

# 2011 Kansas Sentencing Guidelines

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

**OFFENDER REGISTRATION SUPPLEMENT – K.S.A. 2011 Supp. 22-4901 et seq.**  
 (If applicable, complete both pages and attach to the Journal Entry.)

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**SECTION A. REGISTRATION REQUIREMENT - Check appropriate boxes to indicate the REASON for registration. See K.S.A. 2011 Supp. 22-4902(a)**

Offender required by court order to register for an offense not otherwise required as provided by the Kansas Offender Registration Act

\_\_\_\_\_ Enter age of victim (K.S.A. 2011 Supp. 22-4904(a)(4))

Offender required to register due to **SEX OFFENDER** status as indicated by any of the following:

**Conviction of any of the following crimes:**

- Sexual Battery – formerly K.S.A. 21-3517
- Any conviction for any comparable offense in effect prior to July 1, 2011
- Any attempt, conspiracy or criminal solicitation of a comparable crime

**Conviction of any of the following crimes when one of the parties involved is under 18 years of age:**

- |                                                                                                                 |                                                                                      |
|-----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| <input type="checkbox"/> Adultery – formerly K.S.A. 21-3507                                                     | <input type="checkbox"/> Criminal Sodomy as formerly defined in K.S.A. 21-3505(a)(1) |
| <input type="checkbox"/> Promoting Prostitution – formerly K.S.A. 21-3513                                       | <input type="checkbox"/> Patronizing a Prostitute – formerly K.S.A. 21-3515          |
| <input type="checkbox"/> Lewd and Lascivious Behavior – formerly K.S.A. 21-3508                                 | <input type="checkbox"/> Conviction for any comparable offense prior to July 1, 2011 |
| <input type="checkbox"/> Any attempt, conspiracy or criminal solicitation of an offense defined in this section |                                                                                      |

**Conviction of any of the following sexually violent crimes or adjudication as a juvenile offender for an act which if committed by an adult would constitute a sexually violent crime, UNLESS the court finds on the record that the act involved non-forcible sexual conduct, the victim was at least 14 and the offender not more than 4 years older than victim:**

- |                                                                                                                                                                                                                                                                                           |                                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Rape – formerly K.S.A. 21-3502                                                                                                                                                                                                                                   | <input type="checkbox"/> Indecent Liberties With a Child – formerly K.S.A. 21-3503                      |
| <input type="checkbox"/> Agg. Indecent Liberties With a Child – formerly K.S.A. 21-3504                                                                                                                                                                                                   | <input type="checkbox"/> Criminal Sodomy – formerly K.S.A. 21-3505(a)(2) and (a)(3)                     |
| <input type="checkbox"/> Agg. Criminal Sodomy – formerly K.S.A. 21-3506                                                                                                                                                                                                                   | <input type="checkbox"/> Indecent Solicitation of a Child – formerly K.S.A. 21-3510                     |
| <input type="checkbox"/> Agg. Indecent Solicitation of a Child – formerly K.S.A. 21-3511                                                                                                                                                                                                  | <input type="checkbox"/> Sexual Exploitation of a Child – formerly K.S.A. 21-3516                       |
| <input type="checkbox"/> Agg. Sexual Battery – formerly K.S.A. 21-3518                                                                                                                                                                                                                    | <input type="checkbox"/> Agg. Incest – formerly K.S.A. 21-3603                                          |
| <input type="checkbox"/> Electronic Solicitation – formerly K.S.A. 21-3523                                                                                                                                                                                                                | <input type="checkbox"/> Unlawful Sexual Relations (on or after July 1, 2010) – formerly K.S.A. 21-3520 |
| <input type="checkbox"/> Any conviction for any comparable offense in effect prior to July 1, 2011                                                                                                                                                                                        |                                                                                                         |
| <input type="checkbox"/> Any attempt, conspiracy or criminal solicitation of a sexually violent crime                                                                                                                                                                                     |                                                                                                         |
| <input type="checkbox"/> Any act determined beyond a reasonable doubt to have been sexually motivated AND the act did <u>not</u> involve non-forcible sexual conduct between a victim at least 14 and offender no more than 4 years older than victim – K.S.A. 2011 Supp. 22-4902 (c)(15) |                                                                                                         |

Offender required to register due to **VIOLENT OFFENDER** status (Indicated by conviction of any of the following crimes):

- |                                                                                                                                                                    |                                                                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Capital Murder – formerly K.S.A. 21-3439                                                                                                  | <input type="checkbox"/> Murder in the First Degree – formerly K.S.A. 21-3401                                                               |
| <input type="checkbox"/> Murder in the Second Degree - formerly K.S.A. 21-3402                                                                                     | <input type="checkbox"/> Voluntary Manslaughter - formerly K.S.A. 21-3403                                                                   |
| <input type="checkbox"/> Involuntary Manslaughter - formerly K.S.A. 21-3404                                                                                        | <input type="checkbox"/> Kidnapping - formerly K.S.A. 21-3420                                                                               |
| <input type="checkbox"/> Agg. Kidnapping - formerly K.S.A. 21-3421                                                                                                 | <input type="checkbox"/> Criminal Restraint - formerly K.S.A. 21-3424 (except by parent, and only when victim is less than 18 years of age) |
| <input type="checkbox"/> Agg. Human Trafficking – formerly K.S.A. 21-3447                                                                                          |                                                                                                                                             |
| <input type="checkbox"/> Any conviction for any comparable offense in effect prior to July 1, 2011                                                                 |                                                                                                                                             |
| <input type="checkbox"/> Any out of state conviction for an offense that under the laws of Kansas would be an offense listed in this section                       |                                                                                                                                             |
| <input type="checkbox"/> Any attempt, conspiracy or criminal solicitation of an offense defined in this section                                                    |                                                                                                                                             |
| <input type="checkbox"/> Any person felony with court finding on the record that such felony was committed with a <b>DEADLY WEAPON</b> (On or after July 1, 2006): |                                                                                                                                             |
| <input type="checkbox"/> Any conviction for any comparable person felony, committed with a <b>DEADLY WEAPON</b> , in effect prior to July 1, 2011                  |                                                                                                                                             |
| <input type="checkbox"/> Any attempt, conspiracy or criminal solicitation of a person felony committed with a <b>DEADLY WEAPON</b>                                 |                                                                                                                                             |

Offender required to register due to **DRUG OFFENDER** status (Indicated by conviction of any of the following crimes):

- Manufacture** or attempted manufacture of any controlled substance – K.S.A. 2011 Supp 21-5703 (formerly K.S.A. 21-36a03)
- Possession of precursors** with intent to manufacture any controlled substance – K.S.A. 2011 Supp. 21-5709(a) [formerly K.S.A. 21-36a09(a)], K.S.A. 2011 Supp. 21-5710(a)(1), (a)(2) [formerly 21-36a10(a)(1), (a)(2)]
- Cultivation, Distribution, Possession** with intent to distribute opiates, opium or narcotic drugs or any stimulant in K.S.A. 65-4107(d)(1), (d)(3), or (f)(1) – K.S.A. 2011 Supp. 5705(a)(1), **ONLY** [formerly K.S.A. 21-36a05(a)(1)]
- Any conviction for any comparable offense in effect prior to July 1, 2011
- Any attempt, conspiracy or criminal solicitation of an offense defined in this section

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OFFENDER REGISTRATION SUPPLEMENT CONT. – K.S.A. 2011 Supp. 22-4901 et seq. (PAGE 2 of 2)

SECTION B. REGISTRATION TERMS - check appropriate boxes indicating REQUIRED TERM of registration  
See K.S.A. 2011 Supp. 22-4906

Offender is ordered to register for \_\_\_\_ years for:

- An offense not otherwise required, as provided by the Kansas Offender Registration Act, K.S.A. 2011 Supp. 22-4902(a)(5)
- Sexual Battery when no party involved is less than 18 years of age (no registration duration stated in K.S.A. 22-4906)
- Aggravated Human Trafficking when the victim is not less than 18 years of age (no registration duration stated in K.S.A. 22-4906)

Offender must register for 15 YEARS after the date of parole, discharge or release, whichever date is most recent, or, if offender is not confined, 15 YEARS from the date of conviction due to conviction of any of the following crimes:

- Capital Murder - formerly K.S.A. 21-3439
- Murder in the Second Degree – formerly K.S.A. 21-3402
- Involuntary Manslaughter – formerly K.S.A. 21-3404
- Criminal Restraint – formerly K.S.A. 21-3424 (except by parent, and only when victim is less than 18 years of age)
- Any act determined beyond a reasonable doubt to have been sexually motivated AND the act did not involve non-forcible sexual conduct between a victim at least 14 and offender no more than 4 years older than victim – K.S.A. 2011 Supp. 22-4902(a)(15)
- Any conviction of a person felony with court finding on the record that such felony was committed with a **DEADLY WEAPON**
- Manufacture** or attempted manufacture of any controlled substance – formerly K.S.A. 21-36a03
- Possession of precursors** with intent to manufacture any controlled substance – formerly K.S.A. 21-36a09(a), 21-36a10(a)(1), (a)(2)
- Cultivation, Distribution, Possession** with intent to distribute opiates, opium or narcotic drugs or any stimulant in K.S.A. 65-4107(d)(1), (d)(3), or (f)(1) – formerly K.S.A. 21-36a05(a)(1) **ONLY**
- Any attempt, conspiracy or criminal solicitation of an offense defined in this section
- Any of the following crimes when one of the parties is less than 18 years of age:
  - Sexual Battery - formerly K.S.A. 21-3517
  - Patronizing a Prostitute – formerly K.S.A. 21-3515
  - Murder in the First Degree – formerly K.S.A. 21-3401
  - Voluntary Manslaughter – formerly K.S.A. 21-3403
  - Adultery - formerly K.S.A. 21-3507
  - Lewd and Lascivious Behavior – formerly K.S.A. 21-3508

Offender must register for 25 YEARS after the date of parole, discharge or release, whichever date is most recent, or, if offender is not confined, 25 YEARS from the date of conviction due to conviction of any of the following crimes:

- Indecent Solicitation of a Child – formerly K.S.A. 21-3510
- Agg. Incest – formerly K.S.A. 21-3603
- Unlawful Sexual Relations – formerly K.S.A. 21-3520
- Sexual Exploitation of a Child – formerly K.S.A. 21-3516, if the victim is at least 14 years of age but less than 18 years of age
- Promoting Prostitution – formerly K.S.A. 21-3513, if the prostitute is at least 14 years of age but less than 18 years of age
- Criminal Sodomy - as formerly defined in K.S.A. 21-3505(a)(1) when one of the parties involved is less than 18 years of age
- Any attempt, conspiracy or criminal solicitation of an offense defined in this section
- Electronic Solicitation – formerly K.S.A. 21-3523
- Indecent Liberties With a Child – formerly K.S.A. 21-3503
- Agg. Sexual Battery – formerly K.S.A. 21-3518

Offender is subject to LIFETIME registration due to any of the following:

- 2<sup>nd</sup> or Subsequent conviction of an offense requiring registration
- Conviction of any of the following crimes:
  - Rape – formerly K.S.A. 21-3502
  - Agg. Kidnapping – formerly K.S.A. 21-3421
  - Kidnapping – formerly K.S.A. 21-3420
  - Agg. Criminal Sodomy – formerly K.S.A. 21-3506
  - Criminal Sodomy – formerly K.S.A. 21-3505(a)(2) or (a)(3)
  - Agg. Indecent Liberties With a Child – formerly K.S.A. 21-3504
  - Agg. Indecent Solicitation of a Child – formerly K.S.A. 21-3511
  - Agg. Human Trafficking– formerly K.S.A. 21-3447, if the victim is less than 18 years of age
  - Sexual Exploitation of a Child – formerly K.S.A. 21-3516, if the victim is less than 14 years of age
  - Promoting Prostitution – formerly K.S.A. 21-3513, if the prostitute is less than 14 years of age
  - Any attempt, conspiracy or criminal solicitation of an offense defined in this section