2008 KANSAS SENTENCING GUIDELINES
PRESENTENCE INVESTIGATION REPORT - FACE SHEET

Court File Stamp

1.

Judicial District: _____

County: _____

Case Number: _____

Name: _____

A/K/A's: _____

Age: _____ K.B.I. No: _____

Sex: ☐ Male ☐ Female

Race: ☐ W ☐ B ☐ A.I. ☐ A

Ethnicity: ☐ Hispanic ☐ Non-Hispanic

Address: _____

Citizenship: ☐ U.S. ☐ Citizen of:

Detainer or Other Charges Pending? ☐ Yes ☐ No

Subject in Custody Awaiting Sentencing? ☐ Yes ☐ No

Begin _____ End _____ = _____ Days
Begin _____ End _____ = _____ Days
Begin _____ End _____ = _____ Days

DNA Sample Taken (K.S.A. 2006 Supp. 21-2511): ☐ Yes ☐ No

6. Primary Offense: _____

K.S.A. No.: _____

(Check all that apply)

☐ Felony ☐ Misdemeanor ☐ Off-grid ☐ Nongrid
☐ Person ☐ Nonperson ☐ Drug ☐ Nondrug
☐ Attempt (K.S.A. 21-3301) ☐ Conspiracy (K.S.A. 21-3302)
☐ Solicitation (K.S.A. 21-3303)

Severity Level or Class: ____ Criminal History Score: ____

Maximum Good Time: ☐ 15% ☐ 20%

Sentencing Range:

Aggravated ____ Standard _____ Mitigated ____

☐ Presumptive Prison ☐ Presumptive Probation ☐ Border Box
☐ Special Rule Applies (PLEASE COMPLETE p. 5)
☐ Mandatory Drug Treatment (K.S.A. 2006 Supp. 21-4729)
☐ Drug Treatment with Court Finding
☐ Not Eligible For Drug Treatment Due To Criminal History
☐ Not Eligible For Drug Treatment Due To Residency

Postrelease Supervision Duration: ☐ 12 months ☐ 24 months ☐ 36 months ☐ 60 months ☐ No postrelease ☐ Lifetime

Probation Duration: ☐ 12 months ☐ 18 months ☐ 24 months ☐ 36 months ☐ Other _____

2. IF OFFENDER WAS UNDER 18 YEARS OF AGE WHEN CRIME(S) WAS COMMITTED AND WAS TRIED AS AN ADULT, OFFENDER WAS:

☐ Adjudicated as an Adult Under K.S.A. 2006 Supp. 38-2364.
☐ Automatically Considered Adult Because of a Prior Felony

3. Names of Co-Defendants, if any: _____

4. Defense Attorney: _____

Type of Counsel Prior to Sentencing:

☐ Retained ☐ Appointed ☐ Self
☐ Waived Orally ☐ Waived in Writing

Prosecuting Attorney: _____

Sentencing Judge: _____

Date of Guilty Plea or Judgment: _____

Date of Sentencing: _____

5. Presentence Investigator: _____

Date Assigned: Date Submitted:

7. Additional Offense: _____

K.S.A. No.: _____

(Check all that apply)

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(Check all that apply)

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2008 KANSAS SENTENCING GUIDELINES - PRESENTENCE INVESTIGATION REPORT

CURRENT OFFENSE INFORMATION

(This page only - NOT PUBLIC RECORD)

1. OFFICIAL VERSION:

2. DEFENDANT'S VERSION: Defendant's Date of Birth: Defendant's Social Security Number:

3. VICTIM'S INJURY / DAMAGE / STATEMENT(S):

4. RESTITUTION OWED TO: Total Restitution Owed: $ _____

Amount	Name and Address
$	
$	
$	
$	
$	
$	

5. STATEMENT(S):

6. RECOMMENDED PLACEMENT: [The following is NOT a recommendation regarding the appropriate disposition to be imposed in this case. It is only being provided as the court services or community corrections officer's professional assessment of possible placement and conditions should the court place the offender on probation or order some form of community sanction.]

☐ COMMUNITY CORRECTIONS [Indicate the criteria from K.S.A. 75-5291(a)(2) that qualifies the defendant for placement in Community Corrections.]

- ☐ (a)(2)(A) Border box on either grid and levels 6H or 6I or 7C through 7I on nondrug grid
- ☐ (a)(2)(B) Downward dispositional departure from presumptive prison sentence
- ☐ (a)(2)(C) Convicted of offense severity level 7 or higher which requires registration
- ☐ (a)(2)(D) Condition violator
- ☐ (a)(2)(E) Scored "high risk or needs, or both"
- ☐ (a)(2)(F) Follows successful completion of a conservation camp program
- ☐ (a)(2)(G) Mandatory Drug Treatment (K.S.A. 2006 Supp. 21-4729 "SB 123")

☐ COURT SERVICES

☐ DEPARTMENT OF CORRECTIONS

7. OFFICER'S ASSESSMENT OF CONDITIONS OF PROBATION: K.S.A. 21-4610 and: [Check All That Apply.]

- ☐ Alcohol evaluation ☐ Drug evaluation ☐ Mental Health evaluation (Follow recommendations)
- ☐ In Patient ☐ Out Patient
  - ☐ Alcohol treatment ☐ Drug treatment ☐ Mental Health treatment (Follow recommendations of counselor)
- ☐ AA attendance ☐ NA attendance
- ☐ No possession or consumption of alcohol or illegal drugs
- ☐ At C.S.O. request and at defendant's own expense, submit to random: □ Breath test □ Blood test □ Urinalysis test
- ☐ Community Service Work: _____ Hours
- ☐ Gain employment ☐ Maintain employment
- ☐ Notify the C.S.O. of changes in employment, residence and phone number
- ☐ No contact with: ☐ Victim ☐ Co-defendant
- ☐ Educational program: ☐ G.E.D. ☐ Vocational ☐ Higher Education
- ☐ Register as an offender pursuant to the Kansas Offender Registration Act, K.S.A. 22-4901 *et. seq.*
- ☐ Curfew Restriction: _____
- ☐ Travel Restriction: _____
- ☐ Other:

SPECIAL RULES SUPPLEMENTAL PAGE (IF APPLICABLE, check box of the special rule that applies and include this page with the corresponding count. Additional copies may be made as needed.) PLEASE DO NOT RENUMBER THIS PAGE.) A special rule that changes the presumptive sentence, without constituting a departure, is applicable to this count because:

PUBLIC SAFETY OFFENSES APPLY:

1. ☐ Person Felony Committed With a Firearm – presumed prison. K.S.A. 2006 Supp. 21-4704(h).
2. ☐ Aggravated Battery of a L.E.O., if criminal history is 6H or 6I – presumed prison. K.S.A. 2007 Supp. 21-4704(g).
3. ☐ Aggravated Assault of a L.E.O., if criminal history is 6H or 6I – presumed prison. K.S.A. 2006 Supp. 21-4704(g).
4. ☐ Crime Committed for Benefit of a Criminal Street Gang – presumed prison. K.S.A. 2006 Supp. 21-4704(k).
11. ☐ Extended Jurisdiction Juvenile Imposed – both juvenile and adult sentences imposed, adult sentence stayed conditioned on successful completion of juvenile sentence. K.S.A. 2006 Supp. 38-2347 and 38-2364.

HABITUAL OR REPEAT OFFENSES APPLY:

5. ☐ Persistent Sex Offender, if current conviction is presumed prison – double the maximum duration. K.S.A. 2006 Supp. 21-4704(j).
12. ☐ Second or Subsequent Manufacture of a Controlled Substance Conviction – presumed prison, twice the maximum duration. K.S.A. 2006 Supp. 21-4705(e).
26. ☐ Third or Subsequent Drug Possession, *occurring prior to July 1, 2008*, if defendant has completed, been discharged from, or refused to participate in 2003 SB 123 treatment - presumed prison. *If third or subsequent felony drug possession occurs on or after July 1, 2008* - presumed prison. K.S.A. 2008 Supp. 21-4705(f) [Effective July 1, 2008.]
13. ☐ Residential Burglary with a Prior Residential, Nonresidential or Aggravated Burglary Conviction – presumed prison. K.S.A. 21- 4704(l).
27. ☐ *Burglary With Two or More Prior Convictions for a Felony Violation of Theft, Burglary, or Aggravated Burglary – presumed prison. K.S.A. 2008 Supp. 21-4704(p). [Effective July 1, 2008.]*
29. ☐ *Felony Theft With Three or More Prior Convictions for a Felony Violation of Theft, Burglary, or Aggravated Burglary – presumed prison. K.S.A. 2008 Supp. 21-4704(p). [Effective July 1, 2008.]*
30. ☐ *For #27 or #29, Substance Abuse Underlying Factor, Tx More Effective to Reduce Reoffense Risk and Community Safety Served – KDOC Intensive Substance Abuse Treatment Program, Return to Court Upon Successful Completion. K.S.A. 2008 Supp. 21-4704(p). [Effective July 1, 2008.]*
31. ☐ *Third or Sub. Criminal Deprivation of a Motor Vehicle – presumptive prison. K.S.A. 2008 Supp. 21-4704(n). [Effective July 1, 2008.]*
16. ☐ Second Forgery, criminal history I – C, sentenced pursuant to sentencing requirements of K.S.A. 21-3710(b)(3), term of imprisonment not in KDOC. Criminal history A or B, - sentenced for severity level 8, NPF. K.S.A. 2006 Supp. 21-4704(i).
17. ☐ Third or Sub. Forgery, criminal history I – C, sentenced pursuant to sentencing requirements of K.S.A. 21-3710(b)(4), term of imprisonment not in KDOC. Criminal history A or B, - sentenced for severity level 8, NPF. K.S.A. 2006 Supp. 21-4704(i).
9. ☐ Crime Committed While Incarcerated and Serving a Felony Sentence, or While on Probation, Parole, Conditional Release, or Postrelease Supervision for a Felony – new sentence shall be imposed pursuant to consecutive sentencing provisions in K.S.A. 21-4608 and the court may impose prison even if presumption is nonprison. K.S.A. 2006 Supp. 21-4603d(f).
28. ☐ Crime Committed While Incarcerated in a Juvenile Correctional Facility for an Offense That Would be a Felony if Committed by an Adult – presumed prison. K.S.A. 21-4603d(f)(2).
10. ☐ Crime Committed While on Felony Bond – new sentence may be imposed pursuant to consecutive sentencing provisions in KSA 21-4608 and the court may impose prison even if presumption is nonprison. K.S.A. 21-4603d(f).

NONGRID OFFENSES APPLY:

6. ☐ Felony D.U.I. (third, fourth or subsequent) – nongrid, sentenced pursuant to specific mandatory sentencing requirements of K.S.A. 2006 Supp. 8-1567, term of imprisonment not to be served in KDOC. K.S.A. 2006 Supp. 21-4704(i).
8. ☐ Felony Domestic Battery - nongrid, sentenced pursuant to specific mandatory sentencing requirements of K.S.A. 2006 Supp. 21-3412a(b)(3), term of imprisonment not to be served in KDOC. K.S.A. 2006 Supp. 21-4704(i)
21. ☐ Animal Cruelty K.S.A. 2006 Supp. 21-4310(a)(1), K.S.A. 2006 Supp. 21-4310(a)(2-5); Second or subsequent conviction; or Working/ Assistance dog – K. S. A. 2006 Supp. 21-4318(c) - nongrid felony, sentenced pursuant to specific mandatory sentencing requirements of K.S.A. 2006 Supp. 21-4310(d), term of imprisonment not to be served in KDOC. K.S.A. 2006 Supp. 21-4704(i).

FINANCE OFFENSES APPLY:

25. ☐ *Fraudulent Insurance Act, any combination of acts occurring within 6 consecutive months involving $25,000 or more - presumed prison. K.S.A. 2007 Supp. 40-2,118. [Effective July 1, 2007.*]
15. ☐ Kansas Securities Act, violation resulting in loss of $25,000 or more – presumed prison. K.S.A. 2005 Supp. 17-12a508(a)(5).
19. ☐ Mortgage Business Act, Second or Subsequent Conviction – presumed prison. K.S.A. 2006 Supp. 9-2203(c).
20. ☐ Loan Brokers Act, violation resulting in loss of $25,000 or more – presumed prison. K.S.A. 50-1013(a).

1. KBI #	2. CASE #	6. KANSAS CRIMINAL HISTORY WORKSHEET	7. OFFENDER NAME (Last, First, Middle)	
3. DISTRICT #	4. COURT/ORI #	NEW _____	8. DATE OF OFFENSE	9. DATE OF CONVICTION
5. PSI INVESTIGATOR NAME (Last, First, Middle)		PRIOR RECORD _____	10. DATE OF WORKSHEET	11. DATE OF SENTENCING

12. WAS THE OFFENDER UNDER SUPERVISION AT THE TIME HE/SHE COMMITTED THE CURRENT OFFENSE? ☐ NO ☐ YES
IF YES, INDICATE WHAT TYPE OF SUPERVISION (Check all that apply.)

☐ Probation/Community	Jurisdiction:	Case No.:	Date Sentenced:
☐ Parole	Jurisdiction:	Case No.:	Date Sentenced:
☐ Postrelease Supervision	Jurisdiction:	Case No.:	Date Sentenced:
☐ Conditional Release	Jurisdiction:	Case No.:	Date Sentenced:
☐ Other	Jurisdiction:	Case No.:	Date Sentenced:

Comments:

13. CURRENT CRIME(S) OF CONVICTION

K.S.A. Number	Description	M/F	P/N	Level

14. CRIMINAL HISTORY CONVICTIONS AND/OR ADJUDICATIONS PRIOR TO SENTENCING

Juvenile	Adult	Total	Type
			Person or Off-grid Felonies
			Nonperson Felonies
			Person Misdemeanors
			Nonperson Misdemeanors

15. Amended Criminal History Convictions and/or Adjudications

Juvenile	Adult	Total	Type
			Person or Off-grid Felonies
			Nonperson Felonies
			Person Misdemeanors
			Nonperson Misdemeanors

16. CRIMINAL HISTORY CATEGORY ☐A ☐B ☐C ☐D ☐E ☐F ☐G ☐H ☐I

Amended? ☐ Yes ☐ No ☐A ☐B ☐C ☐D ☐E ☐F ☐G ☐H ☐I

17. Number of Person Misdemeanors converted:
☐ 3 ☐ 6 ☐ 9 ☐ 12 ☐ (Check One)

Amended? ☐ Yes ☐ No ☐ 3 ☐ 6 ☐ 9 ☐ 12 ☐ (Check One)

18. PRIOR CONVICTION USED TO ENHANCE / ELEVATE OR IS AN ELEMENT OF THE CURRENT CRIME OF CONVICTION? ☐ Yes ☐ No

19. Number of Decayed Juvenile Adjudications:
Felony ____ Misdemeanors ____

Amended? ☐ Yes ☐ No Felony ____ Misdemeanors ____

Supplemental Criminal History Worksheet - Prior Convictions

Page # _____ of _____

Offender's Name (L, F, M)_____ Judicial District_____ County _____ Case #_____

Statute/Ordinance #	Description	Juris. Code	State	County	City	Conviction Date	Case #	Conviction Code	Amended Code	Source of Information
1.										
2.										
3.										
4.										
5.										
6.										
7.										
8.										
9.										
10.										

CODES:

JURISDICTION: F Federal S State
L Military M Municipal

STATE: Use 2-letter abbreviation

SOURCE OF INFORMATION: KBI III
NCIC CR - Court Records
Other jurisdiction - identify
Other - explain

CONVICTION AND AMENDED CODES:

ADULT:

AOG Adult Off-Grid Felony
AFN Adult Felony Nonperson
AFP Adult Felony Person
AFE Adult Felony Enhancement/Element/Elevation
AMC Adult Misdemeanor Conversion
AMP Adult Misdemeanor Person
AMN Adult Misdemeanor Nonperson
AMS Adult Class B Select Misdemeanor
AMU Adult Misdemeanor Unscored
AME Adult Misdemeanor Enhancement/Element/Elevation

JUVENILE:

JOG Juvenile Off-Grid Felony
JFN Juvenile Felony Nonperson
JFP Juvenile Felony Person
JMC Juvenile Misdemeanor Conversion
JMP Juvenile Misdemeanor Person
JMN Juvenile Misdemeanor Nonperson
JMD Juvenile Misdemeanor Decayed
JMU Juvenile Misdemeanor Unscored
JMS Juvenile Misdemeanor Select

NIH Not Included in Criminal History, by order of the Court, reasons state in Journal Entry.

Note: Unscored convictions/adjudications and decayed adjudications are not counted on page 1 of the worksheet.

Supplemental Criminal History Worksheet - Prior Convictions

Offender's Name (L, F, M) _____ Judicial District _____ County _____ Case # _____

Statute/Ordinance #	Description	Juris. Code	State	County	City	Conviction Date	Case #	Conviction Code	Amended Code	Source of Information
11.										
12.										
13.										
14.										
15.										
16.										
17.										
18.										
19.										
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