2009 KANSAS SENTENCING GUIDELINES PRESENTENCE INVESTIGATION REPORT – FACE SHEET

1. **Judicial District:** _____

County and ORI number: _____

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. 21-2511): ☐ Yes ☐ No

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. 2008 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:** (Please Print) _____

Date Assigned: _____ **Date Submitted:** _____

Presentence Investigators signature: _____

Court File Stamp

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 Prison per Special Rule

☐ Presumptive Probation ☐ Border Box

☐ Special Rule Applies (PLEASE COMPLETE p. 5)

☐ Firearm Finding

☐ Sentence Enhancement : ☐ 6 months ☐ 18 months

Drug Treatment: ☐ Mandatory ☐ With Court Finding

Not Eligible: ☐ Criminal History ☐ Residency

☐ 3rd or Subsequent Conviction Felony Possession

Postrelease Supervision Duration: ☐ 12 months ☐ 24 months

☐ 36 months ☐ 60 months ☐ No postrelease

☐ Lifetime Postrelease- sexually violent crime [K.S.A. 2008 Supp. 22-3717 (d)(1)(G)] – includes anticipatory crimes [K.S.A. 2008 Supp. 22-3717 (d)(1)(K)]

☐ Other Lifetime Postrelease Supervision

☐ Parole

☐ Lifetime Parole - w/ electronic monitoring - sentencing pursuant to K.S.A. 21-4643 [K.S.A. 2008 Supp. 22-3717(u)]

Probation Duration: ☐ 12 months ☐ 18 months ☐ 24 months

☐ 36 months ☐ Other: _____

2009 KANSAS SENTENCING GUIDELINES
PRESENTENCE INVESTIGATION REPORT - FACE SHEET SUPPLEMENTAL - PAGE
CASE NO. _____

7. **Additional 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 Category I:**

Aggravated ____ Standard_____ Mitigated ____

Maximum Good Time: ☐ 15% ☐ 20%

☐ Presumptive Prison ☐ Presumptive Prison per Special Rule
☐ Presumptive Probation ☐ Border Box
☐ Special Rule Applies (PLEASE COMPLETE p. 5)
☐ Firearm Finding
☐ Sentence Enhancement: ☐ 6 months ☐ 18 months

Drug Treatment: ☐ Mandatory ☐ With Court Finding

Not Eligible: ☐ Criminal History ☐ Residency
☐ 3rd or Subsequent Conviction Felony Possession

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 _____

9. **Additional 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 Category I:**

Aggravated ____ Standard_____ Mitigated ____

Maximum Good Time: ☐ 15% ☐ 20%

☐ Presumptive Prison ☐ Presumptive Prison per Special Rule
☐ Presumptive Probation ☐ Border Box
☐ Special Rule Applies (PLEASE COMPLETE p. 5)
☐ Firearm Finding
☐ Sentence Enhancement: ☐ 6 months ☐ 18 months

Drug Treatment: ☐ Mandatory ☐ With Court Finding

Not Eligible: ☐ Criminal History ☐ Residency
☐ 3rd or Subsequent Conviction Felony Possession

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 _____

8. **Additional 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 Category I:**

Aggravated ____ Standard_____ Mitigated ____

Maximum Good Time: ☐ 15% ☐ 20%

☐ Presumptive Prison ☐ Presumptive Prison per Special Rule
☐ Presumptive Probation ☐ Border Box
☐ Special Rule Applies (PLEASE COMPLETE p. 5)
☐ Firearm Finding
☐ Sentence Enhancement: ☐ 6 months ☐ 18 months

Drug Treatment: ☐ Mandatory ☐ With Court Finding

Not Eligible: ☐ Criminal History ☐ Residency
☐ 3rd or Subsequent Conviction Felony Possession

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 _____

10. **Additional 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 Category I:**

Aggravated ____ Standard_____ Mitigated ____

Maximum Good Time: ☐ 15% ☐ 20%

☐ Presumptive Prison ☐ Presumptive Prison per Special Rule
☐ Presumptive Probation ☐ Border Box
☐ Special Rule Applies (PLEASE COMPLETE p. 5)
☐ Firearm Finding
☐ Sentence Enhancement: ☐ 6 months ☐ 18 months

Drug Treatment: ☐ Mandatory ☐ With Court Finding

Not Eligible: ☐ Criminal History ☐ Residency
☐ 3rd or Subsequent Conviction Felony Possession

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 _____

2009 KANSAS SENTENCING GUIDELINES - PRESENTENCE INVESTIGATION REPORT

CURRENT OFFENSE INFORMATION

(This page only - NOT PUBLIC RECORD)

CASE NO. _____

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. OTHER PENDING INFORMATION:

6. **PLACEMENT OPTIONS:** This is a list of placement options and the presentence investigator's professional assessment of possible 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 or 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. 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.*
- ☐ SB123 Offender Reimbursement (at least $300)
- ☐ Curfew Restriction: _____
- ☐ Travel Restriction: _____
- ☐ Other:

CASE NO. _____

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/ FIREARMS FINDING APPLY:

1. ☐ **Person Felony Committed With a Firearm** – presumed prison. K.S.A. 2008 Supp. 21-4704(h)
2. ☐ **Aggravated Battery of a L.E.O.**, if criminal history is 6H or 6I – presumed prison. K.S.A. 2008 Supp. 21-4704(g)
3. ☐ **Aggravated Assault of a L.E.O.**, if criminal history is 6H or 6I – presumed prison. K.S.A. 2008 Supp. 21-4704(g)

34. ☐ ***Battery on a L.E.O. resulting in bodily harm*** *– presumed prison and consecutive. 2009 HB 2060, Sec. 10(q) [Effective July 1, 2009]*

32. ☐ ***Drug Felony While in Possession of a Firearm****- presumed prison, 2009 HB 2060, Sec. 11(g) [Effective July 1, 2009]*

33. ☐ ***Drug Felony With a Firearm that Discharges****- presumed prison. 2009 HB 2060, Sec. 11(g) [Effective July 1, 2009]*

4. ☐ **Crime Committed for Benefit of a Criminal Street Gang** – presumed prison. K.S.A. 2008 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. 2008 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. 2008 Supp. 21-4704(j)
12. ☐ **Second or Subsequent Manufacture of a Controlled Substance Conviction** – presumed prison, twice the maximum duration. K.S.A. 2008 Supp. 21-4705(e)
26. ☐ **Third or Subsequent Felony Drug Possession occuring 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, Treatment 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. 2008 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. 2008 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. 21-4603d(f). See also K.S.A. 2008 Supp. 21-4608(e)(2)(serving indeterminate sentence) [Effective July1, 2009]

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 K.S.A. 2008 Supp. 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. 2008 Supp. 8-1567, term of imprisonment not to be served in KDOC. K.S.A. 2008 Supp. 21-4704(i)
8. ☐ **Felony Domestic Battery** - nongrid, sentenced pursuant to specific mandatory sentencing requirements of K.S.A. 2008 Supp. 21-3412a(b)(3), term of imprisonment not to be served in KDOC. K.S.A. 2008 Supp. 21-4704(i)
21. ☐ **Animal Cruelty** K.S.A. 21-4310(a)(1), K.S.A. 2008 Supp. 21-4310(a)(2-5); Second or subsequent conviction; or **Working/ Assistance dog** – K.S.A. 21-4318(c) - nongrid felony, sentenced pursuant to specific mandatory sentencing requirements of K.S.A. 2008 Supp. 21-4318(d), term of imprisonment not to be served in KDOC. K.S.A. 2008 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. 2008 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. 17-12a508(a)(5)
19. ☐ **Mortgage Business Act**, Second or Subsequent Conviction – presumed prison. K.S.A. 2008 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 _____ PRIOR RECORD _____	8. DATE OF OFFENSE	9. DATE OF CONVICTION
5. PSI INVESTIGATOR NAME (Last, First, Middle)			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
AMS Adult Class B Select Misdemeanor
AMU Adult Misdemeanor Unscored
AME Adult Misdemeanor Enhancement/Element/Elevation
AMP Adult Misdemeanor Person
AMN Adult Misdemeanor Nonperson

JUVENILE:

JOG Juvenile Off-Grid Felony
JFD Juvenile Felony Decayed
JFE Juvenile Felony Enhancement/Element/Elevation
JFP Juvenile Felony Person
JFN Juvenile Felony Nonperson
JMD Juvenile Misdemeanor Decayed
JMU Juvenile Misdemeanor Unscored
JMN Juvenile Misdemeanor Nonperson
JMC Juvenile Misdemeanor Conversion
JMP Juvenile Misdemeanor Person
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/Adjudications **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
11.										
12.										
13.										
14.										
15.										
16.										
17.										
18.										
19.										
20.										
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25.										
26.										
27.										
28.										
29.										
30.										