

**BEFORE THE KANSAS STATE BOARD OF EDUCATION**

In the Matter of  
the Professional License  
of Brooke D. Dinkel

15-PPC-01

**FINAL ORDER**

NOW, on this 17th day of April, 2015, the above-captioned matter comes for consideration by the Kansas State Board of Education (Board) upon Brooke D. Dinkel's application to renew her professional teaching license.

WHEREUPON, a complaint was filed by the Kansas State Department of Education and Ms. Dinkel had the opportunity to respond to the complaint. Ms. Dinkel did not respond to the complaint. The complaint and supporting evidence were reviewed by the Professional Practices Commission (Commission).

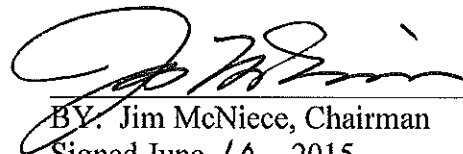
WHEREUPON the Board reviewed the Commission's Initial Order and after considering the presentation by Calin Kendall, Chairman of the Commission, who was available to answer the Board's questions and being otherwise duly advised in the premises, the Board adopted the Commission's findings of fact and conclusions of law by a vote of 10 - 0.

All findings set forth in the Commission's Initial Order attached hereto are incorporated by reference and made a part of this Final Order as though fully set forth at length herein.

IT IS THEREFORE CONCLUDED by the Kansas State Board of Education that Brooke D. Dinkel's application to renew her professional teaching license be denied.

This Final Order is made and entered this 17th day of April, 2015.

Kansas State Board of Education

  
BY: Jim McNiece, Chairman  
Signed June 16, 2015

**NOTICE TO APPLICANT**

You may request a reconsideration of the above Order. To do so, you must file a Petition for Reconsideration with the Secretary to the State Board of Education, at the address stated below, within 15 days after service of this Final Order. The Petition must state the specific grounds upon which relief is requested.

The filing of a Petition for Reconsideration is not a prerequisite for seeking judicial review.

Peggy Hill  
Secretary, KSBE  
Landon State Office Building  
900 SW Jackson Ave. Suite 600N  
Topeka, Kansas 66612

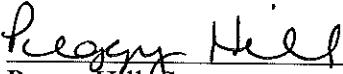
**CERTIFICATE OF SERVICE**

I hereby certify that on this 1<sup>st</sup> day of June, 2015, a true and correct copy of the above and foregoing was mailed by certified mail, return receipt requested, to:

Brooke Danielle Dinkel, KDOC #0109811  
Topeka Correctional Facility  
815 S.E. Rice Road  
Topeka, Kansas 66607

And via interoffice mail to:

Kelli M. Broers  
Attorney, Kansas State Department of Education  
Landon State Office Building  
900 SW Jackson Ave., Suite 102  
Topeka, Kansas 66612

  
\_\_\_\_\_  
Peggy Hill, Secretary  
Kansas State Board of Education

**BEFORE THE KANSAS STATE BOARD OF EDUCATION  
PROFESSIONAL PRACTICES COMMISSION**

In the Matter of  
the Professional License  
of Brooke D. Dinkel

15-PPC-01

**INITIAL ORDER**

COMES NOW the Professional Practices Commission on this 27 day of February, 2015, and makes the following recommendations to the Kansas State Board of Education.

**FINDINGS OF FACT**

1. The Kansas State Department of Education filed a Complaint against Brooke D. Dinkel pursuant to K.A.R. 91-22-5a on January 26, 2015 [Attached as Appendix I]. That same Complaint was placed in the mail on January 27, 2015, by certified mail, return receipt requested, to Ms. Dinkel's current address at the Topeka Correctional Facility. The attached certificate of service [Exhibit A] shows receipt of the Complaint by the facility.
2. Ms. Dinkel has held a teaching license issued by the Kansas State Board of Education since 2004. She applied for renewal in spring 2013.
3. On April 1, 2013, Ms. Dinkel, who was born in 1981, was charged with ten counts of rape in violation of K.S.A. 2011 Supp. 21-5503(a)(3) & (b)(2). She was alleged to have had sexual intercourse with a child under 14 years of age in Case No. 13-CR 341 in the District Court of Saline County, Kansas. She was also charged with two counts of aggravated criminal sodomy in violation of K.S.A. 2011 Supp. 21-5504(b)(1) & (c)(3) for allegedly engaging in oral sodomy with a child under 14 years of age. **Exhibit 1 of the Complaint.**
4. These charges were based on conduct that occurred on or between November 23, 2012, and March 19, 2013, while Ms. Dinkel was licensed as a teacher.
5. The child victim, born in 1999, was a student at the school where Ms. Dinkel was employed as a counselor.
6. On May 29, 2014, Ms. Dinkel was charged with an additional eight counts of aggravated criminal sodomy in violation of K.S.A. 2011 Supp. 21-5504(b)(1) & (c)(3). **Exhibit 2 of the Complaint.**
7. A jury trial was held in the matter and on June 9, 2014, Ms. Dinkel was convicted of two counts of rape. **Exhibit 3 of the Complaint.**

8. Ms. Dinkel was sentenced on December 4, 2014. For her conviction on count one, rape in violation of K.S.A. 21-5503(a)(3), she was sentenced to a 165-month prison term and post-release lifetime electronic monitoring pursuant to K.S.A. 2012 Supp. 21-6604(r). She was also required to register as an offender pursuant to the Kansas Offender Registration Act, K.S.A. 2011 Supp. 22-4905(b)(2). For her conviction on the second count, she received an identical sentence to run concurrently to the first. **Exhibit 4 of the Complaint.**
9. Ms. Dinkel is in the Kansas Department of Corrections' custody and her current address is:  
  
Brooke Danielle Dinkel, KDOC #0109811  
Topeka Correctional Facility  
815 S.E. Rice Road  
Topeka, Kansas 66607
10. Ms. Dinkel did not file a Request for a Hearing nor did she submit an Answer. The Complaint specifically advises that "If no answer is filed within 20 days, Applicant will be deemed to have admitted the allegations contained in the complaint and acquiesced in the proposed action."

#### CONCLUSIONS

1. Pursuant to K.S.A. 72-8501, the Legislature has declared teaching and school administration to be professions in Kansas with all the similar rights, responsibilities and privileges accorded other legally recognized professions. An educator is in a position of public trust.
2. Under Kansas law, teaching and school administration to be professions in Kansas with all the similar rights, responsibilities and privileges accorded other legally recognized professions. An educator is in a position of public trust.
3. It is within the authority of the Kansas State Board of Education to adopt rules and regulations providing for the issuance, renewal, reinstatement and revocation of a license to teach.
4. A license may be denied by the Kansas State Board of Education for misconduct or other just cause. K.A.R. 91-22-1a.
5. By order of the Kansas State Board of Education, the Professional Practices Commission shall investigate and conduct hearings pertaining to allegations of misconduct.
6. If no answer to a Complaint is filed within 20 days, Applicant is deemed to have admitted the allegations contained in the Complaint and acquiesced in the proposed action. K.A.R. 91-22-9.
7. Ms. Dinkel waived her right to an evidentiary hearing before the Professional Practices Commission and the State Board of Education. All findings of fact are based on the non-refuted claims stated in the sworn complaint and the attached exhibits.

8. Ms. Dinkel's conduct is inconsistent with the commonly-held perceptions and expectations of a member of the teaching profession. Such conduct violates the public trust and confidence placed in members of the profession. Furthermore, her conduct demonstrates a lack of fitness to perform the duties and responsibilities of a member of the teaching and school administration professions.
9. Pursuant to K.S.A. 72-1397, Ms. Dinkel's rape convictions, as defined by K.S.A. 21-5503, bar the Kansas State Board of Education from renewing Ms. Dinkel's license or issuing her a license any time in the future.

IT IS THEREFORE CONCLUDED by the Professional Practices Commission, by a vote of 8-0, subject to review by the State Board of Education, that Brooke Dinkel's application to renew her professional teaching license should be denied.

This Initial Order is made and entered this February 27, 2015.

PROFESSIONAL PRACTICES COMMISSION



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Calin Kendall, Chairman

Order signed on 2/27, 2015.

**NOTICE TO APPLICANT**

This Order of the Professional Practices Commission is not a Final Order and is required to be reviewed by the State Board of Education in accordance with the provisions of the Kansas Administrative Procedure Act.

You may submit to the State Board of Education for its consideration as part of its review of the Initial Order, a written brief citing legal authority as to why the above recommendation should not be accepted. The legal brief must be filed with the Secretary of the Professional Practices Commission at the address indicated above within ten days after service of the Initial Order for transmittal to the State Board.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 2<sup>nd</sup> day of March, 2015, a true and correct copy of the above and foregoing was filed with the Secretary for the Kansas State Board of Education and one (1) copy was mailed by certified mail, return receipt requested, to:

Brooke Danielle Dinkel, KDOC #0109811  
Topeka Correctional Facility  
815 S.E. Rice Road  
Topeka, Kansas 66607



\_\_\_\_\_  
Theresa Coté  
Secretary, Professional Practices Commission

**BEFORE THE KANSAS STATE BOARD OF EDUCATION  
PROFESSIONAL PRACTICES COMMISSION**

In the Matter of  
the Professional License  
of Brooke D. Dinkel

15-PPC-01

**APPENDIX I**

**BEFORE THE KANSAS STATE BOARD OF EDUCATION  
PROFESSIONAL PRACTICES COMMISSION**

In the Matter of  
the Professional License  
of Brooke D. Dinkel

15-PPC-01

**COMPLAINT**

COMES NOW on this 26<sup>th</sup> day of January, 2015, Scott Myers, Director of Teacher Licensure and Accreditation, Kansas State Department of Education, 900 SW Jackson Street, Topeka, Kansas 66612, and alleges the following:

1. Under Kansas law, teaching and school administration are considered to be professions in Kansas with all the similar rights, responsibilities and privileges accorded other legally recognized professions. An educator is in a position of public trust.
2. It is within the authority of the Kansas State Board of Education to adopt rules and regulations providing for the issuance, renewal, reinstatement and revocation of a license to teach.
3. Any license issued by the Kansas State Board of Education may be suspended or revoked, or the license holder may be publicly censured by the State Board for misconduct or other just cause. K.A.R. 91-22-1a.
4. The Kansas State Board of Education shall not knowingly issue to or renew the license of any person who has been convicted of rape as defined in K.S.A. 21-5503(a)(1).
5. By order of the Kansas State Board of Education, the Professional Practices Commission shall investigate and conduct hearings pertaining to allegations of misconduct. K.S.A. 72-8506.
6. Brooke D. Dinkel has held a teaching license issued by the Kansas State Board of Education since 2004. She applied for renewal in Spring 2013.
7. On April 1, 2013, Ms. Dinkel, who was born in 1981, was charged with ten counts of rape in violation of K.S.A. 2011 Supp. 21-5503(a)(3) & (b)(2). She was alleged to have had sexual intercourse with a child under 14 years of age in Case No. 13-CR 341 in the District Court of Saline County, Kansas. She was also charged with two counts of aggravated criminal sodomy in violation of K.S.A. 2011 Supp. 21-5504(b)(1) & (c)(3) for allegedly engaging in oral sodomy with a child under 14 years of age. Exhibit 1.
8. These charges were based on conduct that occurred on or between November 23, 2012, and March 19, 2013, while Ms. Dinkel was licensed as a teacher.



9. The child victim, born in 1999, was a student at the school where Ms. Dinkel was employed as a counselor.
10. On May 29, 2014, Ms. Dinkel was charged with an additional eight counts of aggravated criminal sodomy in violation of K.S.A. 2011 Supp. 21-5504(b)(1) & (c)(3). Exhibit 2.
11. A jury trial was held in the matter and on June 9, 2014, Ms. Dinkel was convicted of two counts of rape. Exhibit 3.
12. Ms. Dinkel was sentenced on December 4, 2014. For her conviction on count one, rape in violation of K.S.A. 21-5503(a)(3), she was sentenced to a 165-month prison term and post-release lifetime electronic monitoring pursuant to K.S.A. 2012 Supp. 21-6604(r). She was also required to register as an offender pursuant to the Kansas Offender Registration Act, K.S.A. 2011 Supp. 22-4905(b)(2). For her conviction on the second count, she received an identical sentence to run concurrently to the first. Exhibit 4.
13. Ms. Dinkel is in the Kansas Department of Corrections' custody and her current address is:  
  
Brooke Danielle Dinkel, KDOC #0109811  
Topeka Correctional Facility  
815 S.E. Rice Road  
Topeka, Kansas 66607
14. Ms. Dinkel's conduct demonstrates a lack of fitness to perform the duties and responsibilities of a member of the teaching and school administration professions and is sufficient and just cause for denying her application to renew her license.
15. Furthermore, pursuant to K.S.A. 72-1397, Ms. Dinkel's rape convictions, as defined by K.S.A. 21-5503, bar the Kansas State Board of Education from renewing Ms. Dinkel's license or issuing her a license any time in the future.
16. It is requested that Ms. Dinkel's application to renew her license be denied.

#### NOTICE

Pursuant to K.A.R. 91-22-1a(h) and K.S.A. 77-512, notice is hereby given of this Complaint and Request for Denial of Licensee's Application to Renew her professional teaching license.

## RIGHT TO A HEARING

Applicant has a right to request a hearing on the above issues and request for denial in accordance with the provisions of the Kansas Administrative Procedures Act. To obtain a hearing, a written request for a hearing must be filed with the Secretary of the Professional Practices Commission within fifteen [15] days of the date of service of this notice at the following address:

Theresa Coté  
Secretary, Professional Practices Commission  
Kansas State Department of Education  
900 SW Jackson St.  
Topeka, Kansas 66612-1182

Applicant has a right to file a written answer to this complaint. Applicant has twenty [20] days from the date of service of this notice. If no answer is filed within 20 days, Applicant will be deemed to have admitted the allegations contained in the complaint and acquiesced in the proposed action. An Initial Order will be entered recommending the revocation of your teaching license for the reasons stated in the Complaint and that notice of the revocation will be provided to all education agencies in the State of Kansas and to the agency responsible for issuing educator licenses/certificates in each of the other states.

Any answer shall type written or legibly printed, and any documents you intend to use in your defense must be attached. The answer must be signed and contain a statement under oath or affirmation that the statements made in the Answer are true. The Answer must be notarized and filed with the Secretary of the Professional Practices Commission by certified mail, return receipt requested, or by personal delivery to the address listed above.




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Scott Myers  
Director, Teacher Education and Licensure



**VERIFICATION**

STATE OF KANSAS )  
 ) SS:  
COUNTY OF SHAWBEE )

Scott Myers, of lawful age, being first duly sworn, on oath deposes and states: He is the Complainant in the above-captioned action; he has read the above and foregoing Complaint knows and understands the contents thereof, and the statements and allegations contained therein are true and correct, according to his knowledge, information, and belief.

  
\_\_\_\_\_  
Scott Myers  
Director, Teacher Education and Licensure

SUBSCRIBED AND SWORN TO before me, the undersigned authority, on this 26<sup>th</sup> day of January, 2015.

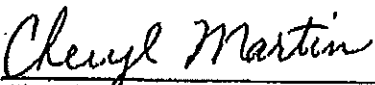
  
\_\_\_\_\_  
Notary Public  


My appointment expires:

**CERTIFICATE OF SERVICE**

I hereby certify that on this 27<sup>th</sup> day of January, 2015, a true and correct copy of the above and foregoing was filed with the Secretary for the Professional Practices Commission and one (1) copy was mailed by certified mail, return receipt requested, to:

Brooke Danielle Dinkel, KDOC #0109811  
Topeka Correctional Facility  
815 S.E. Rice Road  
Topeka, Kansas 66607

  
\_\_\_\_\_  
Cheryl Martin  
Teacher Education and Licensure

IN THE DISTRICT COURT OF SALINE COUNTY, KANSAS

FILED  
SALINE CO. DIST. COURT  
2013 APR -1 PM 2:47

STATE OF KANSAS,  
Plaintiff

vs.

CASE NO. 13CR341  
Saline County Sheriff's Office  
NO. 2013-6302

BROOKE DANIELLE DINKEL,  
Defendant  
YOB: 1981  
SS# XXX-XX-

COMPLAINT/INFORMATION

COMES NOW, Christina Trocheck, Asst Saline County Attorney,  
for and on behalf of the State of Kansas, and gives the Court to  
understand and be informed that:

COUNT 1

That on or between the 1st day of November, 2012 and the 15th day  
of November, 2012, in Saline County, Kansas, Brooke Dinkel, did  
unlawfully, feloniously and knowingly have sexual intercourse with  
KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and  
the defendant was 18 years of age or older at the time of the  
offense.

Rape - In violation of K.S.A. 2011 Supp. 21-5503(a)(3) & (b)(2),  
an off-grid felony (Life Sentence - Minimum mandatory sentence  
of not less than 25 years, fine up to \$500,000.00)

COUNT 2

That on or between the 16th day of November, 2012 and the 30th day  
of November, 2012, in Saline County, Kansas, Brooke Dinkel, did  
unlawfully, feloniously and knowingly have sexual intercourse with  
2013-TC-000335



KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the defendant was 18 years of age or older at the time of the offense.

**Rape - In violation of K.S.A. 2011 Supp. 21-5503(a)(3) & (b)(2), an off-grid felony (Life Sentence - Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)**

**COUNT 3**

That on or between the 1st day of December, 2012 and the 15th day of December, 2012, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously and knowingly have sexual intercourse with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the defendant was 18 years of age or older at the time of the offense.

**Rape - In violation of K.S.A. 2011 Supp. 21-5503(a)(3) & (b)(2), an off-grid felony (Life Sentence - Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)**

**COUNT 4**

That on or between the 16th day of December, 2012 and the 31st day of December, 2012, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously and knowingly have sexual intercourse with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the defendant was 18 years of age or older at the time of the offense.

2013-TC-000335

**Rape - In violation of K.S.A. 2011 Supp. 21-5503(a)(3) & (b)(2),  
an off-grid felony (Life Sentence - Minimum mandatory sentence  
of not less than 25 years, fine up to \$500,000.00)**

**COUNT 5**

That on or between the 1st day of January, 2013 and the 15th day of January, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously and knowingly have sexual intercourse with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the defendant was 18 years of age or older at the time of the offense.

**Rape - In violation of K.S.A. 2011 Supp. 21-5503(a)(3) & (b)(2),  
an off-grid felony (Life Sentence - Minimum mandatory sentence  
of not less than 25 years, fine up to \$500,000.00)**

**COUNT 6**

That on or between the 16th day of January, 2013 and the 31st day of January, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously and knowingly have sexual intercourse with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the defendant was 18 years of age or older at the time of the offense.

**Rape - In violation of K.S.A. 2011 Supp. 21-5503(a)(3) & (b)(2),  
an off-grid felony (Life Sentence - Minimum mandatory sentence  
of not less than 25 years, fine up to \$500,000.00)**

**COUNT 7**

That on or between the 1st day of February, 2013 and the 15th day of February, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously and knowingly have sexual intercourse with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the defendant was 18 years of age or older at the time of the offense.

**Rape - In violation of K.S.A. 2011 Supp. 21-5503(a)(3) & (b)(2), an off-grid felony (Life Sentence - Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)**

**COUNT 8**

That on or between the 16th day of February, 2013 and the 28th day of February, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously and knowingly have sexual intercourse with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the defendant was 18 years of age or older at the time of the offense.

**Rape - In violation of K.S.A. 2011 Supp. 21-5503(a)(3) & (b)(2), an off-grid felony (Life Sentence - Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)**

**COUNT 9**

That on or between the 1st day of March, 2013 and the 19th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously and knowingly have sexual intercourse with

2013-TC-000335

KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the defendant was 18 years of age or older at the time of the offense.

**Rape - In violation of K.S.A. 2011 Supp. 21-5503(a)(3) & (b)(2), an off-grid felony (Life Sentence - Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)**

**COUNT 10**

That on or about the 20th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously and knowingly have sexual intercourse with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the defendant was 18 years of age or older at the time of the offense.

**Rape - In violation of K.S.A. 2011 Supp. 21-5503(a)(3) & (b)(2), an off-grid felony (Life Sentence - Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)**

**COUNT 11**

That on or between the 1st day of November, 2012 and the 20th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully and feloniously engage in oral sodomy with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the offender was 18 years of age or older.



**Aggravated Criminal Sodomy - In violation of K.S.A. 2011 Supp. 21-5504(b)(1) & (c)(3), an off-grid person felony (Life Sentence - Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)**

**COUNT 12**

That on or between the 1st day of November, 2012 and the 20th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully and feloniously engage in oral sodomy with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the offender was 18 years of age or older.

**Aggravated Criminal Sodomy - In violation of K.S.A. 2011 Supp. 21-5504(b)(1) & (c)(3), an off-grid person felony (Life Sentence - Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)**

All of said acts then and there committed being contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Kansas.




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CHRISTINA TROCHECK, 17275  
Asst Saline County Attorney  
300 W. Ash, Room 302  
Salina, Kansas 67401  
785-309-5815  
785-309-5816 Fax  
christina.trocheck@saline.org

STATE OF KANSAS, SALINE COUNTY, SS:

I, Christina Trocheck, being first duly sworn, state that I have read the above and foregoing Complaint/Information and know the contents thereof, and that the same is true in substance and in fact to my best information and belief:

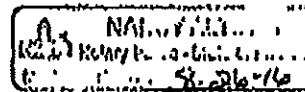
  
CHRISTINA TROCHECK, 17276  
Asst Saline County Attorney  
300 W. Ash, Room 302  
Salina, Kansas 67401  
785-309-5816  
785-309-5816 Fax  
christina.trocheck@saline.org

SUBSCRIBED AND SWORN to before me this 15<sup>th</sup> day of April, 2013.

  
Notary Public

Assigned Prosecutor: Christina Trocheck

State's Witnesses:  
Biologist of Record, KBI Great Bend, KS  
Evidence Custodian  
Matthew Fischer  
Timothy Hoesli  
James Hughes  
Jabe Jacquart  
KH aka KR (DOB:XX/XX/1999)  
Kelly Ray Hess  
Glen J Suppes



2013-TC-000335

IN THE DISTRICT COURT OF SALINE COUNTY, KANSAS

STATE OF KANSAS,  
Plaintiff

2014 MAY 29 AM 9:00

vs.

CASE NO. 2013-CR-000341  
Saline County Sheriff's Office NO. 2013-6302

BROOKE DANIELLE DINKEL,  
Defendant  
YOB: 1981  
SS# XXX-XX-

SECOND AMENDED INFORMATION

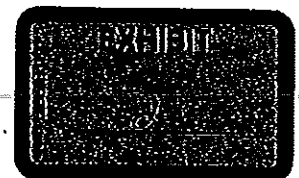
COMES NOW, Christina Trocheck, Assistant Saline County Attorney, for and on behalf of the State of Kansas, and gives the Court to understand and be informed that:

COUNT 1

That on or between the 23rd day of November, 2012 and the 19th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously and knowingly have sexual intercourse with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the defendant was 18 years of age or older at the time of the offense.

Rape-In violation of K.S.A. 2011 Supp. 21-5503(a)(3) & (b)(2), an off-grid felony (Life Sentence-Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)

2013-CR-000341



**COUNT 2**

That on or between the 23rd day of November, 2012 and the 19th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously and knowingly have sexual intercourse with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the defendant was 18 years of age or older at the time of the offense.

**Rape-In violation of K.S.A. 2011 Supp. 21-5503(a)(3) & (b)(2), an off-grid felony (Life Sentence-Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)**

**COUNT 3**

That on or between the 23rd day of December, 2012 and the 19th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously and knowingly have sexual intercourse with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the defendant was 18 years of age or older at the time of the offense.

**Rape-In violation of K.S.A. 2011 Supp. 21-5503(a)(3) & (b)(2), an off-grid felony (Life Sentence-Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)**

**COUNT 4**

That on or between the 23rd day of November, 2012 and the 19th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously and knowingly have sexual intercourse with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the defendant was 18 years of age or older at the time of the offense.

**Rape-In violation of K.S.A. 2011 Supp. 21-5503(a)(3) & (b)(2), an off-grid felony (Life Sentence-Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)**

**COUNT 5**

That on or between the 23rd day of November, 2012 and the 19th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously and knowingly have sexual intercourse with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the defendant was 18 years of age or older at the time of the offense.

**Rape-In violation of K.S.A. 2011 Supp. 21-5503(a)(3) & (b)(2), an off-grid felony (Life Sentence-Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)**

**COUNT 6**

That on or between the 23rd day of November, 2012 and the 19th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously and knowingly have sexual intercourse with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the defendant was 18 years of age or older at the time of the offense.

Rape-In violation of K.S.A. 2011 Supp. 21-5503(a)(3) & (b)(2), an off-grid felony (Life Sentence-Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)

**COUNT 7**

That on or between the 23rd day of November, 2012 and the 19th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously and knowingly have sexual intercourse with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the defendant was 18 years of age or older at the time of the offense.

Rape-In violation of K.S.A. 2011 Supp. 21-5503(a)(3) & (b)(2), an off-grid felony (Life Sentence-Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)

**COUNT 8**

That on or between the 23rd day of November, 2012 and the 19th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously and knowingly have sexual intercourse with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the defendant was 18 years of age or older at the time of the offense.

**Rape-In violation of K.S.A. 2011 Supp. 21-5503(a)(3) & (b)(2), an off-grid felony (Life Sentence-Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)**

**COUNT 9**

That on or between the 23rd day of November, 2012 and the 19th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously and knowingly have sexual intercourse with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the defendant was 18 years of age or older at the time of the offense.

**Rape-In violation of K.S.A. 2011 Supp. 21-5503(a)(3) & (b)(2), an off-grid felony (Life Sentence-Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)**

**COUNT 10**

That on or about the 20th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously and knowingly have sexual intercourse with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the defendant was 18 years of age or older at the time of the offense.

**Rape- In violation of K.S.A. 2011 Supp. 21-5503(a)(3) & (b)(2), an off-grid felony (Life Sentence-Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)**

**COUNT 11**

That on or between the 23rd day of November, 2012 and the 19th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously, and intentionally engage in oral sodomy with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the offender was 18 years of age or older.

**Aggravated Criminal Sodomy-In violation of K.S.A. 2011 Supp. 21-5504(b)(1) & (c)(3), an off-grid person felony (Life Sentence-Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)**



COUNT 12

That on or between the 23rd day of November, 2012 and the 19th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously, and intentionally engage in oral sodomy with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the offender was 18 years of age or older.

**Aggravated Criminal Sodomy-In violation of K.S.A. 2011 Supp. 21-5504(b)(1) & (c)(3), an off-grid person felony (Life Sentence-Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)**

COUNT 13

That on or between the 23rd day of November, 2012 and the 19th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously and intentionally engage in oral sodomy with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the offender was 18 years of age or older.

**Aggravated Criminal Sodomy-In violation of K.S.A. 2011 Supp. 21-5504(b)(1) & (c)(3), an off-grid person felony (Life Sentence-Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)**

**COUNT 14**

That on or between the 23rd day of November, 2012 and the 19th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously, and intentionally engage in oral sodomy with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the offender was 18 years of age or older.

**Aggravated Criminal Sodomy-In violation of K.S.A. 2011 Supp. 21-5504(b)(1) & (c)(3), an off-grid person Felony (Life Sentence- Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)**

**COUNT 15**

That on or between the 23rd day of November, 2012 and the 19th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously, and intentionally engage in oral sodomy with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the offender was 18 years of age or older.

**Aggravated Criminal Sodomy-In violation of K.S.A. 2011 Supp. 21-5504(b)(1) & (c)(3), an off-grid person Felony (Life Sentence- Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)**

**COUNT 16**

That on or between the 23rd day of November, 2012 and the 19th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously, and intentionally engage in oral sodomy with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the offender was 18 years of age or older.

**Aggravated Criminal Sodomy-In violation of K.S.A. 2011 Supp. 21-5504(b)(1) & (c)(3), an off-grid person felony (Life Sentence- Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)**

**COUNT 17**

That on or between the 23rd day of November, 2012 and the 19th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously, and intentionally engage in oral sodomy with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the offender was 18 years of age or older.

**Aggravated Criminal Sodomy-In violation of K.S.A. 2011 Supp. 21-5504(b)(1) & (c)(3), an off-grid person felony (Life Sentence- Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)**

COUNT 18

That on or between the 23rd day of November, 2012 and the 19th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously, and intentionally engage in oral sodomy with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the offender was 18 years of age or older.

Aggravated Criminal Sodomy-In violation of K.S.A. 2011 Supp. 21-5504(b)(1) & (c)(3), an off-grid person felony (Life Sentence- Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)

COUNT 19

That on or between the 23rd day of November, 2012 and the 19th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously, and intentionally engage in oral sodomy with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the offender was 18 years of age or older.

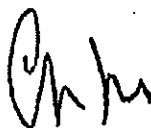
Aggravated Criminal Sodomy-In violation of K.S.A. 2011 Supp. 21-5504(b)(1) & (c)(3), an off-grid person felony (Life Sentence- Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)

**COUNT 20**

That on or about the 10th day of March, 2013, in Saline County, Kansas, Brooke Dinkel, did unlawfully, feloniously and intentionally engage in oral sodomy with KH aka KR (DOB: XX/XX/1999), a child under 14 years of age, and the offender was 18 years of age or older.

**Aggravated Criminal Sodomy-In violation of K.S.A. 2011 Supp. 21-5504(b)(1) & (c)(3), an off-grid person felony (Life Sentence- Minimum mandatory sentence of not less than 25 years, fine up to \$500,000.00)**

All of said acts then and there committed being contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Kansas.

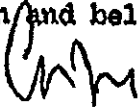


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CHRISTINA TROCHECK, 17275  
Assistant Saline County Attorney  
300 W. Ash, Room 302  
Salina, Kansas 67401  
785-309-5815  
785-309-5816 Fax  
christina.trocheck@saline.org

STATE OF KANSAS, SALINE COUNTY, SS:

I, Christina Trocheck, being first duly sworn, state that I have read the above and foregoing Second Amended Information and know the contents thereof, and that the same is true in substance and in fact to my best information and belief:

  
CHRISTINA TROCHECK, 17275  
Assistant Saline County Attorney  
300 W. Ash, Room 302  
Salina, Kansas 67401  
785-309-5815  
785-309-5816 Fax  
christina.trocheck@saline.org

SUBSCRIBED AND SWORN to before me this 27<sup>th</sup> day of May, 2014.

  
Notary Public

Assigned Prosecutor: Christina Trocheck



State's Witnesses:  
Evidence Custodian  
Matthew Fischer  
Chad Flesher  
Timothy Hoessli  
James Hughes  
Jabe Jacquart  
James Newman KBI Great Bend  
KJR (DOB: 6/6/1999)  
Kelly Ray Hess  
Glen J Suppes  
Jayson Dinkel  
Barbara Losik  
John R Dank  
Nikki Shirlene Currie  
Wendy Hanus  
Karen Groot  
Misty M Miller  
Relsie Jo Martin  
Timothy Berggran  
Jessica Gealen  
Deb Jensen  
Mike Currie  
Britney English

2013-CR-000341

Lori Scott  
Kristin Deann Nelson  
Pamela Ash  
Brian Flax  
Sydney Dippel  
Angela Dolezal  
Tonya Ann Lee  
Justin L Pfizenmaier  
Mike Rose  
Stephanie Cline  
Michael Losik  
Kellie Ann Merrill  
Rebecca Kirk  
Donny Heart  
Facebook Payments Inc.  
Megan McKenzie Powers  
Angela Price  
Capital One Bank (USA), N.A.  
Cellico Partnership LLP  
Julia Hudson  
Jane Anderson  
Ruth Ann Smetana-apel  
Robert Price  
Savannah Michelle Price  
Facebook Inc.  
Tonya Stragey  
Tracy Miller  
Scott E Miller  
Nex-tech Wireless  
Straight Talk Wireless  
Tracfone Phone Wireless Inc Dba Simple Mobile  
Michelle Williams  
Necol Sample  
Alicia Perry  
Katelyn Ann Peters  
Randi Jennings  
Jessica Paterson

FILED

IN THE DISTRICT COURT OF SALINE COUNTY, KANSAS

COURTROOM 305

2014 JUN -9 PM 3:48

STATE OF KANSAS,

Plaintiff

v.

BROOKE DANIELLE DINKEL,

Defendant

Case No. 2013 CR 341

**VERDICT**  
**COUNT 1**

We, the jury, find the defendant guilty of rape.

June 9, 2014  
Date

Matthew T Gebhart  
Presiding Juror

We, the jury, find the defendant not guilty of rape.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Presiding Juror





FILED

IN THE DISTRICT COURT OF SALINE COUNTY, KANSAS COUNTY KS

COURTROOM 305

2014 JUN -9 PM 3:48

STATE OF KANSAS,

Plaintiff

v.

BROOKE DANIELLE DINKEL,

Defendant

Case No. 2013 CR 341

**VERDICT**  
**COUNT 2**

We, the jury, find the defendant guilty of rape.

June 9, 2014  
Date

Matthew T Gebhart  
Presiding Juror

We, the jury, find the defendant not guilty of rape.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Presiding Juror

For Court Use Only (Rev. 11/2012)

SALINE CO. DIST. COURT

2015 JAN -6 AM 8:41

6

2012 KANSAS SENTENCING GUIDELINES JOURNAL ENTRY OF JUDGMENT

Please use Journal Entry based on OFFENSE DATE

<b>SECTION I: CASE IDENTIFYING INFORMATION</b>			1. Transaction No. 3085A1311276
2. State v. BROOKE DANIELLE DINKEL	female	3. Court O.R.J. Number KS0085016J	4. K.D.I. Number KS01010175
5. County Saline	6. Court Case Number 2013-CR-000341	7. Sentencing Judge Patrick Thompson	8. Sentencing Date 12/4/2014
9. Defense Counsel: <input type="checkbox"/> Appointed <input checked="" type="checkbox"/> Retained <input type="checkbox"/> Self <input type="checkbox"/> Waived Orally <input type="checkbox"/> Waived In Writing Counsel Name (please print) Roger Daniel Struble			
10. Type of Proceeding (Trial) <input type="checkbox"/> Bench Trial <input checked="" type="checkbox"/> Jury Trial <input type="checkbox"/> Guilty Plea <input type="checkbox"/> Molo Contendere Plea			
11. Date of Conviction: 3/9/2014			
12. Pre-Trial Status of Offender <input type="checkbox"/> In Custody <input checked="" type="checkbox"/> Released on Bond <input type="checkbox"/> Other Release			
<b>SECTION II: CRIMINAL HISTORY CLASSIFICATION</b>			
1. Offender's Overall Criminal History Classification as Found by the Court: [A] [B] [C] [D] [E] [F] [G] [H] [X]			
2. Objection to Criminal History? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, By: <input type="checkbox"/> Defendant or <input type="checkbox"/> State Court's Ruling on Objection: <input type="checkbox"/> Criminal history was amended <input type="checkbox"/> Criminal history was not amended			
<b>SECTION III: CURRENT CONVICTION INFORMATION</b>			
1. Name of PRIMARY Offense of Conviction: Rape Count No. 1 Date of Offense: Between 11/23/2012 - 3/19/2013		<input type="checkbox"/> Designated by court as domestic violence case based upon special finding (see #13 this section)	
2. K.S.A. Title, Section, Subsection(s): 21-5503 (a)(3) <input type="checkbox"/> Attempt <input type="checkbox"/> Conspiracy <input type="checkbox"/> Solicitation Attempt (K.S.A. 2011 Supp. 21-5501) Conspiracy (K.S.A. 2011 Supp. 21-5502) Solicitation (K.S.A. 2011 Supp. 21-5503)			
3. Grade of Offense: (check one in each row.) <input checked="" type="checkbox"/> Felony, Severity Level: <input type="checkbox"/> Misdemeanor Class _____ <input checked="" type="checkbox"/> Person <input type="checkbox"/> Nonperson			
4. Offense Category: <input type="checkbox"/> Nondrug <input type="checkbox"/> Drug <input checked="" type="checkbox"/> Offgrid <input type="checkbox"/> Nongrid			
5. Presumptive Sentencing Range: (Enter terms from appropriate grid.) Aggravated Standard Mitigated			
Check Applicable box(es) <input checked="" type="checkbox"/> Presumptive Prison <input type="checkbox"/> Presumptive Probation <input type="checkbox"/> Border Box <input type="checkbox"/> Drug Treatment for up to 18 months, K.S.A. 2011 Supp. 21-8824 <input type="checkbox"/> 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. 2011 Supp. 22-3430 AND A DOCUMENT CONTAINING INFORMATION REQUIRED BY K.S.A. 2011 Supp. 22-3429. PLEASE USE AN ADDITIONAL OFFENSE PAGE FOR ADDITIONAL OFFENSES OF CONVICTION.			



Case No. 2013-OR-000341

**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): 165 Months

Total County Jail Term: \_\_\_\_\_ Months  Consecutive to Prison Term

Total Underlying Jail Term (if sentence imposed is probation): \_\_\_\_\_

Total Underlying Prison Term (if sentence imposed is probation)  (KDOC Intensive Drug treatment program - min 120 days): \_\_\_\_\_ Months

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

**2. Postrelease Supervision Term:**  12 months  24 months  36 months  60 months  No Postrelease  Other \_\_\_\_\_ months  Lifetime

Postrelease  Lifetime Electronic Monitoring

**3. Electronic Monitoring:**  Lifetime (K.S.A. 2012 Supp. 21-6804(r))

**4. 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, 68123')

Extended Period under K.S.A. 21-4811(o)(6) for \_\_\_\_\_ months  Other \_\_\_\_\_ months

**\*\* Correctional Conservation Camp**

**5. Jail Credit:** Enter dates (m/d/yy) 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 as necessary)

1 Location - Jail From: 3/20/2013 To: 4/5/2013 = 7 Days  A  N

2 Location - Jail From: 6/8/2014 To: 12/4/2014 = 179 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: 12/4/2014 -- Total Number Days of Jail Credit Actually Awarded: 186 = Sentence Begins Date:

IF CASES ARE "CONSOLIDATED", list Grand Total of ALL jail credits actually awarded: \_\_\_\_\_

**6. Prior Case(s) to Which the Current Sentence is to Run Concurrent or Consecutive:**

Case No.: \_\_\_\_\_ County: \_\_\_\_\_ Sentence: \_\_\_\_\_ months

**7. Miscellaneous Provisions:**

Defendant informed of right to appeal within 14 days of this date. K.S.A. 22-3808(o). (Required by case law.)

Defendant informed of potential rights of expungement. K.S.A. 2011 Supp. 21-6614c(h)

Defendant informed of duty to register as an offender pursuant to the Kansas Offender Registration Act, K.S.A. 2011 Supp. 22-4905(b)(2) (Please complete OFFENDER REGISTRATION SUPPLEMENT and attach it to the Journal Entry.) Formerly 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. 21-2611(o).

Defendant must obtain psychological evaluation and shall complete the recommended treatment pursuant to K.S.A. 22-3717(d)(1)(D)(iv).

Defendant has been processed, fingerprinted and palmprinted. K.S.A. 21-2601(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 \_\_\_\_\_ at \_\_\_\_\_ 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 to undergo domestic violence assessment pursuant to K.S.A. 2011 Supp. 21-6804(p).

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. 639, 132 P.3d 934 (2006).

Other Comments:

The Court has informed the offender of the prohibition against carrying a firearm pursuant to K.S.A. 21-4204 and amendments thereto.

Defendant informed of ineligibility to hold public office, register to or vote or serve as a juror until the sentence is completed pursuant to K.S.A. 21-6619.

Case No. 2013-CR-000841

**SECTION VI: RECAP OF SENTENCE CONTINUED**

(PAGE 8)

\* Border Box findings K.S.A. 2011 Supp. 21-8804(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

\* If Made, Motion for New Trial:  Granted  No

10. If Made, Motion for Judgment of Acquittal:  Granted  No

11. If Made, Motion for Arrest of Judgment:  Granted  No

12. Additional Comments:

1. Judge's Signature: Date: 1/6/15  
Signed: Patrick N. Thompson  
Printed: Patrick Thompson

2. Name of Prosecuting Attorney:  
Signed: CM  
Printed: Chitalina Trochack  
Supreme Court Number: 17278  
Date: 12-8-14  
Address: 300 W. Ash, Room 302  
Salina, KS 67401  
Phone No.: (785) 309-5815

\* Name of Defense Attorney:  
Signed: [Signature]  
Printed: Roger Daniel Struble  
Supreme Court Number: 13885  
Date: 12-29-14  
Address: 400 E Iron St  
Salina, KS, 67401  
Phone No.: (785) 823-5273

Case No. 2013-GR-000341

KANSAS SENTENCING GUIDELINES JOURNAL ENTRY OF JUDGMENT (PAGE 2)

\* 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):

7. SPECIAL FINDING that the crime was SEXUALLY MOTIVATED pursuant to the KS Offender Registration Act
7a. Did the Court make a special finding that the crime was sexually motivated?
7b. IF YES to 7a did the court find that the act involved non-forcible sexual conduct, the victim was at least 14 and the offender was no more than 4 years older than the victim? (K.S.A. 2011 Supp. 22-4902(o)(15))
7c. IF YES to 7a and NO to 7b, 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. 2011 Supp. 21-6826)
IF YES, PLEASE COMPLETE THE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

9. Is offender being sentenced pursuant to K.S.A. 2011 Supp. 21-6827 where offender is 18 years of age or older and the victim is less than 14 years of age?
IF YES, PLEASE COMPLETE THE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

10. Downward departure (K.S.A. 2011 Supp. 21-6816(a)) for a crime of extreme sexual violence (K.S.A. 2011 Supp. 21-6816)?
IF YES, PLEASE COMPLETE THE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

11. Did offender, as determined by the Court, commit the current crime with a deadly weapon?
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. 2011 Supp. 21-5703 (formerly 21-38a09), Manufacture or attempted manufacture, K.S.A. 2011 Supp. 21-5705(a)(1), (formerly 21-38a05(a)(1)), Cultivation, Distribution, Possession with intent to distribute opiates, opium or narcotic drugs or any alkaloid in K.S.A. 86-4-107(d)(1), (d)(3), (f)(1) or K.S.A. 2011 Supp. 21-5709(a) (formerly 21-38a09(a)), 21-5710(a)(1), (a)(2), (formerly 21-38a10(a)(1), (a)(2)), Possession of precursors with intent to manufacture?
IF YES, PLEASE COMPLETE THE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.
(personal use exemption eliminated effective July 1, 2011)

13. Determination of domestic violence case designation
13a. Did offender, as determined by the trier of fact, commit a domestic violence offense?
13b. IF YES to 13a above, did the court find that offender had no prior domestic violence conviction or diversion, AND that offender did not use the present domestic violence offense to coerce, control or punish the victim?
13c. IF YES to 13a and NO to 13b, PLEASE CHECK THE DOMESTIC VIOLENCE CASE DESIGNATION BOX.

SENTENCE IMPOSED

1. Guidelines Range Imposed:  Standard  Aggravated  Mitigated  Departure - Complete Section IV

2. Prison Term: KDCC 185 Months
(Enter months above and then check one of the following.)  Prison sentence imposed or  Underlying with probation granted or  Underlying with KDCC Trmnt Prog. (min 120 days).
 Enhanced Sentence: Drug w/ Firearm:  6 months  18 months [K.S.A 2009 Supp. 21-4705(g)]
Ballistic Resistant Material:  30 months K.S.A. 2011 Supp. 21-6804)
 Life Imprisonment (Off-grid Crime)  Life 15  Life 20  Hard 10  Hard 25  Hard 40  Mandatory minimum of greater of Hard 50 years (600 months) or \_\_\_\_\_ months pursuant to guidelines given offender's criminal history.  Death Penalty  Life Imprisonment without Parole

3. Postrelease Supervision Term:  12 months  24 months  36 months  60 months (sex offense) Complete Section IV  No Postrelease  Other \_\_\_\_\_ months  Lifetime Postrelease

4. Electronic Monitoring:  Lifetime (Section 1 of chapter 32 of the 2012 Session Laws of Kansas

5. County Jail: (for misdemeanor or nongrid felony). \_\_\_\_\_  months  days
(Enter county jail term above and 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/12mon postrelease)  3rd or subs. Domestic Battery (w/in 5 yrs.)  Animal Cruelty
 2nd Test Refusal  3rd & Subs. Test Refusal
D.U.I. or Test Refusal Supervision (12 months)  Court Services  Community Corrections
 Probation granted after serving term of \_\_\_\_\_ months \_\_\_\_\_ days
 Assignment to a work release program (K.S.A. 2011 Supp. 21-6804(a)(11))

\*\* This option is included in statute, but is unavailable.

Case No. 2013-CR-000341

**KANSAS SENTENCING GUIDELINES JOURNAL ENTRY OF JUDGMENT (PAGE 3)**

**\* 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. 21-4720, SB 123)  Extended Period under K.S.A. 21-4611(c)(6) for \_\_\_\_\_ months  Other \_\_\_\_\_ months

Probation Supervision to:  Court Services  Community Corrections  Unsupervised

County Jail Time Imposed AS A CONDITION OF PROBATION: \_\_\_\_\_ days

\*\* Assigned to Correctional Conservation Camp

Comments:

**SECTION IV: DEPARTURE INFORMATION**

**\* Type of Departure: (Check all that apply.)**

- Downward Dispositional
- Downward Dispositional
- Upward Dispositional
- Upward Dispositional
- Post-release Supervision (sex offense) - K.S.A. 22-3717(d)(1)(D)(i)(I)
- "Sexually motivated" defined in K.S.A. 2011 Supp. 22-3717(d)(2).

**\* Reasons Cited as Basis for Departure:**

1) Defendant has extensive psychological disturbances 2) Defendant is immature 3) Offense was not forcible 4) Defendant has minimal criminal history

**SECTION V: OTHER CONDITIONS**

1. General/Special Conditions of Probation
2. The standard conditions of probation set forth in K.S.A. 21-6607 and the general order of probation. Special conditions of probation to include:

**\* Costs Ordered:**

Total Restitution (Please complete #3 below) \$1463.03	Correctional Supervision Fee (Felony \$120; Misd. \$80) \$0.00
Total Court Costs (including surcharge) \$183.00	BIDS Attorney Fee <input type="checkbox"/> Waived \$0.00
Total Fines (* See Below) \$0.00	BIDS Application Fee \$0.00
DNA Database Fee (K.S.A. 21-2611 & 76-724.) \$200.00	Court-Appointed Attorney Fee \$0.00
Extradition Costs \$0.00	Community Corrections Fee (offenses after 1/1/07) \$0.00
Domestic Violence Special Program Fee \$0.00	Booking/Fingerprint Fee \$0.00
Apprehension Fee (Escape/Agg Escape) \$0.00	Reward Reimbursement \$0.00
Alcohol and/or Drug Evaluation Fee (offenses before 7/1/11) \$0.00	Children's Advocacy Center Assessment Fee \$400.00
Witness Fee \$0.00	Medical Costs/Expenses Reimbursement \$0.00
KBI Lab Fee \$0.00	SB 123 Assessment (\$200) \$_____
Other Lab Fee \$0.00	SB 123 Offender Reimbursement (\$100) \$0.00
Domestic Violence Assessment/Recommendations \$_____	Other: \$0.00
<b>TOTAL COSTS \$2248.03</b>	

Includes fine for DUI offense committed on or after 7/1/11. Clerk will send \$250 to the State Treasurer

**\* Restitution to be paid as follows:**

Amount	Name and Address
\$1463.03	Saline County Attorney, 300 W Ash, Rm 302, Salina, KS 67402

\*\* This option is included in statute, but is unavailable.

<b>Case No. 2013-CR-000341</b>	
<b>KSOA JOURNAL ENTRY OF JUDGMENT SUPPLEMENTAL PAGE COUNT 22 (Page 5 of 2)</b>	
1. Name of Additional Offense of Conviction: Rape Count No. 2 Date of Offense: Between 11/23/2012 - 3/10/2014 <input type="checkbox"/> Domestic Violence Offense (see #14 this section)	
2. Sentences Concurrent or Consecutive: <input checked="" type="checkbox"/> Concurrent to counts: 1 <input type="checkbox"/> Consecutive to counts: _____ If Consecutive, for this count	
3. K.S.A. Title, Section, Subsection(s): 21-5503 (a)(3) <input type="checkbox"/> Attempt <input type="checkbox"/> Conspiracy <input type="checkbox"/> Solicitation Attempt (K.S.A. 2011 Supp. 21-5501) Conspiracy (K.S.A. 2011 Supp. 21-5502) Solicitation (K.S.A. 2011 Supp. 21-5503)	
4. Grade of Offense: (check one in each row.) <input checked="" type="checkbox"/> Felony, Severity Level <input type="checkbox"/> Misdemeanor Class _____ <input checked="" type="checkbox"/> Person <input type="checkbox"/> Nonperson	
5. Offense Category: <input type="checkbox"/> Nondrug <input type="checkbox"/> Drug <input checked="" type="checkbox"/> Offgrid <input type="checkbox"/> Nongrid	
6. Presumptive Sentencing Range: (Use Criminal History Classification "P" for Non-primary convictions.) (Enter the terms from the appropriate grid.) Aggravated Standard Mitigated Check Applicable box(es) <input checked="" type="checkbox"/> Presumptive Prison <input type="checkbox"/> Presumptive Probation <input type="checkbox"/> Border Box <input type="checkbox"/> Drug Treatment for up to 18 months, K.S.A. 2011 Supp. 21-6824 <input type="checkbox"/> Special Rule Applies (Complete Special Rules Supplemental Page and Attach.)	
7. SPECIAL RULE APPLICABLE: Enter the number(s) and brief description(s) corresponding to the applicable special rule, if any: (Complete Special Rules Supplemental Page and Attach.) _____	
8. SPECIAL FINDING that the crime was SEXUALLY MOTIVATED pursuant to the KS Offender Registration Act 8a. Did the Court make a special finding that the crime was sexually motivated? 8b. IF YES to 7a did the court find that the act involved non-forcible sexual conduct, the victim was at least 14 and the offender was no more than 4 years older than the victim? (K.S.A. 2011 Supp. 22-4902(c)(15)) 8c. IF YES to 7a and NO to 7b, PLEASE COMPLETE THE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
9. Was offender determined by the Court to be an AGGRAVATED HABITUAL SEX OFFENDER? (K.S.A. 2011 Supp. 21-6826.) IF YES, PLEASE COMPLETE THE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
10. Is offender being sentenced pursuant to K.S.A. 2011 Supp. 21-6827 where offender is 18 years of age or older and the victim is less than 14 years of age? IF YES, PLEASE COMPLETE THE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
11. Downward departure (K.S.A. 2011 Supp. 21-6818(a)) for a crime of extreme sexual violence (K.S.A. 2011 Supp. 21-6816)? IF YES, PLEASE COMPLETE THE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
12. Did offender, as determined by the Court, commit the current crime with a deadly weapon? IF YES, PLEASE COMPLETE THE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
13. Was offender convicted of a violation of K.S.A. 2011 Supp. 21-5703 (formerly 21-30a03), Manufacture or attempted manufacture, K.S.A. 2011 Supp. 21-5706(a)(1), (formerly 21-38a06(a)(1)), Cultivation, Distribution, Possession with intent to distribute opiates, opium or narcotic drugs or any stimulant in K.S.A. 66-4107(d)(1), (d)(3), (f)(1) or K.S.A. 2011 Supp. 21-5709(a) (formerly 21-38a09(a), 21-5710(a)(1), (a)(2), (formerly 21-38a10(a)(1), (a)(2))), Possession of precursors with intent to manufacture? IF YES, PLEASE COMPLETE THE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY. (personal use exemption eliminated effective July 1, 2011)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
14. Determination of domestic violence case designation 14a. Did offender, as determined by the trier of fact, commit a domestic violence offense? 14b. IF YES to 14a above, did the court find that offender had no prior domestic violence conviction or diversion, AND that offender did not use the present domestic violence offense to coerce, control or punish the victim? 14c. IF YES to 14a and NO to 14b, PLEASE CHECK THE DOMESTIC VIOLENCE CASE DESIGNATION BOX.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DV Case

Case No. 2013-OR-000341
<b>KSGA JOURNAL ENTRY OF JUDGMENT SUPPLEMENTAL PAGE CONTINUED COUNTY 2 (PAGE 2 OF 2)</b>
<b>SENTENCE IMPOSED:</b>
1. Guidelines Range Imposed: <input type="checkbox"/> Standard <input type="checkbox"/> Aggravated <input type="checkbox"/> Mitigated <input checked="" type="checkbox"/> Departure - Complete Section IV
2. Prison Term: KDOC 165 Months (Enter months above and then check one of the following.) <input checked="" type="checkbox"/> Prison sentence imposed or <input type="checkbox"/> Underlying with probation granted or <input type="checkbox"/> Underlying with KDOC Trnmt Prog. (min 120 days). <input type="checkbox"/> Enhanced Sentence: Drug w/ Firearm: <input type="checkbox"/> 0 months <input type="checkbox"/> 18 months (K.S.A. 2009 Supp. 21-4705(g)) Ballistic Resistant Material: <input type="checkbox"/> 30 months K.S.A. 2011 Supp. 21-6804(f) <input type="checkbox"/> Life Imprisonment (Off-grid Crime) <input type="checkbox"/> Life 15 <input type="checkbox"/> Life 20 <input type="checkbox"/> Hard 10 <input type="checkbox"/> Hard 25 <input type="checkbox"/> Hard 40 <input type="checkbox"/> Mandatory minimum of greater of Hard 60 years (600 months) or _____ months pursuant to guidelines given offender's criminal history. <input type="checkbox"/> Death Penalty <input type="checkbox"/> Life Imprisonment without Parole
3. Postrelease Supervision Term: <input type="checkbox"/> 12 months <input type="checkbox"/> 24 months <input type="checkbox"/> 36 months <input type="checkbox"/> 60 months (sex offense) Complete Section IV <input type="checkbox"/> No Postrelease <input type="checkbox"/> Other _____ months <input checked="" type="checkbox"/> Lifetime Postrelease
4. Electronic Monitoring: <input checked="" type="checkbox"/> Lifetime (Section 1 of chapter 32 of the 2012 Session Laws of Kansas
5. County Jail: (for misdemeanor or nongrid felony): _____ <input type="checkbox"/> months <input type="checkbox"/> days (Enter county jail term above and then check one of the following.) <input type="checkbox"/> Jail sentence imposed or, <input type="checkbox"/> Underlying with probation granted. <input type="checkbox"/> 1st D.U.I. <input type="checkbox"/> 4th or subsequent D.U.I. (w/12mon postrelease) <input type="checkbox"/> 3rd or subs. Domestic Battery (w/in 5 yrs.) <input type="checkbox"/> Animal Cruelty <input type="checkbox"/> 2nd Test Refusal <input type="checkbox"/> 3rd & Subs. Test Refusal D.U.I. or Test Refusal Supervision (12 months) <input type="checkbox"/> Court Services <input type="checkbox"/> Yes Probation granted after serving term of <input type="checkbox"/> Assignment to a work release program (K.S.A. 2011 Supp. 21-6604(e)(11))
6. Probation Term Imposed (select one): <input type="checkbox"/> 12 months <input type="checkbox"/> 18 months <input type="checkbox"/> 24 months <input type="checkbox"/> 36 months <input type="checkbox"/> 60 months <input type="checkbox"/> Mandatory Drug Treatment for up to 18 months (K.S.A. 21-4729, '6B123') <input type="checkbox"/> Extended Period under K.S.A. 21-4811(o)(6) for _____ months <input type="checkbox"/> Other _____ months Probation Supervision to: <input type="checkbox"/> Court Services <input type="checkbox"/> Community Corrections <input type="checkbox"/> Unsupervised County Jail Time Imposed AS A CONDITION OF PROBATION: ___ days ** Assigned to Correctional Conservation Camp
Comments:
7. Additional Comments:

\*\* This option is included in statute, but is unavailable



Case No. 2013-CR-000341

**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. 2011 Supp. 21-6626)  Yes  No

IF YES, PLEASE COMPLETE SECTION A, "Aggravated Habitual Sex Offenders".

2. Is offender being sentenced pursuant to K.S.A. 2011 Supp. 21-6627 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. 2011 Supp. 21-6626**

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. 2011 Supp. 21-6627**

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)   
 Mandatory minimum of greater of Hard 28 years (300 months) or \_\_\_ months pursuant to guidelines given offender's criminal history; lifetime postrelease supervision; lifetime electronic monitoring. (See Instructions, Appendix D, pages 26-27.)

**Second Offense**

Mandatory minimum of greater of Hard 40 years (480 months) or \_\_\_ months pursuant to guidelines given offender's criminal history; lifetime postrelease supervision; lifetime electronic monitoring. (See Instructions, Appendix D, pages 26-27.)

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

**SECTION C: Downward Departure K.S.A. 2011 Supp. 21-6618 for a Crime of Extreme Sexual Violence**

K.S.A. 2011 Supp. 21-6618

(NO downward dispositional departure allowed)

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

**SECTION D: Sexually Violent Crime - K.S.A. 22-3717(d)(2)**

Was offender convicted of a sexually violent crime, but was not sentenced pursuant to K.S.A. 2011 Supp. 21-6627?

Yes - Lifetime Postrelease [K.S.A. 2010 Supp. 22-3717(d)(1)(C)]

No - Postrelease as otherwise indicated by law

Comments:

Case No. 2013-CR-000341

**OFFENDER REGISTRATION SUPPLEMENT - K.S.A. 2011 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 REASON for registration!**  
 See K.S.A. 2011 Supp. 22-4902(a).

Offender required by court order to register for an offense not otherwise required as provided by the Kansas Offender Registration Act  
 18 Enter age of victim (K.S.A. 2011 Supp. 22-4904(e)(4))

Offender required to register due to SEX OFFENDER status as indicated by any of the following:

Conviction of any of the following crimes:

Sexual Battery - K.S.A. 2011 Supp. 21-5506(a)

Any conviction for any comparable offense

Any attempt, conspiracy or criminal solicitation of a comparable crime

Conviction of any of the following crimes when one of the parties involved is under 18 years of age:

Adultery - K.S.A. 2011 Supp. 21-6511

Criminal Sodomy - K.S.A. 2011 Supp. 21-5504(e)

Promoting Prostitution - K.S.A. 2011 Supp. 21-6420

Patronizing a Prostitute - K.S.A. 2011 Supp. 21-6421

Lewd and Lascivious Behavior - K.S.A. 2011 Supp. 21-5513

Conviction for any comparable

Any attempt, conspiracy or criminal solicitation of an offense defined in this section

Conviction of any of the following sexually violent crimes or adjudication as a juvenile offender for an act which if committed by an adult would constitute a sexually violent crime, UNLESS the court finds on the record that the act involved non-forcible sexual conduct, the victim was at least 14 and the offender not more than 4 years older than the victim:

Rape - K.S.A. 2011 Supp. 21-5503

Agg. Indecent Liberties With a Child - K.S.A. 2011 Supp. 21-5506(b)

Indecent Liberties With a Child - K.S.A. 2011 Supp. 21-5506(a)

Agg. Criminal Sodomy - K.S.A. 2011 Supp. 21-5504(b)

Criminal Sodomy - K.S.A. 2011 Supp. 21-5504(a)(3), (a)(4)

Agg. Indecent Solicitation of a Child - K.S.A. 2011 Supp. 21-5506(b)

Indecent Solicitation of a Child - K.S.A. 2011 Supp. 21-5506

Sexual Exploitation of a Child - K.S.A. 2011 Supp. 21-5510

Agg. Sexual Battery - K.S.A. 2011 Supp. 21-5505(b)

Agg. Incest - K.S.A. 2011 Supp. 21-5504(b)(1)

Electronic Solicitation - K.S.A. 2011 Supp. 21-5509

Unlawful Sexual Relations - K.S.A. 2011 Supp. 21-5512

Any conviction for any comparable offense

Any attempt, conspiracy or criminal solicitation of an offense defined in this section

Any act determined beyond a reasonable doubt to have been sexually motivated AND the act did not involve non-forcible sexual conduct between a victim at least 14 and offender no more than 4 years older than victim - K.S.A. 2011 Supp. 22-4902(o)(16)

Offender required to register due to VIOLENT OFFENDER status (indicated by conviction of any of the following crimes):

Capital Murder - K.S.A. 2011 Supp. 21-5401

Murder in the First Degree - K.S.A. 2011 Supp. 21-5402

Murder in the Second Degree - K.S.A. 2011 Supp. 21-5403

Voluntary Manslaughter - K.S.A. 2011 Supp. 21-5404

Involuntary Manslaughter - K.S.A. 2011 Supp. 21-5405

Agg. Kidnapping - K.S.A. 2011 Supp. 21-5408(b)

Kidnapping - K.S.A. 2011 Supp. 21-5408(a)

Agg. Human Trafficking - K.S.A. 2011 Supp. 21-5426(b)

Criminal Restraint - K.S.A. 2011 Supp. 21-8411 (except by parent, and only when victim is less than 18 years of age)

Any conviction for any comparable offense

Any out of 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

Any person felony with Court finding on the record that such felony was committed with a DEADLY WEAPON (On or after July

1,2008)

Any conviction for any comparable person felony committed with a DEADLY WEAPON

Case No. 2013-CR-000341

**OFFENDER REGISTRATION SUPPLEMENT – K.S.A. 2011 Supp. 22-4901 et seq.****(If applicable, complete both pages and attach to the Journal Entry.)**

- Any attempt, conspiracy or criminal solicitation of a person felony committed with a DEADLY WEAPON
- Offender required to register due to DRUG OFFENDER status (Indicated by conviction of any of the following crimes):
  - Manufacture or attempted manufacture of any controlled substance - K.S.A. 2011 Supp. 21-5703
  - Possession of precursors with intent to manufacture any controlled substance - K.S.A. 2011 Supp. 21-5709(a)
  - Cultivation, Distribution, Possess with intent to distribute opiates, opium or narcotic drugs or any stimulant in K.S.A. 65-4107(d)(1), (d)(3); or (f)(1) - K.S.A. 2011 Supp. 21-5705(a)(1), ONLY
  - Any conviction for any comparable offense
  - Any attempt, conspiracy or criminal solicitation of an offense defined in this section

Case No. 2013-CR-000341

OFFENDER REGISTRATION SUPPLEMENT - K.S.A. 2011 Supp. 22-4901 et seq.

(If applicable, complete both pages and attach to the Journal Entry.)

**SECTION B. REGISTRATION TERMS - check appropriate boxes to indicating REQUIRED TERM of registration.**

See K.S.A. 2011 Supp. 22-4908

Offender must register for 15 YEARS after the date of parole, discharge or release, whichever date is most recent, or, if offender is not confined, 15 YEARS from the date of conviction due to conviction of any of the following crimes:

- Capital Murder - K.S.A. 2011 Supp. 21-5401
- Murder in the First Degree - K.S.A. 2011 Supp. 21-5402
- Murder in the Second Degree - K.S.A. 2011 Supp. 21-5403
- Voluntary Manslaughter - K.S.A. 2011 Supp. 21-5404
- Involuntary Manslaughter - K.S.A. 2011 Supp. 21-5405
- Sexual Battery - K.S.A. 2011 Supp. 21-5505(a)
- Criminal Restraint - K.S.A. 2011 Supp. 21-6411 (except by parent, and only when victim is less than 18 years of age)
- Any act determined beyond reasonable doubt to have sexually motivated AND the act did not involve non-forcible sexual conduct between a victim at least 14 and offender no more than 4 years older than victim - K.S.A. 2011 Supp. 22-4902(a)(15)
- Any conviction of a person felony with court finding on the record that such felony was committed with a deadly weapon - K.S.A. 2011 Supp. 22-4902(e)(2)
- An offense otherwise required by the Kansas Offender Registration Act, K.S.A. 2011 Supp. 22-4902(a)(6)
- Manufacture or attempted manufacture of any controlled substance - K.S.A. 2011 Supp. 21-5703
- Possession of precursors with intent to manufacture any controlled substance - K.S.A. 2011 Supp. 21-5708(a)
- Cultivation, Distribution, Possession with intent to distribute opiates, opium or narcotic drugs or any stimulant in K.S.A. 65-4107(d)(1), (d)(3), or (f)(1) - K.S.A. 2011 Supp. 21-5708(a)(1) ONLY
- Any of the following crimes when one of the parties is less than 18 years of age:
  - Adultery - K.S.A. 2011 Supp. 21-5511
  - Patronizing a Prostitute - K.S.A. 2011 Supp. 21-6421
  - Lewd and Lascivious Behavior - K.S.A. 2011 Supp. 21-5513
  - Any attempt, conspiracy or criminal solicitation of an offense defined in this section

Offender must register for 25 YEARS after the date of parole, discharge or release, whichever date is most recent, or, if offender is not confined, 25 YEARS from the date of conviction due to conviction of any of the following crimes:

- Indecent Solicitation of a Child - K.S.A. 2011 Supp. 21-5508
- Electronic Solicitation - K.S.A. 2011 Supp. 21-5509
- Agg. Incest - K.S.A. 2011 Supp. 21-5504(b)(1)
- Indecent Liberties with a Child - K.S.A. 2011 Supp. 21-5508(a)
- Unlawful Sexual Relations - K.S.A. 2011 Supp. 21-5512
- Agg Sexual Battery - K.S.A. 2011 Supp. 21-5505(b)
- Sexual Exploitation of a Child - K.S.A. 2011 Supp. 21-5510, if victim is at least 14 years of age but less than 18 years of age
- Promoting Prostitution - K.S.A. 2011 Supp. 21-6420, if the prostitute is at least 14 years of age but less than 18 years of age
- Criminal Sodomy - K.S.A. 2011 Supp. 21-5504(a) when one of the parties involved is less than 18 years of age
- Any attempt, conspiracy or criminal solicitation of an offense defined in this section

Offender is subject to LIFETIME registration due to any of the following:

- 2nd or Subs. conviction of an offense requiring registration
- Conviction of any of the following crimes:
  - Rape - K.S.A. 2011 Supp. 21-5503
  - Agg. Kidnapping - K.S.A. 2011 Supp. 21-5408(b)
  - Kidnapping - K.S.A. 2011 Supp. 21-5408(a)
  - Agg. Criminal Sodomy - K.S.A. 2011 Supp. 21-5504(b)
  - Criminal Sodomy - K.S.A. 2011 Supp. 21-5504(a)(3) or (a)(4)

**Case No. 2019-CR-000341****OFFENDER REGISTRATION SUPPLEMENT - K.S.A. 2011 Supp. 22-4901 et seq.  
(If applicable, complete both pages and attach to the Journal Entry.)**

- Agg. Indecent Liberties With a Child - K.S.A. 2011 Supp. 21-5506(b)
- Agg. Indecent Solicitation of a Child - K.S.A. 2011 Supp. 21-5508(b)
- Agg. Human Trafficking - K.S.A. 2011 Supp. 21-5426(b)
- Sexual Exploitation of a Child - K.S.A. 2011 Supp. 21-5510, if victim is less than 14 years of age
- Promoting Prostitution - K.S.A. 2011 Supp. 21-6420, if victim is less than 14 years of age
- Any attempt, conspiracy or criminal solicitation of an offense defined in this section

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**BROOKE DANIELLE DINKEL, KDOC #0109811  
TOPEKA CORRECTIONAL FACILITY  
815 S.E. RICE ROAD  
TOPEKA KS 66607**

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
*Samantha Koneasien*  Addressee

B. Received by (Printed Name) C. Date of Delivery  
*Samantha Koneasien* 7 9 2015

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type  Express Mail  
 Certified Mail  Return Receipt for Merchandise  
 Registered  O.O.D.  
 Insured Mail

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number  
(Transfer from service label)

7002 2420 0006 3684 5345

PS Form 3811, February 2004

Domestic Return Receipt

102505-02-M-1840

