



November 2012

Hon. Richard M. Smith, Chair
 Hon. Evelyn Z. Wilson, Vice Chair
 Scott M. Schultz, Executive Director



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Commission Holds Three-Day Workshop

On November 14-16, 2012, the Sentencing Commission held its monthly meeting at the Holiday Inn in Topeka. Mindful of Kansas prison overcrowding, the Commission focused on implementing evidence-based practices in an effort to devise proposals for the upcoming legislative session. The three-day meeting enabled members to discuss proposed policy and to formulate options required of the Commission to present to Governor Brownback and the Joint Committee on Corrections and Juvenile Justice Oversight. The agenda covered presentations by the Council on State Governments Justice Center, Pew Center for the States, Kansas Department of Corrections Secretary Ray Roberts and Commission Executive Director Scott Schultz.

At the conclusion of the workshop, the Sentencing Policy Subcommittee was formed. It will meet on December 7, 2012, to further explore the concepts approved by the Commission and prepare them for presentation to the full Commission at its December 13, 2012, meeting.

Please Note

REVISED Presentence Investigation (PSI), Journal Entry (JE), and the Probation Revocation forms—dated 11/2012. [Click here to view forms](#)

The New 2012 Kansas Sentencing Guidelines Desk Reference Manual (DRM) is almost complete!

We will be sending it to the printer the first part of December. At that time we will post an order form on our web site— www.kansas.gov/ksc



www.kansas.gov/ksc



Kansas Sentencing Guidelines Desk Reference Manual (DRM)

The Kansas Sentencing Commission Desk Reference Manual ...

provides general instructions for application of the provisions of the Kansas Sentencing Guidelines Act (KSGA) K.S.A. 21-4701 *et seq.* The Manual contains features that we hope will not only inform users of the latest developments in sentencing law 2011, but also help to facilitate more efficient understanding and application of the law.

2011 DRM

... order yours!

Mail completed form with your
payment.

**2010 Desk Reference Manual (DRM)
are still available.**

To order yours!

(Please send payment with the order
form.)

Please check to see the current rate
for your city or county - (we have to
keep our books balanced too.)

[2012 Sales Tax Rates](#)

Thank you!

November Case Law Updates

- [State v. Jones](#) – November 9, 2012 – Wyandotte – Affirmed, No. 97,696 (Jury Instructions)
- [State v. Benson](#) – November 9, 2012 – Shawnee – Affirmed, No. 97,905 (Constitutionality, Criminal History)
- [State v. Snover](#) – November 9, 2012 – Franklin – Affirmed, No. 105,917 (Jury Instructions)
- [State v. Frost](#) – November 9, 2012 – Sedgwick – Affirmed, No. 106,375 (Constitutionality, Mandatory Minimums/Hard 40 or 50 Sentencing)
- [State v. Skillern](#) – November 9, 2012 – Shawnee – Sentence vacated and remanded with directions, No. 107,600 (Sentencing Issues-General Issues)
- [State v. Tapia](#) – November 2, 2012 – Seward – Affirmed, No. 100,596 (Appeals, Criminal History)
- [State v. Backus](#) – November 2, 2012 – Wyandotte – Affirmed, No. 102,951 (Appeals, Mandatory Minimums/Hard 40 or 50 Sentencing)
- [State v. Britt](#) – November 2, 2012 – Johnson – Convictions affirmed and sentence affirmed in part and vacated in part, No. 103,727 (Constitutionality)
- [State v. Edwards](#) – November 2, 2012 – Sedgwick – Affirmed, No. 106,435 (Constitutionality)



2003 Senate Bill 123

K.S.A. 2011 Supp. 21-6824
(formerly K.S.A. 21-4729)

Provides for community supervision (in lieu of incarceration) and mandatory substance abuse treatment for a defined target population on non-violent adult drug offenders who have been convicted of a drug offense under K.S.A. 2011 Supp 21-5706. (formerly K.S.A. 21-36a06)

GOAL: To provide community intervention and the opportunity for treatment to certain offenders with substance abuse problems in order to address more effectively the revolving door of drug addicts through the state prisons, which should be reserved for serious, violent offenders.

SB123 questions—

Please email Jennifer Dalton, jenniferd@sentencing.ks.gov or Jarod Waltner, Jarodw@sentencing.ks.gov or call with any questions.

Senate Bill 123 News

☀ SB123 Billing Changes ☀

Starting January 1, 2013, insurance billing changes will occur.

For more information [click here](#).

Treatment Providers: Please remember:

- Send All ASIs to us (KSC).
- In addition to monthly invoicing, the KSC accepts weekly or bi-weekly invoices for faster processing.

Community Corrections:

- If you receive an ASI – please forward it to us (KSC).
- Our office gladly prefers invoices emailed to jenniferd@sentencing.ks.gov, or faxed to 785-296-0927 in care of Jennifer.



Kansas Criminal Justice System Resource Directory

A Message to Entities Referenced in the Kansas Criminal Justice System Resource Directory-

The staff of the Kansas Sentencing Commission hopes the Resource Directory will be a valuable aid to you and your staff. Every effort has been made to ensure complete and accurate information. In order to maintain maximum efficiency of this directory, please keep us apprised of updates by emailing changes to: office@sentencing.ks.gov.

If your information in this Resource Directory has changed, please use this revision form to let us know.

Thank you to those who help us keep your information accurate!



- Please feel free to print your own copy. * Last revised 11/15/12



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Did you know...



You can E-mail your Journal Entry (JE), Probation Revocation, or PSI forms to us as an alternative to mailing them?

Just like everyone these days, we are always looking for ways to cut costs. Save paper and postage!

E-mail to:

chrisc@sentencing.ks.gov

Journal Entry of Judgment (JE) and PSI News

[Click here](#) to view the

REVISED– 11/30/12

2012 Forms

(all forms are effective 7/1/2012)

- Journal Entry of Judgment (JE)
- Probation Revocation
- Presentence Investigation (PSI)

Due to the many **NEW** changes made in the forms– there are **highlighted versions** to show what, where and how things changed.

Offender Registration Requirement K.S.A. 2012 Supp. 22-4902

Under the new Act the court sentencing an offender subject to the Act must not only inform the offender of the registration requirements but also, when that offender is granted some form of probation, see that the initial registration forms are completed.

To get forms - [click here](#)

Remember...

There are a few misdemeanor offenses that require registration!

Take a look!

Journal Entry (JE) Friendly Reminders



These will answer many questions...

If you email JEs–

please include the following:



- ▶ JE
- ▶ PSI
- ▶ Date of Birth
- ▶ Criminal History worksheet

We provide

KBI Offender Registration Forms

Please contact

Carrie Krusor or Chris Chavez

if you have ANY questions

(785) 296-0923.

HAPPY HOLIDAYS TO YOU AND YOURS!



To remove your name from our mailing list, please [click here](#).

Questions or comments? E-mail us at sentencing@sentencing.ks.gov

We welcome your questions – call us at 785-296-0923