

2012 Kansas Sentencing Guidelines

Case No. _____	
SEX OFFENSE SUPPLEMENT (If applicable, complete and attach to the Journal Entry.)	
1. Was offender determined by the Court to be an AGGRAVATED HABITUAL SEX OFFENDER? (K.S.A. 2011 Supp. 21-6626) IF YES, PLEASE COMPLETE SECTION A. "Aggravated Habitual Sex Offenders".	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Is offender being sentenced pursuant to K.S.A. 2011 Supp. 21-6627 where offender is 18 years of age or older and the victim less than 14 years of age? IF YES, PLEASE COMPLETE SECTION B. "Child Sex Offenses".	<input type="checkbox"/> Yes <input type="checkbox"/> No
SECTION A. Aggravated Habitual Sex Offenders – K.S.A. 2011 Supp. 21-6626	
<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.	
SECTION B. Child Sex Offenses – K.S.A. 2011 Supp. 21-6627	
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)	
<i>First Offense</i>	
<input type="checkbox"/> Downward departure to guidelines, subject to provisions of K.S.A. 2011 Supp. 21-6818; lifetime postrelease supervision. <u>State v. Ballard</u> , 289 Kan. 1000 218 P.3d 432 (2009) (Complete Section IV – Departure Information, page 3 of Journal Entry of Judgment.)	
<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).	
<i>Second Offense</i>	
<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).	
<i>Third Offense</i> – see Section A. above, Aggravated Habitual Sex Offender – Life Imprisonment Without Parole.	
SECTION C. Downward Departure K.S.A. 2011 Supp 21-6818 for a Crime of Extreme Sexual Violence K.S.A. 2011 Supp. 21-6815 (NO downward dispositional departure allowed)	
Downward durational departure limited to 50% of middle of the sentencing range? <input type="checkbox"/> Yes <input type="checkbox"/> No	
SECTION D. Sexually Violent Crime - K.S.A. 2011 Supp. 22-3717(d)(2)]	
Was offender convicted of a sexually violent crime, but was not sentenced pursuant to K.S.A. 2011 Supp. 21-6627?	
<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	
Comments:	