

2012 Kansas Statutes

21-6711. Defendants sentenced to custody of secretary of corrections; judgment form and contents; diagnostic reports to accompany defendant. (a) If the defendant is to be sentenced to the custody of the secretary of corrections, the court may prepare a judgment form which shall be signed by the court and filed with the clerk. If prepared, the judgment form shall reflect the conviction, the sentence and the commitment, and shall contain the following:

- (1) The pronouncement of guilt including:
 - (A) The title of the crime;
 - (B) the statute violated; and
 - (C) the date the offense occurred.
- (2) The sentence imposed including:
 - (A) The terms as required by subsection (b) of K.S.A. 2012 Supp. 21-6702, and amendments thereto;
 - (B) if applicable, a description of any increase in sentence because of previous felony conviction pursuant to K.S.A. 2012 Supp. 21-6706, and amendments thereto;
 - (C) if applicable, a statement that this defendant has been convicted of a class A, B or C felony by reason of aiding, abetting, advising, or counseling another to commit a crime, or by reason of the principle provided for in subsection (2) of K.S.A. 21-3205, prior to its repeal;
 - (D) if applicable, a statement that this defendant, age 18 or over, has been mandatorily sentenced pursuant to K.S.A. 2012 Supp. 21-6707, and amendments thereto, for use of a firearm in a crime under article 34 of chapter 21, prior to its repeal, or the crime of rape or aggravated sodomy; and
 - (E) a statement of the effective date of the sentence indicating whether it is the date of imposition or some date earlier to give credit for time confined pending disposition of the case pursuant to K.S.A. 2012 Supp. 21-6615, and amendments thereto, or credit for time on probation or assignment to community corrections pursuant to K.S.A. 2012 Supp. 21-6615, and amendments thereto.
- (3) The order of commitment to the custody of the secretary, if not issued as a separate order.
- (b) The court may attach to or include in the judgment form any of the following:
 - (1) A statement of reasons for imposing the sentence as ordered other than those reasons required above to be stated;
 - (2) a description of aggravating or mitigating circumstances the court took into consideration when ordering the commitment;
 - (3) recommendations on a program of rehabilitation for the offender, based on presentence investigation reports and any other information available. Such recommendations may include desirable treatment for corrections of physical deformities or disfigurement that may, if possible, be corrected by medical or surgical procedures or by prosthesis;
 - (4) a recommendation for further evaluation at the Topeka correctional facility, even though the defendant was committed for presentence investigation;
 - (5) the copy of the evidence from trial or part thereof transmitted pursuant to K.S.A. 75-5219, and amendments thereto.
- (c) The court shall forward a copy of all presentence investigation reports and other diagnostic reports on the offender received by the district court, including any reports received from the Topeka correctional facility or the state security hospital, to the officer having the offender in custody for delivery with the offender to the correctional institution.
- (d) The provisions of this section shall not apply to crimes committed on or after July 1, 1993.

History: L. 2010, ch. 136, § 280; July 1, 2011.