

For Court Use Only (Seal)

**KANSAS SENTENCING GUIDELINES JOURNAL ENTRY OF JUDGMENT  
PLEASE USE FOR CRIMES COMMITTED ON JULY 1, 2013 - JUNE 30, 2014**

|   |                      |                        |                    |
|---|----------------------|------------------------|--------------------|
| <b>SECTION I. CASE IDENTIFYING INFORMATION</b>  |                      | 1. Transaction No.     |                    |
| 2. STATE v. <input type="checkbox"/> Male <input type="checkbox"/> Female   |                      | 3. Court O.R.I. Number | 4. K.B.I. Number   |
| 5. County   | 6. Court Case Number | 7. Sentencing Judge    | 8. Sentencing Date |
| 9. Defense Counsel: <input type="checkbox"/> Appointed <input type="checkbox"/> Retained <input type="checkbox"/> Self <input type="checkbox"/> Waived Orally <input type="checkbox"/> Waived in Writing  |                      |                        |                    |
| 10. Type of Proceeding (Trial) <input type="checkbox"/> Bench Trial (includes a plea on stipulated facts) <input type="checkbox"/> Jury Trial<br><input type="checkbox"/> Guilty Plea <input type="checkbox"/> Nolo contendere Plea   |                      |                        |                    |
| 11. Date of Conviction:   |                      |                        |                    |
| 12. Pre-Trial Status of Offender <input type="checkbox"/> In Custody <input type="checkbox"/> Released on Bond <input type="checkbox"/> Other Release   |                      |                        |                    |
| <b>SECTION II. CRIMINAL HISTORY CLASSIFICATION</b>  |                      |                        |                    |
| 1. Offender's Overall Criminal History Classification as Found by the Court: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I   |                      |                        |                    |
| 2. Objection to Criminal History? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, By: <input type="checkbox"/> Defendant or <input type="checkbox"/> State<br>Court's Ruling on Objection: <input type="checkbox"/> Criminal history was amended <input type="checkbox"/> Criminal history was not amended   |                      |                        |                    |
| <b>SECTION III. CURRENT CONVICTION INFORMATION</b>  |                      |                        |                    |
| 1. Name of PRIMARY Offense of Conviction: _____<br>Count No.: _____ Date of Offense: _____ <input type="checkbox"/> Designated by court as domestic violence case based upon special finding (see #14 this section)   |                      |                        |                    |
| 2. If Drug Offense: (Indicate statute for controlled substance) <input type="checkbox"/> 65-4105 <input type="checkbox"/> 65-4107 <input type="checkbox"/> 65-4109 <input type="checkbox"/> 65-4111 <input type="checkbox"/> 65-4113<br>Name of Drug: _____<br>Amount of Drug (IF Distribution Offense): <input type="checkbox"/> w/in 1,000 ft of school   |                      |                        |                    |
| 3. K.S.A. Title, Section, Subsection(s): _____<br><input type="checkbox"/> Attempt (K.S.A. 2013 Supp. 21-5301) <input type="checkbox"/> Conspiracy (K.S.A. 2013 Supp. 21-5302) <input type="checkbox"/> Solicitation (K.S.A. 2013 Supp. 21-5303)  |                      |                        |                    |
| 4. Grade of Offense: (Check one in each row.) <input type="checkbox"/> Felony, Severity Level _____ <input type="checkbox"/> Misdemeanor, Class _____<br><input type="checkbox"/> Person <input type="checkbox"/> Nonperson   |                      |                        |                    |
| 5. Offense Category: <input type="checkbox"/> Nondrug <input type="checkbox"/> Drug <input type="checkbox"/> Off-grid <input type="checkbox"/> Nongrid  |                      |                        |                    |
| 6. Presumptive Sentencing Range: (Enter terms from appropriate grid.) Aggravated _____ Standard _____ Mitigated _____<br>Check applicable box(es) <input type="checkbox"/> Presumptive Prison <input type="checkbox"/> Presumptive Probation <input type="checkbox"/> Border Box<br><input type="checkbox"/> Drug Treatment for up to 18 months. K.S.A. 2013 Supp. 21-6824<br><input type="checkbox"/> Special Rule Applies (Complete Special Rules Supplemental Page and Attach) |                      |                        |                    |
| <b>THIS FORM MUST BE ACCOMPANIED BY A COPY OF THE PRESENTENCE INVESTIGATION FORM PURSUANT TO K.S.A. 2013 Supp. 22-3439 AND A DOCUMENT CONTAINING INFORMATION REQUIRED BY K.S.A. 2013 Supp. 22-3426. PLEASE USE AN ADDITIONAL OFFENSES PAGE FOR ADDITIONAL OFFENSES OF CONVICTION.</b>   |                      |                        |                    |

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7. **SPECIAL RULE APPLICABLE:**  Yes  No **If Yes, enter the number(s) and brief description(s) corresponding to the applicable special rule. (Complete Special Rules Supplemental Page and Attach):** \_\_\_\_\_

8. **SPECIAL FINDING** that the crime was **SEXUALLY MOTIVATED** pursuant to the KS Offender Registration Act  
8a. Did the court make a special finding that the crime was sexually motivated?  Yes  No  
8b. **IF YES to 8a**, did the court find that the act involved non-forcible sexual conduct, the victim was at least 14 and the offender was no more than 4 years older than the victim? (K.S.A. 2013 Supp. 22-4902(c)(15))  Yes  No  
8c. **IF YES to 8a and NO to 8b, PLEASE COMPLETE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.**

9. Was offender determined by the Court to be an **AGGRAVATED HABITUAL SEX OFFENDER?** ( K.S.A. 2013 Supp. 21-6626)  Yes  No  
**IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.**

10. Is offender being sentenced pursuant to K.S.A 2013 Supp. 21-6627 where offender is 18 years of age or older and the victim is less than 14 years of age?  Yes  No  
**IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.**

11. Downward departure (K.S.A. 2013 Supp. 21-6818(a)) for a crime of extreme sexual violence (K.S.A. 2013 Supp. 21-6815)?  Yes  No  
**IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.**

12. Did offender, as determined by the court, commit the current crime with a deadly weapon?  Yes  No  
**IF YES, PLEASE COMPLETE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.**

13. Was offender convicted of a violation of K.S.A. 2013 Supp. 21-5703, Manufacture or attempted manufacture; K.S.A. 2013 Supp. 21-5705(a)(1). Cultivation, Distribution, Possession w/ intent to distribute opiates, opium or narcotic drugs or any stimulant in K.S.A. 65-4107(d)(1), (d)(3), (f)(1); or K.S.A. 2013 Supp. 21-5709(a). Possession of precursors w/ intent to manufacture?  Yes  No  
**IF YES, PLEASE COMPLETE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.**  
(personal use exemption eliminated effective July 1, 2011)

14. Determination of domestic violence case designation  
14a. Did offender, as determined by the trier of fact, commit a domestic violence offense?  Yes  No  
14b. If **YES to 14a** above, did the court find that offender had no prior domestic violence conviction or diversion, AND that offender did not use the present domestic violence offense to coerce, control or punish the victim?  Yes  No  
14c. **IF YES to 14a and NO to 14b, PLEASE CHECK THE DOMESTIC VIOLENCE CASE DESIGNATION BOX.**  **DV Case**

**SECTION IV. SENTENCE IMPOSED**

1. **Guideline Range Imposed:**  Aggravated  Standard  Mitigated  Departure – **COMPLETE SECTION V**

2. **Prison Term:** KDOC \_\_\_\_ months (including enhancement sentence)  
(Enter months above then check one of the following)  Prison sentence imposed or  Underlying with probation granted  
\*\* or Underlying with KDOC Drug Trtmnt Prog. (min. 120 days)  
 Enhancement Sentence- Drug with Firearm:  6 months  18 months (K.S.A. 2013 Supp. 21-6805(g))  
Ballistic Resistant Material:  30 months (K.S.A. 2013 Supp. 21-6804(t))  
 Off-grid Crime:  
 Life - Minimum 15 yrs.  Life - Minimum 20 yrs.  Hard 25  Hard 40  Hard 50  
 Per K.S.A. 2013 Supp. 21-6623 or 21-6627, if guidelines sentence greater than mandatory minimum \_\_\_\_ months.  
 Life Imprisonment without Parole  Death Penalty

3. **Postrelease Supervision Term:**  12 months  24 months  36 months  60 months (sex offense) - **COMPLETE SECTION V**  
 Lifetime Postrelease  No Postrelease K.S.A. 2013 Supp. 22-3716(e) (not applicable to crimes committed on or after July 1, 2013)  
 Lifetime Parole / Electronic Monitoring (K.S.A. 2013 Supp. 21-6604(r))

4. **Nongrid Term: (Jail)** (For misdemeanor or nongrid felony) \_\_\_\_\_  months  days  
(Enter county jail term above then check one of the following)  Jail sentence imposed or,  Underlying with probation granted.  
 3<sup>rd</sup> D.U.I.  4<sup>th</sup> & Subs. D.U.I.  2<sup>nd</sup> Test Refusal  3<sup>rd</sup> & Subs. Test Refusal  
D.U.I. or Test Refusal Supervision (12 months)  Court Services  Community Corrections  
 One month enhanced penalty if child <14 in vehicle (K.S.A. 8-1567(c))  
 3<sup>rd</sup> & Subs. Domestic Battery w/in 5 yrs.  Animal Cruelty  
 Probation granted after serving term of \_\_\_\_  months  days  
 Assignment to a work release program (K.S.A. 2013 Supp. 21-6604 (a)(11))

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5. **Probation Term (If Granted):**     12 months     18 months     24 months     36 months     60 months  
 Drug Treatment for up to 18 months. K.S.A. 2013 Supp. 21-6824     Other: \_\_\_\_\_  
 Extended Period K.S.A. 2013 Supp. 21-6608(c)(5) for: \_\_\_\_\_ months  
**Probation Supervision to:**     Court Services     Community Corrections     Unsupervised  
**County Jail Time Imposed AS A CONDITION OF PROBATION:** \_\_\_\_\_ days  
**\*\* Assignment to Correctional Conservation Camp**  
 Withheld authority of court services/community corrections to impose intermediate sanction pursuant to K.S.A. 2013 Supp.21-6604(s) or (t)  
**Comments:** \_\_\_\_\_

**SECTION V. DEPARTURE INFORMATION**

1. **Type of Departure:** (Check all that apply.)  
 Downward Durational     Upward Durational     Downward Dispositional     Upward Dispositional  
 Postrelease Supervision (up to 60 months for sexually motivated offense) – K.S.A. 2013 Supp. 22-3717(d)(1)(D)(i)  
 [“Sexually motivated” defined in K.S.A. 2013 Supp. 22-3717(d)(2).]  
 2. **Reasons Cited as Basis for Departure:**

**SECTION VI. OTHER CONDITIONS**

1. **General/Special Conditions of Probation (COMPLETE AND ATTACH ORDER OF PROBATION TO THIS JOURNAL ENTRY if needed)**

2. **Costs Ordered:**

|  |          |   |                 |
|--|----------|---|-----------------|
| Total Restitution (Please complete #3 below)           | \$ _____ | Correctional Supv. Fee (Felony \$120; Misd. \$60) | \$ _____        |
| Court Costs (including surcharge)                      | \$ _____ | BIDS Attorney Fee <input type="checkbox"/> Waived | \$ _____        |
| *Total Fines   | \$ _____ | BIDS Application Fee                              | \$ _____        |
| DNA Database Fee (K.S.A. 21-2511 & 75-724.)            | \$ _____ | Court-Appointed Attorney Fee                      | \$ _____        |
| Extradition Costs                                      | \$ _____ | Community Corr. Fee (offenses after 1/4/07)       | \$ _____        |
| Domestic Violence Special Program Fee                  | \$ _____ | Booking/Fingerprint Fee                           | \$ _____        |
| Apprehension Fee (Escape/Agg. Escape)                  | \$ _____ | Reward Reimbursement                              | \$ _____        |
| Alcohol and/or Drug Eval. Fee (offenses before 7/1/11) | \$ _____ | Children's Advocacy Center Assessment Fee         | \$ _____        |
| Witness Fee  | \$ _____ | Medical Costs/Expenses Reimbursement              | \$ _____        |
| KBI Lab Fee  | \$ _____ | SB 123 Assessment Fee (\$200)                     | \$ _____        |
| Other Lab Fee  | \$ _____ | SB 123 Offender Reimbursement (at least \$100)    | \$ _____        |
| Domestic Violence Assessment/Recommendations           | \$ _____ | Other: _____                                      | \$ _____        |
| <b>TOTAL COSTS</b>                                     |          |   | <b>\$ _____</b> |

\*  On and after 7/1/11 for DUI Test Refusal fine of \$250 shall be sent to Community Corrections Supervision Fund.  
 \*  On and after 7/1/13 for Promoting the Sale of Sexual Relations (K.S.A. 2013 Supp. 21-6420), Buying Sexual Relations (K.S.A. 2013 Supp. 21-6421), or Commercial Sexual Exploitation of a Child (K.S.A. 2013 Supp. 21-6422), fine of \$2500-5000 shall be sent to Human Trafficking Victim Assistance Fund.

3. **Restitution to be paid as follows:**

| Amount   | Name and Address |
|----------|------------------|
| \$ _____ | _____            |
| \$ _____ | _____            |
| \$ _____ | _____            |
| \$ _____ | _____            |
| \$ _____ | _____            |
| \$ _____ | _____            |

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**SECTION VII. RECAP OF SENTENCE**

**1. Sentence Imposed:**

Total Prison Term (if sentence imposed is to prison): \_\_\_\_\_

Total County Jail Term: \_\_\_\_\_  Consecutive to Prison Term

Total Underlying Jail Term (if sentence imposed is probation): \_\_\_\_\_

Total Underlying Prison Term (if sentence imposed is probation): \_\_\_\_\_

For each count, the Court pronounced the complete sentence, including the maximum potential good time percentage. K.S.A. 2013 Supp. 21-6804(e)(2) and 21-6805(c)(2).

**2. Postrelease Supervision Term:**  12 months  24 months  36 months  60 months  Lifetime Postrelease

No Postrelease K.S.A. 2013 Supp. 22-3716(e) (not applicable to crimes committed on or after July 1, 2013)

Lifetime Parole / Electronic Monitoring (K.S.A. 2013 Supp. 21-6604(r))

**3. Probation Term Imposed (select one):**  12 months  18 months  24 months  36 months  60 months

Drug Treatment for up to 18 months. K.S.A. 2013 Supp. 21-6824

Extended Period K.S.A. 2013 Supp. 21-6608(c)(5) for: \_\_\_\_\_ months

Other: \_\_\_\_\_

\*\*Correctional Conservation Camp

**4. Incarceration Credit:** Enter dates (m/d/yy only) and days of credit potentially for this case and check "A" if the days are actually awarded, or "N" if the days are not awarded by the court. (attach additional pages if necessary)

\*Location- From: To: = Days  A  N \*Location- From: To: = Days  A  N

\*Location- From: To: = Days  A  N \*Location- From: To: = Days  A  N

\*Location- From: To: = Days  A  N \*Location- From: To: = Days  A  N

\*Location- From: To: = Days  A  N \*Location- From: To: = Days  A  N

\*Enter appropriate letters to indicate the type of location where credit may have been earned:

**J=Jail TL=Treatment (Locked) TU=Treatment (Unlocked) RL=Residential (Locked) RU=Residential (Unlocked) HA= House Arrest**

**Sentencing Date:** \_\_\_\_\_ - Total number of days of credit actually awarded \_\_\_\_\_ = **Sentence Begins Date:** \_\_\_\_\_

**IF cases are "CONSOLIDATED", list grand total of ALL credits actually awarded:** \_\_\_\_\_

**5. Prior Case(s) to Which the Current Sentence is to Run Concurrent or Consecutive:**

Case No. \_\_\_\_\_ County \_\_\_\_\_ Sentence \_\_\_\_\_ Concurrent  or Consecutive

Case No. \_\_\_\_\_ County \_\_\_\_\_ Sentence \_\_\_\_\_ Concurrent  or Consecutive

Case No. \_\_\_\_\_ County \_\_\_\_\_ Sentence \_\_\_\_\_ Concurrent  or Consecutive

Case No. \_\_\_\_\_ County \_\_\_\_\_ Sentence \_\_\_\_\_ Concurrent  or Consecutive

Others: \_\_\_\_\_

**6. Miscellaneous Provisions:**

Defendant informed of right to appeal within 14 days of this date. K.S.A. 22-3608(c). (Required by case law)

Defendant informed of potential rights of expungement. K.S.A. 2013 Supp. 21-6614c(h)

Defendant informed of duty to register as an offender pursuant to the Kansas Offender Registration Act, K.S.A. 2013 Supp. 22-4905(b)(2) (**Please complete OFFENDER REGISTRATION SUPPLEMENT and attach it to the Journal Entry.**)

Defendant must submit specimens of blood or an oral or other biological sample, if not previously submitted, pursuant to K.S.A. 21-2511(c).

Defendant must obtain psychological evaluation and shall complete the recommended treatment pursuant to K.S.A. 22-3717(d)(1)(D)(iv).

Defendant has been processed, fingerprinted and palmed. K.S.A. 21-2501(b)

Court remands Defendant to custody of Sheriff to begin serving sentence.

Court remands Defendant to custody of Sheriff to await transportation to the custody of the Secretary of Corrections.

Defendant to report to County Jail on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_ O'clock  a.m.  p.m. to start serving sentence.

House arrest is authorized for remaining \_\_\_\_\_ days after Defendant completes mandatory \_\_\_\_\_ hours in the County Jail.

Work release recommended (if accepted, defendant is to abide by recommendations of the program).

Defendant's financial resources and burden imposed by BIDS application and attorney fees considered by the court pursuant to K.S.A. 22-4513 and State v. Robinson, 281 Kan. 538, 132 P.3d 934 (2006).

Defendant to undergo domestic violence assessment pursuant to K.S.A. 2012 Supp. 21-6604(p)

Defendant advised of prohibition against firearms.

Other Comments:

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**SECTION VII. RECAP OF SENTENCE CONTINUED**

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**8. Border Box Findings** K.S.A. 2013 Supp. 21-6804(f): **(Check if appropriate)**

- An appropriate treatment program exists which is likely to be more effective than the presumptive prison term in reducing the risk of offender recidivism; and
- the recommended treatment program is available and the offender can be admitted to the program within a reasonable period of time; or,
- the non-prison sanction will serve community safety interests by promoting offender reformation

9. **If made, Motion for New Trial:**  Granted  Denied

10. **If made, Motion for Judgment of Acquittal:**  Granted  Denied

11. **If made, Motion for Arrest of Judgment:**  Granted  Denied

12. **Additional Comments:**

**SECTION VIII. SIGNATURES**

1. **Judge's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
Signed: \_\_\_\_\_  
Printed: \_\_\_\_\_

2. **Prosecuting Attorney:**  
Signed: \_\_\_\_\_  
Printed: \_\_\_\_\_  
Supreme Court Number: \_\_\_\_\_  
Date: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Phone No: \_\_\_\_\_

3. **Defense Attorney:**  
Signed: \_\_\_\_\_  
Printed: \_\_\_\_\_  
Supreme Court Number: \_\_\_\_\_  
Date: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Phone No: \_\_\_\_\_

