



State of Kansas

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Senate Judiciary Committee

Monday, March 5, 2012

Testimony in Support of the House Committee Amendments
to Section 3 of 2012 HB 2568

Chris Mechler

Thank you for the opportunity to provide written testimony in support of the House Committee amendments to Section 3 of 2012 HB 2568. As introduced, the provisions of Section 3 would have required the commitment of a significant amount of additional time from court services officers and judges in cases in which offender registration is mandated. While the court would still incur some additional expenditure of time under the terms of the House Committee amendment, it is believed that the amendment, which was arrived at with the assistance and approval of the Kansas Bureau of Investigation (KBI), provides a satisfactory compromise that will result in a lesser time commitment from the court, but will still ensure that the KBI receives the information it seeks.

As introduced, Section 3 would have required the court to complete the full offender registration form at the time of conviction or adjudication. This form is quite detailed and requires a significant amount of time to complete. While completing the registration form is a current obligation of the court, it is the timing as to when the form must be completed that would change under the terms of this bill and which would have caused additional expenditures of judge and court services officer (CSO) time. Under current law, the registration form is to be filled out at the time of sentencing or disposition. The sentencing or disposition is an event that is set for a specified date and time, and a court services officer would be present either in court or immediately after sentencing or disposition to ensure that the registration form is completed.

Completing the form at the time of conviction or adjudication would have presented a problem for the court because, unlike the time of a sentencing or disposition, the date and time of a conviction or adjudication may not be firmly fixed. A criminal defendant may enter a plea prior to or during trial and the court would accept that plea, resulting in a previously unscheduled conviction or adjudication. Under the terms of HB 2568 as introduced, the judge would have had to immediately complete the full registration form or call for a CSO to do so. In some multi-county districts, the CSO may not even be present in the county, because the CSO may be required to meet with probationers or attend court in another county in the district. Moreover,

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the offender would not have met with a CSO, and probably would not have available all of the information required on the registration form.

The House Committee amendment addresses this issue by allowing the court to complete a shorter form, which would require a lesser time obligation than the full registration form, but which collects the information critical to law enforcement and the Kansas Bureau of Investigation so that they can locate the offender if the offender does not report as directed.

Thank you again for this opportunity. I am available if any additional information would be helpful to you.