

**KANSAS SENTENCING GUIDELINES JOURNAL ENTRY OF JUDGMENT**  
**PLEASE USE FOR CRIMES COMMITTED ON JULY 1, 2016 - JUNE 30, 2017**

|   |                      |                        |                    |                    |
|---|----------------------|------------------------|--------------------|--------------------|
| <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. 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<br><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   |                      |                        |                    |                    |
| <b>SECTION II. CRIMINAL HISTORY CLASSIFICATION</b>  |                      |                        |                    |                    |
| 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<br>Court's Ruling on Objection: <input type="checkbox"/> Criminal history was amended <input type="checkbox"/> Criminal history was not amended   |                      |                        |                    |                    |
| <b>SECTION III. CURRENT CONVICTION INFORMATION</b>  |                      |                        |                    |                    |
| 1. Name of PRIMARY Offense of Conviction: _____<br>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<br>Name of Drug: _____<br>Amount of Drug (IF Distribution Offense): _____ <input type="checkbox"/> w/in 1,000 ft of school   |                      |                        |                    |                    |
| 3. K.S.A. Title, Section, Subsection(s): _____<br><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)   |                      |                        |                    |                    |
| 4. Grade of Offense: (Check one in each row.) <input type="checkbox"/> Felony, Severity Level _____ <input type="checkbox"/> Misdemeanor, Class _____<br><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 ____<br>Check applicable box(es) <input type="checkbox"/> Presumptive Prison <input type="checkbox"/> Presumptive Probation <input type="checkbox"/> Border Box <input type="checkbox"/> Mandatory Prison as per K.S.A. 21-5703<br><input type="checkbox"/> Drug Treatment for up to 18 months. K.S.A. 21-6824<br><input type="checkbox"/> Special Rule Applies (Complete Special Rules Supplemental Page and Attach) |                      |                        |                    |                    |
| <b>THIS FORM MUST BE ACCOMPANIED BY A COPY OF THE PRESENTENCE INVESTIGATION FORM PURSUANT TO K.S.A. 22-3439 AND A DOCUMENT CONTAINING INFORMATION REQUIRED BY K.S.A. 22-3426. PLEASE USE AN ADDITIONAL OFFENSES PAGE FOR ADDITIONAL OFFENSES OF CONVICTION.</b>   |                      |                        |                    |                    |

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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. 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. 21-6626)  Yes  No  
**IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.**

10. Is offender being sentenced pursuant to K.S.A. 21-6627 where offender is 18 years of age or older and the victim is less than 14 years of age?  Yes  No  
**IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.**

11. Downward departure (K.S.A. 21-6818(a)) for a crime of extreme sexual violence (K.S.A. 21-6815)?  Yes  No  
**IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.**

12. Did offender, as determined by the court, commit the current crime with a deadly weapon?  Yes  No  
**IF YES, PLEASE COMPLETE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.**

13. Was offender convicted of a violation of K.S.A. 21-5703, Manufacture or attempted manufacture; K.S.A. 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?  Yes  No  
**IF YES, PLEASE COMPLETE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.**

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**

15. U.S. Armed Forces Treatment Eligibility (K.S.A. 21-6630):  
15a. Did offender serve in the armed forces of the U.S. in a combat zone as certified by the Kansas Commission on Veteran Affairs?  Yes  No  
15b. Does offender suffer from injury and the injury is connected to service in a combat zone in the armed forces of the U.S.?  Yes  No  
15c. Does offender's current conviction place the offender in a presumptive probation grid box?  Yes  No  
**If YES to 15a through 15c, check box if court ordered treatment:**  Inpatient  Outpatient  Gov't Provided Treatment

**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. 21-6805(g))  
Ballistic Resistant Material:  30 months (K.S.A. 21-6804(t))  
 Off-grid Crime:  
 Life - Minimum 15 yrs.  Life - Minimum 20 yrs.  Hard 25  Hard 40  Hard 50  Life without Parole  Death Penalty  
 Per K.S.A. 2014 Supp. 21-6620, 21-6623 or 21-6627, if guidelines sentence greater than mandatory minimum \_\_\_\_ months.

3. **Postrelease Supervision Term:**  12 months  24 months  36 months  60 months (sex offense) - **COMPLETE SECTION V**  
 Lifetime Postrelease  Lifetime Parole / Electronic Monitoring (K.S.A. 21-6604(r))

4. **Felony DUI & Test Refusal:**  3<sup>rd</sup> D.U.I.  4<sup>th</sup> & Subs. D.U.I.  2<sup>nd</sup> Test Refusal  3<sup>rd</sup> & Subs. Test Refusal  
**\* No Probation or Postrelease allowed on or after July 1, 2011.**  
**Jail Sentence:** \_\_\_\_ months \_\_\_\_ days  Release is authorized after jail service of \_\_\_\_ months \_\_\_\_ days \_\_\_\_ hours  
 Assigned to work release (K.S.A. 21-6604(a)(11)) or  House Arrest: \_\_\_\_ months \_\_\_\_ days \_\_\_\_ hours  
**Post-Imprisonment Supervision (PIS)** of 12 months supervised by:  Court Services  Community Corrections (check one)  
 Additional one month jail if child <14 in vehicle (K.S.A. 8-1567(c), K.S.A. 8-1025(c)) (include in total)

5. **Other Nongrid Felony and/or Misdemeanors:**  3<sup>rd</sup> & Subs. Domestic Battery w/in 5 yrs.  Animal Cruelty  
 **Jail Sentence Imposed:** \_\_\_\_ months \_\_\_\_ days \_\_\_\_ hours  **Probation Imposed** (Complete # 6)  
 Probation granted after serving jail term. Jail Term: \_\_\_\_ months \_\_\_\_ days  
 Assigned to work release (K.S.A. 21-6604(a)(11)) or  House Arrest: \_\_\_\_ months \_\_\_\_ days \_\_\_\_ hours

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

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6. **Probation Term (If Granted):**     12 months     18 months     24 months     36 months     60 months

Drug Treatment for up to 18 months. K.S.A. 21-6824     Other: \_\_\_\_\_

Extended Period K.S.A. 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. 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. 22-3717(d)(1)(D)(i)

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 (\$175)                     | \$ _____ |
| Other Lab Fee  | \$ _____ | SB 123 Offender Reimbursement (at least \$125)    | \$ _____ |
| Domestic Violence Assessment/Recommendations           | \$ _____ | Other: _____                                      | \$ _____ |
|  |          | <b>TOTAL COSTS</b>                                | \$ _____ |

†  On or after 7/1/15, restitution shall be ordered as per K.S.A. 22-3424 if convicted of Human Trafficking (K.S.A. 21-5426), Agg. Human Trafficking (K.S.A. 21-5426) or Commercial Exploitation of a Child (K.S.A. 21-6422).

\*  \$250 of DUI or Test Refusal fine shall be sent to Community Corrections Supervision Fund.

\*  On and after 7/1/13 for Promoting the Sale of Sexual Relations (K.S.A. 21-6420), Buying Sexual Relations (K.S.A. 21-6421), or Commercial Sexual Exploitation of a Child (K.S.A. 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 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. 21-6804(e)(2) and 21-6805(c)(2).

**2. Postrelease Supervision Term:**  12 months  24 months  36 months  60 months  Lifetime Postrelease  
 Lifetime Parole / Electronic Monitoring (K.S.A. 21-6604(r))

**3. DUI or Test Refusal Post-Imprisonment Supervision** (12 months)  Court Services  Community Corrections

**4. 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. 21-6824

Extended Period K.S.A. 21-6608(c)(5) for: \_\_\_\_\_ months

Other: \_\_\_\_\_

\*\*Correctional Conservation Camp

**5. 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  A  N \*Location- From: To: = Days  A  N

\*Location- From: To: = Days  A  N \*Location- From: To: = Days  A  N

\*Location- From: To: = Days  A  N \*Location- From: To: = Days  A  N

\*Location- From: To: = Days  A  N \*Location- From: To: = Days  A  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** \_\_\_\_\_ **= Sentencing Begins Date:** \_\_\_\_\_

**IF cases are "CONSOLIDATED", LIST GRAND TOTAL OF all CREDITS ACTUALLY AWARDED:** \_\_\_\_\_

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

Case No. \_\_\_\_\_ County \_\_\_\_\_ Sentence \_\_\_\_\_ Concurrent  or Consecutive

Case No. \_\_\_\_\_ County \_\_\_\_\_ Sentence \_\_\_\_\_ Concurrent  or Consecutive

Case No. \_\_\_\_\_ County \_\_\_\_\_ Sentence \_\_\_\_\_ Concurrent  or Consecutive

Case No. \_\_\_\_\_ County \_\_\_\_\_ Sentence \_\_\_\_\_ Concurrent  or Consecutive

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

**7. 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. 21-6614c(h)

Defendant informed of duty to register as an offender pursuant to the Kansas Offender Registration Act. K.S.A. 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. 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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**8. Border Box Findings K.S.A. 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

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

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

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

**12. 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: \_\_\_\_\_