

For Court Use Only (Seal)

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

SECTION I. CASE IDENTIFYING INFORMATION		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 <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			
SECTION II. CRIMINAL HISTORY CLASSIFICATION			
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 Court's Ruling on Objection: <input type="checkbox"/> Criminal history was amended <input type="checkbox"/> Criminal history was not amended			
SECTION III. CURRENT CONVICTION INFORMATION			
1. Name of PRIMARY Offense of Conviction: _____ 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 Name of Drug: _____ Amount of Drug (IF Distribution Offense): <input type="checkbox"/> w/in 1,000 ft of school			
3. K.S.A. Title, Section, Subsection(s): _____ <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 _____ <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 _____ Check applicable box(es) <input type="checkbox"/> Presumptive Prison <input type="checkbox"/> Presumptive Probation <input type="checkbox"/> Border Box <input type="checkbox"/> Drug Treatment for up to 18 months. K.S.A. 2013 Supp. 21-6824 <input type="checkbox"/> Special Rule Applies (Complete Special Rules Supplemental Page and Attach)			

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.

Case No. _____

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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) **IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.** Yes No
- 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? **IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.** Yes No
- 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)? **IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.** Yes No
- 12. Did offender, as determined by the court, commit the current crime with a deadly weapon? **IF YES, PLEASE COMPLETE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.** Yes No
- 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? **IF YES, PLEASE COMPLETE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY. (personal use exemption eliminated effective July 1, 2011)** Yes No
- 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 Trtmt 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.
 3rd D.U.I. 4th & Subs. D.U.I. 2nd Test Refusal 3rd & 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))
 3rd & 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))

** This option is included in statute, but is unavailable

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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: _____	\$ _____
		TOTAL COSTS	\$ _____

* On and after 7/1/11 for DUI or 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 County 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	<input type="checkbox"/> A	<input type="checkbox"/> N	*Location-	From:	To:	=	Days	<input type="checkbox"/> A	<input type="checkbox"/> N
*Location-	From:	To:	=	Days	<input type="checkbox"/> A	<input type="checkbox"/> N	*Location-	From:	To:	=	Days	<input type="checkbox"/> A	<input type="checkbox"/> N
*Location-	From:	To:	=	Days	<input type="checkbox"/> A	<input type="checkbox"/> N	*Location-	From:	To:	=	Days	<input type="checkbox"/> A	<input type="checkbox"/> N
*Location-	From:	To:	=	Days	<input type="checkbox"/> A	<input type="checkbox"/> N	*Location-	From:	To:	=	Days	<input type="checkbox"/> A	<input type="checkbox"/> 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 <input type="checkbox"/>	or Consecutive <input type="checkbox"/>
Case No.	_____	County	_____	Sentence	_____	Concurrent <input type="checkbox"/>	or Consecutive <input type="checkbox"/>
Case No.	_____	County	_____	Sentence	_____	Concurrent <input type="checkbox"/>	or Consecutive <input type="checkbox"/>
Case No.	_____	County	_____	Sentence	_____	Concurrent <input type="checkbox"/>	or Consecutive <input type="checkbox"/>
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. 2013 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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7. 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

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

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

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

11. **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: _____

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Case No. _____	
KSGA JOURNAL ENTRY OF JUDGMENT ADDITIONAL OFFENSES	COUNT _____ (Page 1 of 2)
1. Name of Additional Offense of Conviction: _____ Count No.: _____ Date of Offense: _____ <input type="checkbox"/> Domestic Violence Offense (see #15 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 Name of Drug: _____ Amount of Drug (IF Distribution Offense): <input type="checkbox"/> w/in 1,000 ft of school	
3. Sentences Concurrent or Consecutive: <input type="checkbox"/> Concurrent To Count(s): _____ <input type="checkbox"/> Consecutive To Count(s): _____ If Consecutive, _____ months for this count	
4. K.S.A. Title, Section, Subsection(s): _____ <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)	
5. Grade of Offense: (Check one in each row.) <input type="checkbox"/> Felony, Severity Level _____ <input type="checkbox"/> Misdemeanor, Class: _____ <input type="checkbox"/> Person <input type="checkbox"/> Nonperson	
6. Offense Category: <input type="checkbox"/> Nondrug Grid <input type="checkbox"/> Drug Grid <input type="checkbox"/> Off-grid <input type="checkbox"/> Nongrid	
7. Presumptive Sentencing Range: (Use Criminal History Classification "I" for non-primary convictions.) (Enter terms from appropriate grid.) Aggravated _____ Standard _____ Mitigated _____ (Check the appropriate box(es)) <input type="checkbox"/> Presumptive Prison <input type="checkbox"/> Presumptive Probation <input type="checkbox"/> Border Box <input type="checkbox"/> Drug Treatment for up to 18 months. K.S.A. 2013 Supp. 21-6824 <input type="checkbox"/> Special Rule Applies (Complete Special Rule Supplemental Page and Attach)	
8. SPECIAL RULES Enter the number(s) and brief description(s) corresponding to the applicable special rule, if any (Complete Special Rule Supplemental Page and Attach): _____	
9. SPECIAL FINDING that the crime was SEXUALLY MOTIVATED pursuant to KS Offender Registration Act 9a. Did the court make a special finding that the crime was sexually motivated? 9b. IF YES to 9a , 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)) 9c. IF YES to 9a and NO to 9b, PLEASE COMPLETE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH TO JOURNAL ENTRY.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
10. Was offender determined by the Court to be an AGGRAVATED HABITUAL SEX OFFENDER? (K.S.A. 2013 Supp. 21-6626) IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH TO JOURNAL ENTRY.	<input type="checkbox"/> Yes <input type="checkbox"/> No
11. 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? IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH TO JOURNAL ENTRY.	<input type="checkbox"/> Yes <input type="checkbox"/> No
12. Downward departure (K.S.A. 2013 Supp. 21-6818(a)) for a crime of extreme sexual violence (K.S.A. 2013 Supp. 21-6815)? IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH TO JOURNAL ENTRY.	<input type="checkbox"/> Yes <input type="checkbox"/> No
13. Did offender, as determined by the court, commit the current crime with a deadly weapon? IF YES, PLEASE COMPLETE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH TO JOURNAL ENTRY	<input type="checkbox"/> Yes <input type="checkbox"/> No
14. 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. 21-5709(a). Possession of precursors w/ intent to manufacture? IF YES, PLEASE COMPLETE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH TO JOURNAL ENTRY. <i>(personal use exemption eliminated effective July 1, 2011)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
15. Determination of domestic violence case designation 15a. Did offender, as determined by the <u>trier of fact</u> , commit a domestic violence offense? 15b. If YES to 15a 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? 15c. If YES to 15a and NO to 15b, PLEASE CHECK THE DOMESTIC VIOLENCE CASE DESIGNATION BOX.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DV Case

Case No. _____

KSGA JOURNAL ENTRY OF JUDGMENT ADDITIONAL OFFENSES CONTINUED COUNT _____ (PAGE 2 OF 2)

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.
 3rd D.U.I. 4th & Subs. D.U.I. 2nd Test Refusal 3rd & 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))
 3rd & 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))

5. **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:

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:

6. **Additional Comments:**

Case No. _____

SPECIAL RULES SUPPLEMENTAL PAGE (IF APPLICABLE, check box of the special rule that applies and include this page with the corresponding count. Additional copies may be made as needed.) PLEASE DO NOT RENUMBER THIS PAGE.) A special rule that changes the presumptive sentence, without constituting a departure, is applicable to this count because:

PUBLIC SAFETY OFFENSES / FIREARMS FINDING APPLY:

1. **Person Felony Committed With a Firearm** – presumed prison. K.S.A. 2013 Supp. 21-6804(h)
2. **Agg. Battery against a L.E.O.**, if criminal history is 6H or 6I – presumed prison. K.S.A. 2013 Supp. 21-6804(g)
3. **Agg. Assault against a L.E.O.**, if criminal history is 6H or 6I – presumed prison. K.S.A. 2013 Supp. 21-6804(g)
34. **Battery on a L.E.O., K.S.A. 21-5413(c)(2), resulting in bodily harm-** presumed prison and consecutive. K.S.A. 2013 Supp. 21-6804(r)
32. **Drug Felony While in Possession of a Firearm-** presumed prison. K.S.A. 2013 Supp. 21-6805(g)
33. **Drug Felony With a Firearm that Discharges-** presumed prison. K.S.A. 2013 Supp. 21-6805(g)
4. **Crime Committed for Benefit of a Criminal Street Gang** – presumed prison. K.S.A. 2013 Supp. 21-6804(k)
11. **Extended Jurisdiction Juvenile Imposed** – both juvenile and adult sentences imposed, adult sentence stayed conditioned on successful completion of juvenile sentence. K.S.A. 2013 Supp. 38-2347 and 2013 Supp. 38-2364
35. **Agg. Endangering a Child** – consecutive sentence required. K.S.A. 2013 Supp. 21-5601(c)(2)
36. **Ballistic Resistant Material** worn/used in commission/attempt/flight from felony – presumed prison with additional 30 months and consecutive. K.S.A. 2013 Supp. 21-6804(t)
38. **Unlawful Sexual Relations** - presumed prison - K.S.A. 2013 Supp. 21-6804(s)

HABITUAL OR REPEAT OFFENSES APPLY:

5. **Persistent Sex Offender** - presumed prison, double the maximum duration. K.S.A. 2013 Supp. 21-6804(j)
12. **2nd or Subs. Manufacture of a Controlled Substance Conviction** – if previous conviction is for methamphetamine or analog, presumed prison, twice the maximum duration. K.S.A. 2013 Supp. 21-6805(e)
26. **3rd or Subs. Felony Drug Possession occurring on or after July 1, 2008** - presumed prison. K.S.A. 2013 Supp. 21-6805(f)(1)
13. **Residential Burglary with a Prior Residential, Nonresidential or Agg. Burglary Conviction, or any attempt or conspiracy convictions of these priors** – presumed prison. K.S.A. 2013 Supp. 21-6804(l)
27. **Burglary With Two or More Prior Convictions for a Violation of Theft, Burglary, or Agg. Burglary** – presumed prison. K.S.A. 2013 Supp. 21-6804(p)
29. **Felony Theft With Three or More Prior Convictions for a Felony Violation of Theft, Burglary, or Agg. Burglary** – presumed prison. K.S.A. 2013 Supp. 21-6804(p)
30. **** For #27 or #29, Substance Abuse Underlying Factor, Treatment More Effective to Reduce Reoffense Risk and Community Safety Served** – KDOC Intensive Substance Abuse Treatment Program, Return to Court Upon Successful Completion. K.S.A. 2013 Supp. 21-6804(p)
31. **3rd or Subs. Criminal Deprivation of a Motor Vehicle** – presumptive prison. K.S.A. 2013 Supp. 21-6804(n)
16. **2nd Forgery**, criminal history I – C, sentenced pursuant to sentencing requirements of K.S.A. 2013 Supp. 21-5823, term of imprisonment not in KDOC. Criminal history A or B, - sentenced for SL 8, NPF. K.S.A. 2013 Supp. 21-6804(i)
17. **3rd or Subs. Forgery**, criminal history I – C, sentenced pursuant to sentencing requirements of K.S.A. 2013 Supp. 21-5823, term of imprisonment not in KDOC. Criminal history A or B, - sentenced for SL 8, NPF. K.S.A. 2013 Supp. 21-6804(i)
9. **Crime Committed While Incarcerated, on Probation, Parole, Conditional Release, or Postrelease Supervision for a Felony** – new sentence shall be imposed consecutively. K.S.A. 2013 Supp. 21-6606(c). If new crime is a felony, court may impose prison even if presumption is nonprison. K.S.A. 2013 Supp. 21-6604(f)(1)
40. **Felony Committed After Early Discharge Where Offender Would Have Been On Probation or Postrelease Supervision for a Felony** – If committed after early discharge pursuant to K.S.A. 2013 Supp. 21-6608(d) or K.S.A. 2013 Supp. 22-3717(d)(2), may impose prison even if presumed nonprison. K.S.A. 2013 Supp. 21-6604(f)(2)
28. **Felony Committed While Incarcerated in a Juvenile Correctional Facility for an Offense That Would be a Felony if Committed by an Adult** – presumed prison. K.S.A. 2013 Supp. 21-6604(f)(3)
10. **Crime Committed While on Felony Bond** – new sentence imposed consecutively. K.S.A. 2013 Supp. 21-6606(d), 21-6604(f)(4). If new crime is a felony, court may impose prison even if presumption is nonprison. K.S.A. 2013 Supp. 21-6604(f)(4)
37. **2nd or Subs. Identity Theft or Identity Fraud** – presumed prison. K.S.A. 2013 Supp. 21-6804(u)

NONGRID OFFENSES APPLY: K.S.A. 2013 Supp. 21-6804(i) - Term of imprisonment not in KDOC

6. **Felony D.U.I. (3rd, 4th or Subs.)** – nongrid, sentenced pursuant to specific mandatory sentencing requirements of K.S.A. 2013 Supp. 8-1567
39. **Felony Test Refusal (2nd, 3rd, or Subs.)** – nongrid, sentenced pursuant to specific mandatory sentencing requirements of K.S.A. 2013 Supp. 8-1025
8. **Felony Domestic Battery** - nongrid, sentenced pursuant to specific mandatory sentencing requirements of K.S.A. 2013 Supp. 21-5414(b)(3)
21. **Animal Cruelty** - K.S.A. 2013 Supp. 21-6412; 2nd or subs. conviction; or **Working / Assistance dog** – K.S.A. 2013 Supp. 21-6416 – nongrid, sentenced pursuant to specific mandatory sentencing requirements of same statute

FINANCE OFFENSES APPLY:

25. **Fraudulent Insurance Act**, any combination of acts occurring within 6 consecutive months involving \$25,000 or more - presumed prison. K.S.A. 2013 Supp. 40-2,118(e)
15. **Kansas Uniform Securities Act**, violation resulting in loss of \$25,000 or more – presumed prison. K.S.A. 17-12a508(a)(5)
19. **Mortgage Business Act**, 2nd or subs. Conviction – presumed prison. K.S.A. 2013 Supp. 9-2203(d)
20. **Loan Brokers Act**, violation resulting in loss of \$25,000 or more – presumed prison. K.S.A. 50-1013(a)

****This option is included, but is unavailable**

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Case No. _____

SEX OFFENSE SUPPLEMENT (If applicable, complete and attach to the Journal Entry.)

SECTION A. Aggravated Habitual Sex Offenders – K.S.A. 2013 Supp. 21-6626

- Was offender determined by the Court to be an **AGGRAVATED HABITUAL SEX OFFENDER?** (K.S.A. 2013 Supp. 21-6626)
Imprisonment for life without the possibility of parole; not eligible for parole, probation, assignment to a community correctional services program, conditional release, postrelease supervision, or suspension, modification or reduction of sentence.

SECTION B. Child Sex Offenses – K.S.A. 2013 Supp. 21-6627

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 less than 14 years of age? **(CHECK ONLY ONE)**

First Offense

- Downward departure to guidelines, subject to provisions of K.S.A. 2013 Supp. 21-6818; lifetime postrelease supervision. State v. Ballard, 289 Kan. 1000 218 P.3d 432 (2009) **(Complete Section V – Departure Information, page 3 of Journal Entry of Judgment.)**
- Mandatory minimum of Hard 25 years (300 months) or _____ months pursuant to guidelines, given offender's criminal history, whichever is greater; lifetime parole. K.S.A. 2013 Supp. 22-3717(u).

Second Offense

- Mandatory minimum of Hard 40 years (480 months) or _____ months pursuant to guidelines, given offender's criminal history, whichever is greater; lifetime parole. K.S.A. 2013 Supp. 22-3717(u).

Third Offense – see Section A. above, Aggravated Habitual Sex Offender – Life Imprisonment Without Parole.

**SECTION C. Downward Departure K.S.A. 2013 Supp 21-6818 for a Crime of Extreme Sexual Violence
K.S.A. 2013 Supp. 21-6815**

(NO downward dispositional departure allowed)

Downward durational departure limited to 50% of middle of the sentencing range? Yes No

SECTION D. Sexually Violent Crime - K.S.A. 2013 Supp. 22-3717(d)(2)

Was offender convicted of a sexually violent crime, but was not sentenced pursuant to K.S.A. 2013 Supp. 21-6627?

- Yes – Lifetime postrelease supervision (K.S.A. 2013 Supp. 22-3717(d)(1)(G))
- No – Postrelease supervision term as otherwise indicated by law

Comments:

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Case No. _____

OFFENDER REGISTRATION SUPPLEMENT – K.S.A. 2013 Supp. 22-4901 et seq.

(PAGE 1 of 2)

(If applicable, complete both pages and attach to the Journal Entry.)

SECTION A. REGISTRATION REQUIREMENT - Check appropriate boxes to indicate the REASON for registration.

See K.S.A. 2013 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. 2013 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 – K.S.A. 2013 Supp. 21-5505(a)
- Any conviction for any comparable offense
- 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 – K.S.A. 2013 Supp. 21-5511 | <input type="checkbox"/> Criminal Sodomy - K.S.A. 2013 Supp. 21-5504(a) |
| <input type="checkbox"/> Promoting Prostitution – K.S.A. 2013 Supp. 21-6420 | <input type="checkbox"/> Buying Sexual Relations – K.S.A. 2013 Supp. 21-6421 |
| <input type="checkbox"/> Lewd and Lascivious Behavior – K.S.A. 2013 Supp. 21-5513 | <input type="checkbox"/> Conviction for any comparable offense |
| <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"/> Indecent Liberties With a Child – K.S.A. 2013 Supp. 21-5506(a) | <input type="checkbox"/> Criminal Sodomy – K.S.A. 2013 Supp. 21-5504(a)(3),(a)(4) |
| <input type="checkbox"/> Rape – K.S.A. 2013 Supp. 21-5503 | <input type="checkbox"/> Indecent Solicitation of a Child – K.S.A. 2013 Supp. 21-5508 |
| <input type="checkbox"/> Agg. Indecent Liberties With a Child – K.S.A. 2013 Supp. 21-5506(b) | <input type="checkbox"/> Sexual Exploitation of a Child – K.S.A. 2013 Supp. 21-5510 |
| <input type="checkbox"/> Agg. Criminal Sodomy – K.S.A. 2013 Supp. 21-5504(b) | <input type="checkbox"/> Commercial Sexual Exploitation of a Child – K.S.A. 2013 Supp. 21-6422 |
| <input type="checkbox"/> Agg. Indecent Solicitation of a Child – K.S.A. 2013 Supp. 21-5508(b) | <input type="checkbox"/> Agg. Incest – K.S.A. 2013 Supp. 21-5604(b)(1) |
| <input type="checkbox"/> Agg. Sexual Battery – K.S.A. 2013 Supp. 21-5505(b) | <input type="checkbox"/> Unlawful Sexual Relations - K.S.A. 2013 Supp. 21-5512 |
| <input type="checkbox"/> Electronic Solicitation – K.S.A. 2013 Supp. 21-5509 | <input type="checkbox"/> Agg. Human Trafficking, if committed in whole or in part for the purpose of sexual gratification of the defendant or another - K.S.A. 2013 Supp. 21-5426(b) |
| <input type="checkbox"/> Any conviction for any comparable offense | |
| <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. 2013 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 – K.S.A. 2013 Supp. 21-5401 | <input type="checkbox"/> Murder in the First Degree – K.S.A. 2013 Supp. 21-5402 |
| <input type="checkbox"/> Murder in the Second Degree - K.S.A. 2013 Supp. 21-5403 | <input type="checkbox"/> Voluntary Manslaughter - K.S.A. 2013 Supp. 21-5404 |
| <input type="checkbox"/> Involuntary Manslaughter - K.S.A. 2013 Supp. 21-5405(a)(1), (a)(2) or (a)(4) | <input type="checkbox"/> Kidnapping - K.S.A. 2013 Supp. 21-5408(a) |
| <input type="checkbox"/> Agg. Kidnapping - K.S.A. 2013 Supp. 21-5408(b) | <input type="checkbox"/> Criminal Restraint - K.S.A. 2013 Supp. 21-5411
(except by parent, and only when victim is less than 18 years of age) |
| <input type="checkbox"/> Agg. Human Trafficking, if not committed in whole or in part for the purpose of sexual gratification of the defendant or another – K.S.A. 2013 Supp. 21-5426(b) | |
| <input type="checkbox"/> Any conviction for any comparable offense | |
| <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 DEADLY WEAPON (On or after July 1, 2006) | |
| <input type="checkbox"/> Any conviction for any comparable person felony, committed with a DEADLY WEAPON | |
| <input type="checkbox"/> Any attempt, conspiracy or criminal solicitation of a person felony committed with a DEADLY WEAPON | |

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. 2013 Supp 21-5703
- Possession of precursors** with intent to manufacture any controlled substance – K.S.A. 2013 Supp. 21-5709(a)
- 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. 2013 Supp. 5705(a)(1), **ONLY**
- Any conviction for any comparable offense
- Any attempt, conspiracy or criminal solicitation of an offense defined in this section

Case No. _____

OFFENDER REGISTRATION SUPPLEMENT CONT. – K.S.A. 2013 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. 2013 Supp. 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 - K.S.A. 2013 Supp. 21-5401
- Murder in the First Degree – K.S.A. 2013 Supp. 21-5402
- Murder in the Second Degree – K.S.A. 2013 Supp. 21-5403
- Voluntary Manslaughter – K.S.A. 2013 Supp. 21-5404
- Involuntary Manslaughter – K.S.A. 2013 Supp. 21-5405(a)(1), (a)(2) or (a)(4)
- Sexual Battery- K.S.A. 2013 Supp. 21-5505(a)
- Criminal Restraint – K.S.A. 2013 Supp. 21-5411 (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. 2013 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-** K.S.A. 2013 Supp. 22-4902(e)(2)
- An offense not otherwise required, as provided by the Kansas Offender Registration Act, K.S.A. 2013 Supp. 22-4902(a)(5)
- Manufacture** or attempted manufacture of any controlled substance – K.S.A. 2013 Supp. 21-5703
- Possession of precursors** with intent to manufacture any controlled substance – K.S.A. 2013 Supp. 21-5709(a)
- 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. 2013 Supp. 21-5705(a)(1) **ONLY**
- Any of the following crimes when one of the parties is **less than 18 years of age**:
 - Adultery - K.S.A. 2013 Supp. 21-5511
 - Buying Sexual Relations – K.S.A. 2013 Supp. 21-6421
 - Lewd and Lascivious Behavior – K.S.A. 2013 Supp. 21-5513
- Any attempt, conspiracy or criminal solicitation of an offense defined in this section

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 – K.S.A. 2013 Supp. 21-5508
- Electronic Solicitation – K.S.A. 2013 Supp. 21-5509
- Agg. Incest – K.S.A. 2013 Supp. 21-5604(b)(1)
- Indecent Liberties With a Child – K.S.A. 2013 Supp. 21-5506(a)
- Unlawful Sexual Relations – K.S.A. 2013 Supp. 21-5512
- Agg. Sexual Battery – K.S.A. 2013 Supp. 21-5505(b)
- Sexual Exploitation of a Child – K.S.A. 2013 Supp. 21-5510, if the victim is at least 14 years of age but less than 18 years of age
- Promoting Prostitution – K.S.A. 2013 Supp. 21-6420, if the victim is at least 14 years of age but less than 18 years of age
- Criminal Sodomy - K.S.A. 2013 Supp. 21-5504(a) 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

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

- 2nd or Subsequent conviction of an offense requiring registration
- Conviction of any of the following crimes:
 - Rape – K.S.A. 2013 Supp. 21-5503
 - Agg. Kidnapping – K.S.A. 2013 Supp. 21-5408(b)
 - Kidnapping – K.S.A. 2013 Supp. 21-5408(a)
 - Agg. Criminal Sodomy – K.S.A. 2013 Supp. 21-5504(b)
 - Criminal Sodomy – K.S.A. 2013 Supp. 21-5504(a)(3) or (a)(4)
 - Agg. Indecent Liberties With a Child – K.S.A. 2013 Supp. 21-5506(b)
 - Agg. Indecent Solicitation of a Child – K.S.A. 2013 Supp. 21-5508(b)
 - Agg. Human Trafficking – K.S.A. 2013 Supp. 21-5426(b)
 - Sexual Exploitation of a Child – K.S.A. 2013 Supp. 21-5510, if the victim is less than 14 years of age
 - Commercial Sexual Exploitation of a Child – K.S.A. 2013 Supp. 21-6422
 - Promoting Prostitution – K.S.A. 2013 Supp. 21-6420, if the victim is less than 14 years of age
 - Any attempt, conspiracy or criminal solicitation of an offense defined in this section