

For Court Use Only (Seal)

2019 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)(6) for: _____ months (Up to 60 months or maximum prison sentence).			
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 county jail sanctions imposed (K.S.A. 22-3716(c)(1)(B)):

* to be imposed in 2 or 3 day consecutive period

1st _____ days imposed by Supervising officer Court

2nd _____ days imposed by Supervising officer Court

3rd _____ days imposed by Supervising officer Court

4th _____ days imposed by Supervising officer Court

5th _____ days imposed by Supervising officer Court

6th _____ days imposed by Supervising officer Court

7th _____ days imposed by Supervising officer Court

8th _____ days imposed by Supervising officer Court

9th _____ 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))

Jail sanction history _____ days imposed

(Up to 60 days per K.S.A. 22-3716(c)(9))

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 (not applicable if the original date of offense is on or after July 1, 2019)

County Jail _____ days (up to 60) (may not be imposed at same time as other sanctions - K.S.A. 22-3716(c)(9))

Violation Determined, Probation Revoked and Defendant Ordered to Serve:

Original Sentence Modified Sentence _____ months

Court revoked per K.S.A. 22-3716(c)(7) because:

Absconded

Committed new crime (state reasons in box #3)

Public safety (state reasons in comment box)

Offender welfare finding (state reasons in comment box)

Original sentence result of dispositional departure

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.

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

*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: _____
 Submitted for Electronic Signature

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): _____

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Count No. _____

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Attempt (K.S.A. 21-5301) Conspiracy (K.S.A. 21-5302) Solicitation (K.S.A. 21-5303)

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6. Postrelease Supervision:
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Concurrent To Count(s): _____ Consecutive To Count(s): _____

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Concurrent To Count(s): _____ Consecutive To Count(s): _____

Additional Comments: