

For Court Use Only (Seal)

## 2018 KANSAS SENTENCING GUIDELINES JOURNAL ENTRY OF PROBATION VIOLATION HEARING

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. Judge at Violation Hearing	8. Date of Violation Hearing
9. Defense Counsel at Violation Proceeding: <input type="checkbox"/> Appointed <input type="checkbox"/> Retained <input type="checkbox"/> Self <input type="checkbox"/> Waived Orally <input type="checkbox"/> Waived in Writing			
10. Agency Requesting Hearing: <input type="checkbox"/> Court Services <input type="checkbox"/> Community Corrections			
11. Reason for Violation Hearing: <input type="checkbox"/> Condition Violation <input type="checkbox"/> Not Amenable to Treatment <input type="checkbox"/> Committed New Crime <input type="checkbox"/> K.S.A. 21-6824 ("SB 123") Intentional Noncompliance <input type="checkbox"/> Absconder			
SECTION II. ORIGINAL CONVICTION AND SENTENCE INFORMATION			
1. Original Sentencing Date:		3. Name of Original Sentencing Judge:	
2. Original Journal Entry: <input type="checkbox"/> Attached			
4. Name of PRIMARY Offense of Conviction: Count No.: _____ Original Date of Offense: _____			
5. 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			
6. K.S.A., Title, Section, Subsection(s): <input type="checkbox"/> Attempt (K.S.A. 21-5301) <input type="checkbox"/> Conspiracy (K.S.A. 21-5302) <input type="checkbox"/> Solicitation (K.S.A. 21-5303)			
7. 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			
8. Offense Category: <input type="checkbox"/> Nondrug <input type="checkbox"/> Drug <input type="checkbox"/> Nongrid			
9. Criminal History Classification: <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			
10. Imprisonment Term Pronounced for Primary Offense: _____ months			
11. Postrelease Supervision: <input type="checkbox"/> 12 months <input type="checkbox"/> 24 months <input type="checkbox"/> 36 months <input type="checkbox"/> 60 months <input type="checkbox"/> Lifetime Postrelease <input type="checkbox"/> Parole <input type="checkbox"/> No Postrelease (only applies to crimes committed prior to July 1, 2013 - see K.S.A. 2012 Supp. 22-3716(e)) <input type="checkbox"/> Lifetime Parole			
12. Probation Term: <input type="checkbox"/> 12 months <input type="checkbox"/> 18 months <input type="checkbox"/> 24 months <input type="checkbox"/> 36 months <input type="checkbox"/> 60 months <input type="checkbox"/> Drug Treatment for up to 18 months. K.S.A. 21-6824. <input type="checkbox"/> Other: Term: _____ months <input type="checkbox"/> Extended Period under K.S.A. 21-6608(c)(5) for: _____ months			
13. Original Total Prison Term: KDOC _____ months			

**PLEASE USE AN ADDITIONAL OFFENSES PAGE FOR ADDITIONAL OFFENSES OF CONVICTION**

**SECTION III. VIOLATION SANCTION HISTORY - ONLY MARK IF PREVIOUSLY IMPOSED**

Prior "Quick Dip" county jail sanctions imposed (K.S.A. 22-3716(c)(1)(B)):

1<sup>st</sup> \_\_\_\_\_ days imposed by  Supervising officer  Court

2<sup>nd</sup> \_\_\_\_\_ days imposed by  Supervising officer  Court

3<sup>rd</sup> \_\_\_\_\_ days imposed by  Supervising officer  Court

4<sup>th</sup> \_\_\_\_\_ days imposed by  Supervising officer  Court

5<sup>th</sup> \_\_\_\_\_ days imposed by  Supervising officer  Court

6<sup>th</sup> \_\_\_\_\_ days imposed by  Supervising officer  Court

7<sup>th</sup> \_\_\_\_\_ days imposed by  Supervising officer  Court

8<sup>th</sup> \_\_\_\_\_ days imposed by  Supervising officer  Court

9<sup>th</sup> \_\_\_\_\_ days imposed by  Supervising officer  Court

120 days in KDOC (K.S.A. 22-3716(c)(1)(C))

180 days in KDOC (K.S.A. 22-3716(c)(1)(D))

Comments (including other jail sanction history):

**SECTION IV. DISPOSITION OF THIS VIOLATION HEARING**

1. **Disposition:**  No Violation Determined  The court finds sufficient evidence and grounds to show and orders:

**Violations Determined, Probation Not Revoked But:**

Probation Conditions Modified?  Yes  No (If Yes, describe conditions in box #4)

Ordered to Community Corrections Supervision

Probation Extended for \_\_\_\_\_ months

Drug Treatment for up to 18 months. K.S.A. 21-6824, ("SB123")

Violation Sanctions Ordered: Quick Dip:  2 day  3 day KDOC Prison Sanction:  120 days  180 days

County Jail \_\_\_\_\_ days (up to 60) (may not be imposed at same time as other sanctions - K.S.A. 22-3716(c)(11))

**Violation Determined, Probation Revoked and Defendant Ordered to Serve:**

Original Sentence  Modified Sentence \_\_\_\_\_ months

Court revoked because defendant absconded or committed new crime. (K.S.A. 22-3716(c)(8)) – state reasons in box #3.

Court revoked because of public safety or offender welfare finding. (K.S.A. 22-3716(c)(9)) – state reasons in comment box.

No Postrelease Period (only applies to crimes committed prior to July 1, 2013 - see K.S.A. 2012 Supp. 22-3716(e))

\*\* KDOC Drug Treatment Program (minimum 120 days) (This option is included in statute, but is unavailable)

**Comments:**

2. **BIDS FEES ORDERED:**

Application Fee Assessed \$ \_\_\_\_\_ (Per K.S.A. 22-4529, \$100 unless reduced or waived for "manifest hardship")

Attorney Fee Assessed \$ \_\_\_\_\_ (Per K.S.A. 22-4513)

3. **If Probation was Revoked, Modified or Extended for any Reason, Please Provide a Brief Description of the Violation(s):**

4. **If Probation was Modified or Extended for any Reason, Please Provide a Brief Description of any New Conditions Imposed:**

**SECTION IV. DISPOSITION OF THIS VIOLATION HEARING (cont.)**

5. **Incarceration Credit:** Jail Credit Awarded at Original Sentencing \_\_\_\_\_

+ Credit Awarded While on Probation for Current Crime (to include any KDOC violation sanction time) \_\_\_\_\_

**Revocation Date:** \_\_\_\_\_ **Total Number of Days of Credit Awarded** \_\_\_\_\_ = **SENTENCE BEGINS DATE:** \_\_\_\_\_  
mm/dd/yyyy mm/dd/yyyy

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

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

Enter dates (**mm/dd/yy ONLY**) and days of credit potentially available for this case and check "A" if the days are 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**

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

Case No.		<input type="checkbox"/>	Misd	<input type="checkbox"/>	Felony	County		Concurrent <input type="checkbox"/>	or Consecutive <input type="checkbox"/>
Case No.		<input type="checkbox"/>	Misd	<input type="checkbox"/>	Felony	County		Concurrent <input type="checkbox"/>	or Consecutive <input type="checkbox"/>
Case No.		<input type="checkbox"/>	Misd	<input type="checkbox"/>	Felony	County		Concurrent <input type="checkbox"/>	or Consecutive <input type="checkbox"/>
Case No.		<input type="checkbox"/>	Misd	<input type="checkbox"/>	Felony	County		Concurrent <input type="checkbox"/>	or Consecutive <input type="checkbox"/>

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

**SECTION V. SIGNATURES**

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

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

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

**THIS FORM MUST BE ACCOMPANIED BY A COPY OF THE ORIGINAL JOURNAL ENTRY OF JUDGMENT**

KSGA JOURNAL ENTRY OF PROBATION VIOLATION HEARING ADDITIONAL OFFENSES PAGE

1. Name of Additional Offense of Conviction:
Count No. \_\_\_\_\_

2. K.S.A., Title, Section, Subsection(s):
Attempt (K.S.A. 21-5301) Conspiracy (K.S.A. 21-5302) Solicitation (K.S.A. 21-5303)

3. Grade of Offense: (Check one in each row.)
Felony, Severity Level \_\_\_\_\_ Misdemeanor, Class \_\_\_\_\_
Person Nonperson

4. Offense Category:
Nondrug Drug Nongrid

5. Imprisonment Term Pronounced for This Offense: \_\_\_\_\_ months

6. Postrelease Supervision:
12 months 24 months 36 months 60 months Lifetime Postrelease Parole
No Postrelease (only applies to crimes committed prior to July 1, 2013 - see K.S.A. 2012 Supp. 22-3716(e))

7. Consecutive/Concurrent:
Concurrent To Count(s): \_\_\_\_\_ Consecutive To Count(s): \_\_\_\_\_

1. Name of Additional Offense of Conviction:
Count No. \_\_\_\_\_

2. K.S.A., Title, Section, Subsection(s):
Attempt (K.S.A. 21-5301) Conspiracy (K.S.A. 21-5302) Solicitation (K.S.A. 21-5303)

3. Grade of Offense: (Check one in each row.)
Felony, Severity Level \_\_\_\_\_ Misdemeanor, Class \_\_\_\_\_
Person Nonperson

4. Offense Category:
Nondrug Drug Nongrid

5. Imprisonment Term Pronounced for This Offense: \_\_\_\_\_ months

6. Postrelease Supervision:
12 months 24 months 36 months 60 months Lifetime Postrelease Parole
No Postrelease (only applies to crimes committed prior to July 1, 2013 - see K.S.A. 2012 Supp. 22-3716(e)) Lifetime Parole

7. Consecutive/Concurrent:
Concurrent To Count(s): \_\_\_\_\_ Consecutive To Count(s): \_\_\_\_\_

1. Name of Additional Offense of Conviction:
Count No. \_\_\_\_\_

2. K.S.A., Title, Section, Subsection(s):
Attempt (K.S.A. 21-5301) Conspiracy (K.S.A. 21-5302) Solicitation (K.S.A. 21-5303)

3. Grade of Offense: (Check one in each row.)
Felony, Severity Level \_\_\_\_\_ Misdemeanor, Class \_\_\_\_\_
Person Nonperson

4. Offense Category:
Nondrug Drug Nongrid

5. Imprisonment Term Pronounced for This Offense: \_\_\_\_\_ months

6. Postrelease Supervision:
12 months 24 months 36 months 60 months Lifetime Postrelease Parole
No Postrelease (only applies to crimes committed prior to July 1, 2013 - see K.S.A. 2012 Supp. 22-3716(e)) Lifetime Parole

7. Consecutive/Concurrent:
Concurrent To Count(s): \_\_\_\_\_ Consecutive To Count(s): \_\_\_\_\_

Additional Comments: