i).
21. **Animal Cruelty** K.S.A. 2006 Supp. 21-4310(a)(1), K.S.A. 2006 Supp. 21-4310(a)(2-5); **Second or subsequent conviction; or Working/ Assistance dog** – K.S.A. 2006 Supp. 21-4318(c) - nongrid felony, sentenced pursuant to specific mandatory sentencing requirements of K.S.A. 2006 Supp. 21-4310(d), term of imprisonment not to be served in KDOC. K.S.A. 2006 Supp. 21-4704(i).

FINANCE OFFENSES APPLY:

25. **Fraudulent Insurance Act**, any combination of acts occurring within 6 consecutive months involving \$25,000 or more - presumed prison. K.S.A. 2007 Supp. 40-2,118. [Effective July 1, 2007.]
15. **Kansas Securities Act**, violation resulting in loss of \$25,000 or more – presumed prison. K.S.A. 2005 Supp. 17-12a508(a)(5).
19. **Mortgage Business Act**, Second or Subsequent Conviction – presumed prison. K.S.A. 2006 Supp. 9-2203(c).
20. **Loan Brokers Act**, violation resulting in loss of \$25,000 or more – presumed prison. K.S.A. 50-1013(a).