

DISTRICT COURT OF _____ COUNTY, KANSAS

THE STATE OF KANSAS

Case No. _____

vs.

Defendant [Name]

PETITION FOR RELIEF FROM OFFENDER REGISTRATION

Pursuant to K.S.A. 22-4908

I respectfully request of the Court an order removing me from the offender registry and relieving me from further offender registration requirements. In support of my request, I state the following:

1. My full name is _____;
2. My full name at the time of my conviction for the drug offense or offenses requiring registration, if different than #1, was _____;
3. I am a _____ [Race] _____ [Sex] born in _____ [Year of Birth];
4. I was convicted of _____ [drug offense or offenses requiring registration] on _____ [Date] in _____ court. If convicted in another state, I am not required or I am no longer required to register under the laws of that state.
5. My most recent date of parole, discharge or release was _____

OR

I was not confined in jail or prison for the offense.

6. I am currently registered as a drug offender in the following counties:

_____.

7. I have substantially complied with all registration requirements for a period of at least five years after the date of parole, discharge or release, whichever date is most recent, or, if not confined, five years from the date of conviction.

8. I have not been arrested, convicted, or entered into a diversion agreement for any crime during the period I have been required to register.

OR

I have been arrested, convicted, or entered into a diversion agreement for the following crimes during the period I was required to register:

9. The following are the names of all treatment providers and agencies that have treated me for mental health, substance abuse, and offense-related behavior since the date of the offense or offenses requiring registration:

10. My circumstances, behavior and treatment history demonstrate that I have been sufficiently rehabilitated to warrant relief, and that my registration is no longer necessary to promote the public safety, because:

I affirm under penalty of perjury that the statements in this Petition are accurate to the best of my knowledge, and I respectfully request that the Court set this matter for hearing and grant the relief requested.

Defendant, Pro Se
Name (Print): _____
Address 1: _____
Address 2: _____
City, State, Zip: _____
Telephone Number: _____
Fax Number: _____
E-mail Address: _____

Authority

K.S.A. 22-4908, as amended 2022 S.B. 366.

Notes on Use

As amended in 2022, K.S.A. 22-4908 allows drug offenders to file a petition seeking relief from the registration requirements of the Kansas Offender Registration Act, K.S.A. 22-4901, *et seq.* Sex offenders and violent offenders are not currently authorized to seek relief from registration.

Drug offenders may petition for relief after having registered for a period of at least five years after the date of parole, discharge or release, whichever date is most recent, or, if not confined, five years from the date of conviction. Any period of time when an offender is in jail or prison or is not in substantial compliance with registration requirements does not count toward the five-year period.

The district court may require a drug offender who is petitioning for relief from registration to undergo a risk assessment at the offender's expense.

If the drug offense for which the offender is registering would otherwise be eligible for expungement, the offender may combine a petition for registration relief with a petition for expungement. (Please review the expungement forms on the Judicial Council website to determine expungement requirements for drug offenses.)

To obtain relief, the offender must show by clear and convincing evidence that:

- 1) The offender has not been convicted of a felony (other than a felony registration violation) within the five years immediately preceding the filing of the petition, and no proceedings involving a felony are presently pending or being instituted against the offender;
- 2) The offender's circumstances, behavior and treatment history demonstrate that the offender is sufficiently rehabilitated to warrant relief; and
- 3) Registration of the offender is no longer necessary to promote public safety.

If the court orders relief, the offender will be removed from the offender registry and will no longer be required to register. If the court denies relief, the offender must wait three years before filing another petition for relief.