

## 2011 Kansas Sentencing Guidelines

<b>Case No.</b> _____	
<b>SEX OFFENSE SUPPLEMENT (If applicable, complete and attach to the Journal Entry.)</b>	
1. Was offender determined by the Court to be an <b>AGGRAVATED HABITUAL SEX OFFENDER?</b> (formerly K.S.A. 21-4642.) <b>IF YES, PLEASE COMPLETE SECTION A. "Aggravated Habitual Sex Offenders".</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Is offender being sentenced pursuant to section 267 of chapter 136 of the 2010 Session Laws of Kansas (formerly K.S.A. 21-4643) where offender is 18 years of age or older and the victim less than 14 years of age? <b>IF YES, PLEASE COMPLETE SECTION B. "Child Sex Offenses".</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>SECTION A.                    Aggravated Habitual Sex Offenders – K.S.A. 2011 Supp. 21-6626 (formerly K.S.A. 21-4642)</b>	
<input type="checkbox"/> 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.	
<b>SECTION B.                    Child Sex Offenses – K.S.A. 2011 Supp. 21-6627 (formerly K.S.A. 21-4643)</b>	
<b>Sentence imposed for sex offenses where offender is 18 years of age or older and the victim is less than 14 years of age. (CHECK ONLY ONE)</b>	
<b>First Offense</b>	
<input type="checkbox"/> Downward departure to guidelines, subject to provisions of statute formerly codified at K.S.A. 21-4719, and amendments thereto; lifetime postrelease supervision. <i>State v. Ballard</i> , Kansas Supreme Court, 289 Kan. 1000 (2009)( <b>Complete Section IV – Departure Information, page 3 of Journal Entry of Judgment.</b> )	
<input type="checkbox"/> 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.22-3717(u)	
<b>Second Offense</b>	
<input type="checkbox"/> 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. 22-3717(u)	
<b>Third Offense – see Section A. above, Aggravated Habitual Sex Offender – Life Imprisonment Without Parole.</b>	
<b>SECTION C.                    Downward Departure K.S.A. 2011 Supp 21-6818 [formerly K.S.A. 21-4719(a)] for a Crime of Extreme Sexual Violence K.S.A. 2011 Supp. 21-6815 [formerly K.S.A. 21-4716]</b> <b>(NO downward dispositional departure allowed)</b>	
Downward durational departure limited to 50% of middle of the sentencing range? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>SECTION D.                    Sexually Violent Crime [formerly defined in K.S.A. 22-3717(d)(2)]</b>	
Was offender convicted of a sexually violent crime, but was not sentenced pursuant to 267 of chapter 136 of the 2010 Session Laws of Kansas (formerly K.S.A. 21-4643)?	
<input type="checkbox"/> Yes – Lifetime postrelease supervision [(K.S.A. 22-3717(d)(1)(G))]	
<input type="checkbox"/> No – Postrelease supervision term as otherwise indicated by law	
<b>Comments:</b>	