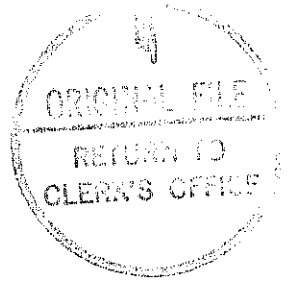


IN THE SUPREME COURT OF THE STATE OF KANSAS

Administrative Order No. 26

Re: Presentence Investigation Reports



Presentence investigation reports required by K.S.A. 1980 Supp. 21-4604 shall be prepared using the face sheet and format shown in this order.

When a defendant is to be committed to the custody of the Secretary of Corrections, the clerk of the district court or deputy clerk shall provide a copy of the presentence investigation report to the proper authority for delivery to the appropriate institution under the control of the Secretary at the same time the defendant is delivered to that custody.

Presentence investigation reports in misdemeanor cases are optional at the sentencing judge's discretion. Any misdemeanor presentence investigation report will consist of the required face sheet and whatever other sections of the required format the sentencing judge requests.


Presentence Investigation Format

1. Present Offense.
 - Official version--summary
 - Defendant's version
 - Codefendant's version*
 - Victim's attitude* (mandatory if there is a victim)
2. Prior Record.
 - Juvenile adjudications
 - Adult arrests and dispositions
 - Previous incarceration information*
 - Previous adjustment to probation, suspended sentence, etc.*
3. Personal and Family Data.
 - Defendant's personal development (pertinent facts only)
 - Education
 - Employment
 - Health (all aspects)
 - Chemical dependency, substance involvement
 - Parents and siblings*
 - Military service* (note benefits)
 - Financial status* (mandatory if restitution is ordered)
 - Marital status* (if not mentioned in personal development)
 - Leisure activities, hobbies, etc.*
 - Religious background or status*

4. Evaluation.
Summary (CSO's professional assessment)
Resources available
Probation plan*
Recommendation*

The sections noted with an asterisk are optional sections to be developed at the discretion of the writer. All information in the presentence investigation report should be relevant to the sentencing decision.

BY ORDER OF THE COURT this 28th day of October 1980.


Alfred G. Schroeder
Chief Justice

Attachment

12-1-80
60
2000-0-0000
100-0-0000-0000

Pre sentence Investigation Report

Face Sheet

_____ Judicial District

_____ County

Name: _____

Case Number: _____

A/K/A: _____

Offense(s)

Age: _____ D.O.B. _____

K.S.A. _____

Social Security No. _____ - _____ - _____

Class _____

Sex: _____ Race: _____

K.S.A. _____

Height: _____ Weight: _____

Class _____

Address: _____

K.S.A. _____

Phone: _____

Class _____

Employer: _____

More than 3 charges? ___ Yes ___ No

Citizenship: _____

Charges reduced? ___ Yes ___ No

Education: _____

Date of guilty plea or judgment:

Marital Status: _____

_____ Sentencing date: _____

Detainers or other charges pending?

___ Yes ___ No

Defense Attorney:

In custody: ___ Yes ___ No

_____ Court appointed? ___ Yes ___ No

Codefendants:

Prosecuting Attorney:

Presentence Investigator

_____ Sentencing Judge:

Date Assigned

Date Submitted



State of Kansas

Office of Judicial Administration

Kansas Judicial Center

301 West 10th

Topeka, Kansas 66612

(913) 296-2256

November 6, 1980

To: Administrative Judges
Chief Court Services Officers

From: Howard Schwartz, ^{HS} Judicial Administrator

Re: Presentence Investigation Reports

Administrative Order No. 26 establishes a required presentence investigation report format that utilizes the core concept. The author should be familiar with the core concept before attempting to prepare a presentence investigation report. Lack of familiarity breeds long involved reports that are difficult to prepare and virtually useless to the sentencing judge.

Training will be provided in the near future at various locations across the state. Both judges and CSO's will be welcome at those training programs. If you are not familiar with the core concept, you may choose to use the format you are presently using until you have been adequately trained. The two books listed below have been distributed to each district at previous conferences; they explain the core concept and may be of some value to you.

The Presentence Investigation Report...

Publication 105

Administrative Office of the United States Courts

Prescriptive Package: Presentence Report Handbook

National Institute of Law Enforcement & Criminal Justice

Law Enforcement Assistance Administration

United States Department of Justice

HS:lfb