For Court Use Only (Seal)

2009 KANSAS SENTENCING GUIDELINES JOURNAL ENTRY OF JUDGMENT

Please use Journal Entry based on OFFENSE DATE

SECTION I. CASE IDENTIFYING INFORMATION

1. **Transaction No.**

2. **STATE v.** ☐ Male ☐ 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:** ☐ Appointed ☐ Retained ☐ Self ☐ Waived Orally ☐ Waived in Writing

Counsel Name (please print)_____

10. **Type of Proceeding (Trial)** ☐ Bench Trial (includes a plea on stipulated facts) ☐ Jury Trial ☐ Guilty Plea ☐ *Nolo contendere* Plea

11. **Date of Conviction:**

12. **Pre-Trial Status of Offender** ☐ In Custody ☐ Released on Bond ☐ Other Release

SECTION II. CRIMINAL HISTORY CLASSIFICATION

1. **Offender's Overall Criminal History Classification as Found by the Court:** ☐ A ☐ B ☐ C ☐ D ☐ E ☐ F ☐ G ☐ H ☐ I

2. **Objection to Criminal History?** ☐ Yes ☐ No **If Yes, By:** ☐ Defendant or ☐ State

Court's Ruling on Objection: ☐ Criminal history was amended ☐ Criminal history was not amended

SECTION III. CURRENT CONVICTION INFORMATION

1. **Name of PRIMARY Offense of Conviction:** _____

Count No.: _____ **Date of Offense:** _____

(Please use Journal Entry based on OFFENSE DATE)

2. **K.S.A. Title, Section, Subsection(s):** _____

☐ **Attempt** (K.S.A. 21-3301) ☐ **Conspiracy** (K.S.A. 21-3302) ☐ **Solicitation** (K.S.A. 21-3303)

3. **Grade of Offense:** (Check one in each row.) ☐ Felony, Severity Level _____ ☐ Misdemeanor, Class _____ ☐ Person ☐ Nonperson

4. **Offense Category:** ☐ Nondrug ☐ Drug ☐ Off-grid ☐ Nongrid

5. **Presumptive Sentencing Range:** (Enter terms from appropriate grid.) Aggravated ____ Standard ____ Mitigated ____

Check applicable box(es) ☐ Presumptive Prison ☐ Presumptive Probation ☐ Border Box

☐ Mandatory Drug Treatment for up to 18 months. K.S.A. 21-4729

☐ Special Rule Applies **(Complete Special Rules Supplemental Page and Attach)**

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(c) and (d).

PLEASE USE AN ADDITIONAL OFFENSES PAGE FOR ADDITIONAL OFFENSES OF CONVICTION.

Case No.

KANSAS SENTENCING GUIDELINES JOURNAL ENTRY OF JUDGMENT (PAGE 2)

6. **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)**: **Number(s)** _____
Description(s) _____

7. Did the Court make a ***SPECIAL FINDING*** that the crime was SEXUALLY MOTIVATED pursuant to the KS Offender Registration Act, K.S.A. 2008 Supp. 22-4902 (c)(14)? ☐ Yes ☐ No
IF YES, PLEASE COMPLETE THE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

8. Was offender determined by the Court to be an ***AGGRAVATED HABITUAL SEX OFFENDER?*** (K.S.A. 21-4642) ☐ Yes ☐ No
IF YES, PLEASE COMPLETE THE SEX CRIME SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

9. Is offender being sentenced pursuant to K.S.A. 21-4643 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 THE SEX CRIME SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

10. Downward departure [K.S.A. 2008 Supp. 21-4719(a)] for a crime of extreme sexual violence (defined in K.S.A. 21-4716)? ☐ Yes ☐ No
IF YES, PLEASE COMPLETE THE SEX CRIME SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

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

12. Was offender convicted of a violation of K.S.A. 2009 Supp. 21-36a03, Manufacture or attempted manufacture –(K.S.A. 65-4159) or K.S.A. 2009 Supp. 21-36a09, or 21-36a10 Possession of precursors with intent to manufacture – (K.S.A. 65-7006)? ☐ Yes ☐ No
IF YES, was there a finding by the Court that such manufacture or possession was for personal use? ☐ Yes ☐ No
IF NO, PLEASE COMPLETE THE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

13. Was offender convicted of a violation of K.S.A. 2009 Supp. 21-36a05, Cultivation, Distribution, Possession w/ intent to distribute – (K.S.A. 65-4161)? ☐ Yes ☐ No
IF YES, PLEASE COMPLETE THE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

SENTENCE IMPOSED:

1. **Guideline Range Imposed:** ☐ Aggravated ☐ Standard ☐ Mitigated ☐ Departure **– COMPLETE SECTION IV**

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 Trtmnt Prog. (min. 120 days)
☐ Enhancement Sentence- Drug w/ Firearm: ☐ 6 months ☐ 18 months [K.S.A. 2009 Supp. 21-4705(g)]
☐ Off-grid Crime:
☐ Life - Minimum 15 yrs. ☐ Life - Minimum 20 yrs. ☐ Hard 10 ☐ Hard 25 ☐ Hard 40
☐ Mandatory minimum years = 50 years (600 months) or ____ months pursuant to guidelines, given offender's criminal history, whichever is greater
☐ Life Imprisonment without Parole ☐ Death Penalty

3. **Postrelease Supervision Term:** ☐ 12 months ☐ 24 months ☐ 36 months ☐ 60 months (sex offense) - **COMPLETE SECTION IV**
☐ No Postrelease ☐ Lifetime Postrelease ☐ Parole ☐ Lifetime Parole

4. **Nongrid Term: (Jail)** (For misdemeanor or nongrid felony.) _____ ☐ months ☐ days
(Enter county jail term above then check one of the following) ☐ Jail sentence imposed or, ☐ Underlying with probation granted.
☐ 3rd D.U.I. ☐ 4th or Subsequent D.U.I. (w/12 month postrelease) ☐ 3rd or Subs. Domestic Battery (w/in 5 yrs.) ☐ Animal Cruelty
☐ Probation granted after serving term of _____ ☐ months ☐ days

5. **Probation Term (If Granted):** ☐ 12 months ☐ 18 months ☐ 24 months ☐ 36 months ☐ 60 months
☐ Mandatory Drug Treatment for up to 18 months. K.S.A. 21-4729 ☐ Other: _____
☐ Extended Period under K. S. A. 21-4611 (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: ☐ Yes ☐ No

Comments: _____

Case No.

SECTION IV. DEPARTURE INFORMATION (PAGE 3)

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 sex offense) – K.S.A. 2008 Supp. 22-3717(d)(1)(D)(i)

["Sexually motivated" defined in K.S.A. 2008 Supp. 22-3717(d)(2).]

2. **Reasons Cited as Basis for Departure:**

SECTION V. OTHER CONDITIONS

1. **General/Special Conditions of Probation (COMPLETE AND ATTACH ORDER OF PROBATION TO THIS JOURNAL ENTRY)**

2. **Costs Ordered:**

Total Restitution (Please complete #3 below.)	$	Probation Fee	$
Total Court Costs	$	BIDS Attorney Fee	$
Total Fines	$	BIDS Administrative Fee	$
DNA Database Fee (K.S.A. 21-2511 & 75-724.)	$	Community Corrections Fee (offenses after 1/4/07)	$
Extradition Costs	$	Booking/Fingerprint Fee	$
Domestic Violence Special Program Fee	$	Reward Reimbursement	$
Apprehension Fee (Escape/Agg. Escape)	$	Children's Advocacy Center Assessment Fee	$
Alcohol and/or Drug Evaluation Fee	$	Medical Costs/Expenses Reimbursement	$
Witness Fee	$	Court-Appointed Attorney Fee	$
KBI Lab Fee	$	SB 123 Offender Reimbursement (at least $300)	$
Other Lab Fee	$	Other: _____	$
		TOTAL COSTS	$

3. **Restitution to be paid as follows:**

Amount	Name and Address
$	
$	
$	
$	
$	
$	

Case No.

KANSAS SENTENCING GUIDELINES JOURNAL ENTRY OF JUDGMENT (PAGE 4)

SECTION VI: 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 or KDOC intensive treatment program – min. 120 days): _____

☐ For each count, the Court pronounced the complete sentence, including the maximum potential good time percentage. K.S.A. 2008 Supp. 21-4704(e)(2) and 21-4705(c)(2).

2. **Postrelease Supervision Term:** ☐ 12 months ☐ 24 months ☐ 36 months ☐ 60 months ☐ No Postrelease ☐ Lifetime Postrelease ☐ Parole ☐ Lifetime Parole

3. **Probation Term Imposed (select one):** ☐ 12 months ☐ 18 months ☐ 24 months ☐ 36 months ☐ 60 months

☐ Mandatory Drug Treatment for up to 18 months. K.S.A. 21-4729. ☐ Correctional Conservation Camp

☐ Extended Period under K.S.A. 21-4611 (c)(5) for: _____months

☐ Other:

4. **Jail Credit:** Enter dates **(m/d/yy only)** and days of potential jail credit 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)

Sentencing Date: _____ **- Total Number of Days of Jail Credit Actually Awarded** _____ **= Sentence Begins Date:** _____

5. **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:

6. **Miscellaneous Provisions**:

☐ Defendant informed of right to appeal within 10 days of this date. K.S.A. 22-3608. (Required by case law.)

☐ Defendant informed of potential rights of expungement under K.S.A. 2008 Supp. 21-4619(g).

☐ Defendant informed of duty to register as an offender pursuant to the Kansas Offender Registration Act, K.S.A. 22-4901 et seq. **(Please complete OFFENDER REGISTRATION SUPPLEMENT and attach it to the Journal Entry.)** K.S.A. 22-4905(b)(2)

☐ 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. 2008 Supp. 22-3717(d)(1)(D)(iv).

☐ Defendant has been processed, fingerprinted and palmprinted. 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).

☐ Other Comments:

Case No.

SECTION VI. RECAP OF SENTENCE CONTINUED (PAGE 5)

7. **Border Box Findings** K.S.A. 2008 Supp. 21-4704(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

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

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

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

11. **Additional Comments:**

SECTION VII. 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: _____

Case No.

KSGA JOURNAL ENTRY OF JUDGMENT ADDITIONAL OFFENSES COUNT _____ (Page 1 of 2)

1. **Name of Additional Offense of Conviction:** _____

Count No.: _____ **Date of Offense:** _____

2. **Sentences Concurrent or Consecutive:** ☐ Concurrent ☐ Consecutive **To Count(s):** _____

3. **K.S.A. Title, Section, Subsection(s):** _____

☐ **Attempt** (K.S.A. 21-3301) ☐ **Conspiracy** (K.S.A. 21-3302) ☐ **Solicitation** (K.S.A. 21-3303)

4. **Grade of Offense:**(Check one in each row.) ☐ Felony, Severity Level _____ ☐ Misdemeanor, Class: _____

☐ Person ☐ Nonperson

5. **Offense Category:** ☐ Nondrug Grid ☐ Drug Grid ☐ Off-grid ☐ Nongrid

6. **Presumptive Sentencing Range (Use Criminal History Classification "I" for non-primary convictions.):**

(Enter the terms from the appropriate grid.) Aggravated _____ Standard _____ Mitigated _____

(Check the appropriate box(es).) ☐ Presumptive Prison ☐ Presumptive Probation ☐ Border Box

☐ Mandatory Drug Treatment for up to 18 months. K.S.A. 21-4729.

☐ Special Rule Applies **(Complete Special Rule Supplemental Page and Attach)**

7. **SPECIAL RULES** Enter the **number(s) and brief description(s)** corresponding to the applicable special rule, if any **(Complete Special Rule Supplemental Page and Attach)**: **Number(s):** _____

Description(s): _____

8. Did the Court make a ***SPECIAL FINDING*** that the crime was ***SEXUALLY MOTIVATED*** pursuant to KS Offender Registration Act K.S.A. 2008 Supp. 22-4902 (c)(14)? ☐ Yes ☐ No

IF YES, PLEASE COMPLETE OFFENDER REGISTRATION SUPPLEMENT/ATTACH TO JOURNAL ENTRY.

9. Was offender determined by the Court to be an ***AGGRAVATED HABITUAL SEX OFFENDER***? (K.S.A. 21-4642.) ☐ Yes ☐ No

IF YES, PLEASE COMPLETE THE SEX CRIME SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

10. Is offender being sentenced pursuant to K.S.A. 21-4643 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 THE SEX CRIME SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

11. Downward departure [K.S.A. 2008 Supp. 21-4719(a)] for a crime of extreme sexual violence (defined in K.S.A. 21-4716)? ☐ Yes ☐ No

IF YES, PLEASE COMPLETE THE SEX CRIME SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

12. Did offender, as determined by the court, commit the current crime with a deadly weapon? ☐ Yes ☐ No

IF YES, PLEASE COMPLETE THE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

13. Was offender convicted of a violation of K.S.A. 2009 Supp. 21-36a03, Manufacture or attempted manufacture (K.S.A. 65-4159), or K.S.A. 2009 Supp. 21-36a09, or 21-36a10, Possession of precursors with intent to manufacture (K.S.A. 65-7006)? ☐ Yes ☐ No

IF YES, was there a finding by the Court that such manufacture or possession was for personal use? ☐ Yes ☐ No

IF NO, PLEASE COMPLETE THE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

14 Was offender convicted of a violation of K.S.A. 2009 Supp. 21-36a05, Cultivation, Distribution, Possession w/ intent to distribute (K.S.A. 65-4161)? ☐ Yes ☐ No

IF YES, PLEASE COMPLETE THE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

SENTENCE IMPOSED:

1. **Guideline Range Imposed:** ☐ Aggravated ☐ Standard ☐ Mitigated ☐ Departure **– COMPLETE SECTION IV**

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 Trtmnt Prog. (min. 120 days)

☐ Enhancement Sentence- Drug w/ Firearm: ☐ 6 months ☐ 18 months [K.S.A. 2009 Supp. 21-4705(g)]

☐ Off-grid Crime:

☐ Life - Minimum 15 yrs. ☐ Life - Minimum 20 yrs. ☐ Hard 10 ☐ Hard 25 ☐ Hard 40

☐ Mandatory minimum years = 50 years (600 months) or _____ months pursuant to guidelines, given offender's criminal history, whichever is greater

☐ Life Imprisonment without Parole ☐ Death Penalty

Case No.

KSGA JOURNAL ENTRY OF JUDGMENT ADDITIONAL OFFENSES CONTINUED COUNT_____ (PAGE 2 OF 2)

3. **Postrelease Supervision Term:** ☐ 12 months ☐ 24 months ☐ 36 months ☐ 60 months (sex offense) - **COMPLETE SECTION IV**
☐ No Postrelease ☐ Lifetime Postrelease ☐ Parole ☐ Lifetime Parole

4. **Nongrid Term (Jail):** (For misdemeanor or nongrid felony.) _____ ☐ months ☐ days
(Enter county jail term above then check one of the following) ☐ Jail sentence imposed or, ☐ Underlying with probation granted.
☐ 3rd D.U.I. ☐ 4th or Subsequent D.U.I. (w/12 month postrelease) ☐ 3rd or Subs. Domestic Battery (w/in 5 yrs.) ☐ Animal Cruelty
☐ Probation granted after mandatory term of _____ ☐ months ☐ days

5. **Probation Term Imposed (select one):** ☐ 12 months ☐ 18 months ☐ 24 months ☐ 36 months ☐ 60 months

☐ Mandatory Drug Treatment for up to 18 months. K.S.A. 21-4729
☐ Extended Period under K.S.A. 21-4611 (c)(5) for: _____months
☐ Other: _____

Probation Supervision to: ☐ Court Services ☐ Community Corrections ☐ Unsupervised

County Jail Time Imposed AS A CONDITION OF PROBATION: _____days

Assignment to Correctional Conservation Camp: ☐ Yes ☐ No

Comments:

6. **Additional Comments:**

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 consective. 2009 HB 2060, Sec. 10(q) [Effective July 1, 2009]*

32. ☐ ***Drug Felony With 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. 2008 Supp. 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 July 1, 2008]

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. 2008 Supp. 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)

Case No.

SEX CRIME SUPPLEMENT (If applicable, complete and attach to the Journal Entry.)

1. Was offender determined by the Court to be an ***AGGRAVATED HABITUAL SEX OFFENDER***? (K.S.A. 21-4642.) ☐ Yes ☐ No
IF YES, PLEASE COMPLETE SECTION A. "Aggravated Habitual Sex Offenders".

2. Is offender being sentenced pursuant to K.S.A. 21-4643 where offender is 18 years of age or older and the victim less than 14 years of age? ☐ Yes ☐ No
IF YES, PLEASE COMPLETE SECTION B. "Child Sex Offenses".

SECTION A. Aggravated Habitual Sex Offenders – K.S.A. 21-4642

☐ Imprisonment for life without the possibility of parole; not eligible for parole, probation, assignment to a community correctional services program, conditional release, postrelease supervision, or suspension, modification or reduction of sentence.

SECTION B. Child Sex Offenses – K.S.A. 21-4643

Sentence imposed for sex offenses where offender is 18 years of age or older and the victim is less than 14 years of age.
(CHECK ONLY ONE)

First Offense

☐ Downward departure to guidelines; lifetime postrelease supervision; lifetime electronic monitoring. **(Complete Section IV – Departure Information, page 3 of Journal Entry of Judgment.)**

☐ Mandatory minimum of Hard 25 years (300 months) or _____ months pursuant to guidelines, given offender's criminal history, whichever is greater; lifetime postrelease supervision; lifetime electronic monitoring.

Second Offense

☐ Mandatory minimum of Hard 40 years (480 months) or _____ months pursuant to guidelines, given offender's criminal history, whichever is greater; lifetime postrelease supervision; lifetime electronic monitoring.

Third Offense **– see Section A. above, Aggravated Habitual Sex Offender – Life Imprisonment Without Parole.**

SECTION C. Downward Departure [K.S.A. 2008 Supp. 21-4719(a)] for a Crime of Extreme Sexual Violence (defined in K.S.A. 2008 Supp. 21-4716)

(NO downward dispositional departure allowed)

Downward durational departure limited to 50% of middle of the sentencing range? ☐ Yes ☐ No

Comments:

Case No.

OFFENDER REGISTRATION SUPPLEMENT – K.S.A. 2008 Supp. 22-4901 et. seq.
(If applicable, complete both pages and attach to the Journal Entry.)

SECTION A. REGISTRATION REQUIREMENT - Check appropriate boxes to indicate the REASON for registration. See K.S.A. 2008 Supp. 22-4902(a).

☐ **(a)(1) Offender required to register due to sex offender status** (Indicated by conviction of any of the following sexually violent crimes or adjudication as a juvenile offender for an act which is committed by an adult would constitute a sexually violent crime):

- ☐ Rape - K.S.A. 21-3502
- ☐ Indecent Liberties With a Child - K.S.A. 21-3503
- ☐ Aggravated Indecent Liberties With a Child - K.S.A. 21-3504
- ☐ Criminal Sodomy - K.S.A. 21-2505(a)(2) and (a)(3)
- ☐ Aggravated Criminal Sodomy - K.S.A. 21-3506
- ☐ Indecent Solicitation of a Child - K.S.A. 21-3510
- ☐ Aggravated Indecent Solicitation of a Child - K.S.A. 21-3511
- ☐ Sexual Exploitation of a Child - K.S.A. 21-3516
- ☐ Sexual Battery - K.S.A. 21-3517
- ☐ Aggravated Incest - K.S.A. 21-3603
- ☐ Aggravated Sexual Battery – K.S.A. 21-3518
- ☐ Electronic Solicitation – K.S.A. 21-3523
- ☐ Any conviction for any comparable offense in effect prior to effective date of act
- ☐ Any federal, military or other state conviction for an offense that under the laws of Kansas would be a sexually violent crime
- ☐ Any attempt, conspiracy or criminal solicitation of a sexually violent crime
- ☐ Any act which at the time of sentencing has been determined beyond a reasonable doubt to have sexually motivated (i.e. for the purpose of the defendant's sexual gratification.)

☐ **(a)(2) Offender required to register due to violent offender status** (Indicated by conviction of any of the following crimes):

- ☐ Capital Murder - K.S.A. 21-3439
- ☐ Murder in the First Degree - K.S.A. 21-3401
- ☐ Murder in the Second Degree - K.S.A. 21-3402
- ☐ Voluntary Manslaughter - K.S.A. 21-3403
- ☐ Involuntary Manslaughter - K.S.A. 21-3404
- ☐ Any conviction for any comparable offense in effect prior to effective date of act
- ☐ Any federal, military or other state conviction for an offense that under the laws of Kansas would be an offense listed in this section
- ☐ Any attempt, conspiracy or criminal solicitation of an offense defined in this section

☐ **(a)(3) Offender required to register due to sexually violent predator status as determined under K.S.A. 59-29a01 et. seq. (On and after July 1, 2001).**

☐ **(a)(4) Offender required to register due to conviction of the following crimes wherein the victim is less than 18 years of age:**

- ☐ Kidnapping - K.S.A. 21-3420 (except by parent)
- ☐ Aggravated Kidnapping - K.S.A. 21-3421
- ☐ Criminal Restraint - K.S.A. 21-3424 (except by parent)
- ☐ Any conviction for any comparable offense in effect prior to effective date of act
- ☐ Any attempt, conspiracy or criminal solicitation of an offense defined in this section

☐ **(a)(5) Offender required to register due to conviction of the following sexual conduct wherein one of the parties involved is less than 18 years of age:**

- ☐ Adultery - K.S.A. 21-3507
- ☐ Criminal Sodomy as defined in K.S.A. 21-3505(a)(1)
- ☐ Promoting Prostitution - K.S.A. 21-3513
- ☐ Patronizing a Prostitute - K.S.A. 21-3515
- ☐ Lewd and Lascivious Behavior - K.S.A. 21-3508
- ☐ Unlawful Sexual Relations - K.S.A. 21-3520
- ☐ Any conviction for any comparable offense in effect prior to effective date of act
- ☐ Any attempt, conspiracy or criminal solicitation of an offense defined in this section

☐ **(a)(6) Offender required to register due to registration requirement by federal, military or other state's law or otherwise required.**

☐ **(a)(7) Offender required to register due to conviction of person felony with court finding on the record that such felony was committed with a deadly weapon (On and after July 1, 2006):**

- ☐ Any conviction for any comparable offense in effect prior to effective date of act
- ☐ Any attempt, conspiracy or criminal solicitation of an offense defined in this section

☐ **(a)(10) Offender required to register due to conviction of aggravated trafficking as defined in K.S.A. 21-3447 or any attempt, conspiracy or solicitation thereof.**

☐ **(a)(11) Offender required to register due to drug conviction** (Indicated by conviction of any of the following crimes):

- ☐ Manufacture or attempted manufacture of any controlled substance in violation of K.S.A. 2009 Supp. 21-36a03 (K.S.A. 65-4159)
- ☐ Possession of precursors with intent to manufacture any controlled substance in violation of K.S.A. 2009 Supp. 21-36a09, or 21-36a10 (K.S.A. 65-7006)
- ☐ Cultivation, Distribution, Possession w/ intent to distribute, in violation of K.S.A. 2009 Supp. 21-36a05 (K.S.A. 65-4161)
- ☐ Any conviction for any comparable offense in effect prior to effective date of act

Case No.

OFFENDER REGISTRATION SUPPLEMENT CONT.– K.S.A. 2008 Supp. 22-4901 et. seq. (PAGE 2 of 2)

SECTION B. REGISTRATION TERMS - check appropriate boxes indicating REQUIRED TERM of registration See K.S.A. 2008 Supp. 22-4906.

SEX OFFENDER, VIOLENT OFFENDER, OR OTHER SELECTED CRIMES (as described in subsections (a)(1), (a)(2), (a)(3), (a)(4), and (a)(5) on the previous page)**:**

☐ **First conviction:** ☐ Offender not confined = 10 years from date of conviction, OR
☐ Offender confined = 10 years from date of parole, discharge or release whichever is most recent

☐ **Second or subsequent conviction:** ☐ Lifetime Registration

FEDERAL, MILITARY OR OUT-OF-STATE JURISDICTIONAL REQUIREMENT (as described in subsection (a)(6) on the previous page)**:**

☐ **First conviction:** ☐ Offender not confined = 10 years from date of conviction, OR
☐ Offender confined = 10 years from date of parole, discharge or release whichever is most recent

☐ **Second or subsequent conviction:** ☐ Lifetime Registration

DEADLY WEAPON WITH COURT FINDING ON THE RECORD (as described in subsection (a)(7) on the previous page for crime committed on or after July 1, 2006)**:**

☐ **First conviction:** ☐ Offender not confined = 10 years from date of conviction, OR
☐ Offender confined = 10 years from date of parole, discharge or release whichever is most recent

☐ **Second or subsequent conviction:** ☐ Lifetime Registration

SEXUALLY VIOLENT PREDATOR pursuant to K.S.A. 59-29a01 et. seq. (as described in subsection (a)(3) on the previous page for crime committed on and after July 1, 2001)**:**

☐ **Declared to be a sexually violent predator:** ☐ Lifetime Registration

SELECT AGGRAVATED OFFENSES:

☐ **Offender convicted of Rape as defined in K.S.A. 21-3502(a)(1)(A) or (a)(2), Aggravated Criminal Sodomy as defined in K.S.A. 21-3506(a)(1) or (a)(3)(A), or any attempt, conspiracy or solicitation of thereof:** ☐ Lifetime Registration

CHILD SEX OFFENSES - Offender is 18 or older and the victim is less than 14 (as described in subsections (a)(1), (a)(4) and (a)(5) on the previous page on and after July 1, 2006) and below**:**

☐ **Offender convicted of Aggravated Trafficking, Agg. Indecent Liberties (K.S.A. 21-3504(a)(3)), Agg Criminal Sodomy (K.S.A. 21-3506(a)(2)), Promoting Prostitution, Sexual Exploitation of a Child (K.S.A. 21-3516(a)(5) or (a)(6)):** ☐ Lifetime Registration

DRUG OFFENSES (Manufacture, attempted manufacture – K.S.A. 2009 Supp. 21-36a03, Possession of Precursors with intent to manufacture a controlled substance (K.S.A. 65-4159), – K.S.A. 2009 Supp. 21-36a09, or 21-36a10, Cultivation, Distribution, Possession w/intent to distribute (K.S.A. 65-7006), or– K.S.A. 2009 Supp. 21-36a05, (K.S.A. 65-4161) as described in subsection (a)(11) on previous page)**:**

☐ **First conviction:** ☐ Offender not confined = 10 years from date of conviction, OR
☐ Offender confined = 10 years from date of parole, discharge or release whichever is most recent

☐ **Second or subsequent conviction:** ☐ Lifetime Registration

JUVENILE REGISTRATION:

☐ **Adjudicated as a juvenile offender for any crime which if committed by an adult would constitute a sexually violent crime classified as an off-grid or severity level 1 felony:**
- ☐ Offender not confined = 5 years from date of adjudication or until the age of 18 whichever is longer, OR
- ☐ Offender confined = 5 years from date of release

☐ **Adjudicated as a juvenile offender for an any crime which if committed by an adult would constitute a sexually violent crime NOT classified as an off-grid or severity level 1 felony - subject to judicial discretion**:
- ☐ Option 1:
  - ☐ Offender not confined = 5 years from date of adjudication or until the age of 18 whichever is longer
  - ☐ Offender confined = 5 years from date of release;
- ☐ Option 2: No registration required by court finding on the record;
- ☐ Option 3: Registration as in Option 1 but without public access to registration records

NONRESIDENT REGISTRATION:

☐ **Nonresident worker** = Duration of such person's employment

☐ **Nonresident student** = Duration of such person's attendance at a school or educational institution

☐ **Nonresident offender moving into the state** = The same length of time required by sentencing state or for term as indicated by Kansas statute, whichever is longer