

SENATE BILL No. 487

By Senators Allen and Vratil, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Donovan, Emler, Gilstrap, Goodwin, Hensley, Jordan, Kelly, Lee, McGinn, Morris, Petersen, Pine, D. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Wagle, Wilson and Wysong

2-1

13 AN ACT establishing the statewide automated victim information and
14 notification system act.

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16 *Be it enacted by the Legislature of the State of Kansas:*

17 Section 1. This act shall be known and may be cited as the automated
18 victim information and notification system act.

19 Sec. 2. As used in this act:

20 (a) "Department" means the department of corrections.

21 (b) "Registered victim" means a victim or victim's family member
22 who has registered with SAVIN.

23 (c) "SAVIN" means a statewide automated victim information and
24 notification system.

25 (d) "Victim" means a person who has suffered harm as the result of
26 any crime.

27 Sec. 3. The department shall establish a SAVIN system that shall
28 automatically notify a registered victim using their choice of telephone,
29 letter or email when:

30 (a) An offender housed in the department of corrections or any
31 county jail in the state:

32 (1) Is transferred or assigned to another facility;

33 (2) is transferred to the custody of another agency outside the state;

34 (3) is assigned a different security classification;

35 (4) is released temporarily or otherwise;

36 (5) is discharged;

37 (6) has escaped; or

38 (7) has been served with a protective order that was requested by the
39 victim.

40 (b) An offender has:

41 (1) An upcoming court event where the victim is entitled to be
42 present;

43 (2) an upcoming parole or pardon hearing; or

1 (3) a change in status of their parole or probation, including a change
2 in supervision status or a change in address.

3 (c) An offender, who is required to register pursuant to the Kansas
4 offender registration act, K.S.A. 22-4901, et seq., and amendments
5 thereto, has:

6 (1) Updated their profile information with the state offender registry;
7 or

8 (2) become non-compliant with the state offender registry.

9 Sec. 4. (a) The SAVIN system shall permit a registered victim to
10 receive the most recent status report of an offender in the department
11 of corrections, county jail, or offender registry by calling the SAVIN sys-
12 tem on a toll free telephone number or by accessing the SAVIN system
13 through a public website.

14 (b) The SAVIN system shall permit a victim to register or update the
15 victim's registration information in the system by calling a toll free tele-
16 phone number or accessing a public website.

17 (c) All victims calling the SAVIN system shall be given the option to
18 have live operator assistance in using the program on a 24-hour basis, 365
19 days per year.

20 Sec. 5. Participating in the SAVIN system and making offender and
21 case data available on a timely basis to the SAVIN system shall satisfy the
22 obligation of the sheriff, county or district attorney and the department
23 of corrections to notify the victim of the custody status and the status of
24 any upcoming court events relating to an offender, pursuant to article 37
25 of section 22 and article 73 of section 74 of the Kansas Statutes Annotated.

26 Sec. 6. The department must ensure that the offender information
27 contained within the SAVIN system is updated frequently so as to notify
28 a registered victim, in a timely manner, that an offender has been re-
29 leased, has been discharged or has escaped; however, the failure of the
30 SAVIN system to provide notice to the registered victim does not estab-
31 lish a separate cause of action by the registered victim against local offi-
32 cials, the department of corrections or the state of Kansas.

33 Sec. 7. (a) The department shall administer the SAVIN system. The
34 cost of administering the system must be paid with appropriations made
35 to the department and from federal grants and contracts.

36 (b) Law enforcement agencies shall cooperate with the department
37 in establishing and maintaining the SAVIN system.

38 Sec. 8. This act shall take effect and be in force from and after its
39 publication in the statute book.