

To apply for relief from Drug Offender Registration, an individual must do the following, using [documents from the Kansas Judicial Council](#), which provides the following [instructions](#):

1. Complete a [Criminal Cover Sheet](#) and give it to the Clerk of the Court when you file your petition.
2. Complete the [Petition for Relief from Offender Registration](#).  
*Where your name is required, write your full legal name.*
3. Sign the Petition for Relief from Offender Registration.  
*Your signature confirms that all the information in the petition is true and accurate and to the best of your knowledge.*
4. File the original petition and the required number of copies with the Clerk of the Court. Pay the required docket fee.
  - a. To figure out how many copies of the petition are required by your court, call the Clerk.  
*To figure out the contact information of the Clerk of the Court, visit <https://www.kscourts.org/home>.*
  - b. You must file your petition in the county in which you were convicted of the offense requiring registration if you were convicted in Kansas. If your registration is because of an out-of-state conviction requiring registration, file your petition in the county where you are required to register.
  - c. In compliance with K.S.A. § 60-2001, the required docket fee is \$173.  
You may be able to fill out a poverty affidavit and request a waiver of the docket fee if you are unable to afford the fee.<sup>14</sup> The affidavit must provide facts supporting your inability to pay the docket fee, including the source and amount of your weekly income, and other relevant information. You must sign and swear to the affidavit under oath before someone who has authority to administer the oath. You can call the Clerk of the Court to ask if there is someone in their office who can administer the oath. Once you submit the affidavit for a fee waiver, the court will review it. If granted, the court will waive the docket fee. If denied, you will need to pay the docket fee.

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<sup>14</sup> K.S.A. § 60-2001 (b).

## **Kansas Offender Registration Act: A How-to Guide for Exiting from Registration Requirements**

5. When you file, the Clerk of the Court will give you the case number. The case number portion of the documents will remain blank *until* you file with the Clerk of the Court.
6. Call the Clerk of the Court or the Administrative Assistant of the judge to whom you are assigned, and ask for a date and time for a hearing before the court. Ask for the division or room number of the hearing when you call as well.
7. Fill out the [Notice of Hearing](#) form and make one additional copy. File the original notice and the copy with the Clerk of the Court who will send the copy to the county or district attorney.
8. Fill out the [Order of Relief from Offender Registration Cover Sheet](#).
9. Fill out paragraphs numbered 1 through 6 of the [Order of Relief from Offender Registration](#) and paragraphs numbered 1 through 4 of the [Order Denying Relief from Offender Registration](#) (just in case).
10. Take the [Order of Relief from Offender Registration Cover Sheet](#), [Order of Relief from Offender Registration](#), and [Order Denying Relief from Offender Registration](#) (all linked above) with you to the hearing.
11. Attend the hearing and answer any questions the court may have.

*This document was researched and drafted by Madeline Shriver in her capacity as an intern for the Legal Department at the ACLU of Kansas in 2022.*

# EXAMPLE

For Office Use Only

## ORDER OF RELIEF FROM OFFENDER REGISTRATION COVER SHEET

(for submission to the Kansas Bureau of Investigation)

This coversheet is to be sent to the Kansas Bureau of Investigation to assist them with determining the correct person to be removed from the registry.

This form must be typed or printed legibly.

### **DEFENDANT'S INFORMATION**

**NAME:** George Washington

**ADDRESS:** 1100 Mt. Vernon Street; Big City, State 11111

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**SOCIAL SECURITY NUMBER:** 123-987-6543

MALE    FEMALE

**DOB:** 01/10/1990

**RACE:**    WHITE    BLACK    ASIAN    PACIFIC ISLAND  
 AMERICAN INDIAN/ALASKAN    UNKNOWN

**ETHNICITY:**    HISPANIC    NON-HISPANIC    UNKNOWN

**ALIAS NAMES USED:**

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# EXAMPLE

DISTRICT COURT OF JOHNSON COUNTY, KANSAS

THE STATE OF KANSAS

Case No. \_\_\_\_\_

vs.

GEORGE WASHINGTON

Defendant

## **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 George Washington;
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 white [Race] male [Sex] born in 1990 [Year of Birth];
4. I was convicted of unlawful possession of a controlled substance [drug offense or offenses requiring registration] on October 02, 2016 [Date] in Johnson County District 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.

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

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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:

University of Kansas Health Center

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10. My circumstances, behavior and treatment history demonstrate that I have been

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sufficiently rehabilitated to warrant relief, and that my registration is no longer necessary to promote the public safety, because:

I have sought and completed substance abuse treatment and remained clean from any form of substance abuse. I have been an exemplary community member, demonstrated by the lack of additional legal issues since I was convicted for this offense and my continuous employment.

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.

George Washington

Defendant, Pro Se

Name (Print): George Washington

Address 1: 1100 Mt. Vernon Street

Address 2: \_\_\_\_\_

City, State, Zip: Big City, State 11111

Telephone Number: 555-123-4567

Fax Number: \_\_\_\_\_

E-mail Address: GWashington@email.com

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## 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.

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DISTRICT COURT OF JOHNSON COUNTY, KANSAS

THE STATE OF KANSAS

vs.

Case No. \_\_\_\_\_

GEORGE WASHINGTON

Defendant

## **NOTICE OF HEARING ON PETITION FOR RELIEF FROM OFFENDER REGISTRATION**

The court will hold a hearing on this matter on the \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, at \_\_\_\_\_:\_\_\_\_  a.m.  p.m. at the \_\_\_\_\_  
County Courthouse, in division \_\_\_\_\_ \ room \_\_\_\_\_.

George Washington

Petitioner, Pro Se

Name (Print): George Washington

Address 1: 1100 Mt. Vernon Street

Address 2: \_\_\_\_\_

City, State, Zip: Big City, State 11111

Telephone Number: 555-123-4567

Fax Number: \_\_\_\_\_

E-mail Address: GWashington@gmail.com

## **CERTIFICATE OF SERVICE AND MAILING**

I certify that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I sent a true copy of  
this notice by depositing it in the United States mail, postage prepaid, addressed to:

\_\_\_\_\_  
County or District Attorney (Print)

Address 1: \_\_\_\_\_

Address 2: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

\_\_\_\_\_  
(Clerk of the Court) (Deputy Clerk)



# EXAMPLE

DISTRICT COURT OF JOHNSON COUNTY, KANSAS

THE STATE OF KANSAS

Case No. \_\_\_\_\_

vs.

GEORGE WASHINGTON  
Defendant

## **ORDER DENYING RELIEF FROM OFFENDER REGISTRATION**

Pursuant to K.S.A. 22-4908.

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Court considers the Petition for Relief from Offender Registration filed herein. The State appears by \_\_\_\_\_, assistant county/district attorney or designee. The petitioner appears  **pro se**  **in person** with \_\_\_\_\_ [Attorney's name, if any]. Others appearing, if any, are: \_\_\_\_\_

The Court finds jurisdiction and venue are proper. Notice to parties and those required to receive notice has been given as required by law.

The Court,  upon agreement of the parties,  having reviewed the file,  having received the evidence, and/or  having heard statements of counsel, finds as follows:

1. The full name of the petitioner is George Washington;
2. The full name of the petitioner at the time of conviction, if different than #1, was \_\_\_\_\_;
3. The petitioner is a white [Race] male [Sex] born in 1990 [Year of Birth];
4. The petitioner was convicted of unlawful possession of a controlled substance on October

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02, 2016 [Date] in Johnson County District court.

5. The request for relief from offender registration should be denied for the following

reason(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**IT IS THEREFORE ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
that the petitioner shall not be relieved of the offender registration requirements of the Kansas  
Offender Registration Act.

\_\_\_\_\_  
Judge of the District Court

Submitted by:

Approved by:

\_\_\_\_\_  
Signature of Petitioner/Petitioner's Attorney

\_\_\_\_\_  
Assistant County/District Attorney

[Supreme Court Number]: \_\_\_\_\_

Name(Print): \_\_\_\_\_

Name(Print): George Washington

Supreme Court Number: \_\_\_\_\_

Address 1: 1100 Mt. Vernon Street

Address 1: \_\_\_\_\_

Address 2: \_\_\_\_\_

Address 2: \_\_\_\_\_

City, State, Zip: Big City, State 11111

City, State, Zip: \_\_\_\_\_

Telephone: 555-123-4567

Telephone: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail Address: GWashington@email.com

E-mail Address: \_\_\_\_\_

# EXAMPLE

DISTRICT COURT OF JOHNSON COUNTY, KANSAS

THE STATE OF KANSAS

vs.

Case No. \_\_\_\_\_

GEORGE WASHINGTON  
Defendant

## **ORDER OF RELIEF FROM OFFENDER REGISTRATION**

Pursuant to K.S.A. 22-4908.

On this \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, the Court considers the Petition for Relief from Offender Registration filed herein. The State appears by \_\_\_\_\_, assistant county/district attorney or designee. The petitioner appears  **pro se**  **in person** with \_\_\_\_\_ [Attorney's name, if any]. Others appearing, if any, are: \_\_\_\_\_

The Court finds jurisdiction and venue are proper. Notice to parties and those required to receive notice has been given as required by law.

The Court,  upon agreement of the parties,  having reviewed the file,  having received the evidence, and/or  having heard statements of counsel, finds as follows:

1. The full name of the petitioner is George Washington ;
2. The full name of the petitioner at the time of conviction, if different than #1, was \_\_\_\_\_ ;
3. The petitioner is a white [Race] male [Sex] born in 1990 [Year of Birth];
4. The petitioner was convicted of unlawful possession of a controlled substance on October 02, 2016 [Date] in Johnson County District court. If convicted in another state, the

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petitioner was not required or is no longer required to register in that state.

5.  The petitioner's most recent date of parole, discharge or release was \_\_\_\_\_

OR

✓ The petitioner was not confined to jail or prison for the offense requiring registration.

6. The petitioner is currently registered as a drug offender in the following counties: Johnson County.

7. The petitioner has 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. The petitioner has not been convicted of a felony, other than a felony violation or aggravated felony violation of K.S.A. 22-4903, within the five years immediately preceding the filing of the petition and no proceedings involving any such felony are presently pending or being instituted against the petitioner.

9. The petitioner has demonstrated by clear and convincing evidence that the petitioner's circumstances, behavior and treatment history demonstrate that the petitioner is sufficiently rehabilitated to warrant relief and registration is no longer necessary to promote public safety.

**IT IS THEREFORE ORDERED** that the petitioner shall be removed from the offender registry and the petitioner is no longer required to comply with the registration requirements of the Kansas Offender Registration Act. The Clerk of the District Court, upon receipt and filing herein, shall send a certified copy of this Order of Relief from Offender Registration to the Kansas Bureau

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of Investigation and to the sheriff of each county listed in paragraph 6.

**IT IS SO ORDERED** this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Judge of the District Court

Submitted by:

Approved by:

\_\_\_\_\_  
Signature of Petitioner/Petitioner's Attorney

\_\_\_\_\_  
Assistant County/District Attorney

Name(Print): George Washington

Name(Print): \_\_\_\_\_

[Supreme Court Number]: \_\_\_\_\_

Supreme Court Number: \_\_\_\_\_

Address 1: 1100 Mt. Vernon Street

Address 1: \_\_\_\_\_

Address 2: \_\_\_\_\_

Address 2: \_\_\_\_\_

City, State, Zip: Big City, State 11111

City, State, Zip: \_\_\_\_\_

Telephone: 555-123-4567

Telephone: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail Address: GWashington@gmail.com

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