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House of Representatives



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Joint Committee on Special Claims  
Against the State  
Federal & State Affairs  
Judiciary

Testimony to the House Corrections & Juvenile Justice Committee  
In Support of HB 2739

Chairman Jennings and members of the Committee,

Thank you for the opportunity to testify before you today in support of HB 2739. This bill would change the requirements for juvenile offenders required to register for sex offenses to match the requirement for adults convicted of similar offenses.

This case was brought to my attention by a resident of Sedgwick County who was seeking justice for his daughter Alyssa and his 4-year old granddaughter Zaylyn who'd been brutally murdered by a man who was released from custody and supervision early. Because current law allows for judicial discretion regarding registration and supervision, this now confessed and convicted brutal murderer was welcomed into the home of his victims who had no idea about his criminal past.

The perpetrator of this heinous act, now 19, was sentenced when he was 14 for aggravated indecent liberties with a 5-year-old girl in McPherson County. He was 12 at the time of the crime. It put him on the sex offender registry but that registry is only available to law enforcement. In the few years after his conviction, his sentence was increased because he broke supervision rules and was convicted of new crimes, per court records.

The records show he incurred about 24 probation violations and at least six new convictions. At one point, he was sentenced to a juvenile correctional facility until Aug. 1, 2017. He would have been released about a week before the Newton killings. After his release, he would have been under six months of intensive supervision.

But in February 2016, his attorney, asked that he be released from the correctional facility a year early. In August 2016, a McPherson County District Judge reduced the sentence, releasing him from Larned Juvenile Correctional Facility because it was "not in the best interests of the juvenile offender," a court document says.

The judge also ordered a year of supervision after his release. That would have kept him under supervision until Aug. 1, 2017. But that same judge ended that supervision on Feb. 22, finding that he had met requirements and "should be discharged from custody/probation." During the six months, he was out before committing this horrible act, records show he drifted around Newton.

He had been unemployed for four months and about five weeks before the killings, he was arrested on a traffic warrant and was released from jail after three to four days.

A week before he left the jail in the traffic case, he was charged with a felony for failure to register as a sex offender, but no warrant was issued for him because of staffing limits and a backlog of cases. A warrant could have resulted in his arrest on the felony charge.

I could go on with this gruesome tale with additional criminal behavior from this individual but the point to this is a simple one, had this person been on the public registry this crime might very well have been prevented. HB 2739 will do just that.

Thank you again for the opportunity to testify this morning, I'd be happy to stand for questions at the appropriate time.

Rep. John Whitmer  
District 93