

For Court Use Only (Seal)

### 2013 KANSAS SENTENCING GUIDELINES JOURNAL ENTRY OF PROBATION VIOLATION HEARING

<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. 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"/> New Conviction <input type="checkbox"/> K.S.A. 2013 Supp. 21-6824 ("SB 123") Intentional Noncompliance			
<b>SECTION II. ORIGINAL CONVICTION AND SENTENCE INFORMATION</b>			
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.			
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. 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)			
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 This 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 (K.S.A. 2013 Supp. 22-3716(e)) (not applicable to crimes committed on or after July 1, 2013) <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. 2013 Supp. 21-6824. <input type="checkbox"/> Other: Term: _____ months <input type="checkbox"/> Extended Period under K.S.A. 2013 Supp. 21-6608(c)(5) for: _____ months			
13. Prison Term: KDOC _____ months			

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

**SECTION III. VIOLATION SANCTION HISTORY**
 County jail sanctions imposed:

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

 180 days in KDOC

Comments:

**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 per K.S.A. 2013 Supp. 22-3716(c)(2)

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

 Drug Treatment for up to 18 months. K.S.A. 2013 Supp. 21-6824, ("SB123")

 Violation Sanctions Ordered:  County Jail \_\_\_\_\_ days  120 days in KDOC  180 days in KDOC

 **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. 2013 Supp. 22-3716(c)(8)) – state reasons in box #3.

 Court revoked because of public safety or offender welfare finding. (K.S.A. 2013 Supp. 22-3716(c)(9)) – state reasons in comment box.

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

\*\* Assigned to Conservation Camp (K.S.A. 2013 Supp. 21-6604(g))

\*\* KDOC Drug Treatment Program (minimum 120 days)

Comments:

2. **BIDS FEES ORDERED:**

Application Fee Assessed \$ \_\_\_\_\_ (Per K.S.A. 2013 Supp. 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:**

\*\*Assignment to Conservation Camp was considered.

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

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

5. **Incarceration Credit:** Jail Credit Awarded at Original Sentencing \_\_\_\_\_  
 + Credit Actually Awarded While on Probation for Current Crime (to include any KDOC violation sanction time) \_\_\_\_\_  
 = Total Number of Days of Credit Actually Awarded \_\_\_\_\_  
**Revocation Date:** \_\_\_\_\_ - **Total Number of Days of Credit Actually Awarded** \_\_\_\_\_ = **SENTENCE BEGINS DATE:** \_\_\_\_\_  
m/d/yyyy m/d/yyyy

Enter dates (m/d/yy only) and days of credit potentially available 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**

6. **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: \_\_\_\_\_

**SECTION V. SIGNATURES**

<p>1. <b>Judge's Signature:</b> _____ <b>Date:</b> _____</p> <p>Signed: _____</p> <p>Printed: _____</p>	
<p>2. <b>Prosecuting Attorney:</b> _____ <b>Date:</b> _____</p> <p>Signed: _____</p> <p>Printed: _____</p> <p>Supreme Court Number: _____</p> <p>Address: _____</p> <p>_____</p> <p>_____</p> <p>Phone No: _____</p>	<p>3. <b>Defense Attorney:</b> _____ <b>Date:</b> _____</p> <p>Signed: _____</p> <p>Printed: _____</p> <p>Supreme Court Number: _____</p> <p>Address: _____</p> <p>_____</p> <p>_____</p> <p>Phone No: _____</p>

**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. 2013 Supp. 21-5301) Conspiracy (K.S.A. 2013 Supp. 21-5302) Solicitation (K.S.A. 2013 Supp. 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 (K.S.A. 2013 Supp. 22-3716(e)) (not applicable to crimes committed on or after July 1, 2013) Lifetime Parole

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

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Count No. \_\_\_\_\_

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Additional Comments: