



# **Kansas Offender Registration**



# Kansas Offender Registration Act

- 1993 Kansas Legislature passed the Habitual Sex Offender Registration Act.
  - Required adult offenders who had been convicted of two or more sexually violent crimes to register with sheriff's office in county where he or she lived.
- 1994 Act is renamed the Kansas Sex Offender Registration Act
  - Required adult offenders who had been convicted once of a sexually violent crime to register. Registration was made open to the public.
- 1996 Kansas Supreme Court ruled public access portion of act was unconstitutional for crimes committed prior to April 14, 1994.



# Kansas Offender Registration Act

- Individuals register under one or more of the four different offender categories: **Sex, Violent, Drug, or General.**
- Requires individuals convicted of certain crimes to register the addresses of their **residence, employment, and schooling** with the local sheriff's office.
- Registration is done four times a year.
- Registration costs \$20.00 per registration
- Registration is required for certain juvenile crimes



# Crimes Requiring Registration as Sex Offender

- Adultery
- Commercial Sexual Exploitation of a Child
- Electronic Solicitation
- Criminal Sodomy
- Aggravated Human Trafficking
- Indecent Liberties with a Child
- Indecent Solicitation of a Child
- Internet Trading of Child Pornography
- Lewd and Lascivious Behavior
- Promoting the Sale of Sexual Relations
- Rape
- Aggravated Sexual Battery
- Sexual Extortion
- Sexually Violent Predator
- Breach of Privacy
- Aggravated Criminal Sodomy
- Aggravated Incest
- Aggravated Indecent Liberties with a Child
- Aggravated Indecent Solicitation of a Child
- Aggravated Internet Trading of Child Pornography
- Patronizing a Prostitute
- Promoting Prostitution
- Sexual Battery
- Sexual Exploitation of a Child
- Sexually Motivated Crimes
- Unlawful Sexual Relations
- Attempt
- Conspiracy
- Solicitation



# Crimes Requiring Registration as a Violent Offender

- Capital Murder
- Criminal Restraint
- Deadly Weapon
- Involuntary Manslaughter
- Kidnapping
- Aggravated Kidnapping
- Murder in the First Degree
- Murder in the Second Degree
- Voluntary Manslaughter
- Attempt
- Conspiracy
- Solicitation



# Crimes Requiring Registration as a Drug Offender

- Possession of Precursors with Intent to Manufacture a Controlled Substance
- Unlawful Manufacture of Controlled Substance
- Unlawful Sale or Distribution of Controlled Substance
- Attempt
- Conspiracy
- Solicitation



# SB 366

## 2022 Legislative Session

- Allowed for the relief of registration requirements for certain drug offenders
- Required five years of compliant time on the registration.
- Must apply with the court of conviction for relief from the requirements of registration.
- Time spent *incarcerated and non-compliant* with the registration does not count toward five year duration.



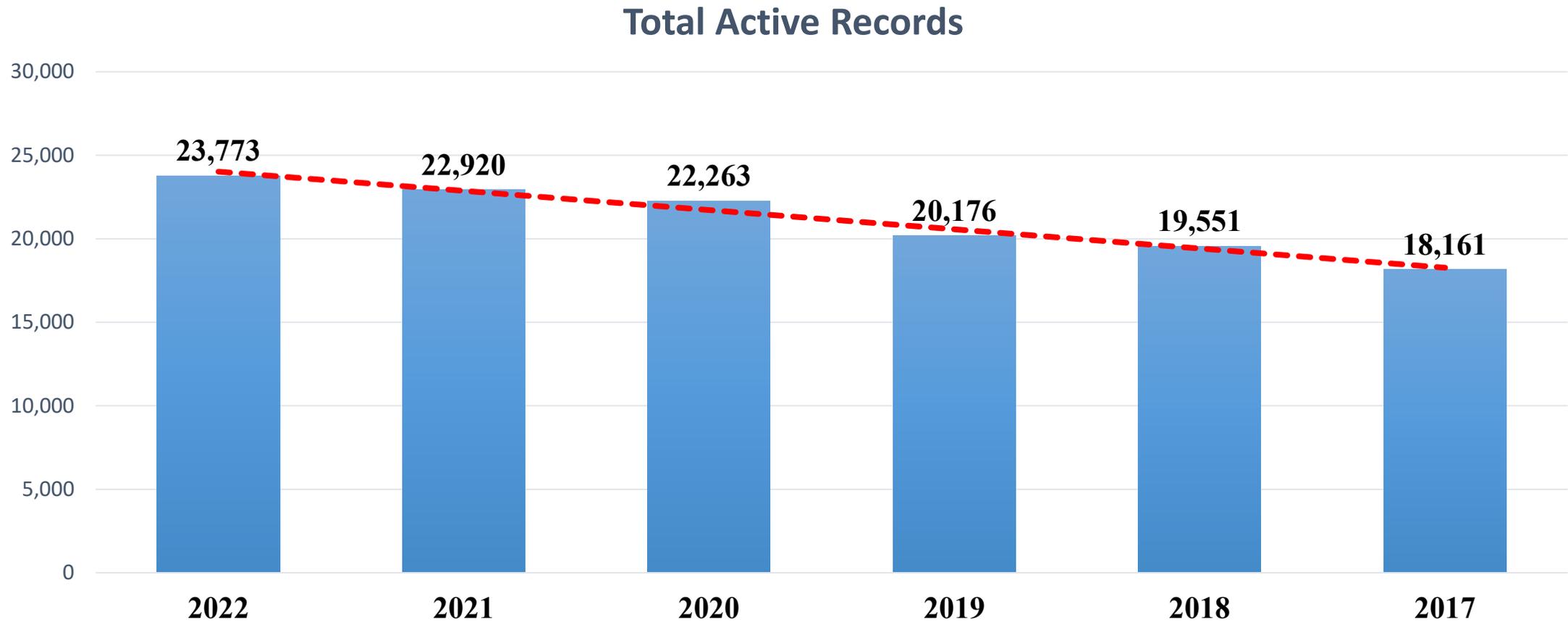
# Kansas Offender Registry

## Design and Purpose

### Data Analytics



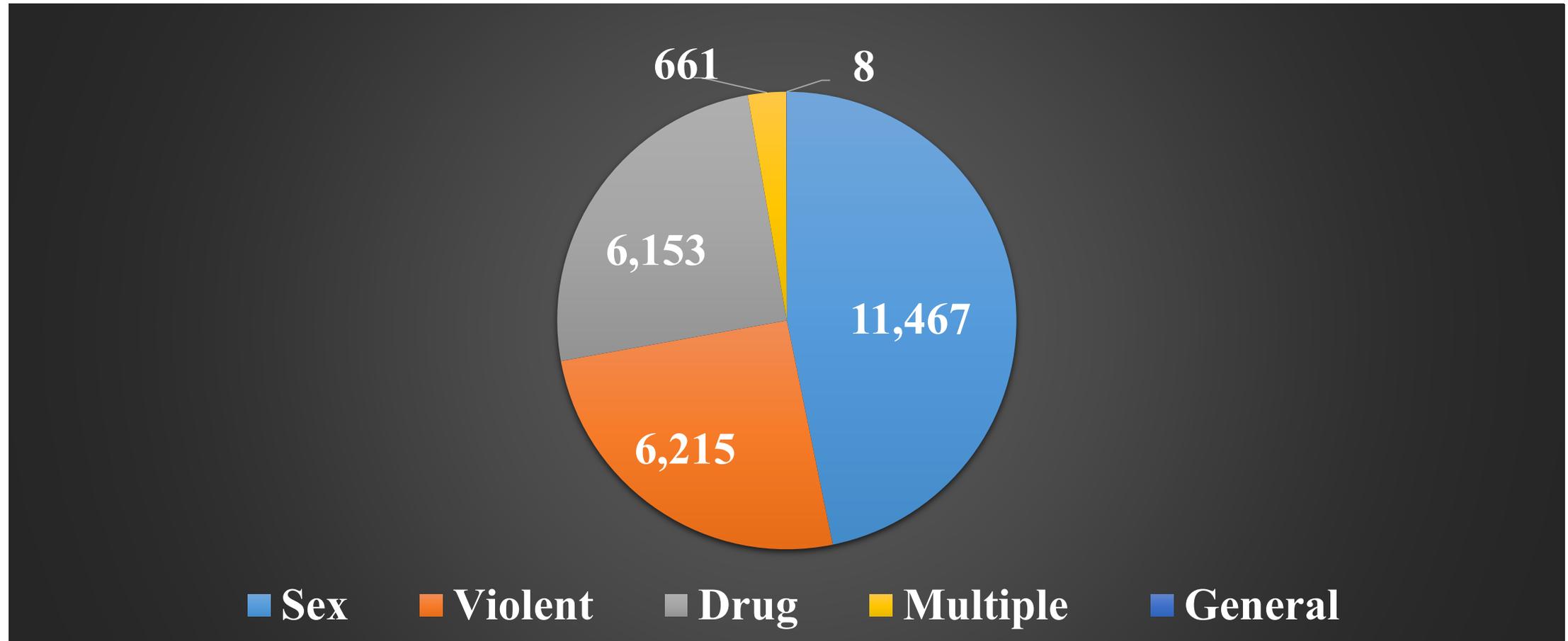
# Increase in Registration Records 2017 to 2022



Demonstrates a 31% increase in registration records over the six year period

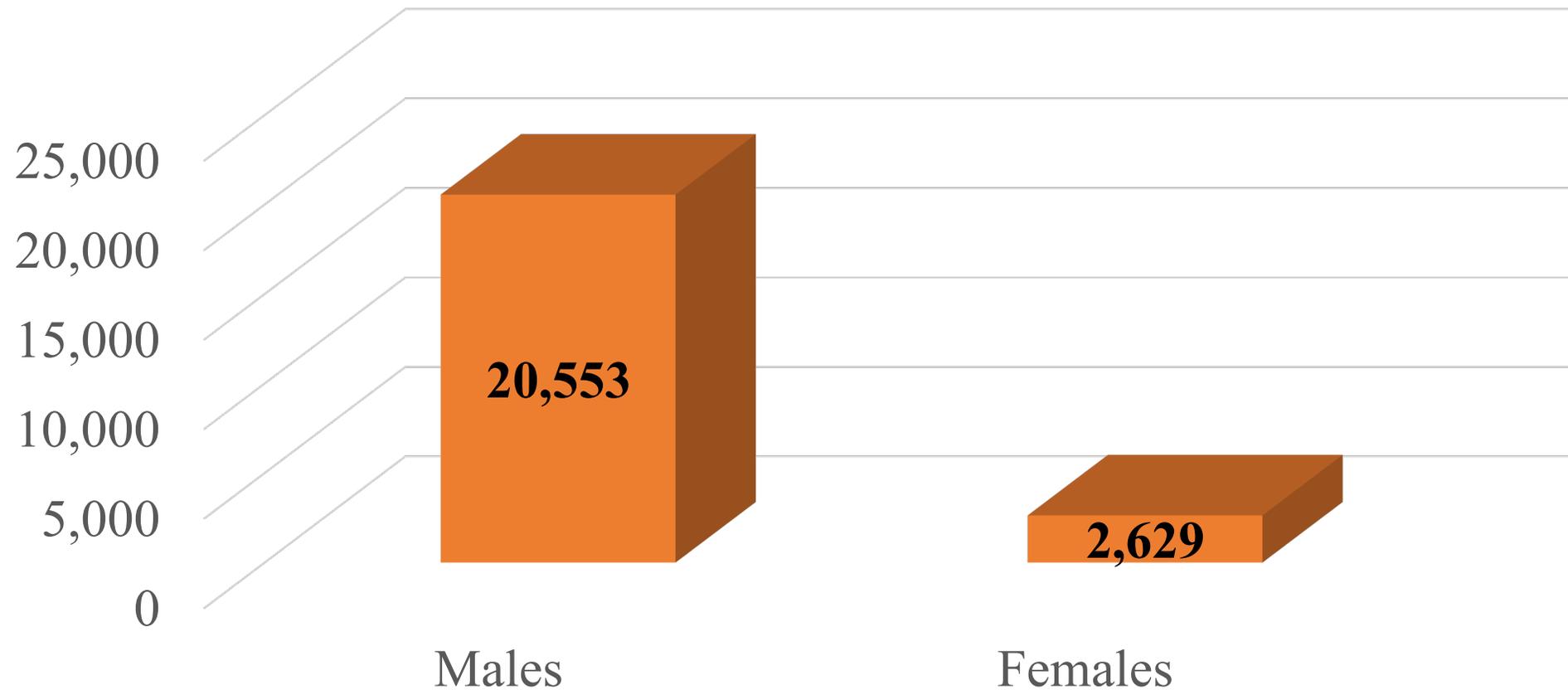


# Active Records as of November 16, 2022





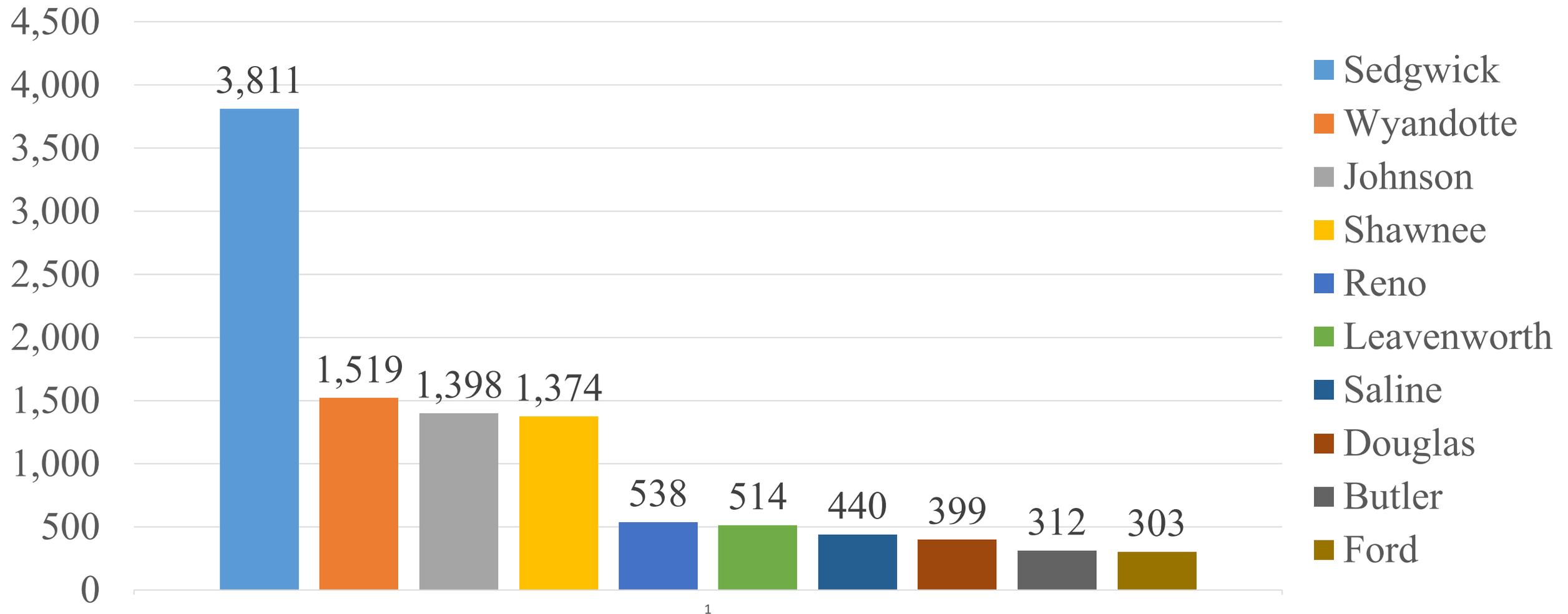
# Gender of Registered Offenders



**\* Females account for approximately 11% of registered offenders**

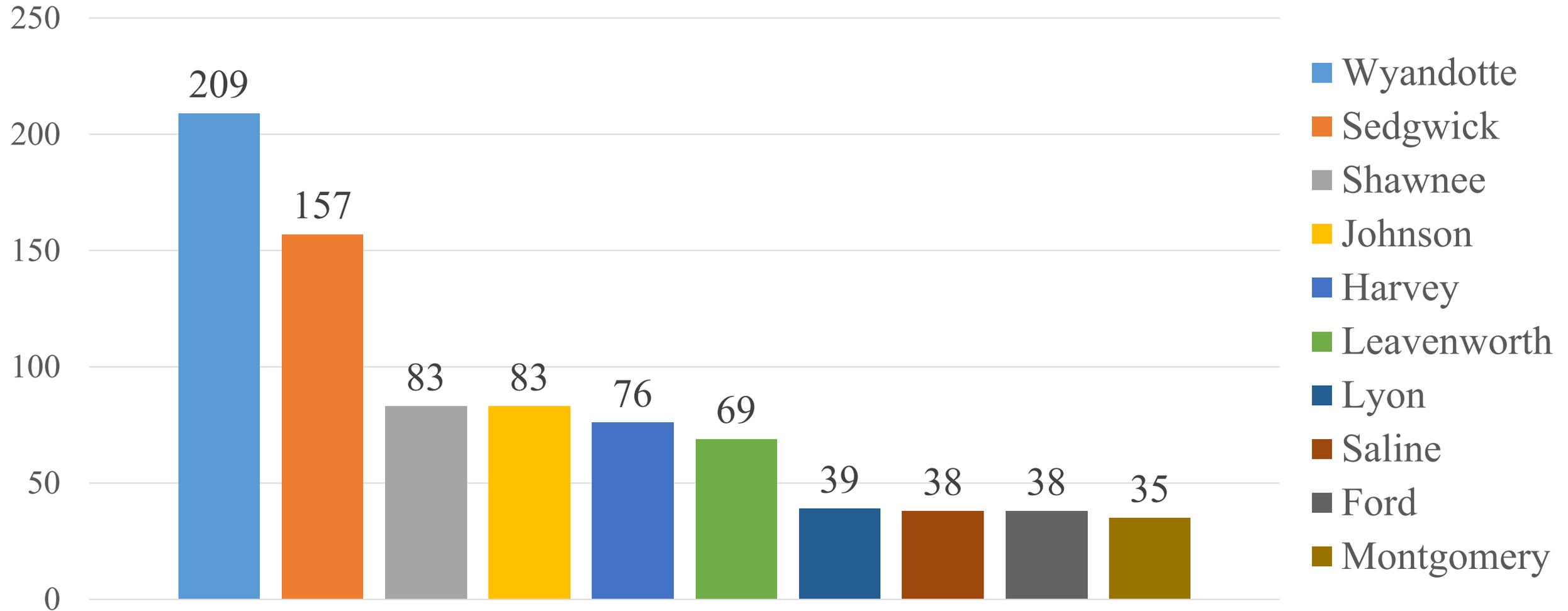


# Top 10 Counties by Number of Registered Offenders





# Top 10 Counties by Number of Non-Compliant Offenders





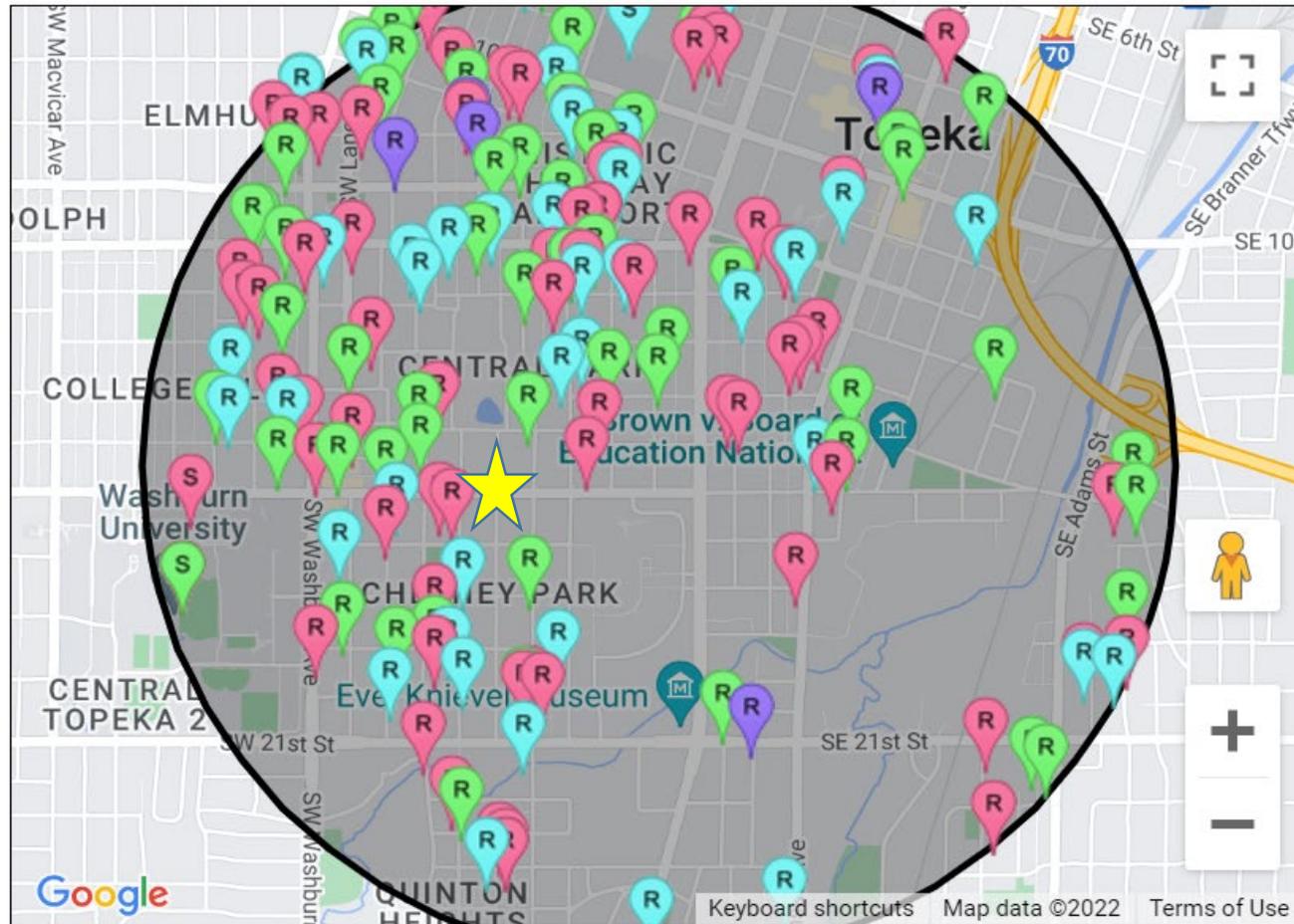
# Searching the Kansas Offender Registry

- Public can search Kansas Offender Registry at: [www.kansas.gov/kbi](http://www.kansas.gov/kbi)
- Searches can be conducted by:
  - Name
  - Geographic Location (Address, County, Zip Code)
  - Offender Type
  - Offender Compliance
  - Phone Number
  - Online Identity (E-mail, social media account, etc.)
- Public can register for Community Notification



# Map of Kansas Offender Registry Search 1620 SW Tyler St. Topeka, KS.

Map and Legend



**Offender Types**

- Green - Drug Offender
- Pink - Sex Offender
- Cyan - Violent Offender
- Purple - Multiple Offender
- Yellow - General Offender

**Address Types**

- R - Residence
- S - School



# Searching the Offender Registration

[www.kansas.gov/kbi](http://www.kansas.gov/kbi)

SW 8<sup>th</sup> St. and SW Van Buren St.



Thank You

Happy to Stand for Questions



# Kansas Bureau of Investigation

Kirk D. Thompson  
*Director*

Derek Schmidt  
*Attorney General*

Kansas Offender Registration  
Testimony before the Joint Committee on Corrections and Juvenile Justice Oversight  
Robert Jacobs, Executive Officer  
November 29, 2022

Chairwoman Baumgardner and Members of the Committee:

Thank you for the opportunity to present testimony before this committee regarding various aspects of Kansas Offender Registration. My name is Robert Jacobs and I serve as the Executive Officer of the Kansas Bureau of Investigation (KBI). This testimony will include a brief summary of the Kansas Offender Registration Act and the Kansas Offender (Public) Registry to include specific data analytics for the registry.

## **Historical Overview:**

In 1993, the Kansas Legislature passed the Habitual Sex Offender Registration Act. The following year, the act was renamed the Sex Offender Registration Act, and is now the Kansas Offender Registration Act (KORA). The KBI was statutorily charged with maintaining a repository of information about individuals who were convicted of one of the specific crimes delineated under KORA. This information includes the individual's residency, employment, and if applicable, schooling. This data is collected during a registration process, which is initiated by the offender, through their local sheriff's office.

KORA was originally established for individuals who had committed sexual offenses, however the act was subsequently amended to include both violent and drug offenses as well. Provisions of KORA are codified in K.S.A. 22-4901 through K.S.A. 22-4913. K.S.A. 22-4902 defines the terms "sex offender," "drug offender" and "violent offender".

## **Criminal Offenses:**

In 1994, an individual was required to register if he or she had been convicted of certain sexually violent crimes<sup>1</sup>. At that time, nine sex offenses were included as crimes for which registration was required under KORA. Table 1 is a summary of the current sex offenses for which registration is required under KORA.

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<sup>1</sup> [Statute | Kansas State Legislature \(kslegislature.org\)](https://kslegislature.org)

**Table 1: Sex Offense Crimes**

Adultery	Breach of Privacy
Commercial Sexual Exploitation of a Child	Electronic Solicitation
Criminal Sodomy	Aggravated Criminal Sodomy
Aggravated Human Trafficking	Aggravated Incest
Indecent Liberties with a Child	Aggravated Indecent Liberties with a Child
Indecent Solicitation of a Child	Aggravated Indecent Solicitation of a Child
Internet Trading of Child Pornography	Aggravated Internet Trading of Child Pornography
Lewd and Lascivious Behavior	Patronizing a Prostitute
Promoting the Sale of Sexual Relations	Promoting Prostitution
Rape	Sexual Battery
Aggravated Sexual Battery	Sexual Exploitation of a Child
Sexual Extortion	Sexually Motivated Crimes
Sexually Violent Predator	Unlawful Sexual Relations

Since the creation of KORA, both violent and drug offenses have been added to the list of crimes requiring registration under KORA. Table 2 represents a summary of the current violent offense crimes that require registration as a result of KORA.

**Table 2: Violent Offense Crimes**

Capital Murder	Criminal Restraint
Deadly Weapon	Involuntary Manslaughter
Kidnapping	Aggravated Kidnapping
Murder in the First Degree	Murder in the Second Degree
Voluntary Manslaughter (Attempt, Conspiracy, Solicitation)	

Likewise, specific drug offenses were later added to the list of crimes requiring registration. Table 3 summarizes the specific drug offense crimes that currently require registration.

**Table 3: Drug Offense Crimes**

Possession of Precursors with Intent to Manufacture a Controlled Substance	Unlawful Manufacture of Controlled Substance
Unlawful Sale or Distribution of Controlled Substance (Attempt, Conspiracy, Solicitation)	

**Registration:**

When an individual is convicted of one of the crimes listed above he or she is required to register their residence, employment, and, if applicable, their school location with the local sheriff's office within three days of establishing said residence, employment, or enrollment in school. The cost for registration is twenty dollars and registration is required four times (quarterly) per year.

Depending upon the crime, offender registration is generally ordered for 15 years, 25 years, or for life.

During the 2022 legislative session, the Kansas Legislature passed Senate Bill (SB) 366, which created a mechanism to seek relief from the KORA for certain drug offenders. SB 366 allows a drug offender to file a verified petition for relief from registration requirements if the offender has registered for a period of at least five years after parole, discharge, release, conviction or adjudication. Time spent incarcerated, or time for which the individual was not compliant with KORA requirements, will not count toward the five-year duration of the registration period<sup>2</sup>.

### **Kansas Offender Registry:**

K.S.A. 22-4909 allows public access to KORA information through the registering law enforcement agency, at the headquarters of the KBI and on any internet website sponsored or created by a registering law enforcement agency or the KBI<sup>3</sup>. As such, the KBI created a public facing website to access the Kansas Offender Registry. The registry is available at [www.kansas.gov/kbi](http://www.kansas.gov/kbi)<sup>4</sup>. Some offender information, however, is not subject to public disclosure and therefore, is not included on the website. Pursuant to the Kansas Supreme Court's decision in *State v. Myers*, 260 Kan. 669 (1996), information for offenders who committed their offense prior to April 14, 1994, is closed to the public<sup>5</sup>.

The following types of searches can be completed on the Kansas Offender Registry website:

- Search by Name
- Search by Geographic Location (by address, zip code, and county)
- Search by Offender Type (Sex, Violent, Drug, General)
- Search by Offender Compliance
- Search by Phone Number
- Search by Online Identity (E-mail, social media, etc.)

Additionally, anyone conducting a search on the website can enroll in a community notification service, which allows the individual to be notified by e-mail when a registered offender registers a residence, work, or school address that is near to an address of interest to the individual.

### **Offender Registry Analytics:**

Unfortunately, the Kansas Offender Registry was not built to collect or retain the specific data elements of searches being conducted through the public website. However, data analytics related to the offender registry itself were available.

#### *Active Records:*

As of November 16, 2022, there were 23,182 people registered in the Kansas Offender Registry. However, there are **23,843** active records due to **661** people registering in more than one offense category. This includes: **11,467** sex offender records, **6,153** drug offender records, **6,215** violent

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<sup>2</sup> [sb366\\_enrolled.pdf \(kslegislature.org\)](#)

<sup>3</sup> [Statute | Kansas State Legislature \(kslegislature.org\)](#)

<sup>4</sup> [KBI - Kansas Bureau of Investigation - KBI Registered Offender Website](#)

<sup>5</sup> [State v. Myers, 260 Kan. 669 | Casetext Search + Citator](#)

offender records, and **8** general offender records. Table 4 is a list of the top ten counties with the largest number of registered offenders.

Table 4

<b>Top 10 Counties with Most Offenders</b>	
Sedgwick	3811
Wyandotte	1519
Johnson	1398
Shawnee	1374
Reno	538
Leavenworth	514
Saline	440
Douglas	399
Butler	312
Ford	303

*Juvenile:*

Juveniles register for five years or until they reach their 18<sup>th</sup> birthday (whichever is longer). However, there are some offenses that require a lifetime registration for a juvenile who is over 14 years of age at the time of offense. As of October 28, 2022, there were **703** offenders registered as juveniles. Of the 703 juvenile offenders, **376 were listed on the public registry** and **327 were not available to the public**. Moreover, **185** of the 703 juvenile offenders also **have an additional adult conviction that requires registration**.

*Gender:*

There are **20,553 males** and **2,629 females** on the offender registry.

*Age:*

The youngest person on the offender registry is **13 years old** and the oldest person on the registry is **97 years old**. The median age of offenders is **42 years old** and the average age of the offenders is **44 years old**.

*Compliance:*

Currently **1,369 or 5.7%** of the offenders in the registry are non-compliant with registration. This includes: **516** non-compliant sex offenders, **553** non-compliant drug offenders, **299** non-compliant violent offenders and **1** non-compliant general crime offenders. Table 5 represents the top 10 counties who have the most non-compliant offenders.

Table 5

<b>Top 10 Counties with Non-Compliant Offenders</b>	
Wyandotte	209
Sedgwick	157
Shawnee	83
Johnson	83
Harvey	76
Leavenworth	69
Lyon	39
Saline	38
Ford	38
Montgomery	35

As previously mentioned, SB 366 provided a mechanism for relief from registration requirements for certain drug offenders. Since the implementation of SB 366 on May 12, 2022, **eight offenders have been removed from the registry** after successfully petitioning the court for relief. Although each of the eight had been compliant for at least five years, as required by statute, in one situation the court did not verify the individual had been compliant prior to granting the petition for relief.

I hope this overview of Kansas Offender Registration has been helpful. Thank you again for the opportunity to provide this information to the committee.

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