

2017 PRESENTENCE INVESTIGATION REPORT (PSI) EXPLAINER

This **highlighted** document is intended to explain the changes to the forms that will go into effect on July 1, 2017. These changes are due in part to the passage of new legislation, which will go into effect on that date, while some changes are the result of feedback received from those who use the forms.

Please note that unless specified, the statutory (K.S.A.) references are intended to direct the user to the most current version of the statute. If a K.S.A. 2017 Supp. is referenced, this law is already in effect as of July 1, even though the statute itself has not yet been published.

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- The date has been changed and this PSI is to be used for all crimes *committed* on and between July 1, 2017-June 30, 2018.

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- CURRENT OFFENSE INFORMATION, Section No. 6, **PLACEMENT OPTIONS** – K.S.A. 75-5291 is updated to the 2016 Supplement from 2015. No substantive change.
- CURRENT OFFENSE INFORMATION, Section No. 8, **COSTS PROPOSED** – [2017 Senate Bill 40](#) amended certain human trafficking fines and the distribution of those funds. As a result, the court clerks suggested and the Commission approved a new line, **Fines to Human Trafficking Victim Assistance Fund**, in the **COST PROPOSED** section to list fines that are to be remitted solely to the Human Trafficking Victim Assistance Fund, if applicable in a case. The **Total Fines** line has been modified to reflect the total amount of fines excluding those fines that are required by statute to be sent to the Human Trafficking Victim Assistance Fund.
 - The third check box in this section has been modified to delete “On or after 7/1/13.” The law now provides that only one-half of the fine for Buying Sexual Relations is required to be sent to the Human Trafficking Victim Assistance Fund. Fine amounts for Aggravated Human Trafficking are no less than \$5000.

SPECIAL RULES SUPPLEMENT

- Special Rule 48—This is a new sentencing rule imposed by the Law Enforcement Protection Act in [2017 Senate Bill 112](#). If the trier of fact makes a finding beyond a reasonable doubt that an offender committed a nondrug felony offense against a law enforcement officer while that officer was engaged in performance of such officer’s duty, or in whole or in part because of such officer’s status as a law enforcement officer, the sentence for such offense shall be increased one severity level above the appropriate level for such offense. If the offense is severity level 1, the sentence shall be life imprisonment of at least 25 years before eligibility for parole, and the offender shall not be eligible for probation or suspension, modification or reduction of sentence.

- Special Rule 47—Citation is changed from 2016 Session Laws Ch. 90 §4 to K.S.A. 21-6804(x).

OFFENDER REGISTRATION SUPPLEMENT

- [2017 Senate Bill 40](#) created and amended certain human trafficking laws. In the offender registration supplement the following was added:
 - A checkbox was added in the **REGISTRATION TERMS** section for Promoting the Sale of Sexual Relations, which requires a 15-year registration period.