

# Relief from Drug Offender Registration

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

Registered drug offenders may ask a court to release them from the requirements of the Kansas Offender Registration Act by filing a Petition for Relief from Drug Offender Registration. If the Petition is granted by a judge, the person will no longer have to register as a drug offender under the Kansas Offender Registration Act.

Before a person may be released from registration as a drug offender in Kansas, they must meet the following criteria:

<b>Drug Offenders only</b>
The person must be required to register as a drug offender under the Kansas Offender Registration Act. Sex offenders and violent offenders are <u>not</u> eligible for relief from registration.
<b>5 Year waiting period</b>
The person may file a Petition for Relief from Drug Offender Registration: <ol style="list-style-type: none"><li>1) Five years after the date of conviction or juvenile adjudication on the case where registration is required <u>if the person did not go to prison,</u></li></ol> <p>OR</p> <ol style="list-style-type: none"><li>2) Five years after the release date from prison on the case where registration is required <u>if the person did go to prison,</u></li></ol> <p>*Any time that a person was in jail or prison (on the drug case or any other case) or was not in compliance with the requirements of the Offender Registration Act does not count toward the five years.</p>
<b>No new felonies</b>
The person must not have any pending felony charges and must not have any felony convictions or juvenile adjudications (except for violation of the Kansas Offender Registration Act pursuant to K.S.A. 22-4903) in the five years immediately before the petition for relief is filed.
<b>The person is rehabilitated</b>
The person's circumstances, behavior, and treatment history show that the person is sufficiently rehabilitated, and registration is no longer necessary to promote public safety.

### Where to file the petition:

The petition for relief must be filed with the Clerk of the District Court in the county where the offender was convicted or adjudicated of the offense that requires them to register as a drug offender.

### Additional Resources:

- For instructions on how to file a Petition for Relief From Offender Registration and for the needed legal forms, go to: <https://www.kansasjudicialcouncil.org/legal-forms/expungement-adult/drug-offender-registration-relief>.
- For more information about relief from drug offender registration, go to the Kansas Legal Services website at: <https://www.kansaslegalservices.org/node/drug-registry>.
- To read the law that controls relief from drug offender registration, go to: [https://ksrevisor.org/statutes/chapters/ch22/022\\_049\\_0008.html](https://ksrevisor.org/statutes/chapters/ch22/022_049_0008.html).