



Kansas Bureau of Investigation

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Before the J. Russell (Russ) Jennings Joint Committee
on Corrections and Juvenile Justice Oversight
Bob Stuart, Executive Officer
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Chairwoman Warren and Members of the Committee:

Thank you for requesting Kansas Bureau of Investigation (KBI) written testimony regarding juvenile registration under the Kansas Offender Registration Act (KORA). KORA delegates certain responsibilities to the KBI which in turn allow us to provide information to this Committee.

Historical Overview

In 1993, the Kansas legislature passed the Habitual Sex Offender Registration Act. The following year, the act was changed to the Offender Registration Act, which is now commonly referred to as the Kansas Offender Registration Act (KORA). The KBI was statutorily charged with maintaining a repository of personal identifying information on individuals who were convicted of one of the specific crimes delineated under KORA. This information included 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 through statutes 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". In turn, juvenile sex offender registration began July 1, 2002.

Juvenile Offenders

KORA's application regarding juvenile offenders is structurally the same as adults but has important distinctions. For example, juvenile registration periods are markedly different. Juveniles are required to register until whichever date occurs latest, the offender turns 18 years old, five (5) years from the date of adjudication, five (5) years from release of incarceration stemming from adjudication or lifetime. Lifetime registration occurs when juveniles who are 14

or older are adjudicated of a severity level 1 or off grid level felony. Age at time of offense determines registration requirement for rape, aggravated criminal sodomy, aggravated human trafficking (if committed for the purpose of sexual gratification) and electronic solicitation. A full table can be found on page 22 of the attached and incorporated PowerPoint document.

KORA provides the presiding Court with certain discretionary authorities. The Court can order that the juvenile is not required to register should the judge, on record, finds substantial and compelling reasons to do so. Additionally, the Court can order that registration be private, that is, not open to the public/on the KBI website.

Juvenile Offender Statistics

KBI records currently show 824 offenders with juvenile convictions. 501 of these offenders are considered compliant with Kansas law while 54 are considered non-compliant. There are 269 juvenile offenders currently incarcerated.

KORA Issues/Enhancement Request

The KBI has noted developing issues with the state's current sexual offender registry tool (KsORT) as more fully laid out below. As a result, we have included a \$500,000 enhancement request for budget year FY26 which will address shortcomings by provisioning a new reporting and tracking system. In addition to bringing KsORT into compliance, a new system will enable data query capability currently unavailable and will also streamline the collection process done at Sheriff's Departments across the state.

KsORT

The Sex Offender Registry Tool (SORT) is a sex offender management application provided by the U.S. Department of Justice's Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) to assist states and territories in implementing Sex Offender Registration and Notification Act (SORNA) registry system requirements.

The program functions as the state-level administrative registry system. It also provides local registration agencies with their own specialized public sex offender registry websites. SORT was designed to register only sex offenders. As Kansas registers sex, drug, and violent offenders, customizations were made to fit the needs of the state repository. Kansas implemented KsORT in 2006.

SORNA Compliance

In 2011, the U.S. Department of Justice, Office of Justice Programs, Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) indicated that Kansas had substantially implemented the provisions of the Sex Offender Registration and Notification Act (SORNA), Title I of the Adam Walsh Child Protection and Safety Act of 2006. Implementation of SORNA begins with the adoption of laws, rules, and policies that are required

by SORNA, but ongoing implementation requires the carrying out of those measures. Kansas has maintained substantial compliance since that time. However, in March 2024, the ability for KsORT to send community notifications became inoperable. The Community Notification system is available for subscribers to be notified via email when a registered offender registers a home, work, or school address that is near an address of interest. The inability to send community notifications will result in a loss of SORNA substantial compliance upon the next review of the SMART office if a new solution is not identified and progressing toward implementation.

Dual Entry

To comply with Sex Offender Registration and Notification Act (SORNA) requirements, local registering agencies in Kansas must enter information on all registered sex offenders into the state's public offender registry, as well as into several federal law enforcement databases, including the National Sex Offender Registry (NSOR). The existing registration software lacks the ability to automatically synchronize data, or interface directly with NSOR. This requires all local registering agencies to enter information into two separate databases on each sex offender that they register, causing dual entry.

User Interface

The Kansas Bureau of Investigation (KBI) is statutorily required to serve as the central repository for registration records within the state. While the statute requires local registering agencies to submit all data to the KBI, it does not prescribe a specific method or software for data transmission. An interface was established to transmit data to KBI for agencies who chose not to utilize KsORT for their registration software. The interface often encounters various issues, such as data inaccuracies, duplications, and complete functionality failures. These failures occur without any alert system, which potentially causes significant delays in receiving critical registration data and its subsequent posting to the public website.

Conclusion

Thank you for requesting KBI testimony on the matter of juvenile registration under the Kansas Offender Registration Act (KORA). It is a complicated and sensitive issue that permanently affects lives of both victims and offenders. We appreciate your future consideration of the enhancement request as it is a necessary expenditure to keep the reporting system compliant with both KORA and federal rules.

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