

Sentencing Guidelines 1996 -1997 Annual Report



The Impact of the 1994 and 1995 Structured Sentencing Policies in Florida

Table of Contents

[List of Tables and Figures](#)

[Executive Summary](#)

I. Introduction

1. [Overview of Florida Sentencing Guidelines](#)
2. [Introductory Statistics](#)

II. Impact

1. [Use of Incarcerative Sanctions](#)
2. [Race Neutrality in Sentencing](#)
3. [Sentence and Primary Offense Severity](#)
4. [Sentence and Prior Record](#)
5. [Length of Time Served](#)
6. [Departures from Recommended Sentences](#)
7. [Primary Purpose of Sentencing is Punishment](#)

III. Sentencing Guidelines Practice

1. [Recommended Sanction and Sanction Imposed](#)

Appendices

[Definition of "Violent Offender"](#)

[1994 and 1995 Sentencing Guidelines Scoresheets](#)

Prepared For:
The Florida Sentencing Commission

July 1998
Florida Department of Corrections
Michael W. Moore, Secretary

For additional information contact:

[Ms. Stacey Heuston Anderson](#)

or

[Ms. Kristine Leininger](#)

Bureau of Research and Data Analysis
Florida Department of Corrections
2601 Blair Stone Road
Tallahassee, Florida 32399
850-488-1801
Suncom 278-1801

List of Tables and Figures

Part I. Introduction

Section 2. Introductory Statistics

Table 1 [Scoresheets Received by Month of Sentence](#)

Figure [Scoresheets Received: 1994 vs. 1995 Version](#)
1

Table 2 [Scoresheets Received by Judicial Circuit](#)

Table 3 [Scoresheets Received by Judicial Circuit/County](#)

Figure [Sentencing Guidelines Policy in Effect by Fiscal Year FY 1996-97 Supervision and Prison Admissions](#)
2

Table 4 [Gender by Judicial Circuit](#)

Table 5 [Race by Judicial Circuit](#)

Table 6 [Age at Sentencing](#)

Figure [Age at Sentencing Distribution](#)
3

Part II. Impact

Section 1. Use of Incarcerative Sanctions

Figure [Distribution of Prison Admissions by Offense Group, Fiscal Year and Guidelines Policy](#)
1

Table 1 [Changes in Prison Admission Distributions by Offense Type for Sentencing Guidelines Policy in Effect](#)

Table 2 [Current Prison Admissions for Non-Violent Offense Groups by Prior Prison Record and Guidelines Policy
Third Degree Felony Offenses Only](#)

Section 2. Sentencing Neutrality

Table 1 [Prison Versus Non-Prison Sentence for Blacks and Whites](#)

Table 2 [Average Prison Sentence Length in Years by Race](#)

Table 3 [White and Black Offenders Sentencing Factors](#)

Table 4 [Effect of Factors on In/Out Prison Decision](#)

Table 5 [Effect of Factors on Prison Sentence Length](#)

Section 3. Penalties and Primary Offense Severity

Table 1 [Sanction Imposed by Sentencing Guidelines Level](#)

Table 2 [State Prison Sentence Length by Sentencing Guidelines Level](#)

Table 3 [Source of Sentence Points by Recommended Sanction Category](#)

Figure 1 [Source of Points for Offenders Scoring in Recommended State Prison Sanction Category](#)

Table 4 [Average Sentence Points for Offenders Receiving Points From That Component](#)

Table 5 [Number of Additional Offenses](#)

Figure 2 [Additional Offenses](#)

Section 4. Sentence Severity and Prior Record

Table 1 [Number of Prior Offenses](#)

Table 2 [Prior Felony Record and Sanction Imposed](#)

Table 3 [Average State Prison Sentence Length in Months by Prior Felony Record and Sentencing Guidelines Level](#)

Section 5. Length of Time Served

Figure 1 [Average Percentage of Sentence Served Over Eight Years](#)

Table 1 [Comparison of State Prison Sentence Length to Estimated Number of Years Served for Selected Offenses, Pre-1994 vs. 1994-95 Sentencing Guidelines Policy](#)

Section 6. Departures from Recommended Sentences

Table 1 [Mitigation Rates Among Offenders Scoring in Recommended State Prison Sanction Category](#)

Figure 1 [Mitigation Rates Among Offenders Scoring in Recommended State Prison Sanction Category](#)

Figure 2 [Mitigation Rates out of all Scoresheets](#)

Table 2 [Mitigated Sanction Rates by Judicial Circuit/County](#)

Table 3 [Mitigated Sanction and Sentence Length Rates by Judicial Circuit/County](#)

Table 4 [Mitigation Rates by Offense Type](#)

Tables 5-24 [Mitigation Rates by Offense Type Tables by Circuit](#)

Table 25 [Aggravation Rates Among Offenders Scoring in Recommended Non-State Prison Sanction Category](#)

Figure 3 [Aggravation Rates Among Offenders Scoring in Recommended Non-State Prison Sanction Category](#)

Figure [Aggravation Rates out of all Scoresheets](#)
4

Table [Aggravation Rates by Judicial Circuit/County](#)
26

Part III. Sentencing Guidelines Practice

Section 1. Recommended Sanction and Sanction Imposed

Table 1 [Recommended Sanction Category by Sanction Imposed](#)

Table 2 [Sanction Imposed by Recommended Sanction Category](#)

Table 3 [Recommended Sanction Category by Judicial Circuit/County](#)

Table 4 [Sanction Imposed by Judicial Circuit/County](#)

Table 5 [Offense Types by Sanction Imposed](#)

Table 6 [Offense Types by Sanction Imposed Tables by Judicial Circuit/County](#)

Executive Summary

Since January 1, 1994, the Florida Department of Corrections has collected over 400,000 scoresheets on felony offenders sentenced in Florida courts under the state's sentencing guidelines. This second annual report examines the 113,547 scoresheets for fiscal year 1996-97 (July 1, 1996 through June 30, 1997) sentence dates, under either the 1994 or 1995 guidelines structure. This report also includes an examination of 221,351 1994 and 1995 offender scoresheets to determine if racial disparity exists in sentencing. Since the 1995 sentencing structure is effective for all felony offenses committed on or after October 1, 1995, most scoresheets (82.3%) reflect this policy.

In 1993, the Florida legislature created a new sentencing structure, with seven goals intended to improve the sentencing behavior of Florida's courts. The main body of this report (Part II: Impact) examines the extent to which the guidelines have had the desired and expected effects in each of these goal areas by analyzing scoresheets with sentence dates in FY 1996-97. These stated goals, as listed in Chapter 921 of the Florida Statutes are:

Goal 1: Prison beds are to be utilized for the more serious offenders and repeat offenders.

Fact: *Serious offenders and non-violent offenders with long prior records represented a larger proportion of state prison admissions under the 1994 and 1995 versions of the guidelines compared to pre-1994 guidelines.*

Goal 2: Sentencing is to be neutral with respect to race.

Fact: *This study found that an offender's race has **NO** meaningful effect on the sentencing decisions made by Florida courts under the 1994 and 1995 sentencing guidelines structure.*

Goal 3: The penalty imposed is commensurate with the severity of the primary offense.

Fact: *As the severity of the primary offense increases, the proportion of offenders sentenced to state prison increases, and the length of the prison sentence increases.*

Goal 4: The severity of the sentence increases with the length and nature of the offender's prior record.

Fact: *The average length of a state prison sentence increases as the number of prior felony convictions of offenders increases.*

Goal 5: The sentence imposed represents the actual time to be served.

Fact: *Although the prison sentence lengths imposed by courts have not changed dramatically from FY 1992-93 to FY 1996-97, the repeal of basic gain-time and elimination of the early prison release program has significantly increased actual time served in prison.*

Goal 6: Departures from the recommended sentence are to be articulated in writing and justified.

Fact: *Of the 113,547 scoresheets received with sentence dates in FY 1996-97, the courts deviated from the guidelines structure in 13.6% of the cases (14,561 mitigated and 870 aggravated, 15,431 total deviations).*

Goal 7: The primary purpose of sentencing is to punish the offender.

An introductory section (Part I: Introduction) provides basic information on the different sentencing structures developed and utilized in Florida from 1983 - present and the department's responsibilities in regards to the sentencing guidelines. The tables and charts in this section describe the scoresheets with sentence dates in FY 1996-97 that are

examined throughout this report. More detailed information relates the "practice" of sentencing to the "policy" intended to be implemented through the guidelines (Part III: Sentencing Guidelines Practice).

Part I Introduction

Section 1. Overview of Florida Sentencing Guidelines

What are Sentencing Guidelines?

The Florida Sentencing Guidelines represent the state's structured policy with respect to the sentencing of non-capital felony offenders. There are three distinct versions of the guidelines currently in operation in Florida. They all:

- Provide for a uniform set of standards to guide the sentencing court in sentencing decisions.
- Evaluate relevant factors present at sentencing relating to the offense or offenses and the defendant's prior criminal behavior.
- Attempt to provide for "truth in sentencing" and eliminate unwarranted disparity in sentencing decisions.
- Focus on ensuring that the punishment is commensurate with the offenses before the court for sentencing.
- Are mathematically based and provide a means to address several policy areas including severity of the crime, victim injury, prior record, legal status, and other specific considerations. Every assessment of points in each system reflects a policy statement regarding the relative severity of a criminal's behavior.
- Are represented by a respective scoresheet which must be completed for each felony defendant prior to sentencing.

History of Sentencing Guidelines

Before Sentencing Guidelines

Florida Sentencing Guidelines first became effective on October 1, 1983. Prior to that time, courts sentenced in accordance with provisions of law that permitted a wide range of judicial discretion in the sentencing decision. Sanctions ranged from a minimum of a fine, up to state prison incarceration. The statutory maximum penalties of incarceration in state prison were:

- Five years for a felony of the third degree.
- Fifteen years for a felony of the second degree.
- Thirty years for a felony of the first degree.
- Life for a life felony.

This was a form of indeterminate sentencing policy because most offenders sentenced to prison were, by law, parole eligible. Parole was a discretionary early release policy which obviously had a significant impact upon both the percentage and the actual amount of time served.

The 1983 Sentencing Guidelines

Due to concerns regarding actual and percent of time served as well as concerns regarding a lack of uniformity in sentencing, the 1983 Florida Sentencing Guidelines were enacted October 1, 1983 and parole eligibility was abolished for almost all offenses committed after that date. These guidelines are currently in effect for:

- All non-capital felony offenses committed on or after October 1, 1983 and before January 1, 1994.
- All non-capital and non-life felonies committed before October 1, 1983 but sentenced after October 1, 1983, when the defendant elects to be sentenced under these guidelines.

The 1983 guidelines structure was comprised of nine separate worksheets for specified offense categories. All offenses were contained in one of these categories:

1. Murder/Manslaughter
2. Sexual Offenses
3. Robbery
4. Violent Personal Crimes
5. Burglary
6. Thefts, Forgery, Fraud
7. Drugs
8. Weapons and Escape
9. Other Felony Offenses

Within each worksheet, points were assessed for offenses to be sentenced and prior record offenses based on the number of offenses and each offense's felony degree. Assessments were also made for legal status and victim injury. Total scores fell into sentencing ranges or cells, for each worksheet. The least severe cell provided for a non-state prison sanction and the most severe cell provided for 27 years to life in prison. Departure sentences were permissible as long as written reasons were provided.

Several factors eventually eroded the integrity of the "truth in sentencing" aspect of the 1983 sentencing guidelines. Some of these factors included:

- An epidemic of "crack" cocaine-related offense activity. This resulted in an unanticipated impact upon correctional resources.
- The passage of unfunded mandatory minimum sentence legislation.
- Significant growth in the population of the state of Florida.

As a result of these and other factors, the percentage of time served and actual time served declined. By 1989, the average percent of time served was 34%. This lack of system integrity was the impetus for the creation of a new sentencing guidelines structure.

The 1994 Sentencing Guidelines

The 1994 sentencing guidelines were enacted through the passage of the "Safe Streets Act". These sentencing guidelines are in effect for all non-capital felony offenses committed on or after January 1, 1994 and before October 1, 1995. The focus of these guidelines is to:

- Incarcerate violent and repetitive offenders.
- Ensure a greater percentage of time served by providing that the policy created matched the resources that would be available.
- Eliminate certain gain time provisions.

Continue to attempt to eliminate unwarranted disparity in sentencing.

- Provide a flexible sentencing structure.

The structure of the 1994 sentencing guidelines has little similarity to the 1983 structure. The 1994 structure attempted to resolve some of the problems inherent in the preceding structure, such as the nine separate worksheets, the lack of offense-specific detail, and the issue of grouping crimes by category. The structure of the 1994 guidelines:

- Ranks all non-capital felonies in one of ten offense severity levels. Level one is the least severe ranking and ten reflects the most serious felonies.
- Associates each of the rankings with a point value in each of three elements: primary offense, additional offense(s), and prior record. Point values escalate as the rank increases. Every offense scored is provided its corresponding point value in these areas, with the emphasis on the primary offense.
- Provides for victim injury points to be assessed for physical injury or death suffered as a direct result of any offense pending sentence. Victim injury points are also scored for sexual penetration or sexual contact sustained.

Other policy levels of the guidelines include an assessment of points for:

- Legal status existing at the time of the offense, pending sentencing.
- Offenses returned to the court due to a violation of community supervision.
- Offenses involving the possession of specified firearms when **NO** mandatory minimum applies.
- Violations of the Law Enforcement Protection Act, which includes specified violent offenses committed against law enforcement officers.
- Drug trafficking offenses when **NO** mandatory minimum penalty applies.

Under the 1994 structure, the total guidelines score determines the guidelines sanction and a range of state prison months, if applicable. There are basically three categories of sanction based upon total scores. The scores may:

1. mandate a non-state prison sanction.
2. provide for discretionary prison or non-state prison sanction.
3. mandate a state prison sanction.

The sentencing parameters point values operate as follows:

- If total or increased sentence points are under 40, the offender must receive a non-state prison sanction, which includes options of county jail, probation (with or without residential programs), or community control.
- If total sentence points are less than 40, but could be increased by 15% to reach over 40, the court may, in its discretion, do so. This means that in actuality, scores of less than 34.8 must receive a non-state prison sanction under the guidelines.
- If total or increased sentence points are over 40 and less than 52 the court has the discretion to provide a non-state prison sanction or a prison sanction.
- If the total sentence points exceed 52, a state prison sanction is mandated under the guidelines.
- The length of prison is determined by subtracting 28 from the total sentence points to derive the total prison months.

- The court has the discretion to increase or decrease the sanction by 25%, unless the total sentence points were increased initially by 15% to obtain an increased point value of over 40.

The 1995 Sentencing Guidelines

The 1994 sentencing guidelines were significantly amended in 1995 through the passage of the Crime Control Act of 1995. The basic structure and intent of the 1994 sentencing guidelines remained intact, however point values were increased in a variety of areas and additional policy levers were created to provide for greater sanctions. Generally, increases in point values loosely equal an increase of approximately 1 month of prison sanction for each point increased. The 1995 version of the sentencing guidelines are effective for all offenses committed on or after October 1, 1995. The significant changes included the following:

- The point value for level 7 primary offenses increased from 42 to 56 points. This was significant, as 42 points results in a discretionary state prison or non-state prison sanction, whereas 56 points mandates a prison sanction under the guidelines. Examples of frequently committed level 7 offenses include burglary of a dwelling, lewd and lascivious act upon a child under the age of 16, and aggravated battery.
- The point value for victim injury points for second degree murder doubled from 120 to 240. Sexual penetration victim injury points doubled from 40 to 80 and sexual contact points increased from 18 to 40 points.
- Additional and prior record point values for offenses in severity levels 6 through 10 were increased significantly.
- Point values for violations of court-ordered supervision programs were enhanced.
- A mechanism was created to increase the sanction for offenders who commit serious offenses and have a recent history of serious felony behavior. A 30 point enhancement was created to provide additional punishment for those offenders who are convicted of level 8, 9, or 10 offenses and who have in their recent prior record a level 8, 9, or 10 offense.
- A mechanism was created to significantly increase the sanction for repeated convictions of Grand Theft Auto.

There were slight modifications to the guidelines in 1996, including a provision for increased sanction for crimes committed by street gang members. In 1997 modifications were added providing for a domestic violence multiplier and allowing for incarceration in state prison for up to 22 months for any defendant who had one prior felony conviction.

THE CRIMINAL PUNISHMENT CODE

The Florida legislature abolished the sentencing guidelines and the Florida Sentencing Commission during the 1997 legislative session. The guidelines were replaced by the Criminal Punishment Code to become effective October 1, 1998. During the 1998 legislative session the code was refined and will become effective October of this year. Compared to the guidelines, the code allows for greater upward discretion in sentencing, provides for increased penalties and lower mandatory prison thresholds.

- The Code is effective for all non- capital felony offenses committed on or after October 1, 1998. The guidelines are repealed for all offenses committed on or after October 1, 1998 but remain in effect for offenses committed prior to this date.
- The Code significantly alters the sentencing policy in a variety of respects. One of the most notable changes is the significant broadening of upward discretion in the sentencing policy. Under the sentencing guidelines the upward discretion was 25 percent above the state prison months determined by the calculation. Under the code, the maximum sentence for any felony offense is determined by the statutory maximums as provided in 775.082.

Felony Degree	Years in Prison
Life Felony	Up to Life
1 st	Up to 30
2 nd	Up to 15
3 rd	Up to 5

This has two effects that are divergent from the preceding guidelines. First, all felony offenders have the potential to receive a prison sentence whereas many under the guidelines were by policy excluded from such a possibility. Second, the maximums of 775.082 usually will provide for far greater sentence lengths than were permissible under the guidelines.

- Another significant change is the determination when a prison sentence becomes mandatory under the new sentencing policy. The basic structure of the sentencing policy has not changed with respect to point determinations. Sentencing point thresholds for sentence calculations have however undergone significant revisions.
 1. If total points are equal to or less than 44, the lowest permissible sentence is a non state prison sanction (however state prison up to the statutory maximum can be imposed).
 2. If total points exceed 44, the minimum sentence is established by taking the total point value subtracting 28 and decreasing the remaining value by 25%. This end result value is the lowest permissible prison sentence in months.

This means that only those offenders scoring 44 or less points may receive a non state prison sanction under the code. All others must receive a state prison sanction, absent downward departure from this structure. The threshold under the guidelines for mandatory prison incarceration was 52 points.

The Department of Corrections Responsibilities

The department was provided a variety of responsibilities regarding the sentencing guidelines with respect to the 1994 and subsequent versions of the law. Florida statute 921 requires the department:

- Develop the scoresheet and any revisions of the scoresheet for approval by the Supreme Court and supply sentencing guidelines scoresheets to the appropriate criminal justice entities in the state.
- Prepare scoresheets. This agency currently has coequal responsibility of scoresheet with state attorneys. The department is the primary scoresheet preparer in 10 of the 20 judicial circuits, though we are not the primary preparer in any of the 4 largest circuits. We prepare 25% of the scoresheets statewide.
- Collect and evaluate data on sentencing practices in the state for the purpose of assisting the commission in recommending modifications to the guidelines. When the Criminal Punishment Code becomes effective, the department will be required to assist the Criminal Justice Estimating Conference in estimating correctional impact

of proposed changes to the code.

- Provide the commission by October 1 of each year a report detailing the rate of compliance of each judicial circuit in providing scoresheets to the department. When the Criminal Punishment Code becomes effective this report must be submitted to the legislature.
- To assist the sentencing commission in estimating rates of incarceration and make funding recommendations to the legislature. When the Criminal Punishment Code becomes effective and the commission is abolished, the department will be required to provide the legislature an annual report detailing trends in sentencing and an analysis thereof by October 1 of each year.

The SAGES (Sentencing Analysis and Guidelines Entry Systems) database

The department developed a database in 1994 to be used as a mechanism to:

- Store sentencing guidelines scoresheets received from the clerks of the courts after sentencing statewide and
- Provide for more accurate, legible and time efficient scoresheet preparation.

This report is derived primarily from the information upon sentencing scoresheets received by the department from the clerks of the courts and entered into SAGES with sentence dates in fiscal year 96-97.

The following should be considered when evaluating this and other information derived from this database:

- The information is compiled from a database containing sentencing guidelines scoresheets received by the Department of Corrections for offenses with dates of commission on or after January 1, 1994. The information is based upon the scoresheets in the database with dates of sentence in fiscal year 96-97 as of October 31, 1997.
- As the compliance rate for scoresheet submissions is not 100%, there is missing information that would have potentially affected the outcome of the analysis. The current statewide compliance rate is 85.8%.
- Though the department retrieves and includes in the guidelines database omitted information from scoresheet that is critical, no effort is made to correct preparation error or errors recorded on scoresheets regarding the sentence imposed. The department does not have the authority to amend an official court document. Conversely, there is a responsibility to record the information as received.
- There is data entry error on the part of department staff. Recent analyses indicate that the rate of data entry error in the fields analyzed in the report is not significant.

Part I Introduction

Section 2. Introductory Statistics

FACT: *There were 113,547 scoresheets with sentence dates in FY 1996-97 entered into the sentencing guidelines database. Of these, 17.3% indicated a sentence to state prison, with the remaining indicating one of the following: Community Control, a form of house arrest (11.1%); Probation (46.5%); or County Jail/Other (25.5%).*

FINDINGS:

- Nearly 83% of the 113,547 scoresheets with sentence dates in FY 1996-97 were sentenced under the 1995 sentencing guidelines. However, by June, 1997, less than 11% (10.8%) were scored under the 1994 guidelines policy (Table 1).
- Due to varying time lags in the processing of cases, counties and circuits differed substantially in the proportion of FY 1996-97 cases processed under the two guidelines policies (Tables 2 and 3).
- Of all offenders admitted to community supervision (probation, community control, drug offender probation, or administrative probation) in FY 1996-97, the majority of offenders were sentenced under the 1995 guidelines policy (82.0%), with only 4.1% sentenced on the basis of pre-1994 (1983 guidelines) policy, and nearly 14% under the 1994 guidelines policy (Figure 2).
- Among those admitted to prison in FY 1996-97, the majority were sentenced under the 1995 guidelines policy (59.2%), less than 13% were sentenced under pre-1994 (1983 guidelines) policy, while slightly over a quarter (28.1%) were subject to the 1994 guidelines policy (Figure 2).
- Nearly eighty-three percent (82.6%) of all scoresheets were for male offenders (Table 4), and 53.7% were for white offenders (Table 5). Almost half (49.8%) of all offenders were under age 30 (Table 6).

Table 1

Scoresheets Received by Month of Sentence Fiscal Year 1996-97

Month of Sentence	1994		1995		Total	
	Scoresheet		Scoresheet			
July 1996	2,542	27.6%	6,677	72.4%	9,219	100.0%
August 1996	2,291	25.2%	6,796	74.8%	9,087	100.0%
September 1996	1,918	22.5%	6,597	77.5%	8,515	100.0%
October 1996	2,117	20.4%	8,271	79.6%	10,388	100.0%
November 1996	1,629	19.6%	6,690	80.4%	8,319	100.0%
December 1996	1,480	18.0%	6,748	82.0%	8,228	100.0%
January 1997	1,559	16.3%	7,995	83.7%	9,554	100.0%
February 1997	1,505	15.5%	8,211	84.5%	9,716	100.0%
March 1997	1,430	14.0%	8,760	86.0%	10,190	100.0%
April 1997	1,381	12.9%	9,331	87.1%	10,712	100.0%

May 1997	1,156	11.8%	8,620	88.2%	9,776	100.0%
June 1997	1,059	10.8%	8,784	89.2%	9,843	100.0%
Total	20,067	17.7%	93,480	82.3%	113,547	100.0%

Figure 1

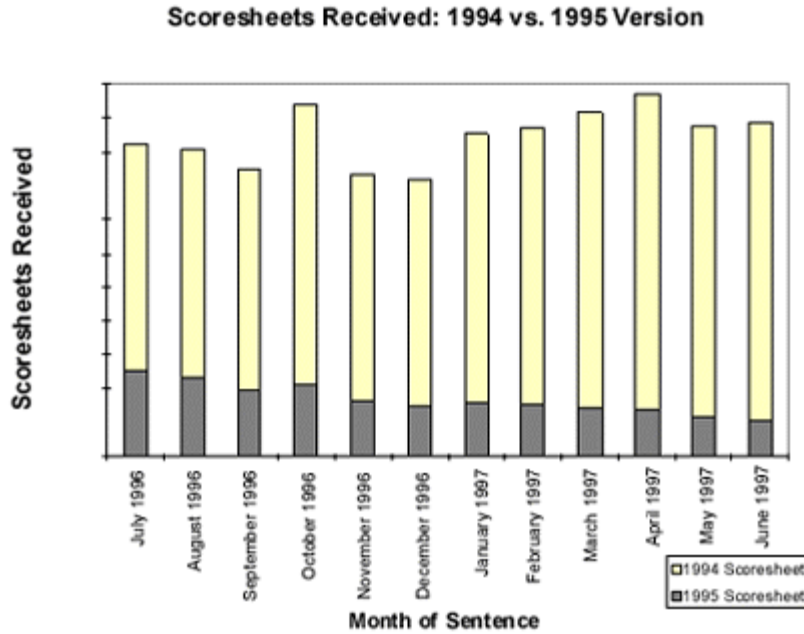


Table 2

Scoresheets Received by Judicial Circuit Fiscal Year 1996-97

Judicial Circuit	1994 Scoresheets	1995 Scoresheets	Total
01 (Pensacola)	910	3,369	4,279
02 (Tallahassee)	231	1,507	1,738
03 (Lake City)	207	955	1,162
04 (Jacksonville)	546	5,698	6,244
05 (Tavares)	904	3,367	4,271
06 (Clearwater)	2,735	9,456	12,191
07 (Daytona Beach)	988	3,380	4,368
08 (Gainesville)	618	1,939	2,557
09 (Orlando)	1,789	7,758	9,547
10 (Bartow)	1,173	2,987	4,160
11 (Miami)	813	10,826	11,639
12 (Sarasota)	452	2,780	3,232
13 (Tampa)	2,415	9,083	11,498
14 (Panama City)	635	2,209	2,844
15 (West Palm Beach)	329	5,249	5,578
16 (Key West)	323	993	1,316
17 (Ft. Lauderdale)	2,840	13,255	16,095

18 (Sanford)	542	17.4%	2,576	82.6%	3,118	2.7%
19 (Ft. Pierce)	670	21.9%	2,393	78.1%	3,063	2.7%
20 (Ft. Myers)	947	20.4%	3,700	79.6%	4,647	4.1%
Total	20,067	17.7%	93,480	82.3%	113,547	100.0%

Note: Percentages for 1994 and 1995 scoresheets represent proportions of the submissions by the circuit; percentages in the total column represent the individual circuit's proportion of the entire state.

Table 3

Scoresheets Received by Judicial Circuit / County Fiscal Year 1996-97

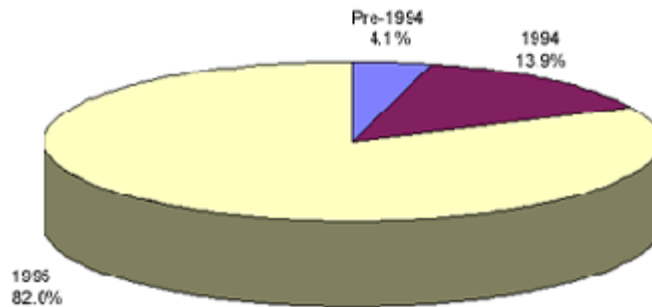
Judicial Circuit / County	1994 Scoresheets		1995 Scoresheets		Total	
01 (Pensacola)						
Escambia	673	25.0%	2,018	75.0%	2,691	2.4%
Okaloosa	133	15.3%	734	84.7%	867	0.8%
Santa Rosa	96	17.8%	444	82.2%	540	0.5%
Walton	8	4.4%	173	95.6%	181	0.2%
02 (Tallahassee)						
Franklin	20	29.0%	49	71.0%	69	0.1%
Gadsden	45	8.9%	460	91.1%	505	0.4%
Jefferson	30	23.4%	98	76.6%	128	0.1%
Leon	102	12.0%	751	88.0%	853	0.8%
Liberty	2	5.3%	36	94.7%	38	0.0%
Wakulla	32	22.1%	113	77.9%	145	0.1%
03 (Lake City)						
Columbia	85	16.7%	425	83.3%	510	0.4%
Dixie	17	26.6%	47	73.4%	64	0.1%
Hamilton	13	20.3%	51	79.7%	64	0.1%
Lafayette	7	24.1%	22	75.9%	29	0.0%
Madison	18	11.7%	136	88.3%	154	0.1%
Suwannee	27	13.9%	167	86.1%	194	0.2%
Taylor	40	27.2%	107	72.8%	147	0.1%
04 (Jacksonville)						
Clay	86	12.2%	619	87.8%	705	0.6%
Duval	431	8.1%	4,860	91.9%	5,291	4.7%
Nassau	29	11.7%	219	88.3%	248	0.2%
05 (Tavares)						
Citrus	54	17.9%	248	82.1%	302	0.3%
Hernando	190	26.5%	527	73.5%	717	0.6%
Lake	289	22.2%	1,014	77.8%	1,303	1.1%
Marion	305	17.4%	1,444	82.6%	1,749	1.5%
Sumter	66	33.0%	134	67.0%	200	0.2%
06 (Clearwater)						
Pasco	417	20.9%	1,580	79.1%	1,997	1.8%
Pinellas	2,318	22.7%	7,876	77.3%	10,194	9.0%
07 (Daytona Beach)						
Flagler	34	22.4%	118	77.6%	152	0.1%
Putnam	125	33.7%	246	66.3%	371	0.3%
St. Johns	131	27.1%	353	72.9%	484	0.4%
Volusia	698	20.8%	2,663	79.2%	3,361	3.0%

08 (Gainesville)						
Alachua	437	22.4%	1,511	77.6%	1,948	1.7%
Baker	8	12.1%	58	87.9%	66	0.1%
Bradford	64	31.4%	140	68.6%	204	0.2%
Gilchrist	12	32.4%	25	67.6%	37	0.0%
Levy	85	34.4%	162	65.6%	247	0.2%
Union	12	21.8%	43	78.2%	55	0.0%
09 (Orlando)						
Orange	1,573	18.4%	6,997	81.6%	8,570	7.5%
Osceola	216	22.1%	761	77.9%	977	0.9%
10 (Bartow)						
Hardee	47	28.5%	118	71.5%	165	0.1%
Highlands	51	28.2%	130	71.8%	181	0.2%
Polk	1,075	28.2%	2,739	71.8%	3,814	3.4%
11 (Miami)						
Dade	813	7.0%	10,826	93.0%	11,639	10.3%
12 (Sarasota)						
DeSoto	47	26.0%	134	74.0%	181	0.2%
Manatee	154	11.3%	1,211	88.7%	1,365	1.2%
Sarasota	251	14.9%	1,435	85.1%	1,686	1.5%
13 (Tampa)						
Hillsborough	2,415	21.0%	9,083	79.0%	11,498	10.1%
14 (Panama City)						
Bay	404	21.5%	1,472	78.5%	1,876	1.7%
Calhoun	18	15.4%	99	84.6%	117	0.1%
Gulf	44	31.7%	95	68.3%	139	0.1%
Holmes	31	24.8%	94	75.2%	125	0.1%
Jackson	92	24.1%	289	75.9%	381	0.3%
Washington	46	22.3%	160	77.7%	206	0.2%
15 (West Palm Beach)						
Palm Beach	329	5.9%	5,249	94.1%	5,578	4.9%
16 (Key West)						
Monroe	323	24.5%	993	75.5%	1,316	1.2%
17 (Ft. Lauderdale)						
Broward	2,840	17.6%	13,255	82.4%	16,095	14.2%
18 (Sanford)						
Brevard	355	21.2%	1,318	78.8%	1,673	1.5%
Seminole	187	12.9%	1,258	87.1%	1,445	1.3%
19 (Ft. Pierce)						
Indian River	128	25.7%	371	74.3%	499	0.4%
Martin	110	14.2%	664	85.8%	774	0.7%
Okeechobee	92	29.6%	219	70.4%	311	0.3%
St. Lucie	340	23.0%	1,139	77.0%	1,479	1.3%
20 (Ft. Myers)						
Charlotte	141	19.2%	592	80.8%	733	0.6%
Collier	282	19.0%	1,205	81.0%	1,487	1.3%
Glades	19	31.1%	42	68.9%	61	0.1%
Hendry	44	28.2%	112	71.8%	156	0.1%
Lee	461	20.9%	1,749	79.1%	2,210	1.9%
Total	20,067	17.7%	93,480	82.3%	113,547	100.0%

Note: Percentages for 1994 and 1995 scoresheets represent proportions of the submissions by the county; percentages in the total column represent the individual county's proportion of the entire state.

Figure 2

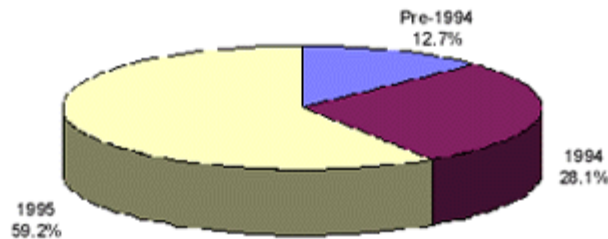
**Sentencing Guidelines Policy in Effect by Fiscal Year
FY 1996-97 Supervision Admissions***



Total Admissions=81,166

*Includes only new admissions with Florida case origin, excludes misdemeanor and capital offenses, split sentences and post-prison release.

FY 1996-97 Prison Admissions**



Total Admissions=21,679

**Excludes capital offenses.
Pre-1994 guidelines policy includes only crimes committed prior to January 1, 1994.
1994 policy reflects only crimes committed between January 1, 1994 and September 30, 1995.
1995 policy reflects only crimes committed on or after October 1, 1995.

Table 4

Gender by Judicial Circuit Fiscal Year 1996-97

Judicial Circuit	Gender				Total	Total
	Male	Female	Male	Female		
01 (Pensacola)	3,560	83.2%	719	16.8%	4,279	100.0%
02 (Tallahassee)	1,424	81.9%	314	18.1%	1,738	100.0%
03 (Lake City)	962	82.8%	200	17.2%	1,162	100.0%
04 (Jacksonville)	5,120	82.0%	1,124	18.0%	6,244	100.0%
05 (Tavares)	3,547	83.0%	724	17.0%	4,271	100.0%
06 (Clearwater)	9,698	79.6%	2,493	20.4%	12,191	100.0%
07 (Daytona Beach)	3,699	84.7%	669	15.3%	4,368	100.0%
08 (Gainesville)	2,128	83.2%	429	16.8%	2,557	100.0%
09 (Orlando)	8,013	83.9%	1,534	16.1%	9,547	100.0%

10 (Bartow)	3,261	78.4%	899	21.6%	4,160	100.0%
11 (Miami)	10,108	86.8%	1,531	13.2%	11,639	100.0%
12 (Sarasota)	2,661	82.3%	571	17.7%	3,232	100.0%
13 (Tampa)	9,128	79.4%	2,370	20.6%	11,498	100.0%
14 (Panama City)	2,345	82.5%	499	17.5%	2,844	100.0%
15 (West Palm Beach)	4,783	85.7%	795	14.3%	5,578	100.0%
16 (Key West)	1,142	86.8%	174	13.2%	1,316	100.0%
17 (Ft. Lauderdale)	13,252	82.3%	2,843	17.7%	16,095	100.0%
18 (Sanford)	2,566	82.3%	552	17.7%	3,118	100.0%
19 (Ft. Pierce)	2,540	82.9%	523	17.1%	3,063	100.0%
20 (Ft. Myers)	3,827	82.4%	820	17.6%	4,647	100.0%
Total	93,764	82.6%	19,783	17.4%	113,547	100.0%

Table 5

Race by Judicial Circuit Fiscal Year 1996-97

Judicial Circuit	Race						Total	
	Black	White	Other*					
01 (Pensacola)	1,826	42.7%	2,429	56.8%	24	0.6%	4,279	100.0%
02 (Tallahassee)	1,191	68.5%	538	31.0%	9	0.5%	1,738	100.0%
03 (Lake City)	551	47.4%	609	52.4%	2	0.2%	1,162	100.0%
04 (Jacksonville)	3,788	60.7%	2,407	38.5%	49	0.8%	6,244	100.0%
05 (Tavares)	1,462	34.2%	2,766	64.8%	43	1.0%	4,271	100.0%
06 (Clearwater)	4,333	35.5%	7,764	63.7%	94	0.8%	12,191	100.0%
07 (Daytona Beach)	1,863	42.7%	2,485	56.9%	20	0.5%	4,368	100.0%
08 (Gainesville)	1,648	64.5%	901	35.2%	8	0.3%	2,557	100.0%
09 (Orlando)	4,412	46.2%	4,982	52.2%	153	1.6%	9,547	100.0%
10 (Bartow)	1,509	36.3%	2,642	63.5%	9	0.2%	4,160	100.0%
11 (Miami)	6,024	51.8%	5,558	47.8%	57	0.5%	11,639	100.0%
12 (Sarasota)	1,310	40.5%	1,867	57.8%	55	1.7%	3,232	100.0%
13 (Tampa)	5,556	48.3%	5,767	50.2%	175	1.5%	11,498	100.0%
14 (Panama City)	1,074	37.8%	1,757	61.8%	13	0.5%	2,844	100.0%
15 (W. Palm Beach)	2,741	49.1%	2,817	50.5%	20	0.4%	5,578	100.0%
16 (Key West)	271	20.6%	1,035	78.6%	10	0.8%	1,316	100.0%
17 (Ft. Lauderdale)	8,159	50.7%	7,628	47.4%	308	1.9%	16,095	100.0%
18 (Sanford)	1,210	38.8%	1,893	60.7%	15	0.5%	3,118	100.0%
19 (Ft. Pierce)	1,240	40.5%	1,809	59.1%	14	0.5%	3,063	100.0%
20 (Ft. Myers)	1,326	28.5%	3,296	70.9%	25	0.5%	4,647	100.0%
Total	51,494	45.4%	60,950	53.7%	1,103	1.0%	113,547	100.0%

*Other includes Asian, Native American, and other categories.

Table 6

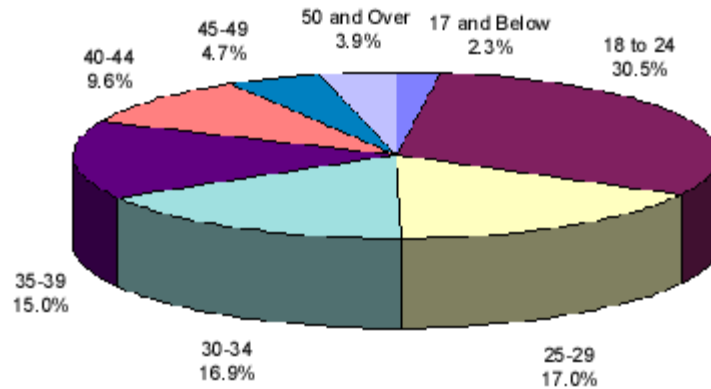
Age at Sentencing Fiscal Year 1996-97

Age	Number	Percent
17 and Below	2,596	2.3%
18 to 24	34,603	30.5%
25-29	19,358	17.0%
30-34	19,212	16.9%
35-39	17,049	15.0%
40-44	10,945	9.6%
45-49	5,299	4.7%
50 and Over	4,485	3.9%
Total	113,547	100.0%

Figure 3

Figure 3

Age at Sentencing Distribution Fiscal Year 96-97



Part II Impact

Section 1. Use of Incarcerative Sanctions

GOAL: Use of incarcerative sanctions is prioritized toward offenders convicted of serious offenses and certain offenders who have long prior records, in order to maximize the finite capacities of state and local correctional facilities. F.S. 921.001(4)(a)7.

FACT: *Serious offenders and non-violent offenders with long prior records represented a larger proportion of state prison admissions under the 1994 and 1995 versions of the guidelines compared to pre-1994 guidelines.*

Prison Admissions

Offense Group	Pre-1994 Policy	1994/95 Policy
Violent	30.0%	39.2%
Property	34.2%	29.4%
Drug	31.0%	23.8%
Other	4.7%	7.6%

FINDINGS:

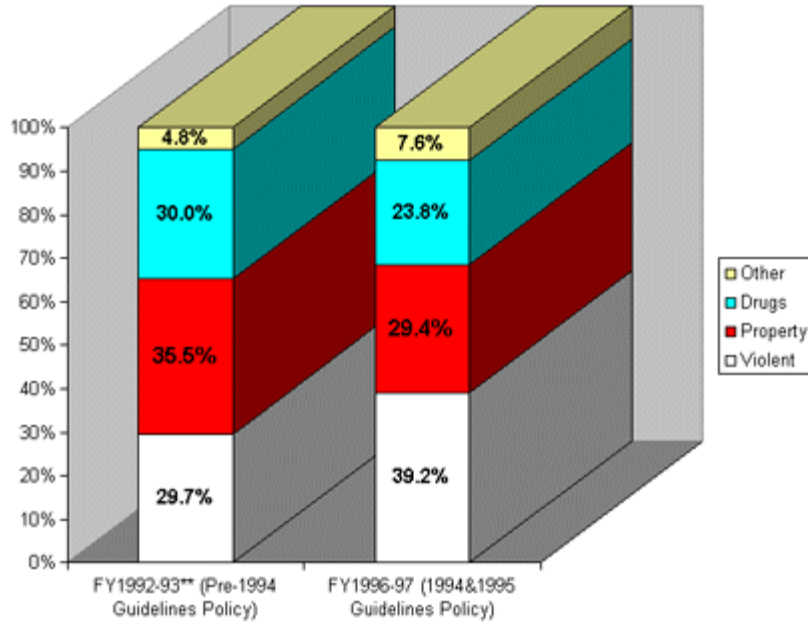
- Overall, the proportion of violent offenses has dramatically increased, from 30.0% of prison admissions in FY 1992-93 to 39.2% in FY 1996-97 (Figure 1).
- In line with the goals of the sentencing guidelines, the proportion of prison admissions for less serious drug offenses have decreased from 31.0% in FY 1992-93 to 23.8% in FY 1996-97 (Table 1).
- Murder/Manslaughter offenses represented 4.5% of all state prison admissions in FY 1996-97, up from 3.9% in FY 1992-93 (Table 1).
- Sexual/Lewd Assault offenses increased by 0.6% among those admitted to state prison, from 4.4% in FY 1992-93 to 5.0% in FY 1996-97 (Table 1).
- Prison admissions of nonviolent, 3rd degree felony offenders have become more heavily focused on those with long prior prison records. For example, drug offenders with two or more prior prison sentences represented 42.2% of all 3rd degree felony convictions in FY 1996-97, up from 28.7% in FY 1992-93 (Table 2).

NOTE: The admissions from FY 1992-93 utilized for these analyses, include only cases with offense dates on or after

1/1/90. This restriction allows comparability to the 1994 guidelines structure which was in effect for offenses committed on or after January 1, 1994.

Figure 1

Distribution of Prison Admissions by Offense Group, Fiscal Year and Guidelines Policy



*Excludes Capital Cases.

** FY1992-93 includes only cases with offense dates on or after 1/1/90.

Table 1

Changes in Prison Admission Distributions * by Offense Type for Sentencing Guidelines Policy in Effect

Offense Type	FY 1992-93 Admissions Under Pre-1994 Guidelines Policy**		FY1996-97 Admissions Under 94/95 Guidelines Policy		Change in Distribution
Murder/Manslaughter	1,174	3.9%	799	4.5%	+0.7%
Sexual/Lewd Assault	1,331	4.4%	885	5.0%	+0.6%
Robbery	2,977	9.8%	1,994	11.3%	+1.5%
Violent, Other	2,981	9.8%	2,727	15.5%	+5.6%
Burglary	5,767	19.0%	3,696	21.0%	+1.9%
Property					
Theft/Fraud/Damage	5,352	17.7%	1,827	10.4%	-7.3%
Drugs	9,074	30.0%	4,187	23.8%	-6.2%
Weapons	911	3.0%	788	4.5%	+1.5%

Other	719	2.4%	707	4.0%	+1.6%
Total	30,286	100.0%	17,610	100.0%	

*Excludes capital offenses.

**Offense Dates after 1/1/90.

Table 2

**Current Prison Admissions for Non-Violent Offense
Groups
by Prior Prison Record and Guidelines Policy
Third Degree Felony Offenses Only
FY 1992-93* and FY 1996-97**

Property Offenses

Prior Prison Record	Pre-94 Guidelines Policy FY 1992-93		94/95 Guidelines Policy FY 1996-97		Change in Percent
0	2,648	41.6%	848	38.7%	-2.8%
1	1,500	23.5%	410	18.7%	-4.8%
2 to 4	1,962	30.8%	738	33.7%	+2.9%
5 or more	261	4.1%	194	8.9%	+4.8%
Total	6,371	100.0%	2,190	100.0%	

Drug Offenses

Prior Prison Record	Pre-94 Guidelines Policy FY 1992-93		94/95 Guidelines Policy FY 1996-97		Change in Percent
0	1,501	42.7%	305	26.9%	-15.8%
1	878	25.0%	235	20.7%	-4.2%
2 to 4	1,009	28.7%	478	42.2%	+13.5%
5 or more	128	3.6%	115	10.2%	+6.5%
Total	3,516	100.0%	1,133	100.0%	

Other Offenses

Prior Prison Record	Pre-94 Guidelines Policy FY 1992-93		94/95 Guidelines Policy FY 1996-97		Change in Percent
0	284	55.9%	230	51.3%	-4.6%
1	125	24.6%	94	21.0%	-3.6%
2 to 4	93	18.3%	115	25.7%	+7.4%

5 or more	6	1.2%	9	2.0%	+0.8%
Total	508	100.0%	448	100.0%	

* FY 1992-93 figures include only cases sentenced in FY92-93 with offense dates on or after 1/1/90.

Part II Impact

Section 2. Sentencing Neutrality

GOAL: Sentencing is neutral with respect to race, gender, and social and economic status. F.S. 921.001(4)(a)1.

FACT: *This study found that an offender's race has **NO** meaningful effect on the sentencing decisions made by Florida courts under the 1994 and 1995 sentencing guidelines structure.*

FINDINGS:

- Before examining any other factors, black offenders were more likely than white offenders to be sentenced to prison (Table 1). Within many offense groups, black offenders received longer prison sentences than white offenders (Table 2).
- However, black offenders had higher rates of characteristics generally considered appropriate for higher rates of imprisonment and longer prison sentences. Black offenders had 14.3% higher total sentence points, were 27% more likely to have a prior record, and were 40.4% more likely to have a prior prison sentence (Table 3).
- When taking into account relevant sentencing factors, race was not found to be an influential factor in determining either the decision to sentence an offender to prison or the length of prison sentences. Of the 32 factors studied which affect the in/out prison decision, 28 were **more** influential in determining the sentence than the race of the offender (Table 4). Of the 31 factors used to study the length of prison sentence, race was the **least** influential factor in determining the sentence (Table 5).

* The database used for this section of analysis includes scoresheets with sentence dates outside the FY 1996-97 that is analyzed in the rest of the report.

Does An Offender's Race Affect Sentencing in Florida?

Introduction:

The question addressed in this section is: Does an offender's race affect the sentencing decisions made by Florida courts when punishing felony offenders under the 1994 and 1995 sentencing guidelines structure. FS 921.001(a)(4) states that sentencing guidelines embody the principles that **sentencing is to be "neutral with respect to race.."** This study will determine whether this racial equity principle is followed when offenders are punished under Florida's sentencing guidelines mechanism.

Two major changes in Florida's sentencing policy have occurred in the past two decades. In 1983, the indeterminate sentencing policy, also known as parole, was eliminated and replaced with sentencing guidelines. In 1994, the 1983 sentencing guidelines structure was replaced with the 1994 sentencing guidelines. Modifications to the 1994 guidelines were made in 1995 for crimes committed on or after October 1, 1995. This study does not examine whether race affected sentencing decisions under the pre-1983 indeterminate sentencing system or during the 1983 guidelines period. It focuses on whether racial disparity exists within the 1994 and 1995 sentencing guidelines system.

Prior Research:

Some evidence suggests that racial disparity in sentencing did exist in Florida prior to the 1983 sentencing guidelines. The Sentencing Study Committee, which was responsible for recommending that Florida implement sentencing

guidelines in 1983, conducted an in-depth study of 1,000 felony cases in 1979.¹ The committee examined the decision whether to sentence an offender to jail or prison and, if a prison sentence was imposed, the length of incarceration. The committee found that, after holding legally relevant factors constant, non-white offenders were significantly more likely to receive a jail or prison sentence than white offenders.

Methodology:

For this analysis, all felony offenders sentenced in Florida courts from July 1, 1994 to December 31, 1996 who were sentenced under the 1994 or 1995 sentencing guidelines were examined for racial disparity.² Statistical models were constructed based on variables contained in the sentencing guidelines database maintained by the Florida Department of Corrections. This database contains information on 221,351 offenders sentenced under the guidelines over the period specified.

These statistical models examine the effect of all variables simultaneously, to measure the unique effect of each on the sentencing outcome while holding all other variables constant. This method enables one to determine whether an offender's race influences judicial sentencing when other characteristics about the offender are held constant (seriousness of the current offense, prior criminal record, offenses other than the primary offense,³ and victim injury).

Sentencing is analyzed as a two part decision: first, whether or not the offender is sentenced to prison, and second, if a prison sentence is administered, the length of the prison sentence. Prior sentencing research has conclusively demonstrated that the judiciary utilizes different factors, or the same factors to different degrees, when making the in/out prison decision versus the length of prison sentence decision.

The following factors were included in the models. Details on how these factors were measured are located at the end of this section.

1. Race (black/white)⁴
2. Gender (male/female)
3. Age at Time of Sentencing
4. Most Serious Offense ("Primary Offense")
5. Statutory Felony Class of the Primary Offense
6. Type of Primary Offense (Murder, Sexual/Lewd Assault, Robbery, Other Violent, Burglary, Property, Drugs, Weapons, and Other)
7. Seriousness of Additional Offenses
8. Types of Additional Offenses
9. Seriousness of Offender's Prior Criminal Record
10. Types of Prior Crimes in Offender's Prior Criminal Record
11. Prior Florida Prison Sentences
12. Victim Injury
13. Prior Community Supervision Violations
14. Law Enforcement Enhancement Guidelines Points
15. Case Disposition (Plea/Trial)

Many of these factors are measured in multiple ways to model the sentencing decisions. For example, the types of prior criminal convictions are measured by the number of prior robbery convictions, the number of prior drug convictions, etc. This approach was taken to develop models which explain as much of the sentencing decisions as possible. A total of 32 factors were used to predict the sentencing decisions.⁵

Details on the methodology of the current study can be obtained from the author.⁶

Findings:

This study failed to find evidence that an offender's race has any meaningful effect on decisions made by Florida courts

under the 1994 and 1995 sentencing guidelines structure. **This leads to the conclusion that the goal of racial equity explicit in the sentencing guidelines law has been met when examining the 1994 and 1995 sentencing guidelines structure.**

Overall, the empirical evidence presented in detail in this section documents three primary conclusions:

1. Before examining any other factors, black offenders were more likely than white offenders to be sentenced to prison (Table 1). Within many offense groups, black offenders received longer prison sentences than white offenders (Table 2).
2. However, black offenders had higher rates of characteristics generally considered appropriate for higher rates of imprisonment and longer prison sentences (e.g., more serious crimes and more serious prior criminal records) (Table 3).
3. After taking into account relevant sentencing factors, race was not found to be an influential factor in determining either the decision to sentence an offender to prison (Table 4) or the length of prison sentences for those receiving a prison term (Table 5).

It should be noted that this report addresses only disparity at the final stage in the judicial process of sentencing for felony offenders. The question of whether racial disparity exists at earlier stages in the criminal justice process, such as arrest, prosecution, plea bargaining, or conviction is not within the scope of this report.

Is there racial equity in specific sentencing guidelines factors? Below are the answers to this question.

Question: Are black offenders more likely than white offenders to be sentenced to state prison following a felony conviction when one does *not* examine any of the factors which are intended to affect sentencing (e.g., seriousness of the current crime, prior criminal record and victim injury)?

Answer: Yes. Table 1 shows that black offenders were more likely to be sentenced to prison than white offenders: black 20.8% versus white 14.1%. When examining the likelihood of black and white offenders receiving a prison sentence for general crime types (violent, property, drug, and other), black offenders were more likely to be sentenced to prison than white offenders when the primary offense was one of the following: Violent (+11.4%), Property (+3.4%), Drug (+9.4%), and Other (+3.7%). Within the nine more specific offense types (murder/manslaughter, sexual/lewd assault, etc.) black offenders were more likely to be sentenced to prison than white offenders. Examining 49 specific offense types in Table 1 reveals that black offenders were more likely to be sentenced to prison than white offenders within 39 offense types, while white offenders were more likely in 10 offense types.

Question: If the judge decided a prison sentence is appropriate for a

convicted felon, were black and white offenders given different lengths of prison sentences under the 1994 and 1995 sentencing guidelines when no legally relevant factors are considered?

Answer: Yes, but only for some offense types. Table 2 shows that the average sentence lengths for black and white offenders were identical (4.6 years) when all 38,031 offenders sentenced to prison are considered. However, while the numerical differences are not significant, when examining differences in average sentence lengths within the four broad offense types, black offenders received longer sentences in three of the four groups (Violent: black = +0.3 years, or +4.7% longer prison sentences; Property: black +0.3 years, +8.1%; Other: black +0.4 years, +13.6%). White offenders received an average of 0.6 years, or 17.2% longer prison sentences than black offenders for drug convictions.

When examining racial differences within nine specific offense types, black offenders received longer sentences in seven of the groups. Black offenders' sentences averaged 20.4% (2.7 years) greater than white offenders for those convicted of murder or manslaughter. Black offenders convicted of robbery received 18.8% (1.2 years) longer sentences, on average, than white offenders convicted of robbery. Overall, white drug offenders received 17.2% (0.6 years) longer sentences than black offenders. However, when examining those convicted of selling drugs, black offenders received 25.5% (0.6 years) longer sentences than white offenders. White drug offenders received longer

sentences for possession and trafficking of drugs compared to black offenders convicted of the same crimes.

Question: Are black offenders and white offenders different relative to sentencing factors considered relevant to the in/out prison decision and the length of prison sentence?

Answer: Yes. Table 3 shows that, for most factors, black offenders consistently exhibited higher rates of characteristics generally associated with judicial decisions towards more punitive sanctions. The figures in Table 3 reveal the following differences:

- Black offenders had higher overall sentencing guidelines points, which are a composite of the seriousness of the current primary crime, additional current crimes, prior criminal record, victim injury, supervision violation points, drug trafficking enhancements, and law enforcement protection enhancements. The average for total points was 30.7 for black offenders compared to 26.3 for white offenders -- a difference of 4.4 points, or 14.3%.
- Black offenders had higher average primary offense points than white offenders. The average for primary offense points was 26.2 for black offenders compared to 24.9 for white offenders -- a difference of 1.3 points or 5.0%. For drug crimes, black offenders had 15.5% higher average primary offense points than white offenders.
- Black offenders had more serious prior criminal records than white offenders using four different measures. First, black offenders were 27.0% more likely to have a prior criminal record than white offenders (black offenders = 66.2%, white offenders = 48.3%). Second, the average prior record guidelines points for black offenders was 8.2 compared to 4.8 for white offenders, a difference of 3.4 points or 41.5%. Third, black offenders had an average of 5.8 prior criminal convictions compared to 4.3 for white offenders. Fourth, black offenders were much more likely to have prior Florida prison commitments. Black offenders were 40.4% more likely to have a prior prison sentence than white offenders (black offenders: 9.2%; white offenders: 5.5%). These differences continued within the four broad offense groups. For example, among drug offenders, black offenders were 31.9% more likely to have prior criminal record, had 51.6% higher average prior record points, had 18.3% higher average number of prior record convictions, and were 58.5% more likely to have prior prison sentences than white offenders.
- Black offenders were slightly more likely (0.3%) to be convicted of multiple crimes (i.e., "additional offenses" beyond the primary crime) than white offenders. For all offense types, white offenders who had additional crimes had higher average guidelines points for these offenses than black offenders (5.4 versus 5.1). Examining additional point differences across the racial groups revealed that black offenders had higher point levels than white offenders for violent offenses (+1.7, 16.5%), drug offenses (+0.8, 25.0%), and other offenses (+0.6, 17.6%). Only within property offenses did white offenders have higher additional points than black offenders (+1.9, 42.2%).
- Black offenders and white offenders did not differ appreciably in terms of the likelihood that their crimes involved victim injury. White offenders had committed crimes involving some level of victim injury 10.0% of the time compared to 9.6% for black offenders.
- Black offenders were more likely to have previously been violated for failure to abide by the conditions of community supervision (22.1%) than white offenders (19.1%). For violent offenses, black offenders were 17.8% more likely than white offenders to have violated conditions of supervision.

Question: Was race a factor used by judges to any meaningful degree when deciding whether to sentence an offender to prison when **all** other measured factors are held constant?

Answer: No. Table 4 shows that when considering the 32 factors measured in the in/out prison decision model, race was of no meaningful importance. Out of the 32 factors in the model, 28 affected the prison decision to a greater degree than whether the offender was white or black. Only three factors out of 32 were less influential in determining the sentence imposed than the race of the offenders. This leads to the conclusion that the race of the convicted felon had no meaningful impact on the judge's decision whether a prison sentence is warranted. Instead, the number of times the offenders had been sentenced to prison in the past, the seriousness of the current crime, the extent and severity of prior criminal record, the number of prior prison sentences, and the injury inflicted upon the victim are the factors that

primarily determined the imprisonment decision.

The statistical models utilized in this study are able to explain just over half (52.2%) of the judicial decision of whether to sentence a criminal to prison. There are obviously a significant number of factors taken into consideration by judges to decide whether to administer a prison sentence that are not accounted for in the models constructed for this study. Without the ability to measure all the factors considered in the prison decision, the true effect of race cannot be quantified.

Question: Once a judge decided to sentence an offender to prison, was race a meaningful factor in deciding the length of the prison sentence?

Answer: No. Table 5 clearly demonstrates that, under the sentencing guidelines, race has no meaningful effect on the length of prison sentences. Of the 31 factors in the model, 28 affected the length of the prison sentence to a greater degree than race. There were only 2 other factors less influential than race is determining the length of the prison sentence. The seriousness of the current offense, extent of victim injury, and the severity of the offender's prior criminal record, are factors which judges apparently consider most when determining the length of the prison sentence.

Conclusion:

This study of 221,351 felons sentenced under Florida's sentencing guidelines policy from July 1994 to December 1996 clearly demonstrates that the goal of ensuring equity in sentences across racial groups has been realized. There is no meaningful empirical evidence to suggest that black offenders and white offenders are treated unequally by the judicial system under these sentencing guidelines. The race of the offender does not have any meaningful bearing on the decision by Florida judges to sentence a felon to prison or how long imprisoned offenders will be incarcerated. What were influential in determining these punishment decisions were factors such as the severity of the crime(s) for which the offender is being sentenced, the extent and seriousness of the offender's prior criminal record, the number of prior prison sentences, and the amount of injury inflicted upon the victim.

Future Research:

Although sentencing guidelines have directed how over one million felons have been punished in Florida since 1983, this study is the first attempt to address the important question of whether there is racial equity in criminal sentencing under sentencing guidelines. There is much more research that will be done to further study the sentencing racial equity issue. Specifically, the following types of analyses will be conducted and reported in the future.

1. Analysis within specific offense types will be conducted to determine if there is any evidence of meaningful racial disparity. The analysis reported here utilized statistical controls to account for differences in the types of crimes. While this method is generally considered valid, studying this issue within specific offense types may educate us further about this issue.
2. Research will be conducted to determine if any meaningful levels of racial disparity occurred during different time periods since the 1994 and 1995 sentencing guidelines have been in place. It is particularly relevant to examine the racial disparity issue examining the 1994 compared to the 1995 sentencing guidelines.
3. The sentencing guidelines structure and resulting data enable periodic reviews of the racial disparity in sentencing issue to be conducted. Such reviews can be completed annually or on a specialized basis when policy changes require them.
4. While judicial circuit was considered in the statistical models developed in this study, further analysis of the racial disparity issue conducted for individual judicial circuits would tell us more about this issue.
5. If possible, comparative analysis with other states with and without sentencing guidelines structures will be made to identify how Florida compares to other states in terms of the issue of sentencing equity.
6. Further enhancements to the sentencing models will be made to increase the extent to which sentencing decisions

are predicted with available data. This will involve including additional data when available and more refinements to the data already accessible.

7. Examinations will be made of whether disparity across geographical areas of the state exists. In addition, the issue of gender and socio-economic equity will be addressed since these factors are also included in the guidelines' equity goal.

Details on Measurement of Sentencing Factors:

Age at Time of Sentencing: Measured in years. The age of the offender when the offense occurred was also used in the preliminary analyses. The influence of age at sentencing and age at offense produced identical results in the statistical models.

Most Serious Offense ("Primary Offense"): This was measured using the guideline point value associated with the primary offense.

Statutory Felony Class of the Primary Offense: There are five felony class levels defined by Florida law which are sentenced under the guidelines: life, first degree punishable by life, first degree, second degree, and third degree. Capital crimes are not sentenced under the sentencing guidelines and are therefore not considered here. Four separate factors were created for the models indicating whether the primary offense was or was not each of the felony class levels. These variables were included in the model to determine their unique effect on the sentencing decisions. One could create one continuous factor from the felony class level. However, that would assume that the seriousness of the crime increases to the same degree with each increase in the felony class. For example, it would assume that a second degree felony is twice as serious as a third degree felony. There is no basis for making this assumption.

Type of Primary Offense: The specific primary offenses were categorized into nine groups (murder/manslaughter, sexual/lewd assault, robbery, other violent, burglary, property, drugs, weapons/escape, and other). Nine dichotomous variables (no=0, yes=1) were created for each of the offense groups. Eight of these variables were part of the model (for statistical models you exclude one category to form a comparison point). These variables were treated as control variables and are not reported in the in/out prison decision or length of prison decision tables.

Seriousness of Additional Offenses: Measured as the number of guidelines points assessed for all additional crimes for which the offender was sentenced. This was used as an overall seriousness measure. A measure of the number of additional offenses was created, however, the guidelines points were found to have more explanatory power than the number of crimes. These two measures were highly correlated. Only the point total was used in the model.

Types of Additional Offenses: A measure of the nature of additional offenses was created by developing indicators of the number of additional crimes for each of the nine offense groups detailed above. These nine variables were then used in the statistical models.

Seriousness of Prior Offenses: Measured as the number of guidelines points assessed for all prior crime convictions. This was used as an overall seriousness measure of the offender's prior criminal record. A measure of the number of prior felony convictions was created, however, the guidelines points were found to have more explanatory power than the number of crimes. These two measures were highly correlated. Only the point total was used in the model.

Types of Prior Offenses: The same types of measure explained above for additional offenses was developed for prior record crimes.

Prior Florida Prison Sentences: The number of times an offender has been sentenced to Florida's prison system in the past. This variable only includes new sentences to prison and does not include admissions to prison which resulted from a technical violation of supervision. In these latter cases, the offender is returned to prison to complete a prior commitment. This information is not part of the guidelines scoresheet. It was obtained from the Department of Correction's data system.

Victim Injury: This is measured by the total number of victim injury points assessed on the guidelines scoresheet.

Several other measures, such as number of victims involved and number of various types of victim injury, were developed. However, the total victim injury points explained more of the sentence decisions and was used in the final models.

Prior Community Supervision Violations: This was measured by the number of release program violation points assessed on the guidelines scoresheet.

Law Enforcement Enhancement Guidelines Points: If the primary offense on the sentencing guidelines scoresheet is a violation of the Law Enforcement Protection Act, the subtotal sentence points are multiplied by either 1.5, 2.0, or 2.5, depending upon which provision of the law was violated. The measure used for this analysis is the number of additional guidelines points assessed if the multiplier was used.

NOTE: Due to time constraints, this study has not been replicated or expanded. It has been reprinted from the FY1996-97 annual report.

Endnotes

¹ "A Report on the Analysis of Sentencing Procedures in Florida's Circuit Courts," Sentencing Study Committee, February 29, 1979.

² Capital felony cases are not sentenced under the sentencing guidelines and are therefore not a part of this study. The 1994 sentencing guidelines took effect for any crimes committed on or after January 1, 1994. Therefore, offenders sentenced between July 1, 1994 and December 31, 1996 who committed crimes prior to January 1, 1994 are not a part of this study. Offenders sentenced between January 1, 1994 and June 30, 1994 under the 1994 sentencing guidelines were excluded from this analysis. The quality of the guidelines data for this time period is questionable. Data quality improvements as a result of additional training, feedback to judicial circuits, and the implementation of data quality auditing procedures resulted in more accurate and complete guidelines scoresheets after the first six months of implementation.

³ "Primary Offense" is the most serious crime for which the offender is sentenced under the sentencing guidelines. The determination of which offense is primary, if multiple offenses are involved, is based on which crime results in the highest number of total sentencing guidelines points. For almost all sentencing scoresheets, the primary offense will be the one which falls in the highest guidelines level.

⁴ The sentencing guidelines scoresheet allows for the entry of three race categories: white, black, and other. There were 1,889 (0.8%) cases with the "other" race category in the database studied for this report. The relatively low number of cases in "other" and the inability to identify the specific racial group led to the decision not to include these cases in this analysis.

⁵ The judicial circuit which sentenced the offenders was used as a control variable in models not presented in this report. These models produced virtually identical results to those reported in this report in terms of racial effects and the relative importance of the factors in the models. To examine this issue further, analysis will be conducted in the future within specific judicial circuits to further study the racial disparity issue.

⁶ William D. Bales, Ph.D., Florida Department of Corrections, Bureau of Research and Data Analysis, Tallahassee, Florida 32399-2500. Phone (904) 488-1801.

Table 1

**Prison Versus Non-Prison Sentence for Blacks and Whites
(N=221,577):
Sentencing Guidelines Cases from July 1, 1994 to December 31,**

1996

Offense Type	Total Percent of Cases Sentenced To Prison	Blacks: Percent of Cases Sentenced To Prison	Whites: Percent of Cases Sentenced To Prison	Difference in Cases Sentenced To Prison
TOTAL ALL CASES	17.2%	20.8%	14.1%	6.7%
Violent	29.8%	36.0%	24.6%	11.4%
Property	15.0%	17.1%	13.7%	3.4%
Drugs	11.6%	15.7%	6.3%	9.4%
Other	17.3%	19.4%	15.7%	3.7%
Murder/Manslaughter	81.4%	86.2%	77.1%	9.1%
Attempted Capital Murder	85.9%	86.1%	85.7%	0.4%
2nd Degree Murder	89.8%	89.9%	89.8%	0.1%
3rd Degree Murder	88.1%	86.8%	90.5%	-3.6%
Manslaughter	66.5%	80.4%	55.4%	25.0%
DUI Manslaughter	73.0%	74.1%	72.9%	1.2%
Sexual/Lewd Assault	41.2%	47.3%	38.6%	8.7%
Attempted Capital Sexual Battery	70.9%	62.1%	74.4%	-12.3%
Life Sexual Battery	77.7%	77.7%	77.8%	-0.1%
1st Degree Sexual Battery	50.6%	55.2%	47.6%	7.6%
Lewd/Lascivious Behavior	32.0%	36.2%	30.6%	5.6%
Robbery	52.6%	56.6%	46.5%	10.2%
Robbery With Weapon	74.4%	76.8%	69.7%	7.2%
Robbery Without Weapon	35.6%	38.1%	32.4%	5.7%
Home Invasion, Robbery	71.6%	63.2%	80.6%	-17.4%
Violent, Other	19.6%	24.8%	15.5%	9.3%
Aggravated Battery	24.8%	27.6%	21.8%	5.7%
Aggravated Battery on LEO	18.7%	26.7%	12.3%	14.4%
Aggravated Assault	14.6%	17.3%	12.4%	4.9%
Resisting Arrest with Violence	16.8%	23.5%	11.0%	12.5%
Kidnapping	41.7%	49.8%	36.2%	13.6%
Arson	28.7%	36.4%	25.0%	11.4%
Violent, Other	12.6%	15.1%	11.5%	3.6%

Abuse of Children	17.8%	18.4%	17.3%	1.1%
Assault/Battery, Other	9.3%	12.8%	7.4%	5.4%
Aggravated Stalking	8.3%	11.5%	7.2%	4.3%
Carjacking	73.3%	75.7%	69.9%	5.8%
Burglary	27.3%	33.4%	23.9%	9.5%
Burglary, Dwelling	39.3%	45.4%	36.1%	9.3%
Burglary, Structure	17.3%	23.8%	13.5%	10.3%
Burglary, Armed	60.2%	62.7%	59.0%	3.7%
Burglary with Assault	47.6%	55.1%	40.6%	14.5%
Burglary, Trespass, Other	4.9%	6.2%	4.5%	1.7%
Property Theft/Fraud/Damage	8.8%	9.6%	8.4%	1.2%
Grand Theft, Other	6.1%	7.0%	5.6%	1.4%
Stolen Property	18.0%	20.5%	17.2%	3.2%
Grand Theft Automobile	14.5%	16.0%	13.4%	2.6%
Forgery/Counterfeiting	6.4%	5.9%	6.7%	-0.8%
Fraudulent Practices	5.6%	8.2%	3.2%	5.0%
Other Theft, Property Damage	7.2%	7.4%	6.7%	0.7%
Worthless Checks	2.3%	1.5%	2.5%	-1.0%
Drugs	11.6%	15.7%	6.3%	9.4%
Drugs, Manuf./Sale/Purchase	15.2%	20.6%	6.0%	14.7%
Drugs, Possession/Other	6.2%	8.6%	3.7%	4.9%
Drugs, Trafficking	60.6%	64.8%	56.7%	8.1%
Weapons	16.5%	19.5%	13.0%	6.5%
Weapons, Possession	16.1%	18.7%	12.9%	5.8%
Weapons, Discharging	18.8%	25.2%	13.3%	11.9%
Other	18.3%	20.4%	17.2%	3.2%
Escape	32.1%	35.4%	29.6%	5.8%
DUI, With Injury	30.5%	29.4%	30.5%	-1.1%
DUI, No Injury	26.4%	25.3%	26.5%	-1.1%
Other	13.4%	17.3%	10.8%	6.5%
Traffic, Other	2.8%	2.7%	2.8%	-0.1%
Leaving Scene of Accident	9.4%	19.5%	7.0%	12.5%
Pollution/Hazardous Materials	1.8%	2.4%	1.6%	0.9%
Racketeering	21.5%	0.0%	25.3%	-25.3%
Number of Cases	221,577	102,625	118,952	

Table 2

Average Prison Sentence Length in Years by Race
(N=38,031)
Sentencing Guidelines Cases from July 1, 1994 to
December 31, 1996

Offense Type	Average Sentence Length			Black-White Difference	
	Total	Black	White	Number	Percent
TOTAL ALL CASES	4.6	4.6	4.6	0.0	0.0%
Violent	6.9	7.0	6.7	0.3	4.7%
Property	3.4	3.6	3.3	0.3	8.1%
Drugs	3.0	2.8	3.4	-0.6	-17.2%
Other	3.1	3.3	2.9	0.4	13.6%
Murder/Manslaughter	14.5	15.8	13.2	2.7	20.4%
Attempted Capital Murder	14.6	16.1	12.8	3.3	25.8%
2nd Degree Murder	18.2	18.8	17.5	1.4	7.8%
3rd Degree Murder	12.6	12.3	13.2	-1.0	-7.2%
Manslaughter	8.8	9.8	7.6	2.3	29.7%
DUI Manslaughter	9.7	9.3	9.8	-0.4	-4.6%
Sexual/Lewd Assault	9.3	10.0	9.0	1.0	10.9%
Attempted Capital Sexual Battery	14.2	13.8	14.3	-0.6	-3.9%
Life Sexual Battery	18.5	18.9	16.2	2.7	16.8%
1st Degree Sexual Battery	10.2	11.1	9.5	1.6	16.3%
Lewd/Lascivious Behavior	6.0	4.9	6.5	-1.6	-25.0%
Robbery	7.2	7.6	6.4	1.2	18.8%
Robbery With Weapon	8.9	9.1	8.4	0.7	7.9%
Robbery Without Weapon	4.4	4.7	3.8	0.9	24.5%
Home Invasion, Robbery	9.1	11.0	7.6	3.4	45.5%
Violent, Other	4.3	4.3	4.3	0.0	0.2%
Aggravated Battery	4.3	4.4	4.1	0.3	8.2%
Aggravated Battery on LEO	3.3	3.3	3.6	-0.3	-8.5%
Aggravated Assault	2.9	3.1	2.8	0.3	12.0%
Resisting Arrest with Violence	2.6	2.6	2.6	0.1	3.6%
Kidnapping	11.8	12.5	11.1	1.3	12.0%
Arson	4.2	4.3	4.1	0.2	5.1%

Violent, Other	2.9	2.9	2.8	0.1	3.8%
Abuse of Children	6.8	6.8	6.9	-0.1	-1.5%
Assault/Battery, Other	3.6	2.7	4.5	-1.8	-39.0%
Aggravated Stalking	3.2	3.7	2.9	0.8	27.6%
Carjacking	8.2	8.6	7.6	1.0	12.6%
Burglary	4.3	4.6	4.0	0.6	15.2%
Burglary, Dwelling	4.2	4.8	3.8	1.0	26.3%
Burglary, Structure	2.8	3.0	2.7	0.3	10.2%
Burglary, Armed	7.0	7.7	6.6	1.0	15.6%
Burglary with Assault	8.2	8.5	7.7	0.8	10.0%
Burglary, Trespass, Other	3.5	3.0	3.8	-0.9	-22.7%
Property					
Theft/Fraud/Damage	2.5	2.5	2.6	-0.1	-2.0%
Grand Theft, Other	2.6	2.4	2.8	-0.4	-14.0%
Stolen Property	2.8	3.0	2.7	0.3	10.8%
Grand Theft					
Automobile	2.4	2.5	2.2	0.3	12.7%
Forgery/Counterfeiting	2.2	2.1	2.2	-0.1	-3.4%
Fraudulent Practices	2.3	2.1	2.6	-0.6	-21.5%
Other Theft, Property					
Damage	2.7	2.5	3.1	-0.6	-19.5%
Worthless Checks	2.1	2.1	2.0	0.1	5.8%
Drugs	3.0	2.8	3.4	-0.6	-17.2%
Drugs, Manuf./Sale/Purchase	2.7	2.8	2.2	0.6	25.5%
Drugs, Possession/Other	2.0	1.9	2.0	0.0	-0.9%
Drugs, Trafficking	6.1	5.8	6.5	-0.6	-9.9%
Weapons	3.6	3.8	3.4	0.4	12.6%
Weapons, Possession	3.6	3.8	3.3	0.6	17.9%
Weapons, Discharging	3.6	3.6	3.8	-0.2	-5.3%
Other	2.8	2.8	2.8	-0.1	-2.1%
Escape	3.1	2.9	3.2	-0.2	-7.3%
DUI, With Injury	4.1	5.0	4.0	1.0	24.6%
DUI, No Injury	2.2	2.2	2.2	0.0	0.8%
Other	2.6	2.5	2.7	-0.2	-7.7%
Traffic, Other	1.7	1.6	1.7	-0.1	-8.3%
Leaving Scene of Accident	3.0	2.9	3.2	-0.2	-7.4%

Notes: Sentence lengths greater than 50 years or life are treated as 50 years.

Offense types with less than 10 cases in either racial group are excluded.

(This section continues on next page.)

Part II Impact

Table 3
White and Black Offenders
Sentencing Factors (221,351 Cases):
Sentencing Guidelines Cases
July 1, 1994 to December 31, 1996

Sentencing Factor	Racial Group	All Cases	Violent Crimes	Property Crimes	Drug Crimes	Other Crimes
Total Guidelines Points (Average)	Blacks	30.7	66.1	21	19.8	25.7
	Whites	26.3	57.4	21.6	9.3	24.4
	Diff.	4.4	8.7	-0.6	10.5	1.3
	%					
	Diff.	14.3%	13.2%	-2.9%	53.0%	5%
Primary Offense Points	Blacks	26.2	44.7	20.0	21.3	22.8
	Whites	24.9	41.1	21.2	18.0	22.6
	Diff.	1.3	3.6	-1.2	3.3	0.2
	%					
	Diff.	5.0%	8.1%	-6.0%	15.5%	0.9%
Prior Criminal Record Indicators:						
Percent With 1+ Prior Record Crimes	Blacks	66.2%	59.5%	65.0%	70.2%	67.0%
	Whites	48.3%	41.6%	49.5%	47.8%	63.5%
	Diff.	17.9%	17.9%	15.6%	22.4%	3.54%
	%					
	Diff.	27.0%	30.1%	23.9%	31.9%	5.3%
Prior Record Points Average (1+ only)	Blacks	8.2	7.6	8.5	8.3	8.4
	Whites	4.8	4.3	5.3	4.1	6.7
	Diff.	3.4	3.3	3.2	4.2	1.7
	%					
	Diff.	41.5%	43.4%	37.6%	50.6%	20.2%
Number of Prior Convictions (1+ Avg.)	Blacks	7.4	6.5	8.4	7.1	7.5
	Whites	6.4	5.9	6.8	5.8	8.2
	Diff.	1	0.6	1.6	1.3	-0.7
	%					
	Diff.	13.5%	9.2%	19.0%	18.3%	-9.3%
Percent With 1+ Prior Prison Sentences	Blacks	9.2%	15.3%	7.6%	7.2%	8.2%
	Whites	5.5%	9.5%	5.0%	3.0%	5.6%
	Diff.	3.7%	5.8%	2.6%	4.2%	2.6%
	%					
	Diff.	40.4%	37.6%	34.7%	58.5%	31.6%
Additional Crime Indicators:						
Additional	Blacks	32.0%	38.2%	34.0%	28.7%	26.0%

Crimes (% With One or More)	Whites	31.9%	33.4%	41.4%	21.7%	18.5%
	Diff.	0.1%	4.8%	-7.5%	7.0%	7.5%
	% Diff.	0.3%	12.7%	-22.0%	24.5%	28.9%
Additional Crime Points Avg. (1+ only)	Blacks	5.1	10.3	4.5	3.2	3.4
	Whites	5.4	8.6	6.4	2.4	2.8
	Diff.	-0.3	1.7	-1.9	0.8	0.6
	% Diff.	-5.9%	16.5%	-42.2%	25.0%	17.6%
Additional Crime Number Avg. (1+ only)	Blacks	2.0	2.1	2.4	1.7	1.9
	Whites	2.3	2.1	2.9	1.8	2.0
	Diff.	-0.3	0.0	-0.5	-0.1	-0.1
	% Diff.	-15.0%	0.0%	-20.8%	-5.9%	-5.3%
Victim Injury Seriousness						
Victim Injury Points (% With 1+)	Blacks	9.6%	40.5%	1.5%	0.4%	1.8%
	Whites	10.0%	41.3%	1.1%	0.3%	1.7%
	Diff.	-0.4%	-0.8%	0.4%	0.1%	0.1%
	% Diff.	-4.1%	-2.0%	29.2%	30.7%	3.0%
Victim Injury Points Average (1+ only)	Blacks	21.2	22.0	10.7	9.5	10.5
	Whites	24.2	25.1	10.4	9.4	14.1
	Diff.	-3.0	-3.1	0.3	0.1	-3.6
	% Diff.	-14.2%	-14.1%	2.8%	1.1%	-34.3%
Release Program Violations:						
Release Program Violators (% Yes)	Blacks	22.1%	18.9%	21.6%	23.8%	22.9%
	Whites	19.1%	15.5%	20.9%	20.0%	16.9%
	Diff.	3.0%	3.4%	0.7%	3.8%	6.1%
	% Diff.	13.4%	17.8%	3.2%	15.9%	26.4%
Release Program Points Avg. (1+ only)	Blacks	7.4	7.3	7.5	7.5	7.4
	Whites	7.4	7.2	7.5	7.5	7.6
	Diff.	0.0	0.1	0.0	0.0	-0.2
	% Diff.	0.0%	1.4%	0.0%	0.0%	-2.7%

Table 4

**Effect of Factors on In/Out Prison Decision (221,351
Cases):**

**Reported in Order of Most to Least Influential
Sentencing Guidelines Cases from July 1, 1994 to
December 31, 1996**

Factors Affecting In/Out Prison Decision (1)	Ranking of Effect of Factor on Prison Decision 1= Most Influential	Unique Effect Of Factor on Prison Decision(2)
Prior Florida Prison Sentences	1	1.525
Current Crime Seriousness	2	.334
Prior Record Seriousness	3	.287
Release Program Violator	4	.260
3rd Degree Felony: Current Crime	5	.186
2nd Degree Felony: Current Crime	6	.141
Prior Property Crimes	7	.130
1st Degree P.B.L.: Current Crime(3)	8	.129
Plea or Trial Disposition	9	.126
Prior Drug Crimes	10	.114
Additional Drug Crimes	11	.092
Prior Burglary Crimes	12	.091
Victim Injury Guidelines Points	13	.091
Additional Property Crimes	14	.087
Gender of Offender	15	.084
Prior Robbery Crimes	16	.068
Drug Enhancement Guidelines Points	17	.068
Prior Other Violent Crimes	18	.065

Additional Burglary Crimes	19	.064
Additional Escapes or Weapons	20	.047
Seriousness of Additional Offenses	21	.045
Law Enforcement Guidelines Points	22	.045
Prior Sexual Crimes	23	.043
Additional Other Violent Crimes	24	.041
Additional Robbery Crimes	25	.038
Prior Murder, Manslaughter Crimes	26	.035
Age of Offender at Sentencing	27	-.029
Prior Escape or Weapons Crimes	28	.025
Race of Offender	29	.024
Life Felony: Current Crime	30	.020
Additional Sexual Crimes	31	.012
Additional Murder, Manslaughters	32	.003

Model Explains 51.7% of the In/Out Prison Decision.

(1) See Methodology section for details on how the factors were measured

(2) Standardized parameter estimates from logit model.

(3) P.B.L.=Punishable by life

Table 5

Effect of Factors on Prison Sentence Length (38,031 Cases):

Reported in Order of Most to Least Influential Sentencing Guidelines Cases From July 1, 1994 to December 31, 1996

Factors Affecting Length of Prison Sentence(1)	Ranking of Effect of Factor on Sentence Length 1= Most Influential	Unique Effect Of Factor on Sentence Length(2)
Current Crime Seriousness	1	.251
Victim Injury Guidelines Points	2	.229
Plea or Trial Disposition	3	.226
1st Degree P.B.L.: Current Crime(3)	4	.131
Prior Record Seriousness	5	.125
Life Felony: Current Crime Seriousness of Additional Offenses	6	.097
2nd Degree Felony: Current Crime	7	.085
3rd Degree Felony: Current Crime	8	.084
Prior Robbery Crimes	9	.061
Additional Robbery Crimes	10	.052
Prior Property Crimes	11	.052
Law Enforcement Guidelines Points	12	.045
Release Program Violator	13	.045
Drug Enhancement Guidelines Points	14	.042
Prior Sexual Crimes	15	.038
Additional Sexual Crimes	16	.037
Age of Offender at Sentencing	17	.030
Prior Other	18	.028

Violent Crimes	19	.025
Prior Escape or Weapons Crimes	20	.025
Prior Drug Crimes	21	.024
Prior Burglary Crimes	22	.021
Additional Burglary Crimes	23	.021
Prior Murder, Manslaughter Crimes	24	.021
Additional Murder, Manslaughters	25	.019
Additional Property Crimes	26	.014
Additional Escapes or Weapons	27	.014
Prior Florida Prison Sentences	28	-.011
Race of Offender(4)	29	.006
Gender of Offender(4)	30	.006
Additional Drug Crimes(4)	31	.006

Model Explains 42.2% of the Length of Prison Sentence.

(1) See Methodology section for details on how the factors were measured

(2) Standardized Beta coefficient from ordinary least squares regression model.

(3) P.B.L.=Punishable by life

(4) Race of offender=-.0062, gender of offender=.0059, additional drug crimes=.0055

Part II Impact

Section 3. Penalties and Primary Offense Severity

GOAL: The penalty imposed is commensurate with the severity of the primary offense and the circumstances surrounding the primary offense. F.S. 921.001(4)(a)3.

FACT: *As the severity of the primary offense increases, the proportion of offenders sentenced to state prison increases, and the length of the prison sentence increases.*

NOTE: As a result of scoresheet preparation error or data entry error, there were a minimal number of cases in which the sentencing guidelines level is in error (see page 11 of this report for reasons why errors are not changed). See the Appendix in this report for the Severity Ranking Chart.

FINDINGS:

- The proportion of those sentenced to state prison increased steadily from 3.3% at sentencing guidelines severity level 1, the offense level representing the least severe offenses, to 90.9% at sentencing guidelines severity level 10, the offense level representing the most serious offenses (Table 1).
- Community Control sanctions were imposed progressively more from sentencing guidelines level 1 (8.8%) to sentencing guidelines level 7 (17.7%). Probation sanctions represented a decreasing proportion of cases as sentencing guidelines level moves from level 2 to level 10 (Table 1).
- Over 60% of the offenders with a primary offense at sentencing guidelines severity level 8 received a state prison sentence of four or more years. Over 73% of level 10 offenders received a sentence of more than 10 years in state prison (Table 2).

FACT: *The scoresheet total points are a sum of several component scores: the primary offense, additional offenses, prior offenses, victim injury, legal status violations, community sanction violations, firearm and weapons violations, and specific enhancements.*

FINDINGS:

- In most cases, the nature of the primary offense made the greatest contribution to total sentencing guidelines points -- as expected given the design of the guidelines. However, offenders scoring to state prison had, on average, a larger percentage of points associated with the nature and number of their additional offenses, as well as other scoring components, compared to those receiving less severe sanctions (Table 3).
- Overall, the primary offense contributed about 65% of total points. This varied from nearly 76% for those with total points in the non-prison category to 56% for those with total points in the recommended state prison category (see definitions of point categories in the Notes portion of Impact - Section 6). In the higher point ranges, prior record, additional offenses, and the other components made great contributions while legal status/community sanction violation points made a great impact at the lower ranges. (Table 3).
- Over half of all scoresheets included points from additional offenses. About 74% had points related to prior record of the offender. Over 21% gained points from community sanction violations, and nearly 9% from victim injury. Of the victim injury points, most came from the slight or moderate categories (Table 4).

- Most offenders have no additional offenses, or only misdemeanors (table 5).

Table 1

**Sanction Imposed by Sentencing Guidelines Level
Fiscal Year 1996-97**

Sentencing Guidelines Level of Primary Offense	State Prison	Community Control	Probation	County Jail	Other Sentence	Total
1	339 3.3%	916 8.8%	6,052 58.5%	2,893 27.9%	151 1.5%	10,351 100.0%
2	617 5.3%	1,026 8.8%	7,415 63.4%	2,587 22.1%	53 0.5%	11,698 100.0%
3	1,606 5.9%	2,490 9.1%	13,272 48.4%	10,005 36.5%	74 0.3%	27,447 100.0%
4	2,691 14.5%	1,900 10.2%	8,755 47.1%	5,201 28.0%	46 0.2%	18,593 100.0%
5	4,074 20.2%	2,344 11.6%	8,401 41.7%	5,279 26.2%	51 0.3%	20,149 100.0%
6	2,587 25.6%	1,486 14.7%	4,637 45.8%	1,382 13.7%	29 0.3%	10,121 100.0%
7	4,416 41.9%	1,862 17.7%	3,548 33.7%	693 6.6%	20 0.2%	10,539 100.0%
8	1,296 58.8%	337 15.3%	492 22.3%	78 3.5%	2 0.1%	2,205 100.0%
9	1,632 79.6%	174 8.5%	207 10.1%	32 1.6%	4 0.2%	2,049 100.0%
10	359 90.9%	15 3.8%	14 3.5%	7 1.8%	0 0.0%	395 100.0%
Total	19,617 17.3%	12,550 11.1%	52,793 46.5%	28,157 24.8%	430 0.4%	113,547 100.0%

Table 2

**State Prison Sentence Length
by Sentencing Guidelines Level
Fiscal Year 1996-97**

Prison Sentence Length in

Sentencing Guidelines Level of Primary Offense	Years				Total
	GT 2 - LE 2*	GT 4 - LE 4*	GT 10*	GT 10*	
1	246 72.6%	61 18.0%	29 8.6%	3 0.9%	339 100.0%
2	403 65.3%	136 22.0%	74 12.0%	4 0.6%	617 100.0%
3	1,140 71.0%	346 21.5%	104 6.5%	16 1.0%	1,606 100.0%
4	1,614 60.0%	723 26.9%	322 12.0%	32 1.2%	2,691 100.0%
5	2,172 53.3%	1,317 32.3%	451 11.1%	134 3.3%	4,074 100.0%
6	1,187 45.9%	933 36.1%	370 14.3%	97 3.7%	2,587 100.0%
7	928 21.0%	1,809 41.0%	1,373 31.1%	306 6.9%	4,416 100.0%
8	121 9.3%	383 29.6%	555 42.8%	237 18.3%	1,296 100.0%
9	87 5.3%	275 16.9%	752 46.1%	518 31.7%	1,632 100.0%
10	5 1.4%	18 5.0%	71 19.8%	265 73.8%	359 100.0%
Total	7,903 40.3%	6,001 30.6%	4,101 20.9%	1,612 8.2%	19,617 100.0%

* LE= Less than or equal to; GT=Greater than.

Table 3

**Source of Sentence Points
by Recommended Sanction Category
Fiscal Year 1996-97**

Guidelines Component	Non-Prison Below 34.8 Points	Discretionary* 34.8-52.0 Points	State Prison Exceeding 52.0 Points
Primary Offenses	75.6%	63.5%	56.1%
Additional Offenses	3.4%	5.4%	9.1%
Prior Record	13.6%	21.5%	20.6%
Other			

Components**	7.4%	9.6%	14.2%
Victim Injury	0.3%	1.0%	6.9%
Legal Stat./Comm. Sanc. Viol.	6.5%	7.5%	3.4%
Firearm/Weapon Viol.	0.3%	0.5%	0.7%
Enhancements	0.3%	0.5%	3.2%
Total Points	100.0%	100.0%	100.0%

*Judge has discretion in sanction to be applied.

** The Other Components category includes points for victim injury, legal status violations, community sanction violations, firearm and weapons violations, prior capital felony, prior serious felony, and enhancements. These are grouped because these components apply to a relatively small proportion of cases, and the percentage attributable to them overall can be misleading as an indicator of their relative importance in cases where points are assigned.

Figure 1
Source of Points for Offenders Scoring in
Recommended State Prison Sanction Category**
Fiscal Year 1996-97



**Exceeding 52.0 points.

Table 4

Average Sentence Points
For Offenders Receiving Points From That Component
Fiscal Year 1996-97

Guidelines Component	Average	Percent Receiving Points
Additional Offenses	6.5	52.1%
Victim Injury Total	27.8	8.5%
2nd Degree Murder	171.4	0.1%
Death	103.7	0.3%

Severe Injury	46.9	0.7%
Moderate Injury	19.2	1.8%
Slight Injury	4.6	4.4%
Sex Penetration	84.4	0.7%
Sex Contact	42.6	0.7%
Prior Record	10.4	73.7%
Legal Status Violation	4.0	9.9%
Comm. Sanction Violation	8.1	21.9%
Firearm Violation	18.0	0.9%
Weapon Violation	25.0	0.1%
Enhancements	86.2	0.9%

Note: In some instances offenses are listed on the scoresheet but are not scored or reflected in the total points. This may have a small effect on the above table.

Table 5

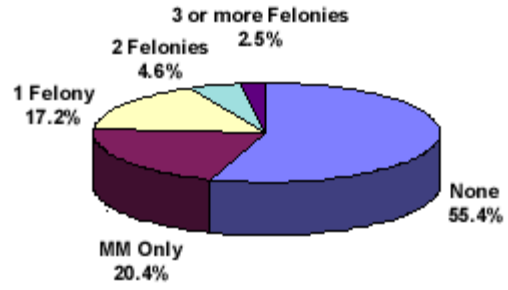
**Number of Additional Offenses
Fiscal Year 1996-97**

Additional Offenses	Number	Percent
None	62,879	55.4%
Misdemeanors Only	23,107	20.4%
1 Felony	19,508	17.2%
2 Felonies	5,224	4.6%
3 Felonies	1,724	1.5%
4 Felonies	574	0.5%
5 Felonies	257	0.2%
6 Felonies	125	0.1%
7 or More Felonies	149	0.1%
Total	113,547	100.0%

Note: In some instances offenses are listed on the scoresheet but are not scored or reflected in the total points. This may have a small effect on the above table.

Figure 2

**Additional Offenses
FY 1996-97**



Part II Impact

SECTION 4. Sentence Severity and Prior Record

GOAL: The severity of the sentence increases with the length and nature of the offender's prior record. F.S. 921.001(4)(a)4.

FACT: *As the number of prior felony convictions increases, the percentage of offenders sentenced to state prison increases.*

FINDINGS:

- Nearly 52% of offenders had no prior offense records or misdemeanors only (Table 1).
- Only 8.6% of the offenders with no prior felonies were sentenced to state prison. More than 62% of offenders with six or more prior felony convictions were sentenced to state prison, regardless of the severity of the current offense (Table 2).
- 61% of all offenders with no prior felony convictions were sentenced to probation (Table 2).

FACT: *The average length of a state prison sentence increases as the number of prior felony convictions of offenders increases.*

FINDINGS:

- For offenders convicted of offenses with sentencing guidelines severity levels between 1 and 4, the average increase in state prison sentence length for each prior felony was 4.7 months. For levels 5 to 7, the increase for each prior felony resulted in an average increase of 9.2 months. And for levels 8 to 10, each prior felony added an average of 12.7 months to the state prison sentence (Table 3).

Table 1

**Number of Prior Offenses
Fiscal Year 1996-97**

Prior Offenses	Number	Percent
None	31,461	27.7%
Misdemeanors Only	27,365	24.1%
1 Felony	22,526	19.8%
2 Felonies	15,149	13.3%
3 Felonies	8,873	7.8%
4 Felonies	4,592	4.0%
5 Felonies	2,182	1.9%
6 Felonies	861	0.8%

7 or More Felonies	538	0.5%
Total	113,547	100.0%

Table 2

**Prior Felony Record and Sanction Imposed
Fiscal Year 1996-97**

Number of Prior Felonies	State	Community	County		Other	Total
	Prison	Control	Probation	Jail	Sentence	
0	5,064 8.6%	6,419 10.9%	35,864 61.0%	11,146 18.9%	333 0.6%	58,826 100.0%
1	3,588 15.9%	2,764 12.3%	8,969 39.8%	7,156 31.8%	49 0.2%	22,526 100.0%
2	3,769 24.9%	1,798 11.9%	4,546 30.0%	5,003 33.0%	33 0.2%	15,149 100.0%
3	2,997 33.8%	892 10.1%	2,132 24.0%	2,841 32.0%	11 0.1%	8,873 100.0%
4	2,135 46.5%	389 8.5%	842 18.3%	1,223 26.6%	3 0.1%	4,592 100.0%
5	1,190 54.5%	188 8.6%	302 13.8%	501 23.0%	1 0.0%	2,182 100.0%
6 or more	874 62.5%	100 7.1%	138 9.9%	287 20.5%	0 0.0%	1,399 100.0%
Total	19,617 17.3%	12,550 11.1%	52,793 46.5%	28,157 24.8%	430 0.4%	113,547 100.0%

Note: In some instances offenses are listed on the scoresheet but are not scored or reflected in the total points. This may have a small effect on the above tables.

Table 3

**Average State Prison Sentence Length in Months
by Prior Felony Record and Sentencing Guidelines Level
Fiscal Year 1996-97**

Number of Prior Felonies	Sentencing Guidelines Level		
	1-4	5-7	8-10

0	23.6	37.3	110.0
1	22.8	37.9	120.9
2	23.6	44.9	125.2
3	27.4	49.7	143.7
4	32.5	60.8	143.4
5	37.0	64.9	162.3
6 or more	46.5	84.0	171.2
Average Increase in Sentence for Each Additional Prior Felony*	4.7	9.2	12.7
	months	months	months

* Calculations based on 6 or more prior felonies equal to 6.
Note: In some instances offenses are listed on the scoresheet but are not scored or reflected in the total points. This may have a small effect on the above table.

Part II Impact

SECTION 5. Length of Time Served

GOAL: The sentence imposed by the sentencing judge reflects the length of actual time to be served, shortened only by the application of incentive and meritorious gain-time. F.S. 921.001(4)(a)5.

FACT: *Although the prison sentence lengths imposed by courts have not changed dramatically from FY 1992-93 to FY 1996-97, the repeal of basic gain-time and elimination of the early prison release program has significantly increased actual time served in prison.*

FINDINGS:

- The average percentage of sentence served has increased from less than 31% in 1990 to 71.2% in 1997 for all released offenders. Similar increases are seen for violent offenders (Figure 1).
- Using estimates of the number of years that will be served under the pre-1994 and the 1994-95 guidelines policies, sentences for murder, manslaughter and sexual battery will increase dramatically. For example, the average number of years served for second degree murder will rise by 4.0 years, and that for first degree sexual battery will increase by 5.8 years (Table 1).

Figure 1

Average Percentage of Time Served Over Seven Years

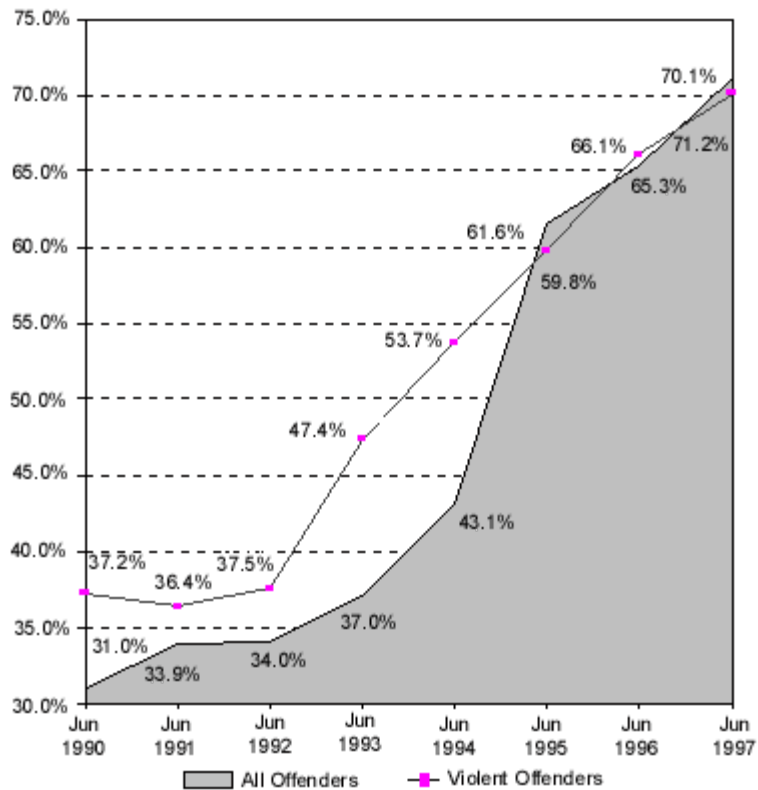


Table 1

Comparison of State Prison Sentence Length to Estimated Number of Years Served for Selected Offenses Pre-1994 vs. 1994-95 Sentencing Guidelines Policy

Primary Offense	Avg. Sentence Length in Years			Est. # of Years Served		
	FY 1992-93 Pre-1994 Guidelines Policy	FY 1996-97 1994-95 Guidelines Policy	Diff.	FY 1992-93 Pre-1994 Guidelines Policy*	FY 1996-97 1994-95 Guidelines Policy**	Diff.
2nd Degree Murder	18.4	18.1	-0.34	12.5	16.5	+4.0
Manslaughter	8.6	6.9	-1.7	4.9	6.9	+2.0
1st Degree Sexual Battery	8.7	12.0	+3.3	5.1	10.8	+5.8
Lewd/Lascivious Behavior	8.1	4.4	-3.7	3.5	4.6	+1.1
Robbery with Weapon	9.1	7.5	-1.6	6.5	8.0	+1.5
Aggravated Battery	4.1	3.4	-0.7	2.7	3.8	+1.1
Burglary of Structure	3.6	2.2	-1.4	2.2	2.9	+0.7
Burglary of						

Dwelling	5.3	3.4	-1.9	3.1	3.9 +0.9
Grand Theft	3.2	1.8	-1.4	1.9	2.4 +0.5
Grand Theft, Automobile	3.0	1.5	-1.5	1.8	2.2 +0.4
Stolen Property	4.8	2.3	-2.5	2.6	2.8 +0.2
Weapons, Possession	3.9	3.0	-0.9	2.6	3.6 +1.0
Drugs, Man./Sale/Purch.	3.8	2.0	-1.8	2.3	2.6 +0.3
Drugs, Trafficking	6.2	5.2	-1.0	3.4	5.6 +2.3
Drugs, Possession/Other	2.6	1.0	-1.6	1.6	1.7 +0.1

*The Pre-1994 Guidelines Policy estimates of time served are based on FY 1992-93 sentences to state prison, assuming 33% basic gain-time reduction and 25% incentive gain-time reduction of state prison sentences, and excluding offenses committed before 1/1/90. The estimates assume no early prison release through the control release program, used until December 1994 to reduce prison overcrowding.

**The 1994-95 Guidelines Policy estimates of time served are based on FY 1995-96 sentences to state prison, assuming 75% of sentence served for offenses committed between 1/1/94 and 9/30/95 and 85% of sentence served for offenses committed on or after 10/1/95.

Part II Impact

Section 6. Departures From Recommended Sentences

GOAL: Departures from the recommended sentences established in the guidelines are articulated in writing and made only when circumstances or factors reasonably justify the aggravation or mitigation of the sentence. F.S. 921.001(4)(a)6.

FACT: *Of the 113,547 scoresheets received with sentence dates in FY 1996-97, the courts deviated from the guidelines structure in 13.6% of the cases (14,561 mitigated and 870 aggravated, 15,431 total deviations).*

NOTES: An offender's score determines from which of three categories he will be sentenced.

- **Category 1** - Offenders scoring less than 34.8 total points fall in the non-state prison category. In this category, a prison sanction is not permitted within the guidelines structure.
- **Category 2** - Offenders scoring between 34.8 and 52.0 total points fall in the discretionary range. As the name implies, the courts have flexibility in administering either a prison or a non-prison sanction without the requirement of a reason for their decision.
- **Category 3** - In this category, offenders who score more than 52.0 total points are mandated by the guidelines to receive a state prison sanction.

However, the courts may depart from the guidelines structure if a written reason justifying the departure is provided (see sample of scoresheet with attached departure list in the Appendix). A deviation may occur in the non-state prison category (aggravation) or the state prison category (mitigation). Departure information may be recorded on the scoresheet or may be filed in writing in some other manner within 7 days of sentencing.

A true mitigation occurs when an offender scores more than 52.0 total points and either receives a non-state prison sanction or a state prison sentence length less than the 25% permissible downward discretion existing within the guidelines. A sanction mitigation occurs when an offender scores more than 52.0 total points, but receives a non-state prison sanction.

FINDINGS:

- The *true* mitigation rate for those offenders who scored more than 52.0 total points was 58.9%. The *sanction* mitigation rate (those cases that scored to state prison but received a non-state prison sanction) was 43.8% (Table 1).
- For the 9,729 offenders who received a mitigated state prison sentence length, the average reduction in sentence was 25.4 months (Table 1).
- The aggravation rate for those offenders who scored in the non-state prison category was 1.4% (Table 5).

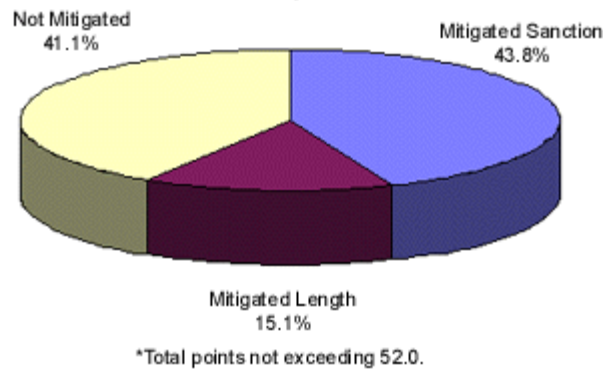
NOTE: The number of cases in many areas is extremely small. Percentages are given, but the may be misleading if numbers are less than 20.

**Mitigation Rates Among Offenders Scoring in
Recommended State Prison Sanction Category*
Fiscal Year 1996-97**

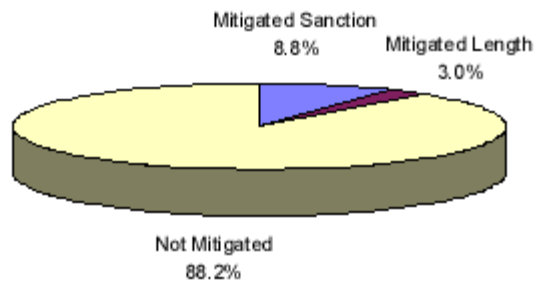
Category	Number	Percent	Average Mitigated Length in Months
Mitigated Total	14,561	58.9%	
Mitigated Sanction	10,832	43.8%	
Mitigated Length	3,729	15.1%	25.4
Not Mitigated	10,145	41.1%	
Total	24,706	100.0%	

*Total points exceeding 52.0.

**Figure 1
Offenders Scoring in Recommended
State Prison Sanction Category ^
Fiscal Year 1996-97
n=24,706**



**Figure 2
Mitigation Rates Among Offenders Sentenced
in Fiscal Year 1996-97
n=113,547**



(This section continues on next page.)

Part II Impact

Section 6. Departures From Recommended Sentences (Continued)

Table 2
Mitigated Sanction Rates*
By Judicial Circuit and County
Fiscal Year 1996-97

Judicial Circuit County	Number of Scoresheets Exceeding 52 Total Points	Number of Scoresheets Mitigated	Mitigation Rate
01 (Pensacola)	1,024	365	35.6%
Escambia	695	303	43.6%
Okaloosa	193	40	20.7%
Santa Rosa	111	11	9.9%
Walton	25	11	44.0%
02 (Tallahassee)	504	188	37.3%
Franklin	27	11	40.7%
Gadsden	145	49	33.8%
Jefferson	51	32	62.7%
Leon	217	59	27.2%
Liberty	10	4	40.0%
Wakulla	54	33	61.1%
03 (Lake City)	293	130	44.4%
Columbia	105	30	28.6%
Dixie	20	8	40.0%
Hamilton	17	11	64.7%
Lafayette	10	4	40.0%
Madison	45	27	60.0%
Suwannee	47	23	48.9%
Taylor	49	27	55.1%
04 (Jacksonville)	1,229	514	41.8%
Clay	160	85	53.1%
Duval	1,021	407	39.9%
Nassau	48	22	45.8%
05 (Tavares)	671	179	26.7%

Citrus	46	5	10.9%
Hernando	92	17	18.5%
Lake	179	32	17.9%
Marion	298	102	34.2%
Sumter	56	23	41.1%
06			
(Clearwater)	2,501	986	39.4%
Pasco	453	160	35.3%
Pinellas	2,048	826	40.3%
07 (Daytona)	694	282	40.6%
Flagler	33	18	54.5%
Putnam	76	16	21.1%
St. Johns	93	28	30.1%
Volusia	492	220	44.7%
08			
(Gainesville)	531	187	35.2%
Alachua	374	126	33.7%
Baker	10	3	30.0%
Bradford	70	27	38.6%
Gilchrist	8	2	25.0%
Levy	51	17	33.3%
Union	18	12	66.7%
09 (Orlando)	1,546	525	34.0%
Orange	1,324	451	34.1%
Osceola	222	74	33.3%
10 (Bartow)	751	236	31.4%
Hardee	21	3	14.3%
Highlands	54	13	24.1%
Polk	676	220	32.5%
11 (Miami)	4,129	2,477	60.0%
Dade	4,129	2,477	60.0%
12 (Sarasota)	680	253	37.2%
Desoto	74	56	75.7%
Manatee	309	118	38.2%
Sarasota	297	79	26.6%
13 (Tampa)	2,826	1,437	50.8%
Hillsborough	2,826	1,437	50.8%
14 (Panama City)	559	133	23.8%
Bay	276	46	16.7%
Calhoun	36	7	19.4%
Gulf	45	14	31.1%
Holmes	29	19	65.5%
Jackson	122	35	28.7%

Washington	51	12	23.5%
15 (West Palm Beach)	1,341	648	48.3%
Palm Beach	1,341	648	48.3%
16 (Key West)	125	45	36.0%
Monroe	125	45	36.0%
17 (Ft. Lauderdale)	3,278	1,408	43.0%
Broward	3,278	1,408	43.0%
18 (Sanford)	606	236	38.9%
Brevard	427	149	34.9%
Seminole	179	87	48.6%
19 (Ft. Pierce)	619	269	43.5%
Indian River	68	28	41.2%
Martin	150	98	65.3%
Okeechobee	82	29	35.4%
St. Lucie	319	114	35.7%
20 (Ft. Myers)	799	334	41.8%
Charlotte	184	77	41.8%
Collier	189	94	49.7%
Glades	10	2	20.0%
Hendry	30	11	36.7%
Lee	386	150	38.9%
Statewide	24,706	10,832	43.8%

*Mitigation of sanction occurs when an offender does not receive a prison sanction although a prison sanction is mandated by the Guidelines.

Table 3
Mitigated Sanction Rates and Sentence Length Rates*
By Judicial Circuit and County
Fiscal Year 1996-97

Judicial Circuit/County	Number of Scoresheets Exceeding 52 Total Points	Number of Scoresheets Mitigated	Mitigation Rate
01 (Pensacola)	1,024	475	46.4%
Escambia	695	363	52.2%
Okaloosa	193	84	43.5%
Santa Rosa	111	17	15.3%

Walton	25	11	44.0%
02			
(Tallahassee)	504	305	60.5%
Franklin	27	17	63.0%
Gadsden	145	68	46.9%
Jefferson	51	39	76.5%
Leon	217	136	62.7%
Liberty	10	5	50.0%
Wakulla	54	40	74.1%
03 (Lake City)	293	162	55.3%
Columbia	105	41	39.0%
Dixie	20	11	55.0%
Hamilton	17	11	64.7%
Lafayette	10	6	60.0%
Madison	45	32	71.1%
Suwannee	47	30	63.8%
Taylor	49	31	63.3%
04			
(Jacksonville)	1,229	694	56.5%
Clay	160	107	66.9%
Duval	1,021	553	54.2%
Nassau	48	34	70.8%
05 (Tavares)	671	261	38.9%
Citrus	46	12	26.1%
Hernando	92	28	30.4%
Lake	179	59	33.0%
Marion	298	128	43.0%
Sumter	56	34	60.7%
06			
(Clearwater)	2,501	1,330	53.2%
Pasco	453	244	53.9%
Pinellas	2,048	1,086	53.0%
07 (Daytona)	694	353	50.9%
Flagler	33	21	63.6%
Putnam	76	19	25.0%
St. Johns	93	35	37.6%
Volusia	492	278	56.5%
08			
(Gainesville)	531	264	49.7%
Alachua	374	186	49.7%
Baker	10	4	40.0%
Bradford	70	33	47.1%
Gilchrist	8	3	37.5%
Levy	51	21	41.2%
Union	18	17	94.4%

09 (Orlando)	1,546	667	43.1%
Orange	1,324	569	43.0%
Osceola	222	98	44.1%
10 (Bartow)	751	349	46.5%
Hardee	21	5	23.8%
Highlands	54	19	35.2%
Polk	676	325	48.1%
11 (Miami)	4,129	3,288	79.6%
Dade	4,129	3,288	79.6%
12 (Sarasota)	680	311	45.7%
Desoto	74	64	86.5%
Manatee	309	154	49.8%
Sarasota	297	93	31.3%
13 (Tampa)	2,826	1,713	60.6%
Hillsborough	2,826	1,713	60.6%
14 (Panama City)	559	214	38.3%
Bay	276	56	20.3%
Calhoun	36	14	38.9%
Gulf	45	21	46.7%
Holmes	29	23	79.3%
Jackson	122	77	63.1%
Washington	51	23	45.1%
15 (West Palm Beach)	1,341	1,043	77.8%
Palm Beach	1,341	1,043	77.8%
16 (Key West)	125	57	45.6%
Monroe	125	57	45.6%
17 (Ft. Lauderdale)	3,278	1,989	60.7%
Broward	3,278	1,989	60.7%
18 (Sanford)	606	299	49.3%
Brevard	427	196	45.9%
Seminole	179	103	57.5%
19 (Ft. Pierce)	619	337	54.4%
Indian River	68	33	48.5%
Martin	150	114	76.0%
Okeechobee	82	43	52.4%
St. Lucie	319	147	46.1%
20 (Ft. Myers)	799	450	56.3%
Charlotte	184	113	61.4%
Collier	189	110	58.2%
Glades	10	3	30.0%
Hendry	30	13	43.3%

Lee	386	211	54.7%
-----	-----	-----	-------

Statewide	24,706	14,561	58.9%
------------------	---------------	---------------	--------------

*Mitigation of sanction occurs when an offender does not receive a prison sanction although a prison sanction is mandated by the Guidelines. Mitigated length occurs when an offender receives a prison sentence below the 25% permissible discretion existing within the Guidelines policy. This total rate includes both mitigated sanction and mitigated length sentences.

(This section continues on next page.)

Part II Impact

Section 6. Departures From Recommended Sentences (Continued)

Table 4

**Mitigation Rates Among Offenders Scoring in
Recommended State Prison Sanction Category*, FY 1996-97**

Offense Type	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter					
1st Degree Murder					
Attempt	87	34	53	126	213
	40.8%	16.0%	24.9%	59.2%	100.0%
2nd Degree Murder					
Attempt	68	30	38	78	146
	46.6%	20.5%	26.0%	53.4%	100.0%
Complete	47	6	41	133	180
	26.1%	3.3%	22.8%	73.9%	100.0%
3rd Degree Murder					
Attempt	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	6	3	3	13	19
	31.6%	15.8%	15.8%	68.4%	100.0%
Homicide, Other					
Attempt	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	4	2	2	1	5
	80.0%	40.0%	40.0%	20.0%	100.0%
Manslaughter					
Attempt	4	2	2	9	13
	30.8%	15.4%	15.4%	69.2%	100.0%
Complete	94	50	44	72	166
	56.6%	30.1%	26.5%	43.4%	100.0%
DUI Manslaughter					
Complete	71	25	46	58	129
	55.0%	19.4%	35.7%	45.0%	100.0%
Sexual/Lewd Assault					
Capital Sexual Battery					
Attempt	63	38	25	92	155

	40.6%	24.5%	16.1%	59.4%	100.0%
Life Sexual Battery					
Attempt	6	4	2	9	15
	40.0%	26.7%	13.3%	60.0%	100.0%
Complete	39	11	28	54	93
	41.9%	11.8%	30.1%	58.1%	100.0%
1st Degree Sexual Battery					
Attempt	10	9	1	2	12
	83.3%	75.0%	8.3%	16.7%	100.0%
Complete	70	40	30	61	131
	53.4%	30.5%	22.9%	46.6%	100.0%
2nd Degree Sexual Battery					
Attempt	35	30	5	19	54
	64.8%	55.6%	9.3%	35.2%	100.0%
Complete	93	60	33	50	143
	65.0%	42.0%	23.1%	35.0%	100.0%
Sexual Battery,Other					
Complete	0	0	0	0	0
	0.0%	0.0%	0.0%	0.0%	0.0%
Lewd/Lascivious Behavior					
Attempt	33	29	4	15	48
	68.8%	60.4%	8.3%	31.3%	100.0%
Complete	831	707	124	362	1,193
	69.7%	59.3%	10.4%	30.3%	100.0%
Robbery					
Robbery with Weapon					
Attempt	76	51	25	54	130
	58.5%	39.2%	19.2%	41.5%	100.0%
Complete	659	273	386	690	1,349
	48.9%	20.2%	28.6%	51.1%	100.0%
Robbery without Weapon	206	204	94	462	760
	39.2%	26.8%	12.4%	60.8%	100.0%
Home Invasion,Robbery	16	14	14	36	64
	43.8%	21.9%	21.9%	56.3%	100.0%
Violent,Other	4,382	3,668	714	1,945	6,327
	69.3%	58.0%	11.3%	30.7%	100.0%
Burglary	3,464	2,548	916	2,229	5,693
	60.8%	44.8%	16.1%	39.2%	100.0%
Property	808	586	222	727	1,535
Theft/Fraud/Damage	52.6%	38.2%	14.5%	47.4%	100.0%
Drugs					
Manufacture/Sale/Purchase	1,120	813	307	1,159	2,279
	49.1%	35.7%	13.5%	50.9%	100.0%
Trafficking	545	395	150	439	984

	55.4%	40.1%	15.2%	44.6%	100.0%
Possession,Other	723	561	162	330	1,053
	68.7%	53.3%	15.4%	31.3%	100.0%
Weapons	456	348	108	461	917
	49.7%	37.9%	11.8%	50.3%	100.0%
Other	441	291	150	457	898
	49.1%	32.4%	16.7%	50.9%	100.0%
Total	14,561	10,832	3,729	10,145	24,706
	58.9%	43.8%	15.1%	41.1%	100.0%

*Total Points Exceeding 52.

Table 5

**Mitigation Rates Among Offenders Scoring in
Recommended State Prison Sanction Category*, FY 1996-97
Circuit 01 - Pensacola**

Offense Type	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter					
1st Degree Murder					
Attempt	0	0	0	4	4
	0.0%	0.0%	0.0%	100.0%	100.0%
2nd Degree Murder					
Attempt	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	0	0	0	6	6
	0.0%	0.0%	0.0%	100.0%	100.0%
Manslaughter					
Complete	5	4	1	3	8
	62.5%	50.0%	12.5%	37.5%	100.0%
DUI Manslaughter					
Complete	3	1	2	6	9
	33.3%	11.1%	22.2%	66.7%	100.0%
Sexual/Lewd Assault					
Capital Sexual Battery					
Attempt	1	1	0	2	3
	33.3%	33.3%	0.0%	66.7%	100.0%
Life Sexual Battery					
Attempt	1	0	1	0	1
	100.0%	0.0%	100.0%	0.0%	100.0%
Complete	3	1	2	3	6
	50.0%	16.7%	33.3%	50.0%	100.0%

1st Degree Sexual Battery					
Complete	2	1	1	4	6
	33.3%	16.7%	16.7%	66.7%	100.0%
2nd Degree Sexual Battery					
Attempt	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	4	3	1	4	8
	50.0%	37.5%	12.5%	50.0%	100.0%
Lewd/Lascivious Behavior					
Attempt	1	1	0	1	2
	50.0%	50.0%	0.0%	50.0%	100.0%
Complete	26	21	5	42	68
	38.2%	30.9%	7.4%	61.8%	100.0%
Robbery					
Robbery with Weapon					
Attempt	6	5	1	0	6
	100.0%	83.3%	16.7%	0.0%	100.0%
Complete	17	6	11	36	53
	32.1%	11.3%	20.8%	67.9%	100.0%
Robbery without Weapon					
	8	6	2	21	29
	27.6%	20.7%	6.9%	72.4%	100.0%
Home Invasion,Robbery					
	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Violent,Other					
	168	136	32	134	302
	55.6%	45.0%	10.6%	44.4%	100.0%
Burglary					
	97	69	28	100	197
	49.2%	35.0%	14.2%	50.8%	100.0%
Property					
Theft/Fraud/Damage	26	22	4	39	65
	40.0%	33.8%	6.2%	60.0%	100.0%
Drugs					
Manufacture/Sale/Purchase	22	17	5	45	67
	32.8%	25.4%	7.5%	67.2%	100.0%
Trafficking	12	11	1	15	27
	44.4%	40.7%	3.7%	55.6%	100.0%
Possession,Other	27	23	4	13	40
	67.5%	57.5%	10.0%	32.5%	100.0%
Weapons					
	16	15	1	25	41
	39.0%	36.6%	2.4%	61.0%	100.0%
Other					
	30	22	8	43	73
	41.1%	30.1%	11.0%	58.9%	100.0%
Total	475	365	110	549	1,024
	46.4%	35.6%	10.7%	53.6%	100.0%

*Total Points Exceeding 52.

(This section continues on next page.)

Part II Impact

Section 6. Departures From Recommended Sentences (Continued)

Table 6

**Mitigation Rates Among Offenders Scoring in
Recommended State Prison Sanction Category*, FY 1996-97
Circuit 02 - Tallahassee**

Offense Type	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter					
1st Degree Murder					
Attempt	3	1	2	2	5
	60.0%	20.0%	40.0%	40.0%	100.0%
2nd Degree Murder					
Attempt	1	1	0	1	2
	50.0%	50.0%	0.0%	50.0%	100.0%
Complete	2	0	2	2	4
	50.0%	0.0%	50.0%	50.0%	100.0%
Homicide, Other					
Complete	1	1	0	0	1
	100.0%	100.0%	0.0%	0.0%	100.0%
Manslaughter					
Complete	0	0	0	3	3
	0.0%	0.0%	0.0%	100.0%	100.0%
DUI Manslaughter					
Complete	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Sexual/Lewd Assault					
Capital Sexual Battery					
Attempt	0	0	0	4	4
	0.0%	0.0%	0.0%	100.0%	100.0%
Life Sexual Battery					
Complete	0	0	0	3	3
	0.0%	0.0%	0.0%	100.0%	100.0%
1st Degree Sexual Battery					
Complete	2	1	1	1	3
	66.7%	33.3%	33.3%	33.3%	100.0%
2nd Degree Sexual Battery					

Attempt	1	1	0	1	2
	50.0%	50.0%	0.0%	50.0%	100.0%
Complete	7	4	3	1	8
	87.5%	50.0%	37.5%	12.5%	100.0%
Lewd/Lascivious Behavior					
Complete	15	10	5	10	25
	60.0%	40.0%	20.0%	40.0%	100.0%
Robbery					
Robbery with Weapon					
Attempt	3	2	1	1	4
	75.0%	50.0%	25.0%	25.0%	100.0%
Complete	23	4	19	22	45
	51.1%	8.9%	42.2%	48.9%	100.0%
Robbery without Weapon	5	3	2	6	11
	45.5%	27.3%	18.2%	54.5%	100.0%
Violent,Other	109	75	34	45	154
	70.8%	48.7%	22.1%	29.2%	100.0%
Burglary	73	52	21	21	94
	77.7%	55.3%	22.3%	22.3%	100.0%
Property	9	7	2	13	22
Theft/Fraud/Damage	40.9%	31.8%	9.1%	59.1%	100.0%
Drugs					
Manufacture/Sale/Purchase	12	4	8	24	36
	33.3%	11.1%	22.2%	66.7%	100.0%
Trafficking	6	3	3	4	10
	60.0%	30.0%	30.0%	40.0%	100.0%
Possession,Other	4	2	2	3	7
	57.1%	28.6%	28.6%	42.9%	100.0%
Weapons	11	11	0	12	23
	47.8%	47.8%	0.0%	52.2%	100.0%
Other	18	6	12	19	37
	48.6%	16.2%	32.4%	51.4%	100.0%
Total	305	188	117	199	504
	60.5%	37.3%	23.2%	39.5%	100.0%

*Total Points Exceeding 52.

Table 7

**Mitigation Rates Among Offenders Scoring in
Recommended State Prison Sanction Category*, FY 1996-97
Circuit 03 - Lake City**

Offense Type	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter					
1st Degree Murder					
Attempt	1	1	0	1	2
	50.0%	50.0%	0.0%	50.0%	100.0%
2nd Degree Murder					
Complete	1	0	1	1	2
	50.0%	0.0%	50.0%	50.0%	100.0%
Manslaughter					
Complete	1	0	1	0	1
	100.0%	0.0%	100.0%	0.0%	100.0%
DUI Manslaughter					
Complete	3	2	1	1	4
	75.0%	50.0%	25.0%	25.0%	100.0%
Sexual/Lewd Assault					
Capital Sexual Battery					
Attempt	2	0	2	1	3
	66.7%	0.0%	66.7%	33.3%	100.0%
Life Sexual Battery					
Complete	1	1	0	0	1
	100.0%	100.0%	0.0%	0.0%	100.0%
1st Degree Sexual Battery					
Complete	2	0	2	2	4
	50.0%	0.0%	50.0%	50.0%	100.0%
Lewd/Lascivious Behavior					
Complete	10	9	1	5	15
	66.7%	60.0%	6.7%	33.3%	100.0%
Robbery					
Robbery with Weapon					
Attempt	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	3	1	2	5	8
	37.5%	12.5%	25.0%	62.5%	100.0%
Robbery without Weapon					
	1	1	0	6	7
	14.3%	14.3%	0.0%	85.7%	100.0%
Violent,Other					
	47	42	5	26	73
	64.4%	57.5%	6.8%	35.6%	100.0%
Burglary					
	43	34	9	28	71
	60.6%	47.9%	12.7%	39.4%	100.0%
Property					
Theft/Fraud/Damage					
	4	3	1	8	12
	33.3%	25.0%	8.3%	66.7%	100.0%
Drugs					
Manufacture/Sale/Purchase					
	17	14	3	17	34

	50.0%	41.2%	8.8%	50.0%	100.0%
Trafficking	5	3	2	3	8
	62.5%	37.5%	25.0%	37.5%	100.0%
Possession,Other	6	5	1	3	9
	66.7%	55.6%	11.1%	33.3%	100.0%
Weapons	7	6	1	8	15
	46.7%	40.0%	6.7%	53.3%	100.0%
Other	8	8	0	15	23
	34.8%	34.8%	0.0%	65.2%	100.0%
Total	162	130	32	131	293
	55.3%	44.4%	10.9%	44.7%	100.0%

*Total Points Exceeding 52.

(This section continues on next page.)

Part II Impact

Section 6. Departures From Recommended Sentences (Continued)

Table 8

**Mitigation Rates Among Offenders Scoring in
Recommended State Prison Sanction Category*, FY 1996-97
Circuit 04 - Jacksonville**

Offense Type	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter					
1st Degree Murder					
Attempt	5	1	4	11	16
	31.3%	6.3%	25.0%	68.8%	100.0%
2nd Degree Murder					
Attempt	1	1	0	4	5
	20.0%	20.0%	0.0%	80.0%	100.0%
Complete	4	0	4	10	14
	28.6%	0.0%	28.6%	71.4%	100.0%
3rd Degree Murder					
Complete	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Manslaughter					
Attempt	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	7	5	2	5	12
	58.3%	41.7%	16.7%	41.7%	100.0%
DUI Manslaughter					
Complete	8	4	4	2	10
	80.0%	40.0%	40.0%	20.0%	100.0%
Sexual/Lewd Assault					
Capital Sexual Battery					
Attempt	15	6	9	9	24
	62.5%	25.0%	37.5%	37.5%	100.0%
Life Sexual Battery					
Complete	4	1	3	6	10
	40.0%	10.0%	30.0%	60.0%	100.0%
1st Degree Sexual Battery					
Complete	7	5	2	2	9

	77.8%	55.6%	22.2%	22.2%	100.0%
2nd Degree Sexual Battery					
Attempt	1	1	0	1	2
	50.0%	50.0%	0.0%	50.0%	100.0%
Complete	7	5	2	1	8
	87.5%	62.5%	25.0%	12.5%	100.0%
Lewd/Lascivious Behavior					
Attempt	1	0	1	0	1
	100.0%	0.0%	100.0%	0.0%	100.0%
Complete	83	68	15	19	102
	81.4%	66.7%	14.7%	18.6%	100.0%
Robbery					
Robbery with Weapon					
Attempt	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	48	24	24	80	128
	37.5%	18.8%	18.8%	62.5%	100.0%
Robbery without Weapon	9	7	2	19	28
	32.1%	25.0%	7.1%	67.9%	100.0%
Home Invasion,Robbery	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Violent,Other	235	201	34	76	311
	75.6%	64.6%	10.9%	24.4%	100.0%
Burglary	137	98	39	118	255
	53.7%	38.4%	15.3%	46.3%	100.0%
Property	18	15	3	26	44
Theft/Fraud/Damage	40.9%	34.1%	6.8%	59.1%	100.0%
Drugs					
Manufacture/Sale/Purchase	19	12	7	50	69
	27.5%	17.4%	10.1%	72.5%	100.0%
Trafficking	30	17	13	37	67
	44.8%	25.4%	19.4%	55.2%	100.0%
Possession,Other	13	12	1	4	17
	76.5%	70.6%	5.9%	23.5%	100.0%
Weapons	14	12	2	27	41
	34.1%	29.3%	4.9%	65.9%	100.0%
Other	28	19	9	24	52
	53.8%	36.5%	17.3%	46.2%	100.0%
Total	694	514	180	535	1,229
	56.5%	41.8%	14.6%	43.5%	100.0%

*Total Points Exceeding 52.

Table 9

**Mitigation Rates Among Offenders Scoring in
Recommended State Prison Sanction Category*, FY 1996-97
Circuit 05 - Tavares**

Offense Type	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter					
1st Degree Murder					
Attempt	1	0	1	6	7
	14.3%	0.0%	14.3%	85.7%	100.0%
2nd Degree Murder					
Attempt	0	0	0	2	2
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	1	0	1	7	8
	12.5%	0.0%	12.5%	87.5%	100.0%
Homicide, Other					
Attempt	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Manslaughter					
Attempt	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	1	0	1	1	2
	50.0%	0.0%	50.0%	50.0%	100.0%
DUI Manslaughter					
Complete	4	1	3	4	8
	50.0%	12.5%	37.5%	50.0%	100.0%
Sexual/Lewd Assault					
Capital Sexual Battery					
Attempt	1	1	0	6	7
	14.3%	14.3%	0.0%	85.7%	100.0%
Life Sexual Battery					
Complete	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
1st Degree Sexual Battery					
Attempt	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	0	0	0	6	6
	0.0%	0.0%	0.0%	100.0%	100.0%
2nd Degree Sexual Battery					
Attempt	2	1	1	2	4
	50.0%	25.0%	25.0%	50.0%	100.0%
Complete	0	0	0	6	6
	0.0%	0.0%	0.0%	100.0%	100.0%
Lewd/Lascivious Behavior					

Attempt	2	2	0	0	2
	100.0%	100.0%	0.0%	0.0%	100.0%
Complete	24	18	6	25	49
	49.0%	36.7%	12.2%	51.0%	100.0%
Robbery					
Robbery with Weapon					
Attempt	1	0	1	2	3
	33.3%	0.0%	33.3%	66.7%	100.0%
Complete	11	5	6	33	44
	25.0%	11.4%	13.6%	75.0%	100.0%
Robbery without Weapon	5	3	2	11	16
	31.3%	18.8%	12.5%	68.8%	100.0%
Home Invasion,Robbery	0	0	0	3	3
	0.0%	0.0%	0.0%	100.0%	100.0%
Violent,Other	67	55	12	75	142
	47.2%	38.7%	8.5%	52.8%	100.0%
Burglary	78	55	23	80	158
	49.4%	34.8%	14.6%	50.6%	100.0%
Property	17	10	7	21	38
Theft/Fraud/Damage	44.7%	26.3%	18.4%	55.3%	100.0%
Drugs					
Manufacture/Sale/Purchase	19	11	8	80	99
	19.2%	11.1%	8.1%	80.8%	100.0%
Trafficking	9	8	1	3	12
	75.0%	66.7%	8.3%	25.0%	100.0%
Possession,Other	3	1	2	6	9
	33.3%	11.1%	22.2%	66.7%	100.0%
Weapons	6	3	3	12	18
	33.3%	16.7%	16.7%	66.7%	100.0%
Other	9	5	4	15	24
	37.5%	20.8%	16.7%	62.5%	100.0%
Total	261	179	82	410	671
	38.9%	26.7%	12.2%	61.1%	100.0%

*Total Points Exceeding 52.

Table 10

**Mitigation Rates Among Offenders Scoring in
Recommended State Prison Sanction Category*, FY 1996-97
Circuit 06 - Clearwater**

Offense Type	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter					

1st Degree Murder					
Attempt	6	1	5	10	16
	37.5%	6.3%	31.3%	62.5%	100.0%
2nd Degree Murder					
Attempt	2	0	2	4	6
	33.3%	0.0%	33.3%	66.7%	100.0%
Complete	1	0	1	9	10
	10.0%	0.0%	10.0%	90.0%	100.0%
3rd Degree Murder					
Complete	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Manslaughter					
Attempt	0	0	0	2	2
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	1	0	1	5	6
	16.7%	0.0%	16.7%	83.3%	100.0%
DUI Manslaughter					
Complete	6	2	4	4	10
	60.0%	20.0%	40.0%	40.0%	100.0%
Sexual/Lewd Assault					
Capital Sexual Battery					
Attempt	1	1	0	9	10
	10.0%	10.0%	0.0%	90.0%	100.0%
Life Sexual Battery					
Attempt	0	0	0	4	4
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	8	0	8	4	12
	66.7%	0.0%	66.7%	33.3%	100.0%
1st Degree Sexual Battery					
Attempt	2	2	0	1	3
	66.7%	66.7%	0.0%	33.3%	100.0%
Complete	6	3	3	2	8
	75.0%	37.5%	37.5%	25.0%	100.0%
2nd Degree Sexual Battery					
Attempt	1	1	0	1	2
	50.0%	50.0%	0.0%	50.0%	100.0%
Complete	13	7	6	6	19
	68.4%	36.8%	31.6%	31.6%	100.0%
Lewd/Lascivious Behavior					
Attempt	1	1	0	0	1
	100.0%	100.0%	0.0%	0.0%	100.0%
Complete	100	86	14	50	150
	66.7%	57.3%	9.3%	33.3%	100.0%

Robbery

Robbery with Weapon					
Attempt	5	5	0	6	11
	45.5%	45.5%	0.0%	54.5%	100.0%
Complete	48	21	27	70	118
	40.7%	17.8%	22.9%	59.3%	100.0%
Robbery without Weapon	26	16	10	37	63
	41.3%	25.4%	15.9%	58.7%	100.0%
Home Invasion,Robbery	9	6	3	4	13
	69.2%	46.2%	23.1%	30.8%	100.0%
Violent,Other	357	297	60	263	620
	57.6%	47.9%	9.7%	42.4%	100.0%
Burglary	371	272	99	233	604
	61.4%	45.0%	16.4%	38.6%	100.0%
Property	81	59	22	88	169
Theft/Fraud/Damage	47.9%	34.9%	13.0%	52.1%	100.0%
Drugs					
Manufacture/Sale/Purchase	95	70	25	172	267
	35.6%	26.2%	9.4%	64.4%	100.0%
Trafficking	53	43	10	21	74
	71.6%	58.1%	13.5%	28.4%	100.0%
Possession,Other	52	39	13	52	104
	50.0%	37.5%	12.5%	50.0%	100.0%
Weapons	36	26	10	49	85
	42.4%	30.6%	11.8%	57.6%	100.0%
Other	49	28	21	64	113
	43.4%	24.8%	18.6%	56.6%	100.0%
Total	1,330	986	344	1,171	2,501
	53.2%	39.4%	13.8%	46.8%	100.0%

*Total Points Exceeding 52.

(This section continues on next page.)

Part II Impact

Section 6. Departures From Recommended Sentences (Continued)

Table 11

**Mitigation Rates Among Offenders Scoring in
Recommended State Prison Sanction Category*, FY 1996-97
Circuit 07 - Daytona**

Offense Type	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter					
1st Degree Murder					
Attempt	3	2	1	5	8
	37.5%	25.0%	12.5%	62.5%	100.0%
2nd Degree Murder					
Attempt	0	0	0	2	2
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	2	0	2	9	11
	18.2%	0.0%	18.2%	81.8%	100.0%
3rd Degree Murder					
Complete	4	2	2	0	4
	100.0%	50.0%	50.0%	0.0%	100.0%
Manslaughter					
Complete	7	4	3	4	11
	63.6%	36.4%	27.3%	36.4%	100.0%
DUI Manslaughter					
Complete	1	0	1	8	9
	11.1%	0.0%	11.1%	88.9%	100.0%
Sexual/Lewd Assault					
Capital Sexual Battery					
Attempt	0	0	0	3	3
	0.0%	0.0%	0.0%	100.0%	100.0%
Life Sexual Battery					
Complete	1	0	1	1	2
	50.0%	0.0%	50.0%	50.0%	100.0%
1st Degree Sexual Battery					
Complete	1	0	1	1	2
	50.0%	0.0%	50.0%	50.0%	100.0%
2nd Degree Sexual Battery					

Attempt	4	3	1	2	6
	66.7%	50.0%	16.7%	33.3%	100.0%
Complete	5	3	2	3	8
	62.5%	37.5%	25.0%	37.5%	100.0%
Lewd/Lascivious Behavior					
Attempt	7	7	0	7	14
	50.0%	50.0%	0.0%	50.0%	100.0%
Complete	23	18	5	22	45
	51.1%	40.0%	11.1%	48.9%	100.0%
Robbery					
Robbery with Weapon					
Attempt	1	1	0	3	4
	25.0%	25.0%	0.0%	75.0%	100.0%
Complete	11	5	6	8	19
	57.9%	26.3%	31.6%	42.1%	100.0%
Robbery without Weapon					
	9	9	0	28	37
	24.3%	24.3%	0.0%	75.7%	100.0%
Home Invasion,Robbery					
	0	0	0	2	2
	0.0%	0.0%	0.0%	100.0%	100.0%
Violent,Other					
	119	109	10	78	197
	60.4%	55.3%	5.1%	39.6%	100.0%
Burglary					
	68	49	19	62	130
	52.3%	37.7%	14.6%	47.7%	100.0%
Property					
Theft/Fraud/Damage					
	20	14	6	21	41
	48.8%	34.1%	14.6%	51.2%	100.0%
Drugs					
Manufacture/Sale/Purchase					
	22	18	4	18	40
	55.0%	45.0%	10.0%	45.0%	100.0%
Trafficking					
	5	5	0	18	23
	21.7%	21.7%	0.0%	78.3%	100.0%
Possession,Other					
	11	10	1	9	20
	55.0%	50.0%	5.0%	45.0%	100.0%
Weapons					
	8	7	1	12	20
	40.0%	35.0%	5.0%	60.0%	100.0%
Other					
	21	16	5	15	36
	58.3%	44.4%	13.9%	41.7%	100.0%
Total					
	353	282	71	341	694
	50.9%	40.6%	10.2%	49.1%	100.0%

*Total Points Exceeding 52.

Table 12

**Mitigation Rates Among Offenders Scoring in
Recommended State Prison Sanction Category*, FY 1996-97**

Circuit 08 - Gainesville

Offense Type	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter					
1st Degree Murder					
Attempt	2	0	2	2	4
	50.0%	0.0%	50.0%	50.0%	100.0%
2nd Degree Murder					
Attempt	2	1	1	4	6
	33.3%	16.7%	16.7%	66.7%	100.0%
Complete	0	0	0	6	6
	0.0%	0.0%	0.0%	100.0%	100.0%
3rd Degree Murder					
Complete	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Manslaughter					
Complete	5	4	1	0	5
	100.0%	80.0%	20.0%	0.0%	100.0%
DUI Manslaughter					
Complete	4	2	2	0	4
	100.0%	50.0%	50.0%	0.0%	100.0%
Sexual/Lewd Assault					
Capital Sexual Battery					
Attempt	0	0	0	2	2
	0.0%	0.0%	0.0%	100.0%	100.0%
Life Sexual Battery					
Complete	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
1st Degree Sexual Battery					
Attempt	1	0	1	0	1
	100.0%	0.0%	100.0%	0.0%	100.0%
Complete	3	3	0	2	5
	60.0%	60.0%	0.0%	40.0%	100.0%
2nd Degree Sexual Battery					
Complete	1	0	1	1	2
	50.0%	0.0%	50.0%	50.0%	100.0%
Lewd/Lascivious Behavior					
Attempt	4	4	0	1	5
	80.0%	80.0%	0.0%	20.0%	100.0%
Complete	16	14	2	11	27
	59.3%	51.9%	7.4%	40.7%	100.0%
Robbery					
Robbery with Weapon					

Attempt	6	1	5	0	6
	100.0%	16.7%	83.3%	0.0%	100.0%
Complete	18	0	18	26	44
	40.9%	0.0%	40.9%	59.1%	100.0%
Robbery without Weapon	9	7	2	11	20
	45.0%	35.0%	10.0%	55.0%	100.0%
Home Invasion,Robbery	3	0	3	2	5
	60.0%	0.0%	60.0%	40.0%	100.0%
Violent,Other	83	67	16	67	150
	55.3%	44.7%	10.7%	44.7%	100.0%
Burglary	52	42	10	53	105
	49.5%	40.0%	9.5%	50.5%	100.0%
Property	5	2	3	17	22
Theft/Fraud/Damage	22.7%	9.1%	13.6%	77.3%	100.0%
Drugs					
Manufacture/Sale/Purchase	19	18	1	34	53
	35.8%	34.0%	1.9%	64.2%	100.0%
Trafficking	9	8	1	2	11
	81.8%	72.7%	9.1%	18.2%	100.0%
Possession,Other	6	5	1	2	8
	75.0%	62.5%	12.5%	25.0%	100.0%
Weapons	7	5	2	12	19
	36.8%	26.3%	10.5%	63.2%	100.0%
Other	9	4	5	10	19
	47.4%	21.1%	26.3%	52.6%	100.0%
Total	264	187	77	267	531
	49.7%	35.2%	14.5%	50.3%	100.0%

*Total Points Exceeding 52.

(This section continues on next page.)

Part II Impact

Table 13

**Mitigation Rates Among Offenders Scoring in
Recommended State Prison Sanction Category*, FY 1996-97
Circuit 09 - Orlando**

Offense Type	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter					
1st Degree Murder					
Attempt	1	0	1	10	11
	9.1%	0.0%	9.1%	90.9%	100.0%
2nd Degree Murder					
Attempt	3	1	2	8	11
	27.3%	9.1%	18.2%	72.7%	100.0%
Complete	2	0	2	14	16
	12.5%	0.0%	12.5%	87.5%	100.0%
3rd Degree Murder					
Attempt	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Manslaughter					
Complete	10	4	6	3	13
	76.9%	30.8%	46.2%	23.1%	100.0%
DUI Manslaughter					
Complete	2	1	1	4	6
	33.3%	16.7%	16.7%	66.7%	100.0%
Sexual/Lewd Assault					
Capital Sexual Battery					
Attempt	6	5	1	9	15
	40.0%	33.3%	6.7%	60.0%	100.0%
Life Sexual Battery					
Attempt	2	1	1	1	3
	66.7%	33.3%	33.3%	33.3%	100.0%
Complete	2	0	2	4	6
	33.3%	0.0%	33.3%	66.7%	100.0%
1st Degree Sexual Battery					
Complete	1	0	1	4	5
	20.0%	0.0%	20.0%	80.0%	100.0%

2nd Degree Sexual Battery					
Attempt	8	8	0	6	14
	57.1%	57.1%	0.0%	42.9%	100.0%
Complete	6	4	2	7	13
	46.2%	30.8%	15.4%	53.8%	100.0%
Lewd/Lascivious Behavior					
Attempt	5	4	1	0	5
	100.0%	80.0%	20.0%	0.0%	100.0%
Complete	58	53	5	35	93
	62.4%	57.0%	5.4%	37.6%	100.0%
Robbery					
Robbery with Weapon					
Attempt	6	5	1	13	19
	31.6%	26.3%	5.3%	68.4%	100.0%
Complete	28	12	16	74	102
	27.5%	11.8%	15.7%	72.5%	100.0%
Robbery without Weapon					
	19	17	2	33	52
	36.5%	32.7%	3.8%	63.5%	100.0%
Home Invasion,Robbery					
	2	2	0	7	9
	22.2%	22.2%	0.0%	77.8%	100.0%
Violent,Other					
	211	179	32	157	368
	57.3%	48.6%	8.7%	42.7%	100.0%
Burglary					
	102	75	27	182	284
	35.9%	26.4%	9.5%	64.1%	100.0%
Property					
Theft/Fraud/Damage					
	48	36	12	60	108
	44.4%	33.3%	11.1%	55.6%	100.0%
Drugs					
Manufacture/Sale/Purchase					
	34	26	8	62	96
	35.4%	27.1%	8.3%	64.6%	100.0%
Trafficking					
	29	26	3	50	79
	36.7%	32.9%	3.8%	63.3%	100.0%
Possession,Other					
	24	19	5	32	56
	42.9%	33.9%	8.9%	57.1%	100.0%
Weapons					
	38	32	6	48	86
	44.2%	37.2%	7.0%	55.8%	100.0%
Other					
	20	15	5	55	75
	26.7%	20.0%	6.7%	73.3%	100.0%
Total					
	667	525	142	879	1,546
	43.1%	34.0%	9.2%	56.9%	100.0%

*Total Points Exceeding 52.

Table 14

**Mitigation Rates Among Offenders Scoring in
Recommended State Prison Sanction Category*, FY 1996-97
Circuit 10 - Bartow**

Offense Type	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter					
1st Degree Murder					
Attempt	1	0	1	4	5
	20.0%	0.0%	20.0%	80.0%	100.0%
2nd Degree Murder					
Attempt	1	1	0	4	5
	20.0%	20.0%	0.0%	80.0%	100.0%
Complete	2	0	2	4	6
	33.3%	0.0%	33.3%	66.7%	100.0%
Homicide, Other					
Complete	1	0	1	0	1
	100.0%	0.0%	100.0%	0.0%	100.0%
Manslaughter					
Attempt	1	1	0	0	1
	100.0%	100.0%	0.0%	0.0%	100.0%
Complete	5	3	2	4	9
	55.6%	33.3%	22.2%	44.4%	100.0%
DUI Manslaughter					
Complete	5	1	4	3	8
	62.5%	12.5%	50.0%	37.5%	100.0%
Sexual/Lewd Assault					
Capital Sexual Battery					
Attempt	3	2	1	5	8
	37.5%	25.0%	12.5%	62.5%	100.0%
Life Sexual Battery					
Complete	0	0	0	2	2
	0.0%	0.0%	0.0%	100.0%	100.0%
1st Degree Sexual Battery					
Complete	0	0	0	7	7
	0.0%	0.0%	0.0%	100.0%	100.0%
2nd Degree Sexual Battery					
Complete	6	3	3	5	11
	54.5%	27.3%	27.3%	45.5%	100.0%
Lewd/Lascivious Behavior					
Attempt	3	2	1	2	5
	60.0%	40.0%	20.0%	40.0%	100.0%
Complete	41	37	4	15	56
	73.2%	66.1%	7.1%	26.8%	100.0%

Robbery					
Robbery with Weapon					
Attempt	2	1	1	3	5
	40.0%	20.0%	20.0%	60.0%	100.0%
Complete	13	2	11	20	33
	39.4%	6.1%	33.3%	60.6%	100.0%
Robbery without Weapon	8	5	3	24	32
	25.0%	15.6%	9.4%	75.0%	100.0%
Violent,Other	73	52	21	82	155
	47.1%	33.5%	13.5%	52.9%	100.0%
Burglary	59	39	20	93	152
	38.8%	25.7%	13.2%	61.2%	100.0%
Property	21	16	5	27	48
Theft/Fraud/Damage	43.8%	33.3%	10.4%	56.3%	100.0%
Drugs					
Manufacture/Sale/Purchase	15	12	3	24	39
	38.5%	30.8%	7.7%	61.5%	100.0%
Trafficking	24	14	10	14	38
	63.2%	36.8%	26.3%	36.8%	100.0%
Possession,Other	9	5	4	7	16
	56.3%	31.3%	25.0%	43.8%	100.0%
Weapons	45	33	12	34	79
	57.0%	41.8%	15.2%	43.0%	100.0%
Other	11	7	4	19	30
	36.7%	23.3%	13.3%	63.3%	100.0%
Total	349	236	113	402	751
	46.5%	31.4%	15.0%	53.5%	100.0%

*Total Points Exceeding 52.

(This section continues on next page.)

Part II Impact

Section 6. Departures From Recommended Sentences (Continued)

Table 15

**Mitigation Rates Among Offenders Scoring in
Recommended State Prison Sanction Category*, FY 1996-97
Circuit 11 - Miami**

Offense Type	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter					
1st Degree Murder					
Attempt	49	23	26	19	68
	72.1%	33.8%	38.2%	27.9%	100.0%
2nd Degree Murder					
Attempt	46	21	25	18	64
	71.9%	32.8%	39.1%	28.1%	100.0%
Complete	7	0	7	24	31
	22.6%	0.0%	22.6%	77.4%	100.0%
3rd Degree Murder					
Complete	1	1	0	0	1
	100.0%	100.0%	0.0%	0.0%	100.0%
Manslaughter					
Attempt	1	0	1	1	2
	50.0%	0.0%	50.0%	50.0%	100.0%
Complete	16	8	8	11	27
	59.3%	29.6%	29.6%	40.7%	100.0%
DUI Manslaughter					
Complete	8	2	6	2	10
	80.0%	20.0%	60.0%	20.0%	100.0%
Sexual/Lewd Assault					
Capital Sexual Battery					
Attempt	15	10	5	2	17
	88.2%	58.8%	29.4%	11.8%	100.0%
Life Sexual Battery					
Attempt	1	1	0	1	2
	50.0%	50.0%	0.0%	50.0%	100.0%
Complete	7	1	6	5	12
	58.3%	8.3%	50.0%	41.7%	100.0%

1st Degree Sexual Battery					
Complete	9	6	3	2	11
	81.8%	54.5%	27.3%	18.2%	100.0%
2nd Degree Sexual Battery					
Attempt	3	2	1	1	4
	75.0%	50.0%	25.0%	25.0%	100.0%
Complete	17	12	5	0	17
	100.0%	70.6%	29.4%	0.0%	100.0%
Lewd/Lascivious Behavior					
Complete	75	67	8	7	82
	91.5%	81.7%	9.8%	8.5%	100.0%
Robbery					
Robbery with Weapon					
Attempt	14	10	4	2	16
	87.5%	62.5%	25.0%	12.5%	100.0%
Complete	193	89	104	74	267
	72.3%	33.3%	39.0%	27.7%	100.0%
Robbery without Weapon	74	49	25	42	116
	63.8%	42.2%	21.6%	36.2%	100.0%
Home Invasion,Robbery	5	1	4	1	6
	83.3%	16.7%	66.7%	16.7%	100.0%
Violent,Other	1,021	886	135	131	1,152
	88.6%	76.9%	11.7%	11.4%	100.0%
Burglary	780	566	214	212	992
	78.6%	57.1%	21.6%	21.4%	100.0%
Property	158	117	41	40	198
Theft/Fraud/Damage	79.8%	59.1%	20.7%	20.2%	100.0%
Drugs					
Manufacture/Sale/Purchase	304	232	72	77	381
	79.8%	60.9%	18.9%	20.2%	100.0%
Trafficking	127	83	44	94	221
	57.5%	37.6%	19.9%	42.5%	100.0%
Possession,Other	248	217	31	14	262
	94.7%	82.8%	11.8%	5.3%	100.0%
Weapons	81	55	26	44	125
	64.8%	44.0%	20.8%	35.2%	100.0%
Other	28	18	10	17	45
	62.2%	40.0%	22.2%	37.8%	100.0%
Total	3,288	2,477	811	841	4,129
	79.6%	60.0%	19.6%	20.4%	100.0%

*Total Points Exceeding 52.

Table 16

**Mitigation Rates Among Offenders Scoring in
Recommended State Prison Sanction Category*, FY 1996-97
Circuit 12 - Sarasota**

Offense Type	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter					
1st Degree Murder					
Attempt	0	0	0	3	3
	0.0%	0.0%	0.0%	100.0%	100.0%
2nd Degree Murder					
Attempt	0	0	0	4	4
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	0	0	0	3	3
	0.0%	0.0%	0.0%	100.0%	100.0%
3rd Degree Murder					
Complete	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Manslaughter					
Complete	2	2	0	3	5
	40.0%	40.0%	0.0%	60.0%	100.0%
DUI Manslaughter					
Complete	3	0	3	2	5
	60.0%	0.0%	60.0%	40.0%	100.0%
Sexual/Lewd Assault					
Capital Sexual Battery					
Attempt	2	0	2	6	8
	25.0%	0.0%	25.0%	75.0%	100.0%
Life Sexual Battery					
Attempt	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	0	0	0	2	2
	0.0%	0.0%	0.0%	100.0%	100.0%
1st Degree Sexual Battery					
Complete	2	2	0	4	6
	33.3%	33.3%	0.0%	66.7%	100.0%
2nd Degree Sexual Battery					
Attempt	2	2	0	0	2
	100.0%	100.0%	0.0%	0.0%	100.0%
Complete	1	0	1	1	2
	50.0%	0.0%	50.0%	50.0%	100.0%
Lewd/Lascivious Behavior					

Attempt	3	3	0	0	3
	100.0%	100.0%	0.0%	0.0%	100.0%
Complete	25	21	4	15	40
	62.5%	52.5%	10.0%	37.5%	100.0%
Robbery					
Robbery with Weapon					
Attempt	3	2	1	4	7
	42.9%	28.6%	14.3%	57.1%	100.0%
Complete	9	2	7	25	34
	26.5%	5.9%	20.6%	73.5%	100.0%
Robbery without Weapon	4	3	1	19	23
	17.4%	13.0%	4.3%	82.6%	100.0%
Home Invasion,Robbery	3	2	1	2	5
	60.0%	40.0%	20.0%	40.0%	100.0%
Violent,Other	99	89	10	70	169
	58.6%	52.7%	5.9%	41.4%	100.0%
Burglary	70	52	18	62	132
	53.0%	39.4%	13.6%	47.0%	100.0%
Property	21	18	3	32	53
Theft/Fraud/Damage	39.6%	34.0%	5.7%	60.4%	100.0%
Drugs					
Manufacture/Sale/Purchase	31	30	1	48	79
	39.2%	38.0%	1.3%	60.8%	100.0%
Trafficking	4	4	0	15	19
	21.1%	21.1%	0.0%	78.9%	100.0%
Possession,Other	6	5	1	16	22
	27.3%	22.7%	4.5%	72.7%	100.0%
Weapons	8	6	2	16	24
	33.3%	25.0%	8.3%	66.7%	100.0%
Other	13	10	3	15	28
	46.4%	35.7%	10.7%	53.6%	100.0%
Total	311	253	58	369	680
	45.7%	37.2%	8.5%	54.3%	100.0%

*Total Points Exceeding 52.

Table 17

**Mitigation Rates Among Offenders Scoring in
Recommended State Prison Sanction Category*, FY 1996-97
Circuit 13 - Tampa**

Offense Type	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
---------------------	------------------------	---------------------------	-------------------------	----------------------	--------------

Murder/Manslaughter

1st Degree Murder

Attempt	5	4	1	15	20
	25.0%	20.0%	5.0%	75.0%	100.0%

2nd Degree Murder

Attempt	2	0	2	3	5
	40.0%	0.0%	40.0%	60.0%	100.0%
Complete	5	2	3	7	12
	41.7%	16.7%	25.0%	58.3%	100.0%

3rd Degree Murder

Complete	1	0	1	3	4
	25.0%	0.0%	25.0%	75.0%	100.0%

Manslaughter

Attempt	1	0	1	1	2
	50.0%	0.0%	50.0%	50.0%	100.0%
Complete	9	2	7	10	19
	47.4%	10.5%	36.8%	52.6%	100.0%

DUI Manslaughter

Complete	4	3	1	3	7
	57.1%	42.9%	14.3%	42.9%	100.0%

Sexual/Lewd Assault

Capital Sexual Battery

Attempt	9	8	1	14	23
	39.1%	34.8%	4.3%	60.9%	100.0%

Life Sexual Battery

Attempt	2	2	0	0	2
	100.0%	100.0%	0.0%	0.0%	100.0%
Complete	2	1	1	2	4
	50.0%	25.0%	25.0%	50.0%	100.0%

1st Degree Sexual Battery

Complete	6	5	1	4	10
	60.0%	50.0%	10.0%	40.0%	100.0%

2nd Degree Sexual Battery

Attempt	0	0	0	2	2
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	4	4	0	2	6
	66.7%	66.7%	0.0%	33.3%	100.0%

Lewd/Lascivious Behavior

Complete	71	64	7	20	91
	78.0%	70.3%	7.7%	22.0%	100.0%

Robbery

Robbery with Weapon

Attempt	7	4	3	4	11
	63.6%	36.4%	27.3%	36.4%	100.0%

Complete	67	39	28	61	128
	52.3%	30.5%	21.9%	47.7%	100.0%
Robbery without Weapon	34	25	9	56	90
	37.8%	27.8%	10.0%	62.2%	100.0%
Home Invasion,Robbery	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Violent,Other	542	482	60	247	789
	68.7%	61.1%	7.6%	31.3%	100.0%
Burglary	408	354	54	264	672
	60.7%	52.7%	8.0%	39.3%	100.0%
Property	129	103	26	113	242
Theft/Fraud/Damage	53.3%	42.6%	10.7%	46.7%	100.0%
Drugs					
Manufacture/Sale/Purchase	119	101	18	111	230
	51.7%	43.9%	7.8%	48.3%	100.0%
Trafficking	91	71	20	42	133
	68.4%	53.4%	15.0%	31.6%	100.0%
Possession,Other	96	83	13	39	135
	71.1%	61.5%	9.6%	28.9%	100.0%
Weapons	73	62	11	61	134
	54.5%	46.3%	8.2%	45.5%	100.0%
Other	26	18	8	28	54
	48.1%	33.3%	14.8%	51.9%	100.0%
Total	1,713	1,437	276	1,113	2,826
	60.6%	50.8%	9.8%	39.4%	100.0%

*Total Points Exceeding 52.

(This section continues on next page.)

Part II Impact

Section 6. Departures From Recommended Sentences (Continued)

Table 18

**Mitigation Rates Among Offenders Scoring in
Recommended State Prison Sanction Category*, FY 1996-97
Circuit 14 - Panama City**

Offense Type	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter					
1st Degree Murder					
Attempt	0	0	0	2	2
	0.0%	0.0%	0.0%	100.0%	100.0%
2nd Degree Murder					
Attempt	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	1	0	1	6	7
	14.3%	0.0%	14.3%	85.7%	100.0%
Manslaughter					
Complete	2	2	0	3	5
	40.0%	40.0%	0.0%	60.0%	100.0%
DUI Manslaughter					
Complete	1	1	0	2	3
	33.3%	33.3%	0.0%	66.7%	100.0%
Sexual/Lewd Assault					
Capital Sexual Battery					
Attempt	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Life Sexual Battery					
Complete	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
1st Degree Sexual Battery					
Attempt	1	1	0	0	1
	100.0%	100.0%	0.0%	0.0%	100.0%
Complete	1	1	0	2	3
	33.3%	33.3%	0.0%	66.7%	100.0%
2nd Degree Sexual Battery					
Attempt	0	0	0	1	1

	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	3	2	1	3	6
	50.0%	33.3%	16.7%	50.0%	100.0%
Lewd/Lascivious Behavior					
Attempt	1	1	0	0	1
	100.0%	100.0%	0.0%	0.0%	100.0%
Complete	20	18	2	13	33
	60.6%	54.5%	6.1%	39.4%	100.0%
Robbery					
Robbery with Weapon					
Attempt	0	0	0	2	2
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	9	3	6	17	26
	34.6%	11.5%	23.1%	65.4%	100.0%
Robbery without Weapon	2	2	0	23	25
	8.0%	8.0%	0.0%	92.0%	100.0%
Violent,Other	83	52	31	61	144
	57.6%	36.1%	21.5%	42.4%	100.0%
Burglary	30	26	4	73	103
	29.1%	25.2%	3.9%	70.9%	100.0%
Property	12	6	6	29	41
Theft/Fraud/Damage	29.3%	14.6%	14.6%	70.7%	100.0%
Drugs					
Manufacture/Sale/Purchase	8	5	3	44	52
	15.4%	9.6%	5.8%	84.6%	100.0%
Trafficking	0	0	0	5	5
	0.0%	0.0%	0.0%	100.0%	100.0%
Possession,Other	17	4	13	9	26
	65.4%	15.4%	50.0%	34.6%	100.0%
Weapons	12	3	9	14	26
	46.2%	11.5%	34.6%	53.8%	100.0%
Other	11	6	5	33	44
	25.0%	13.6%	11.4%	75.0%	100.0%
Total	214	133	81	345	559
	38.3%	23.8%	14.5%	61.7%	100.0%

*Total Points Exceeding 52.

Table 19

**Mitigation Rates Among Offenders Scoring in
Recommended State Prison Sanction Category*, FY 1996-97
Circuit 15 - West Palm Beach**

Offense Type	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter					
1st Degree Murder					
Attempt	4	1	3	6	10
	40.0%	10.0%	30.0%	60.0%	100.0%
2nd Degree Murder					
Attempt	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	7	1	6	6	13
	53.8%	7.7%	46.2%	46.2%	100.0%
Homicide, Other					
Complete	1	1	0	0	1
	100.0%	100.0%	0.0%	0.0%	100.0%
Manslaughter					
Complete	7	3	4	4	11
	63.6%	27.3%	36.4%	36.4%	100.0%
DUI Manslaughter					
Complete	5	2	3	2	7
	71.4%	28.6%	42.9%	28.6%	100.0%
Sexual/Lewd Assault					
Capital Sexual Battery					
Attempt	3	2	1	2	5
	60.0%	40.0%	20.0%	40.0%	100.0%
Life Sexual Battery					
Complete	4	2	2	5	9
	44.4%	22.2%	22.2%	55.6%	100.0%
1st Degree Sexual Battery					
Attempt	3	3	0	0	3
	100.0%	100.0%	0.0%	0.0%	100.0%
Complete	2	1	1	2	4
	50.0%	25.0%	25.0%	50.0%	100.0%
2nd Degree Sexual Battery					
Attempt	1	1	0	0	1
	100.0%	100.0%	0.0%	0.0%	100.0%
Complete	4	2	2	2	6
	66.7%	33.3%	33.3%	33.3%	100.0%
Lewd/Lascivious Behavior					
Attempt	3	2	1	1	4
	75.0%	50.0%	25.0%	25.0%	100.0%
Complete	67	59	8	9	76
	88.2%	77.6%	10.5%	11.8%	100.0%
Robbery					

Robbery with Weapon					
Attempt	10	6	4	3	13
	76.9%	46.2%	30.8%	23.1%	100.0%
Complete	38	10	28	16	54
	70.4%	18.5%	51.9%	29.6%	100.0%
Robbery without Weapon	22	8	14	22	44
	50.0%	18.2%	31.8%	50.0%	100.0%
Home Invasion,Robbery	5	3	2	7	12
	41.7%	25.0%	16.7%	58.3%	100.0%
Violent,Other	223	165	58	29	252
	88.5%	65.5%	23.0%	11.5%	100.0%
Burglary	332	210	122	92	424
	78.3%	49.5%	28.8%	21.7%	100.0%
Property	76	45	31	19	95
Theft/Fraud/Damage	80.0%	47.4%	32.6%	20.0%	100.0%
Drugs					
Manufacture/Sale/Purchase	111	52	59	30	141
	78.7%	36.9%	41.8%	21.3%	100.0%
Trafficking	23	10	13	14	37
	62.2%	27.0%	35.1%	37.8%	100.0%
Possession,Other	22	12	10	2	24
	91.7%	50.0%	41.7%	8.3%	100.0%
Weapons	20	15	5	14	34
	58.8%	44.1%	14.7%	41.2%	100.0%
Other	50	32	18	10	60
	83.3%	53.3%	30.0%	16.7%	100.0%
Total	1,043	648	395	298	1,341
	77.8%	48.3%	29.5%	22.2%	100.0%

*Total Points Exceeding 52.

Table 20

**Mitigation Rates Among Offenders Scoring in
Recommended State Prison Sanction Category*, FY 1996-97
Circuit 16 - Key West**

Offense Type	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter					
1st Degree Murder					
Attempt	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
2nd Degree Murder					

Attempt	1	1	0	0	1
	100.0%	100.0%	0.0%	0.0%	100.0%
Complete	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
DUI Manslaughter					
Complete	1	0	1	0	1
	0.0%	0.0%	0.0%	0.0%	0.0%
Sexual/Lewd Assault					
Capital Sexual Battery					
Attempt	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Life Sexual Battery					
Complete	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
1st Degree Sexual Battery					
Complete	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
2nd Degree Sexual Battery					
Attempt	2	1	1	0	2
	100.0%	50.0%	50.0%	0.0%	100.0%
Complete	1	0	1	0	1
	100.0%	0.0%	100.0%	0.0%	100.0%
Lewd/Lascivious Behavior					
Attempt	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	1	0	1	3	4
	25.0%	0.0%	25.0%	75.0%	100.0%
Robbery					
Robbery with Weapon					
Complete	0	0	0	3	3
	0.0%	0.0%	0.0%	100.0%	100.0%
Robbery without Weapon					
	0	0	0	2	2
	0.0%	0.0%	0.0%	100.0%	100.0%
Violent,Other					
	11	8	3	11	22
	50.0%	36.4%	13.6%	50.0%	100.0%
Burglary					
	12	11	1	11	23
	52.2%	47.8%	4.3%	47.8%	100.0%
Property					
Theft/Fraud/Damage					
	3	3	0	10	13
	23.1%	23.1%	0.0%	76.9%	100.0%
Drugs					
Manufacture/Sale/Purchase					
	10	8	2	14	24
	41.7%	33.3%	8.3%	58.3%	100.0%
Trafficking					
	1	0	1	3	4
	25.0%	0.0%	25.0%	75.0%	100.0%

Possession,Other	7	7	0	2	9
	77.8%	77.8%	0.0%	22.2%	100.0%
Weapons	4	4	0	1	5
	80.0%	80.0%	0.0%	20.0%	100.0%
Other	3	2	1	2	5
	60.0%	40.0%	20.0%	40.0%	100.0%
Total	57	45	12	68	125
	45.6%	36.0%	9.6%	54.4%	100.0%

*Total Points Exceeding 52.

(This section continues on next page.)

Part II Impact

Section 6. Departures From Recommended Sentences (Continued)

Table 21

**Mitigation Rates Among Offenders Scoring in
Recommended State Prison Sanction Category*, FY 1996-97
Circuit 17 - Ft. Lauderdale**

Offense Type	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter					
1st Degree Murder					
Attempt	5	0	5	17	22
	22.7%	0.0%	22.7%	77.3%	100.0%
2nd Degree Murder					
Attempt	5	1	4	9	14
	35.7%	7.1%	28.6%	64.3%	100.0%
Complete	8	3	5	11	19
	42.1%	15.8%	26.3%	57.9%	100.0%
3rd Degree Murder					
Attempt	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Manslaughter					
Complete	8	5	3	6	14
	57.1%	35.7%	21.4%	42.9%	100.0%
DUI Manslaughter					
Complete	5	2	3	5	10
	50.0%	20.0%	30.0%	50.0%	100.0%
Sexual/Lewd Assault					
Capital Sexual Battery					
Attempt	1	0	1	1	2
	50.0%	0.0%	50.0%	50.0%	100.0%
Life Sexual Battery					
Complete	5	2	3	6	11
	45.5%	18.2%	27.3%	54.5%	100.0%
1st Degree Sexual Battery					
Attempt	1	1	0	0	1
	100.0%	100.0%	0.0%	0.0%	100.0%
Complete	17	7	10	7	24

	70.8%	29.2%	41.7%	29.2%	100.0%
2nd Degree Sexual Battery					
Complete	9	7	2	2	11
	81.8%	63.6%	18.2%	18.2%	100.0%
Lewd/Lascivious Behavior					
Complete	46	32	14	19	65
	70.8%	49.2%	21.5%	29.2%	100.0%
Robbery					
Robbery with Weapon					
Attempt	9	7	2	6	15
	60.0%	46.7%	13.3%	40.0%	100.0%
Complete	89	38	51	69	158
	56.3%	24.1%	32.3%	43.7%	100.0%
Robbery without Weapon	42	28	14	59	101
	41.6%	27.7%	13.9%	58.4%	100.0%
Home Invasion,Robbery	0	0	0	2	2
	0.0%	0.0%	0.0%	100.0%	100.0%
Violent,Other	657	533	124	241	898
	73.2%	59.4%	13.8%	26.8%	100.0%
Burglary	476	330	146	335	811
	58.7%	40.7%	18.0%	41.3%	100.0%
Property	100	70	30	83	183
Theft/Fraud/Damage	54.6%	38.3%	16.4%	45.4%	100.0%
Drugs					
Manufacture/Sale/Purchase	168	112	56	165	333
	50.5%	33.6%	16.8%	49.5%	100.0%
Trafficking	90	64	26	64	154
	58.4%	41.6%	16.9%	41.6%	100.0%
Possession,Other	150	97	53	95	245
	61.2%	39.6%	21.6%	38.8%	100.0%
Weapons	41	33	8	47	88
	46.6%	37.5%	9.1%	53.4%	100.0%
Other	57	36	21	39	96
	59.4%	37.5%	21.9%	40.6%	100.0%
Total	1,989	1,408	581	1,289	3,278
	60.7%	43.0%	17.7%	39.3%	100.0%

*Total Points Exceeding 52.

Table 22

**Mitigation Rates Among Offenders Scoring in
Recommended State Prison Sanction Category*, FY 1996-97**

Circuit 18 - Sanford

Offense Type	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter					
2nd Degree Murder					
Attempt	3	2	1	3	6
	50.0%	33.3%	16.7%	50.0%	100.0%
Complete	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Manslaughter					
Attempt	1	1	0	0	1
	100.0%	100.0%	0.0%	0.0%	100.0%
Complete	3	2	1	1	4
	75.0%	50.0%	25.0%	25.0%	100.0%
DUI Manslaughter					
Complete	2	0	2	2	4
	50.0%	0.0%	50.0%	50.0%	100.0%
Sexual/Lewd Assault					
Capital Sexual Battery					
Attempt	1	1	0	2	3
	33.3%	33.3%	0.0%	66.7%	100.0%
Life Sexual Battery					
Attempt	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	1	1	0	5	6
	16.7%	16.7%	0.0%	83.3%	100.0%
1st Degree Sexual Battery					
Attempt	2	2	0	0	2
	100.0%	100.0%	0.0%	0.0%	100.0%
Complete	4	3	1	3	7
	57.1%	42.9%	14.3%	42.9%	100.0%
2nd Degree Sexual Battery					
Attempt	7	6	1	1	8
	87.5%	75.0%	12.5%	12.5%	100.0%
Complete	2	1	1	0	2
	100.0%	50.0%	50.0%	0.0%	100.0%
Lewd/Lascivious Behavior					
Attempt	1	1	0	1	2
	50.0%	50.0%	0.0%	50.0%	100.0%
Complete	49	41	8	15	64
	76.6%	64.1%	12.5%	23.4%	100.0%
Robbery					
Robbery with Weapon					

	Attempt	2	1	1	0	2
		100.0%	50.0%	50.0%	0.0%	100.0%
	Complete	13	4	9	22	35
		37.1%	11.4%	25.7%	62.9%	100.0%
Robbery without Weapon		3	2	1	16	19
		15.8%	10.5%	5.3%	84.2%	100.0%
Home Invasion,Robbery		0	0	0	1	1
		0.0%	0.0%	0.0%	100.0%	100.0%
Violent,Other		52	48	4	49	101
		51.5%	47.5%	4.0%	48.5%	100.0%
Burglary		97	77	20	70	167
		58.1%	46.1%	12.0%	41.9%	100.0%
Property		13	8	5	24	37
Theft/Fraud/Damage		35.1%	21.6%	13.5%	64.9%	100.0%
Drugs						
Manufacture/Sale/Purchase		21	17	4	54	75
		28.0%	22.7%	5.3%	72.0%	100.0%
Trafficking		4	4	0	9	13
		30.8%	30.8%	0.0%	69.2%	100.0%
Possession,Other		5	2	3	7	12
		41.7%	16.7%	25.0%	58.3%	100.0%
Weapons		6	6	0	13	19
		31.6%	31.6%	0.0%	68.4%	100.0%
Other		7	6	1	7	14
		50.0%	42.9%	7.1%	50.0%	100.0%
Total		299	236	63	307	606
		49.3%	38.9%	10.4%	50.7%	100.0%

*Total Points Exceeding 52.

Table 23

**Mitigation Rates Among Offenders Scoring in
Recommended State Prison Sanction Category*, FY 1996-97
Circuit 19 - Ft. Pierce**

Offense Type		Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter						
1st Degree Murder						
	Attempt	1	0	1	5	6
		16.7%	0.0%	16.7%	83.3%	100.0%
2nd Degree Murder						
	Attempt	1	0	1	5	6

		16.7%	0.0%	16.7%	83.3%	100.0%
	Complete	1	0	1	2	3
		33.3%	0.0%	33.3%	66.7%	100.0%
Homicide, Other						
	Complete	1	0	1	0	1
		100.0%	0.0%	100.0%	0.0%	100.0%
Manslaughter						
	Attempt	0	0	0	3	3
		0.0%	0.0%	0.0%	100.0%	100.0%
	Complete	0	0	0	3	3
		0.0%	0.0%	0.0%	100.0%	100.0%
DUI Manslaughter						
	Complete	5	1	4	2	7
		71.4%	14.3%	57.1%	28.6%	100.0%
Sexual/Lewd Assault						
Capital Sexual Battery						
	Attempt	1	0	1	2	3
		33.3%	0.0%	33.3%	66.7%	100.0%
Life Sexual Battery						
	Complete	1	1	0	0	1
		100.0%	100.0%	0.0%	0.0%	100.0%
1st Degree Sexual Battery						
	Complete	3	2	1	0	3
		100.0%	66.7%	33.3%	0.0%	100.0%
2nd Degree Sexual Battery						
	Attempt	2	2	0	0	2
		100.0%	100.0%	0.0%	0.0%	100.0%
	Complete	1	1	0	3	4
		25.0%	25.0%	0.0%	75.0%	100.0%
Lewd/Lascivious Behavior						
	Attempt	1	1	0	1	2
		50.0%	50.0%	0.0%	50.0%	100.0%
	Complete	37	32	5	14	51
		72.5%	62.7%	9.8%	27.5%	100.0%
Robbery						
Robbery with Weapon						
	Attempt	1	1	0	2	3
		33.3%	33.3%	0.0%	66.7%	100.0%
	Complete	9	5	4	12	21
		42.9%	23.8%	19.0%	57.1%	100.0%
Robbery without Weapon						
		8	7	1	13	21
		38.1%	33.3%	4.8%	61.9%	100.0%
Home Invasion,Robbery						
		0	0	0	2	2
		0.0%	0.0%	0.0%	100.0%	100.0%

Violent,Other	100	89	11	40	140
	71.4%	63.6%	7.9%	28.6%	100.0%
Burglary	63	49	14	63	126
	50.0%	38.9%	11.1%	50.0%	100.0%
Property	20	13	7	27	47
Theft/Fraud/Damage	42.6%	27.7%	14.9%	57.4%	100.0%
Drugs					
Manufacture/Sale/Purchase	28	24	4	43	71
	39.4%	33.8%	5.6%	60.6%	100.0%
Trafficking	10	10	0	17	27
	37.0%	37.0%	0.0%	63.0%	100.0%
Possession,Other	10	8	2	5	15
	66.7%	53.3%	13.3%	33.3%	100.0%
Weapons	9	5	4	7	16
	56.3%	31.3%	25.0%	43.8%	100.0%
Other	24	18	6	11	35
	68.6%	51.4%	17.1%	31.4%	100.0%
Total	337	269	68	282	619
	54.4%	43.5%	11.0%	45.6%	100.0%

*Total Points Exceeding 52.

(This section continues on next page.)

Part II Impact

Section 6. Departures From Recommended Sentences (Continued)

Table 24

**Mitigation Rates Among Offenders Scoring in
Recommended State Prison Sanction Category*, FY 1996-97
Circuit 20 - Ft. Myers**

Offense Type	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter					
1st Degree Murder					
Attempt	0	0	0	3	3
	0.0%	0.0%	0.0%	100.0%	100.0%
2nd Degree Murder					
Attempt	0	0	0	4	4
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	3	0	3	4	7
	42.9%	0.0%	42.9%	57.1%	100.0%
3rd Degree Murder					
Complete	0	0	0	5	5
	0.0%	0.0%	0.0%	100.0%	100.0%
Homicide, Other					
Complete	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Manslaughter					
Complete	5	2	3	3	8
	62.5%	25.0%	37.5%	37.5%	100.0%
DUI Manslaughter					
Complete	1	0	1	5	6
	16.7%	0.0%	16.7%	83.3%	100.0%
Sexual/Lewd Assault					
Capital Sexual Battery					
Attempt	2	1	1	11	13
	15.4%	7.7%	7.7%	84.6%	100.0%
Life Sexual Battery					
Attempt	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	0	0	0	2	2

	0.0%	0.0%	0.0%	100.0%	100.0%
1st Degree Sexual Battery					
Complete	2	0	2	5	7
	28.6%	0.0%	28.6%	71.4%	100.0%
2nd Degree Sexual Battery					
Attempt	1	1	0	0	1
	100.0%	100.0%	0.0%	0.0%	100.0%
Complete	2	2	0	3	5
	40.0%	40.0%	0.0%	60.0%	100.0%
Lewd/Lascivious Behavior					
Complete	44	39	5	13	57
	77.2%	68.4%	8.8%	22.8%	100.0%
Robbery					
Robbery with Weapon					
Attempt	0	0	0	1	1
	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	12	3	9	17	29
	41.4%	10.3%	31.0%	58.6%	100.0%
Robbery without Weapon	10	6	4	14	24
	41.7%	25.0%	16.7%	58.3%	100.0%
Home Invasion,Robbery	1	0	1	0	1
	100.0%	0.0%	100.0%	0.0%	100.0%
Violent,Other	126	104	22	63	189
	66.7%	55.0%	11.6%	33.3%	100.0%
Burglary	116	88	28	77	193
	60.1%	45.6%	14.5%	39.9%	100.0%
Property	27	19	8	30	57
Theft/Fraud/Damage	47.4%	33.3%	14.0%	52.6%	100.0%
Drugs					
Manufacture/Sale/Purchase	45	29	16	47	92
	48.9%	31.5%	17.4%	51.1%	100.0%
Trafficking	13	11	2	9	22
	59.1%	50.0%	9.1%	40.9%	100.0%
Possession,Other	7	5	2	10	17
	41.2%	29.4%	11.8%	58.8%	100.0%
Weapons	14	9	5	5	19
	73.7%	47.4%	26.3%	26.3%	100.0%
Other	19	15	4	16	35
	54.3%	42.9%	11.4%	45.7%	100.0%
Total	450	334	116	349	799
	56.3%	41.8%	14.5%	43.7%	100.0%

*Total Points Exceeding 52.

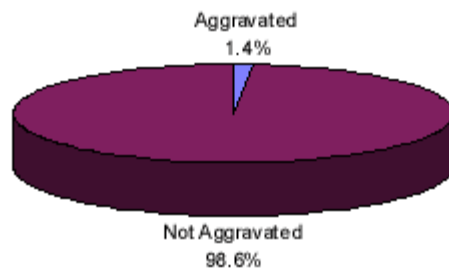
Table 25

Aggravation Rates Among Offenders Scoring in Recommended Non-State Prison Sanction Category*

Category	Number	Percent
Aggravated	870	1.4%
Not Aggravated	60,545	98.6%
Total	61,415	100.0%

*Total points below 34.8.

Figure 3
Offender Scoring in Recommended State Prison Sanction Category*
Fiscal Year 1996-97
n=61,415



*Total points below 34.8%.

Figure 4
Aggravation Rates Among Offenders Sentenced in Fiscal Year 1996-97
n=113,547

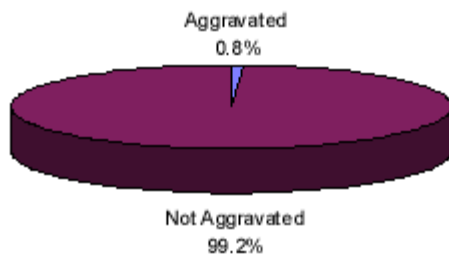


Table 26

Aggravation Rates*
By Judicial Circuit and County
Fiscal Year 1996-97

Judicial Circuit/County	Number of Scoresheets		Aggravation Rate
	Below 34.8 Total Points	Number of Scoresheets Aggravated	

01 (Pensacola)	2,067	13	0.6%
Escambia	1,267	10	0.8%
Okaloosa	446	3	0.7%
Santa Rosa	256	0	0.0%
Walton	98	0	0.0%
02			
(Tallahassee)	861	40	4.6%
Franklin	25	3	12.0%
Gadsden	245	5	2.0%
Jefferson	49	1	2.0%
Leon	460	29	6.3%
Liberty	21	0	0.0%
Wakulla	61	2	3.3%
03 (Lake City)	607	17	2.8%
Columbia	271	9	3.3%
Dixie	28	1	3.6%
Hamilton	29	0	0.0%
Lafayette	15	2	13.3%
Madison	82	3	3.7%
Suwannee	117	1	0.9%
Taylor	65	1	1.5%
04			
(Jacksonville)	3,912	82	2.1%
Clay	464	11	2.4%
Duval	3,304	66	2.0%
Nassau	144	5	3.5%
05 (Tavares)	2,511	55	2.2%
Citrus	197	3	1.5%
Hernando	439	19	4.3%
Lake	779	28	3.6%
Marion	1,008	5	0.5%
Sumter	88	0	0.0%
06			
(Clearwater)	6,572	129	2.0%
Pasco	1,053	50	4.7%
Pinellas	5,519	79	1.4%
07 (Daytona)	2,579	26	1.0%
Flagler	75	1	1.3%
Putnam	194	3	1.5%
St. Johns	286	0	0.0%
Volusia	2,024	22	1.1%
08			
(Gainesville)	1,289	28	2.2%
Alachua	1,016	20	2.0%
Baker	44	0	0.0%

Bradford	86	2	2.3%
Gilchrist	17	0	0.0%
Levy	108	5	4.6%
Union	18	1	5.6%
09 (Orlando)	5,400	41	0.8%
Orange	4,878	31	0.6%
Osceola	522	10	1.9%
10 (Bartow)	2,372	68	2.9%
Hardee	104	2	1.9%
Highlands	74	5	6.8%
Polk	2,194	61	2.8%
11 (Miami)	5,040	28	0.6%
Dade	5,040	28	0.6%
12 (Sarasota)	1,770	10	0.6%
Desoto	58	2	3.4%
Manatee	721	5	0.7%
Sarasota	991	3	0.3%
13 (Tampa)	5,690	75	1.3%
Hillsborough	5,690	75	1.3%
14 (Panama City)	1,439	38	2.6%
Bay	996	26	2.6%
Calhoun	62	6	9.7%
Gulf	55	0	0.0%
Holmes	59	0	0.0%
Jackson	147	1	0.7%
Washington	120	5	4.2%
15 (West Palm Beach)	3,088	15	0.5%
Palm Beach	3,088	15	0.5%
16 (Key West)	821	4	0.5%
Monroe	821	4	0.5%
17 (Ft. Lauderdale)	9,203	122	1.3%
Broward	9,203	122	1.3%
18 (Sanford)	1,806	28	1.6%
Brevard	853	21	2.5%
Seminole	953	7	0.7%
19 (Ft. Pierce)	1,669	21	1.3%
Indian River	294	3	1.0%
Martin	470	4	0.9%
Okeechobee	128	1	0.8%
St. Lucie	777	13	1.7%
20 (Ft. Myers)	2,736	30	1.1%

Charlotte	396	5	1.3%
Collier	959	13	1.4%
Glades	37	0	0.0%
Hendry	81	2	2.5%
Lee	1,263	10	0.8%
Statewide	61,415	870	1.4%

*Aggravation is defined as the offender received a prison sentence although a prison sentence was not permitted within the Guideline's structure.

Part II Impact

Section 7. Primary Purpose of Sentencing is Punishment

GOAL: The primary purpose of sentencing is to punish the offender. Rehabilitation is a desired goal of the criminal justice system but is subordinate to the goal of punishment. F.S. 921.001(4)(a)2.

FACT: *The scoring of an offender on a guidelines scoresheet for purposes of sentencing is based solely on the primary and additional offenses, circumstances surrounding the primary and additional offenses (such as the extent of victim injury), the offender's prior criminal history, and other legal factors pertaining to the offender's criminal behavior. Information on the needs of the offender may be taken into consideration at the time of sentencing, but are not a part of the offender's score and are not the primary focus of the court's attention. This goal is more subjective in nature, and therefore, cannot be measured by the data collected in the guidelines database.*

Part III Sentencing Guidelines Practice

Section 1. Recommended Sanction and Sanction Imposed

NOTES: This section examines three categories of sentences:

- **Category 1-** Those in which total points on the scoresheet are less than 34.8. The sentencing guidelines mandate a non-state prison sanction for offenders in this range, unless the sentence is aggravated.
- **Category 2-** Those in which total points are between 34.8 and 52.0. Within this range, the guidelines provide judges with discretion in sentencing to state prison or non-state prison sanctions.
- **Category 3-** Those in which total points exceed 52.0, for which the guidelines mandate state prison as the sanction, unless the sentence is mitigated.

Actual sanctions imposed, including state prison, community control, probation, county jail/time served, and other sanctions are presented and compared to the categories listed above.

FINDINGS:

- Across the state, over 17% of offenders were sentenced to state prison as the most severe sanction. An additional 24.8% were sentenced to incarceration in county jail, or to time already served in jail. More than 11% were sentenced to community control, and nearly 47% to probation, including drug offender probation, administrative probation, and regular probation. Less than a half of a percent of offenders were sentenced to "other" sanctions. Circuits and counties varied moderately in the types of sanction imposed (Table 4).
- Of offenders scoring in the recommended state prison category, nearly 56.2% were sentenced to state prison, with another 7.7% sentenced to county jail or time served. Of those in the discretionary range, over 17% were sentenced to state prison, and another 29% to county jail/time served. Less than 1.5% of offenders in the non-state prison range were sentenced to state prison (Table 1).

Table 1

**Recommended Sanction Category by Sanction Imposed
Fiscal Year 1996-97**

Sanction Imposed	Recommended Sanction Category			Total
	Non-State Prison Below 34.8 Points	Discretionary* 34.8 - 52.0 Points	State Prison Exceeding 52.0 Points	
State Prison	870 1.4%	4,873 17.8%	13,874 56.2%	19,617 17.3%
Community Control	4,871 7.9%	4,298 15.7%	3,381 13.7%	12,550 11.1%
Probation	37,263	10,013	5,517	52,793

	60.7%	36.5%	22.3%	46.5%
County Jail	18,104	8,158	1,895	28,157
	29.5%	29.8%	7.7%	24.8%
Other	324	67	39	430
	0.5%	0.2%	0.2%	0.4%
Total	61,432	27,409	24,706	113,547
	100.0%	100.0%	100.0%	100.0%

Table 2

**Sanction Imposed by Recommended Sanction Category
Fiscal Year 1996-97**

Recommended Sanction Category	Sanction Imposed					Total
	State Prison	Community Control	Probation	County Jail	Other	
Non-State Prison	870	4,871	37,263	18,104	324	61,432
Below 34.8 Points	4.4%	38.8%	70.6%	64.3%	75.3%	54.1%
Discretionary*	4,873	4,298	10,013	8,158	67	27,409
34.8 - 52.0 Points	24.8%	34.2%	19.0%	29.0%	15.6%	24.1%
State Prison	13,874	3,381	5,517	1,895	39	24,706
Exceeding 52.0 Points	70.7%	26.9%	10.5%	6.7%	9.1%	21.8%
Total	19,617	12,550	52,793	28,157	430	113,547
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

*Discretionary means that either a state prison or non-state prison sanction is acceptable.

Table 3

**Recommended Sanction Category by Sanction Imposed
Fiscal Year 1996-97**

Judicial Circuit/ Sanction Imposed	Recommended Sanction Category			Total
	Non-State Prison Below 34.8 Points	Discretionary* 34.8 - 52.0 Points	State Prison Exceeding 52.0 Points	

01								
(Pensacola)	2,067	48.3%	1,188	27.8%	1,024	23.9%	4,279	100.0%
Prison	13	1.6%	144	17.6%	659	80.8%	816	100.0%
Community Control	182	37.8%	175	36.4%	124	25.8%	481	100.0%
Probation	1,320	65.5%	523	26.0%	172	8.5%	2,015	100.0%
County Jail	475	54.8%	331	38.2%	61	7.0%	867	100.0%
Other	77	77.0%	15	15.0%	8	8.0%	100	100.0%
02								
(Tallahassee)	861	49.5%	373	21.5%	504	29.0%	1,738	100.0%
Prison	40	8.4%	118	24.9%	316	66.7%	474	100.0%
Community Control	46	37.1%	38	30.6%	40	32.3%	124	100.0%
Probation	734	69.0%	186	17.5%	143	13.5%	1,063	100.0%
County Jail	40	53.3%	31	41.3%	4	5.3%	75	100.0%
Other	1	50.0%	0	0.0%	1	50.0%	2	100.0%
03 (Lake City)	607	52.2%	262	22.5%	293	25.2%	1,162	100.0%
Prison	17	6.7%	72	28.6%	163	64.7%	252	100.0%
Community Control	106	53.8%	62	31.5%	29	14.7%	197	100.0%
Probation	469	68.2%	121	17.6%	98	14.2%	688	100.0%
County Jail	15	62.5%	6	25.0%	3	12.5%	24	100.0%
Other	0	0.0%	1	100.0%	0	0.0%	1	100.0%
04								
(Jacksonville)	3,912	62.7%	1,103	17.7%	1,229	19.7%	6,244	100.0%
Prison	82	7.4%	312	28.1%	715	64.5%	1,109	100.0%
Community Control	213	57.7%	64	17.3%	92	24.9%	369	100.0%
Probation	1,388	73.9%	211	11.2%	279	14.9%	1,878	100.0%
County Jail	2,171	76.7%	515	18.2%	143	5.1%	2,829	100.0%
Other	58	98.3%	1	1.7%	0	0.0%	59	100.0%
05 (Tavares)	2,511	58.8%	1,089	25.5%	671	15.7%	4,271	100.0%
Prison	55	7.2%	219	28.6%	492	64.2%	766	100.0%
Community Control	204	44.5%	195	42.6%	59	12.9%	458	100.0%
Probation	1,859	75.8%	487	19.9%	105	4.3%	2,451	100.0%
County Jail	382	65.5%	186	31.9%	15	2.6%	583	100.0%
Other	11	84.6%	2	15.4%	0	0.0%	13	100.0%
06								
(Clearwater)	6,572	53.9%	3,118	25.6%	2,501	20.5%	12,191	100.0%
Prison	129	6.1%	458	21.8%	1,515	72.1%	2,102	100.0%
Community Control	998	46.1%	714	33.0%	452	20.9%	2,164	100.0%
Probation	3,968	72.0%	1069	19.4%	474	8.6%	5,511	100.0%

County Jail	1,469	61.1%	876	36.4%	60	2.5%	2,405	100.0%
Other	8	88.9%	1	11.1%	0	0.0%	9	100.0%
07 (Daytona)	2,579	59.0%	1,095	25.1%	694	15.9%	4,368	100.0%
Prison	26	4.2%	188	30.0%	412	65.8%	626	100.0%
Community Control	238	47.8%	181	36.3%	79	15.9%	498	100.0%
Probation	1,572	74.9%	390	18.6%	136	6.5%	2,098	100.0%
County Jail	742	64.9%	335	29.3%	67	5.9%	1,144	100.0%
Other	1	50.0%	1	50.0%	0	0.0%	2	100.0%
08 (Gainesville)	1,289	50.4%	737	28.8%	531	20.8%	2,557	100.0%
Prison	28	5.5%	133	26.3%	344	68.1%	505	100.0%
Community Control	91	33.0%	121	43.8%	64	23.2%	276	100.0%
Probation	890	69.0%	310	24.0%	90	7.0%	1,290	100.0%
County Jail	272	57.3%	171	36.0%	32	6.7%	475	100.0%
Other	8	72.7%	2	18.2%	1	9.1%	11	100.0%
09 (Orlando)	5,400	56.6%	2,601	27.2%	1,546	16.2%	9,547	100.0%
Prison	41	3.3%	190	15.2%	1,021	81.5%	1,252	100.0%
Community Control	171	39.5%	141	32.6%	121	27.9%	433	100.0%
Probation	3,145	71.6%	987	22.5%	263	6.0%	4,395	100.0%
County Jail	2,014	58.8%	1,275	37.2%	139	4.1%	3,428	100.0%
Other	29	74.4%	8	20.5%	2	5.1%	39	100.0%
10 (Bartow)	2,372	57.0%	1,037	24.9%	751	18.1%	4,160	100.0%
Prison	68	8.4%	224	27.8%	515	63.8%	807	100.0%
Community Control	178	44.8%	127	32.0%	92	23.2%	397	100.0%
Probation	1,653	73.9%	464	20.8%	119	5.3%	2,236	100.0%
County Jail	465	66.2%	219	31.2%	18	2.6%	702	100.0%
Other	8	44.4%	3	16.7%	7	38.9%	18	100.0%
11 (Miami)	5,040	43.3%	2,470	21.2%	4,129	35.5%	11,639	100.0%
Prison	28	1.5%	157	8.5%	1,652	89.9%	1,837	100.0%
Community Control	93	15.4%	136	22.6%	373	62.0%	602	100.0%
Probation	2,251	48.6%	1,053	22.7%	1,329	28.7%	4,633	100.0%
County Jail	2,668	58.4%	1,124	24.6%	775	17.0%	4,567	100.0%
Other	0	0.0%	0	0.0%	0	0.0%	0	0.0%
12 (Sarasota)	1,770	54.8%	782	24.2%	680	21.0%	3,232	100.0%
Prison	10	1.8%	111	20.3%	427	77.9%	548	100.0%
Community Control	94	37.3%	83	32.9%	75	29.8%	252	100.0%
Probation	1,124	72.1%	313	20.1%	123	7.9%	1,560	100.0%
County Jail	535	62.4%	273	31.9%	49	5.7%	857	100.0%
Other	7	46.7%	2	13.3%	6	40.0%	15	100.0%

13 (Tampa)	5,690	49.5%	2,982	25.9%	2,826	24.6%	11,498	100.0%
Prison	75	3.7%	550	27.3%	1,389	69.0%	2,014	100.0%
Community Control	757	30.9%	896	36.6%	798	32.6%	2,451	100.0%
Probation	3,671	71.6%	926	18.1%	528	10.3%	5,125	100.0%
County Jail	1,183	62.1%	610	32.0%	111	5.8%	1,904	100.0%
Other	4	100.0%	0	0.0%	0	0.0%	4	100.0%
14 (Panama City)	1,439	50.6%	846	29.7%	559	19.7%	2,844	100.0%
Prison	38	5.2%	269	36.7%	426	58.1%	733	100.0%
Community Control	226	43.9%	240	46.6%	49	9.5%	515	100.0%
Probation	1,003	74.2%	280	20.7%	68	5.0%	1,351	100.0%
County Jail	151	72.9%	41	19.8%	15	7.2%	207	100.0%
Other	21	55.3%	16	42.1%	1	2.6%	38	100.0%
15 (West Palm Beach)	3,088	55.4%	1,149	20.6%	1,341	24.0%	5,578	100.0%
Prison	15	1.8%	131	15.6%	693	82.6%	839	100.0%
Community Control	90	35.6%	77	30.4%	86	34.0%	253	100.0%
Probation	1,427	65.0%	374	17.0%	395	18.0%	2,196	100.0%
County Jail	1,529	67.8%	563	25.0%	164	7.3%	2,256	100.0%
Other	27	79.4%	4	11.8%	3	8.8%	34	100.0%
16 (Key West)	821	62.4%	370	28.1%	125	9.5%	1,316	100.0%
Prison	4	2.3%	88	51.2%	80	46.5%	172	100.0%
Community Control	97	51.3%	76	40.2%	16	8.5%	189	100.0%
Probation	635	76.6%	177	21.4%	17	2.1%	829	100.0%
County Jail	85	67.5%	29	23.0%	12	9.5%	126	100.0%
Other	0	0.0%	0	0.0%	0	0.0%	0	0.0%
17 (Ft. Lauderdale)	9,203	57.2%	3,614	22.5%	3,278	20.4%	16,095	100.0%
Prison	122	4.0%	1,077	35.1%	1,870	60.9%	3,069	100.0%
Community Control	659	38.6%	502	29.4%	545	31.9%	1,706	100.0%
Probation	5,573	76.3%	1,013	13.9%	719	9.8%	7,305	100.0%
County Jail	2,833	70.9%	1,021	25.6%	139	3.5%	3,993	100.0%
Other	16	72.7%	1	4.5%	5	22.7%	22	100.0%
18 (Sanford)	1,806	57.9%	706	22.6%	606	19.4%	3,118	100.0%
Prison	28	5.6%	101	20.2%	370	74.1%	499	100.0%
Community Control	81	23.5%	153	44.5%	110	32.0%	344	100.0%
Probation	1,494	75.6%	360	18.2%	122	6.2%	1,976	100.0%
County Jail	187	66.5%	91	32.4%	3	1.1%	281	100.0%
Other	16	88.9%	1	5.6%	1	5.6%	18	100.0%

19 (Ft. Pierce)	1,669	54.5%	775	25.3%	619	20.2%	3,063	100.0%
Prison	21	3.8%	181	32.8%	350	63.4%	552	100.0%
Community Control	83	39.2%	75	35.4%	54	25.5%	212	100.0%
Probation	1,035	70.8%	264	18.1%	162	11.1%	1,461	100.0%
County Jail	515	63.1%	250	30.6%	51	6.3%	816	100.0%
Other	15	68.2%	5	22.7%	2	9.1%	22	100.0%
20 (Ft. Myers)	2,736	58.9%	1,112	23.9%	799	17.2%	4,647	100.0%
Prison	30	4.7%	150	23.3%	465	72.1%	645	100.0%
Community Control	264	42.0%	242	38.5%	123	19.6%	629	100.0%
Probation	2,052	75.1%	505	18.5%	175	6.4%	2,732	100.0%
County Jail	373	60.4%	211	34.1%	34	5.5%	618	100.0%
Other	17	73.9%	4	17.4%	2	8.7%	23	100.0%
Statewide	61,432	54.1%	27,409	24.1%	24,706	21.8%	113,547	100.0%

* Discretionary means that either a prison sanction or non-state prison sanction is acceptable.

Note: County jail includes those sentenced to time served; prison includes those sentenced to life.

(This section continues on next page.)

Part III Sentencing Guidelines Practice

Section 1. Recommended Sanction and Sanction Imposed (Continued)

Table 4
Sanction Imposed
By Judicial Circuit and County
Fiscal Year 1996-97

Circuit/County	Sanction Imposed					Total
	State Prison	Community Control	Probation	County Jail	Other Sentence	
01 (Pensacola)	816	481	2,015	867	100	4,279
	19.1%	11.2%	47.1%	20.3%	2.3%	100.0%
Escambia	495	353	1,067	681	95	2,691
	18.4%	13.1%	39.7%	25.3%	3.5%	100.0%
Okaloosa	181	66	522	95	3	867
	20.9%	7.6%	60.2%	11.0%	0.3%	100.0%
Santa Rosa	120	44	288	88	0	540
	22.2%	8.1%	53.3%	16.3%	0.0%	100.0%
Walton	20	18	138	3	2	181
	11.0%	9.9%	76.2%	1.7%	1.1%	100.0%
02 (Tallahassee)	474	124	1,063	75	2	1,738
	27.3%	7.1%	61.2%	4.3%	0.1%	100.0%
Franklin	21	6	36	6	0	69
	30.4%	8.7%	52.2%	8.7%	0.0%	100.0%
Gadsden	135	75	293	2	0	505
	26.7%	14.9%	58.0%	0.4%	0.0%	100.0%
Jefferson	21	2	89	16	0	128
	16.4%	1.6%	69.5%	12.5%	0.0%	100.0%
Leon	259	31	520	42	1	853
	30.4%	3.6%	61.0%	4.9%	0.1%	100.0%
Liberty	9	3	26	0	0	38
	23.7%	7.9%	68.4%	0.0%	0.0%	100.0%
Wakulla	29	7	99	9	1	145
	20.0%	4.8%	68.3%	6.2%	0.7%	100.0%
03 (Lake City)	252	197	688	24	1	1,162
	21.7%	17.0%	59.2%	2.1%	0.1%	100.0%
Columbia	129	112	261	8	0	510
	25.3%	22.0%	51.2%	1.6%	0.0%	100.0%

Dixie	13	12	36	3	0	64
	20.3%	18.8%	56.3%	4.7%	0.0%	100.0%
Hamilton	9	18	37	0	0	64
	14.1%	28.1%	57.8%	0.0%	0.0%	100.0%
Lafayette	9	1	18	1	0	29
	31.0%	3.4%	62.1%	3.4%	0.0%	100.0%
Madison	27	16	109	2	0	154
	17.5%	10.4%	70.8%	1.3%	0.0%	100.0%
Suwannee	35	17	140	2	0	194
	18.0%	8.8%	72.2%	1.0%	0.0%	100.0%
Taylor	30	21	87	8	1	147
	20.4%	14.3%	59.2%	5.4%	0.7%	100.0%
04						
(Jacksonville)	1,109	369	1,878	2,829	59	6,244
	17.8%	5.9%	30.1%	45.3%	0.9%	100.0%
Clay	103	73	370	128	31	705
	14.6%	10.4%	52.5%	18.2%	4.4%	100.0%
Duval	955	282	1,427	2,602	25	5,291
	18.0%	5.3%	27.0%	49.2%	0.5%	100.0%
Nassau	51	14	81	99	3	248
	20.6%	5.6%	32.7%	39.9%	1.2%	100.0%
05 (Tavares)	766	458	2,451	583	13	4,271
	17.9%	10.7%	57.4%	13.7%	0.3%	100.0%
Citrus	53	18	219	11	1	302
	17.5%	6.0%	72.5%	3.6%	0.3%	100.0%
Hernando	130	116	364	106	1	717
	18.1%	16.2%	50.8%	14.8%	0.1%	100.0%
Lake	272	81	683	265	2	1,303
	20.9%	6.2%	52.4%	20.3%	0.2%	100.0%
Marion	265	204	1,104	171	5	1,749
	15.2%	11.7%	63.1%	9.8%	0.3%	100.0%
Sumter	46	39	81	30	4	200
	23.0%	19.5%	40.5%	15.0%	2.0%	100.0%
06						
(Clearwater)	2,102	2,164	5,511	2,405	9	12,191
	17.2%	17.8%	45.2%	19.7%	0.1%	100.0%
Pasco	448	596	869	83	1	1,997
	22.4%	29.8%	43.5%	4.2%	0.1%	100.0%
Pinellas	1,654	1,568	4,642	2,322	8	10,194
	16.2%	15.4%	45.5%	22.8%	0.1%	100.0%
07 (Daytona)	626	498	2,098	1,144	2	4,368
	14.3%	11.4%	48.0%	26.2%	0.0%	100.0%
Flagler	18	26	78	30	0	152
	11.8%	17.1%	51.3%	19.7%	0.0%	100.0%

Putnam	78	40	173	80	0	371
	21.0%	10.8%	46.6%	21.6%	0.0%	100.0%
St. Johns	104	37	265	78	0	484
	21.5%	7.6%	54.8%	16.1%	0.0%	100.0%
Volusia	426	395	1,582	956	2	3,361
	12.7%	11.8%	47.1%	28.4%	0.1%	100.0%
08						
(Gainesville)	505	276	1,290	475	11	2,557
	19.7%	10.8%	50.4%	18.6%	0.4%	100.0%
Alachua	360	187	987	405	9	1,948
	18.5%	9.6%	50.7%	20.8%	0.5%	100.0%
Baker	8	14	41	3	0	66
	12.1%	21.2%	62.1%	4.5%	0.0%	100.0%
Bradford	56	21	87	40	0	204
	27.5%	10.3%	42.6%	19.6%	0.0%	100.0%
Gilchrist	7	3	24	3	0	37
	18.9%	8.1%	64.9%	8.1%	0.0%	100.0%
Levy	62	43	122	19	1	247
	25.1%	17.4%	49.4%	7.7%	0.4%	100.0%
Union	12	8	29	5	1	55
	21.8%	14.5%	52.7%	9.1%	1.8%	100.0%
09 (Orlando)	1,252	433	4,395	3,428	39	9,547
	13.1%	4.5%	46.0%	35.9%	0.4%	100.0%
Orange	1,048	384	3,881	3,229	28	8,570
	12.2%	4.5%	45.3%	37.7%	0.3%	100.0%
Osceola	204	49	514	199	11	977
	20.9%	5.0%	52.6%	20.4%	1.1%	100.0%
10 (Bartow)	807	397	2,236	702	18	4,160
	19.4%	9.5%	53.8%	16.9%	0.4%	100.0%
Hardee	28	7	105	25	0	165
	17.0%	4.2%	63.6%	15.2%	0.0%	100.0%
Highlands	65	18	83	15	0	181
	35.9%	9.9%	45.9%	8.3%	0.0%	100.0%
Polk	714	372	2,048	662	18	3,814
	18.7%	9.8%	53.7%	17.4%	0.5%	100.0%
11 (Miami)	1,837	602	4,633	4,567	0	11,639
	15.8%	5.2%	39.8%	39.2%	0.0%	100.0%
Dade	1,837	602	4,633	4,567	0	11,639
	15.8%	5.2%	39.8%	39.2%	0.0%	100.0%
12 (Sarasota)	548	252	1,560	857	15	3,232
	17.0%	7.8%	48.3%	26.5%	0.5%	100.0%
Desoto	29	52	70	21	9	181
	16.0%	28.7%	38.7%	11.6%	5.0%	100.0%
Manatee	231	121	645	365	3	1,365

	16.9%	8.9%	47.3%	26.7%	0.2%	100.0%
Sarasota	288	79	845	471	3	1,686
	17.1%	4.7%	50.1%	27.9%	0.2%	100.0%
13 (Tampa)	2,014	2,451	5,125	1,904	4	11,498
	17.5%	21.3%	44.6%	16.6%	0.0%	100.0%
Hillsborough	2,014	2,451	5,125	1,904	4	11,498
	17.5%	21.3%	44.6%	16.6%	0.0%	100.0%
14 (Panama City)	733	515	1,351	207	38	2,844
	25.8%	18.1%	47.5%	7.3%	1.3%	100.0%
Bay	462	374	845	157	38	1,876
	24.6%	19.9%	45.0%	8.4%	2.0%	100.0%
Calhoun	43	7	60	7	0	117
	36.8%	6.0%	51.3%	6.0%	0.0%	100.0%
Gulf	39	26	71	3	0	139
	28.1%	18.7%	51.1%	2.2%	0.0%	100.0%
Holmes	16	36	61	12	0	125
	12.8%	28.8%	48.8%	9.6%	0.0%	100.0%
Jackson	117	48	198	18	0	381
	30.7%	12.6%	52.0%	4.7%	0.0%	100.0%
Washington	56	24	116	10	0	206
	27.2%	11.7%	56.3%	4.9%	0.0%	100.0%
15 (West Palm Beach)	839	253	2,196	2,256	34	5,578
	15.0%	4.5%	39.4%	40.4%	0.6%	100.0%
Palm Beach	839	253	2,196	2,256	34	5,578
	15.0%	4.5%	39.4%	40.4%	0.6%	100.0%
16 (Key West)	172	189	829	126	0	1,316
	13.1%	14.4%	63.0%	9.6%	0.0%	100.0%
Monroe	172	189	829	126	0	1,316
	13.1%	14.4%	63.0%	9.6%	0.0%	100.0%
17 (Ft. Lauderdale)	3,069	1,706	7,305	3,993	22	16,095
	19.1%	10.6%	45.4%	24.8%	0.1%	100.0%
Broward	3,069	1,706	7,305	3,993	22	16,095
	19.1%	10.6%	45.4%	24.8%	0.1%	100.0%
18 (Sanford)	499	344	1,976	281	18	3,118
	16.0%	11.0%	63.4%	9.0%	0.6%	100.0%
Brevard	379	225	1,003	59	7	1,673
	22.7%	13.4%	60.0%	3.5%	0.4%	100.0%
Seminole	120	119	973	222	11	1,445
	8.3%	8.2%	67.3%	15.4%	0.8%	100.0%
19 (Ft. Pierce)	552	212	1,461	816	22	3,063
	18.0%	6.9%	47.7%	26.6%	0.7%	100.0%
Indian River	74	53	253	106	13	499

	14.8%	10.6%	50.7%	21.2%	2.6%	100.0%
Martin	74	47	492	159	2	774
	9.6%	6.1%	63.6%	20.5%	0.3%	100.0%
Okeechobee	85	41	141	44	0	311
	27.3%	13.2%	45.3%	14.1%	0.0%	100.0%
St. Lucie	319	71	575	507	7	1,479
	21.6%	4.8%	38.9%	34.3%	0.5%	100.0%
20 (Ft. Myers)	645	629	2,732	618	23	4,647
	13.9%	13.5%	58.8%	13.3%	0.5%	100.0%
Charlotte	136	148	385	63	1	733
	18.6%	20.2%	52.5%	8.6%	0.1%	100.0%
Collier	144	258	880	196	9	1,487
	9.7%	17.4%	59.2%	13.2%	0.6%	100.0%
Glades	14	4	31	11	1	61
	23.0%	6.6%	50.8%	18.0%	1.6%	100.0%
Hendry	31	17	75	33	0	156
	19.9%	10.9%	48.1%	21.2%	0.0%	100.0%
Lee	320	202	1,361	315	12	2,210
	14.5%	9.1%	61.6%	14.3%	0.5%	100.0%
Statewide	19,617	12,550	52,793	28,157	430	113,547
	17.3%	11.1%	46.5%	24.8%	0.4%	100.0%

(This section continues on next page.)

Part III Sentencing Guidelines Practice

Section 1. Recommended Sanction and Sanction Imposed (Continued)

Table 5

Offense Types by Sanction Imposed

Offense Type	State Prison	Community Control	Probation	County Jail	Other	Total
Murder/Manslaughter						
1st Degree Murder						
Attempt	180	15	16	3	0	214
	84.1%	7.0%	7.5%	1.4%	0.0%	100.0%
2nd Degree Murder						
Attempt	116	9	17	3	1	146
	79.5%	6.2%	11.6%	2.1%	0.7%	100.0%
Complete	174	3	2	1	0	180
	96.7%	1.7%	1.1%	0.6%	0.0%	100.0%
3rd Degree Murder						
Attempt	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	16	0	3	0	0	19
	84.2%	0.0%	15.8%	0.0%	0.0%	100.0%
Homicide, Other						
Attempt	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	3	0	2	0	0	5
	60.0%	0.0%	40.0%	0.0%	0.0%	100.0%
Manslaughter						
Attempt	11	1	1	1	0	14
	78.6%	7.1%	7.1%	7.1%	0.0%	100.0%
Complete	116	17	30	3	0	166
	69.9%	10.2%	18.1%	1.8%	0.0%	100.0%
DUI Manslaughter						
Complete	104	9	17	0	0	130
	80.0%	6.9%	13.1%	0.0%	0.0%	100.0%
Sexual/Lewd Assault						
Capital Sexual Battery						
Attempt	117	11	27	0	0	155

	75.5%	7.1%	17.4%	0.0%	0.0%	100.0%
Life Sexual Battery						
Attempt	11	1	3	0	0	15
	73.3%	6.7%	20.0%	0.0%	0.0%	100.0%
Complete	82	5	6	0	0	93
	88.2%	5.4%	6.5%	0.0%	0.0%	100.0%
1st Degree Sexual Battery						
Attempt	6	3	11	0	0	20
	30.0%	15.0%	55.0%	0.0%	0.0%	100.0%
Complete	91	24	19	0	0	134
	67.9%	17.9%	14.2%	0.0%	0.0%	100.0%
2nd Degree Sexual Battery						
Attempt	34	17	31	4	0	86
	39.5%	19.8%	36.0%	4.7%	0.0%	100.0%
Complete	83	23	38	1	0	145
	57.2%	15.9%	26.2%	0.7%	0.0%	100.0%
Offense Type	State Prison	Community Control	Probation	County Jail	Other	Total
Lewd/Lascivious Behavior						
Attempt	28	53	133	15	0	229
	12.2%	23.1%	58.1%	6.6%	0.0%	100.0%
Complete	505	258	470	44	0	1,277
	39.5%	20.2%	36.8%	3.4%	0.0%	100.0%
Robbery						
Robbery with Weapon						
Attempt	90	17	35	9	0	151
	59.6%	11.3%	23.2%	6.0%	0.0%	100.0%
Complete	1,079	112	143	24	2	1,360
	79.3%	8.2%	10.5%	1.8%	0.1%	100.0%
Robbery without Weapon	773	286	664	390	3	2,116
	36.5%	13.5%	31.4%	18.4%	0.1%	100.0%
Home Invasion,Robbery	51	5	7	3	0	66
	77.3%	7.6%	10.6%	4.5%	0.0%	100.0%
Violent,Other	3,344	2,121	7,534	2,327	48	15,374
	21.8%	13.8%	49.0%	15.1%	0.3%	100.0%
Burglary	3,945	1,694	4,992	2,264	22	12,917
	30.5%	13.1%	38.6%	17.5%	0.2%	100.0%
Property	2,231	2,315	14,705	5,858	180	25,289
Theft/Fraud/Damage	8.8%	9.2%	58.1%	23.2%	0.7%	100.0%
Drugs						
Manufacture/Sale/Purchase	2,607	1,862	7,064	5,435	38	17,006
	15.3%	10.9%	41.5%	32.0%	0.2%	100.0%
Trafficking	615	183	251	71	0	1,120
	54.9%	16.3%	22.4%	6.3%	0.0%	100.0%

Possession,Other	1,404	2,163	11,433	9,098	70	24,168
	5.8%	8.9%	47.3%	37.6%	0.3%	100.0%
Weapons	791	477	1,994	823	26	4,111
	19.2%	11.6%	48.5%	20.0%	0.6%	100.0%
Other	1,008	866	3,145	1,780	40	6,839
	14.7%	12.7%	46.0%	26.0%	0.6%	100.0%
Total	19,617	12,550	52,793	28,157	430	113,547
	17.3%	11.1%	46.5%	24.8%	0.4%	100.0%

(This section continues on next page.)

Part III Sentencing Guidelines Practice

Section 1. Recommended Sanction and Sanction Imposed (Continued)

Table 6

Offense Types by Sanction Imposed

Circuit 01 - Pensacola

Offense Type	State Prison	Community Control	Probation	County Jail	Other	Total
Murder/Manslaughter						
1st Degree Murder						
Attempt	4	0	0	0	0	4
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
2nd Degree Murder						
Attempt	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	6	0	0	0	0	6
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Manslaughter						
Complete	4	1	3	0	0	8
	50.0%	12.5%	37.5%	0.0%	0.0%	100.0%
DUI Manslaughter						
Complete	8	0	1	0	0	9
	88.9%	0.0%	11.1%	0.0%	0.0%	100.0%
Sexual/Lewd Assault						
Capital Sexual Battery						
Attempt	2	0	1	0	0	3
	66.7%	0.0%	33.3%	0.0%	0.0%	100.0%
Life Sexual Battery						
Attempt	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	5	1	0	0	0	6
	83.3%	16.7%	0.0%	0.0%	0.0%	100.0%
1st Degree Sexual Battery						
Attempt						0
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Complete	5	0	3	0	0	8
	62.5%	0.0%	37.5%	0.0%	0.0%	100.0%

2nd Degree Sexual Battery						
Attempt	1	0	2	0	0	3
	33.3%	0.0%	66.7%	0.0%	0.0%	100.0%
Complete	5	1	2	0	0	8
	62.5%	12.5%	25.0%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	1	0	11	0	0	12
	8.3%	0.0%	91.7%	0.0%	0.0%	100.0%
Complete	48	7	17	1	0	73
	65.8%	9.6%	23.3%	1.4%	0.0%	100.0%
Robbery						
Robbery with Weapon						
Attempt	2	1	3	1	0	7
	28.6%	14.3%	42.9%	14.3%	0.0%	100.0%
Complete	47	1	3	2	0	53
	88.7%	1.9%	5.7%	3.8%	0.0%	100.0%
Robbery without Weapon	27	9	15	14	0	65
	41.5%	13.8%	23.1%	21.5%	0.0%	100.0%
Robbery						
Robbery with Weapon						
Attempt	2	1	3	1	0	7
	28.6%	14.3%	42.9%	14.3%	0.0%	100.0%
Complete	47	1	3	2	0	53
	88.7%	1.9%	5.7%	3.8%	0.0%	100.0%
Robbery without Weapon	27	9	15	14	0	65
	41.5%	13.8%	23.1%	21.5%	0.0%	100.0%
Home Invasion,Robbery	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Violent,Other	3	1	8	3		15
	20.0%	6.7%	53.3%	20.0%	0.0%	100.0%
Burglary	152	61	182	71	1	467
	32.5%	13.1%	39.0%	15.2%	0.2%	100.0%
Property	72	93	629	224	36	1,054
Theft/Fraud/Damage	6.8%	8.8%	59.7%	21.3%	3.4%	100.0%
Drugs						
Manufacture/Sale/Purchase	73	57	184	105	10	429
	17.0%	13.3%	42.9%	24.5%	2.3%	100.0%
Trafficking	19	4	10	3	0	36
	52.8%	11.1%	27.8%	8.3%	0.0%	100.0%
Possession,Other	33	79	348	229	26	715
	4.6%	11.0%	48.7%	32.0%	3.6%	100.0%
Weapons	22	19	74	33	8	156
	14.1%	12.2%	47.4%	21.2%	5.1%	100.0%
Other	19	9	42	23	1	94

	20.2%	9.6%	44.7%	24.5%	1.1%	100.0%
Total	561	344	1,538	709	82	3,234
	17.3%	10.6%	47.6%	21.9%	2.5%	100.0%

Table 7

Offense Types by Sanction Imposed

Circuit 02 - Tallahassee

Offense Type	State Prison	Community Control	Probation	County Jail	Other	Total
Murder/Manslaughter						
1st Degree Murder						
Attempt	4	0	1	0	0	5
	80.0%	0.0%	20.0%	0.0%	0.0%	100.0%
2nd Degree Murder						
Attempt	4	0	0	0	0	4
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	1	0	1	0	0	2
	50.0%	0.0%	50.0%	0.0%	0.0%	100.0%
3rd Degree Murder						
Attempt	0	0	0	0	0	0
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	0	0	0	0	0	0
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Homicide, Other						
Attempt	0	0	0	0	0	0
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	0	0	1	0	0	1
	0.0%	0.0%	100.0%	0.0%	0.0%	100.0%
Manslaughter						
Attempt	0	0	0	0	0	0
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Complete	3	0	0	0	0	3
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
DUI Manslaughter						
Complete	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Sexual/Lewd Assault						
Capital Sexual Battery						
Attempt	4	0	0	0	0	4
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Life Sexual Battery						

	Attempt	0	0	0	0	0	0
		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
	Complete	3	0	0	0	0	3
		100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
1st Degree Sexual Battery							
	Attempt	0	0	0	0	0	0
		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
	Complete	2	1	0	0	0	3
		66.7%	33.3%	0.0%	0.0%	0.0%	100.0%
2nd Degree Sexual Battery							
	Attempt	4	1	3	0	0	8
		50.0%	12.5%	37.5%	0.0%	0.0%	100.0%
	Complete	3	1	0	0	0	4
		75.0%	25.0%	0.0%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior							
	Attempt	0	1	1	0	0	2
		0.0%	50.0%	50.0%	0.0%	0.0%	100.0%
	Complete	16	4	6	0	0	26
		61.5%	15.4%	23.1%	0.0%	0.0%	100.0%
Robbery							
Robbery with Weapon							
	Attempt	2	1	1	0	0	4
		50.0%	25.0%	25.0%	0.0%	0.0%	100.0%
	Complete	41	0	3	0	1	45
		91.1%	0.0%	6.7%	0.0%	2.2%	100.0%
Lewd/Lascivious Behavior							
	Attempt	0	1	1	0	0	2
		0.0%	50.0%	50.0%	0.0%	0.0%	100.0%
	Complete	16	4	6	0	0	26
		61.5%	15.4%	23.1%	0.0%	0.0%	100.0%
Robbery							
Robbery with Weapon							
	Attempt	2	1	1	0	0	4
		50.0%	25.0%	25.0%	0.0%	0.0%	100.0%
	Complete	41	0	3	0	1	45
		91.1%	0.0%	6.7%	0.0%	2.2%	100.0%
Robbery without Weapon							
		10	0	7	0	0	17
		58.8%	0.0%	41.2%	0.0%	0.0%	100.0%
Home Invasion,Robbery							
		0	0	0	0	0	0
		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Violent,Other							
		3	0	8	0	0	11
		27.3%	0.0%	72.7%	0.0%	0.0%	100.0%
Burglary							
		57	17	114	5	0	193
		29.5%	8.8%	59.1%	2.6%	0.0%	100.0%

Property	65	24	365	19	1	474
Theft/Fraud/Damage	13.7%	5.1%	77.0%	4.0%	0.2%	100.0%
Drugs						
Manufacture/Sale/Purchase	62	29	139	8	0	238
	26.1%	12.2%	58.4%	3.4%	0.0%	100.0%
Trafficking	7	0	4	0	0	11
	63.6%	0.0%	36.4%	0.0%	0.0%	100.0%
Possession,Other	20	5	132	15	0	172
	11.6%	2.9%	76.7%	8.7%	0.0%	100.0%
Weapons	16	7	53	5	0	81
	19.8%	8.6%	65.4%	6.2%	0.0%	100.0%
Other	3	2	10	1	0	16
	18.8%	12.5%	62.5%	6.3%	0.0%	100.0%
Total	331	93	849	53	2	1,328
	24.9%	7.0%	63.9%	4.0%	0.2%	100.0%

(This section continues on next page.)

Part III Sentencing Guidelines Practice

Section 1. Recommended Sanction and Sanction Imposed (Continued)

Table 8

Offense Types by Sanction Imposed

Circuit 03 - Lake City

Offense Type	State Prison	Community Control	Probation	County Jail	Other	Total
Murder/Manslaughter						
1st Degree Murder						
Attempt	1	1	0	0	0	2
	50.0%	50.0%	0.0%	0.0%	0.0%	100.0%
2nd Degree Murder						
Attempt	0	0	0	0	0	0
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Complete	2	0	0	0	0	2
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
3rd Degree Murder						
Attempt	0	0	0	0	0	0
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	0	0	0	0	0	0
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Homicide, Other						
Attempt	0	0	0	0	0	0
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	0	0	0	0	0	0
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Manslaughter						
Attempt	0	0	0	0	0	0
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Complete	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
DUI Manslaughter						
Complete	2	0	2	0	0	4
	50.0%	0.0%	50.0%	0.0%	0.0%	100.0%
Sexual/Lewd Assault						
Capital Sexual Battery						

Attempt	3	0	0	0	0	3
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Life Sexual Battery						
Attempt	0	0	0	0	0	0
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Complete	0	0	1	0	0	1
	0.0%	0.0%	100.0%	0.0%	0.0%	100.0%
1st Degree Sexual Battery						
Attempt	0	0	0	0	0	0
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Complete	4	0	0	0	0	4
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
2nd Degree Sexual Battery						
Attempt	0	0	0	0	0	0
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Complete	0	0	0	0	0	0
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	0	0	1	0	0	1
	0.0%	0.0%	100.0%	0.0%	0.0%	100.0%
Complete	7	4	5	0	0	16
	43.8%	25.0%	31.3%	0.0%	0.0%	100.0%
Robbery						
Robbery with Weapon						
Attempt	0	1	0	0	0	1
	0.0%	100.0%	0.0%	0.0%	0.0%	100.0%
Complete	7	0	1	0	0	8
	87.5%	0.0%	12.5%	0.0%	0.0%	100.0%
Robbery without Weapon						
	7	1	3	0	0	11
	63.6%	9.1%	27.3%	0.0%	0.0%	100.0%
Home Invasion,Robbery						
	0	0	0	0	0	0
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Violent,Other						
	0	0	2	0	0	2
	0.0%	0.0%	100.0%	0.0%	0.0%	100.0%
Burglary						
	48	18	81	2	0	149
	32.2%	12.1%	54.4%	1.3%	0.0%	100.0%
Property						
	23	37	144	4	0	208
	11.1%	17.8%	69.2%	1.9%	0.0%	100.0%
Theft/Fraud/Damage						
Lewd/Lascivious Behavior						
Attempt	0	0	1	0	0	1
	0.0%	0.0%	100.0%	0.0%	0.0%	100.0%
Complete	7	4	5	0	0	16
	43.8%	25.0%	31.3%	0.0%	0.0%	100.0%
Robbery						

Robbery with Weapon						
Attempt	0	1	0	0	0	1
	0.0%	100.0%	0.0%	0.0%	0.0%	100.0%
Complete	7	0	1	0	0	8
	87.5%	0.0%	12.5%	0.0%	0.0%	100.0%
Robbery without Weapon						
	7	1	3	0	0	11
	63.6%	9.1%	27.3%	0.0%	0.0%	100.0%
Home Invasion,Robbery						
	0	0	0	0	0	0
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Violent,Other						
	0	0	2	0	0	2
	0.0%	0.0%	100.0%	0.0%	0.0%	100.0%
Burglary						
	48	18	81	2	0	149
	32.2%	12.1%	54.4%	1.3%	0.0%	100.0%
Property						
	23	37	144	4	0	208
	11.1%	17.8%	69.2%	1.9%	0.0%	100.0%
Theft/Fraud/Damage						
Drugs						
Manufacture/Sale/Purchase						
	40	45	104	9	0	198
	20.2%	22.7%	52.5%	4.5%	0.0%	100.0%
Trafficking						
	5	1	2	0	0	8
	62.5%	12.5%	25.0%	0.0%	0.0%	100.0%
Possession,Other						
	18	17	127	5	0	167
	10.8%	10.2%	76.0%	3.0%	0.0%	100.0%
Weapons						
	9	8	27	0	1	45
	20.0%	17.8%	60.0%	0.0%	2.2%	100.0%
Other						
	8	4	10	1	0	23
	34.8%	17.4%	43.5%	4.3%	0.0%	100.0%
Total						
	185	137	510	21	1	854
	21.7%	16.0%	59.7%	2.5%	0.1%	100.0%

Table 9

Offense Types by Sanction Imposed

Circuit 04 - Jacksonville

Offense Type	State Prison	Community Control	Probation	County Jail	Other	Total
Murder/Manslaughter						
1st Degree Murder						
Attempt	15	1	0	0	0	16
	93.8%	6.3%	0.0%	0.0%	0.0%	100.0%
2nd Degree Murder						
Attempt	4	0	0	1	0	5
	80.0%	0.0%	0.0%	20.0%	0.0%	100.0%

	Complete	14	0	0	0	0	14
		100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
3rd Degree Murder							
	Attempt	0	0	0	0	0	0
		100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
	Complete	1	0	0	0	0	1
		100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Homicide, Other							
	Attempt	0	0	0	0	0	0
		100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
	Complete	0	0	0	0	0	0
		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Manslaughter							
	Attempt	1	0	0	0	0	1
		100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
	Complete	7	2	2	1	0	12
		58.3%	16.7%	16.7%	8.3%	0.0%	100.0%
DUI Manslaughter							
	Complete	6	2	2	0	0	10
		60.0%	20.0%	20.0%	0.0%	0.0%	100.0%
Sexual/Lewd Assault							
Capital Sexual Battery							
	Attempt	18	1	5	0	0	24
		75.0%	4.2%	20.8%	0.0%	0.0%	100.0%
Life Sexual Battery							
	Attempt	0	0	0	0	0	0
		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
	Complete	9	0	1	0	0	10
		90.0%	0.0%	10.0%	0.0%	0.0%	100.0%
1st Degree Sexual Battery							
	Attempt	0	0	0	0	0	0
		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
	Complete	4	1	4	0	0	9
		44.4%	11.1%	44.4%	0.0%	0.0%	100.0%
2nd Degree Sexual Battery							
	Attempt	1	0	1	0	0	2
		50.0%	0.0%	50.0%	0.0%	0.0%	100.0%
	Complete	3	1	4	0	0	8
		37.5%	12.5%	50.0%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior							
	Attempt	1	0	1	0	0	2
		50.0%	0.0%	50.0%	0.0%	0.0%	100.0%
	Complete	35	11	53	9	0	108
		32.4%	10.2%	49.1%	8.3%	0.0%	100.0%

Lewd/Lascivious Behavior						
Attempt	1	0	1	0	0	2
	50.0%	0.0%	50.0%	0.0%	0.0%	100.0%
Complete	35	11	53	9	0	108
	32.4%	10.2%	49.1%	8.3%	0.0%	100.0%
Robbery						
Robbery with Weapon						
Attempt	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	104	5	18	2	0	129
	80.6%	3.9%	14.0%	1.6%	0.0%	100.0%
Robbery without Weapon	40	5	16	23	0	84
	47.6%	6.0%	19.0%	27.4%	0.0%	100.0%
Home Invasion,Robbery	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Violent,Other	4	2	10	3	1	20
	20.0%	10.0%	50.0%	15.0%	5.0%	100.0%
Burglary	216	50	192	207	1	666
	32.4%	7.5%	28.8%	31.1%	0.2%	100.0%
Property	127	84	713	789	50	1,763
Theft/Fraud/Damage	7.2%	4.8%	40.4%	44.8%	2.8%	100.0%
Drugs						
Manufacture/Sale/Purchase	152	44	162	639	1	998
	15.2%	4.4%	16.2%	64.0%	0.1%	100.0%
Trafficking	51	3	10	5	0	69
	73.9%	4.3%	14.5%	7.2%	0.0%	100.0%
Possession,Other	27	46	287	733	4	1,097
	2.5%	4.2%	26.2%	66.8%	0.4%	100.0%
Weapons	59	16	73	96	2	246
	24.0%	6.5%	29.7%	39.0%	0.8%	100.0%
Other	4	6	24	57	0	91
	4.4%	6.6%	26.4%	62.6%	0.0%	100.0%
Total	905	280	1,578	2,565	59	5,387
	16.8%	5.2%	29.3%	47.6%	1.1%	100.0%

(This section continues on next page.)

Part III Sentencing Guidelines Practice

Section 1. Recommended Sanction and Sanction Imposed (Continued)

Table 10

Offense Types by Sanction Imposed

Circuit 05 - Tavares

Offense Type	State Prison	Community Control	Probation	County Jail	Other	Total
Murder/Manslaughter						
1st Degree Murder						
Attempt	7	0	0	0	0	7
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
2nd Degree Murder						
Attempt	2	0	0	0	0	2
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	8	0	0	0	0	8
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
3rd Degree Murder						
Attempt	0	0	0	0	0	0
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	0	0	0	0	0	0
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Homicide, Other						
Attempt	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	0	0	0	0	0	0
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Manslaughter						
Attempt	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	2	0	0	0	0	2
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
DUI Manslaughter						
Complete	7	1	0	0	0	8
	87.5%	12.5%	0.0%	0.0%	0.0%	100.0%
Sexual/Lewd Assault						
Capital Sexual Battery						

Attempt	6	0	1	0	0	7
	85.7%	0.0%	14.3%	0.0%	0.0%	100.0%
Life Sexual Battery						
Attempt	0	0	0	0	0	0
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Complete	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
1st Degree Sexual Battery						
Attempt	2	1	0	0	0	3
	66.7%	33.3%	0.0%	0.0%	0.0%	100.0%
Complete	6	1	0	0	0	7
	85.7%	14.3%	0.0%	0.0%	0.0%	100.0%
2nd Degree Sexual Battery						
Attempt	3	1	2	0	0	6
	50.0%	16.7%	33.3%	0.0%	0.0%	100.0%
Complete	6	0	0	0	0	6
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	1	11	21	0	0	33
	3.0%	33.3%	63.6%	0.0%	0.0%	100.0%
Complete	33	11	11	0	0	55
	60.0%	20.0%	20.0%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	1	11	21	0	0	33
	3.0%	33.3%	63.6%	0.0%	0.0%	100.0%
Complete	33	11	11	0	0	55
	60.0%	20.0%	20.0%	0.0%	0.0%	100.0%
Robbery						
Robbery with Weapon						
Attempt	3	1	0	0	0	4
	75.0%	25.0%	0.0%	0.0%	0.0%	100.0%
Complete	39	0	4	1	0	44
	88.6%	0.0%	9.1%	2.3%	0.0%	100.0%
Robbery without Weapon						
	20	5	25	10	0	60
	33.3%	8.3%	41.7%	16.7%	0.0%	100.0%
Home Invasion,Robbery						
	4	0	0	0	0	4
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Violent,Other						
	0	2	9	2	0	13
	0.0%	15.4%	69.2%	15.4%	0.0%	100.0%
Burglary						
	139	63	252	57	0	511
	27.2%	12.3%	49.3%	11.2%	0.0%	100.0%
Property						
	93	82	790	171	10	1,146
Theft/Fraud/Damage						
	8.1%	7.2%	68.9%	14.9%	0.9%	100.0%
Drugs						

Manufacture/Sale/Purchase	155	79	374	101	0	709
	21.9%	11.1%	52.8%	14.2%	0.0%	100.0%
Trafficking	7	3	9	0	0	19
	36.8%	15.8%	47.4%	0.0%	0.0%	100.0%
Possession,Other	26	55	352	88	0	521
	5.0%	10.6%	67.6%	16.9%	0.0%	100.0%
Weapons	28	19	78	14	1	140
	20.0%	13.6%	55.7%	10.0%	0.7%	100.0%
Other	9	8	28	14	0	59
	15.3%	13.6%	47.5%	23.7%	0.0%	100.0%
Total	609	343	1,956	458	11	3,377
	18.0%	10.2%	57.9%	13.6%	0.3%	100.0%

Table 11

Offense Types by Sanction Imposed

Circuit 06 - Clearwater

Offense Type	State Prison	Community Control	Probation	County Jail	Other	Total
Murder/Manslaughter						
1st Degree Murder						
Attempt	15	0	1	0	0	16
	93.8%	0.0%	6.3%	0.0%	0.0%	100.0%
2nd Degree Murder						
Attempt	6	0	0	0	0	6
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	10	0	0	0	0	10
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
3rd Degree Murder						
Attempt	0	0	0	0	0	0
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Homicide, Other						
Attempt	0	0	0	0	0	0
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	0	0	0	0	0	0
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Manslaughter						
Attempt	2	0	0	0	0	2
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	6	0	0	0	0	6

	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
DUI Manslaughter						
Complete	8	0	2	0	0	10
	80.0%	0.0%	20.0%	0.0%	0.0%	100.0%
Sexual/Lewd Assault						
Capital Sexual Battery						
Attempt	9	0	1	0	0	10
	90.0%	0.0%	10.0%	0.0%	0.0%	100.0%
Life Sexual Battery						
Attempt	4	0	0	0	0	4
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	12	0	0	0	0	12
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
1st Degree Sexual Battery						
Attempt	1	1	1	0	0	3
	33.3%	33.3%	33.3%	0.0%	0.0%	100.0%
Complete	5	3	0	0	0	8
	62.5%	37.5%	0.0%	0.0%	0.0%	100.0%
2nd Degree Sexual Battery						
Attempt	1	1	0	0	0	2
	50.0%	50.0%	0.0%	0.0%	0.0%	100.0%
Complete	12	3	4	0	0	19
	63.2%	15.8%	21.1%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	0	8	5	1	0	14
	0.0%	57.1%	35.7%	7.1%	0.0%	100.0%
Complete	67	56	40	4	0	167
	40.1%	33.5%	24.0%	2.4%	0.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	0	8	5	1	0	14
	0.0%	57.1%	35.7%	7.1%	0.0%	100.0%
Complete	67	56	40	4	0	167
	40.1%	33.5%	24.0%	2.4%	0.0%	100.0%
Robbery						
Robbery with Weapon						
Attempt	6	0	4	1	0	11
	54.5%	0.0%	36.4%	9.1%	0.0%	100.0%
Complete	97	19	2	0	0	118
	82.2%	16.1%	1.7%	0.0%	0.0%	100.0%
Robbery without Weapon	67	45	31	21	0	164
	40.9%	27.4%	18.9%	12.8%	0.0%	100.0%
Home Invasion,Robbery	7	3	3	0	0	13
	53.8%	23.1%	23.1%	0.0%	0.0%	100.0%
Violent,Other	5	14	25	13	0	57

	8.8%	24.6%	43.9%	22.8%	0.0%	100.0%
Burglary	404	277	439	139	0	1,259
	32.1%	22.0%	34.9%	11.0%	0.0%	100.0%
Property	264	431	1,637	570	5	2,907
Theft/Fraud/Damage	9.1%	14.8%	56.3%	19.6%	0.2%	100.0%
Drugs						
Manufacture/Sale/Purchase	272	260	618	298	1	1,449
	18.8%	17.9%	42.7%	20.6%	0.1%	100.0%
Trafficking	33	38	49	1	0	121
	27.3%	31.4%	40.5%	0.8%	0.0%	100.0%
Possession,Other	173	385	1,158	760	1	2,477
	7.0%	15.5%	46.8%	30.7%	0.0%	100.0%
Weapons	81	57	175	64	1	378
	21.4%	15.1%	46.3%	16.9%	0.3%	100.0%
Other	49	41	176	88	0	354
	13.8%	11.6%	49.7%	24.9%	0.0%	100.0%
Total	1,617	1,642	4,371	1,960	8	9,598
	16.8%	17.1%	45.5%	20.4%	0.1%	100.0%

(This section continues on next page.)

Part III Sentencing Guidelines Practice

Section 1. Recommended Sanction and Sanction Imposed (Continued)

Table 12

Offense Types by Sanction Imposed

Circuit 07 - Daytona

Offense Type	State Prison	Community Control	Probation	County Jail	Other	Total
Murder/Manslaughter						
1st Degree Murder						
Attempt	6	2	0	0	0	8
	75.0%	25.0%	0.0%	0.0%	0.0%	100.0%
2nd Degree Murder						
Attempt	11	0	0	0	0	11
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	2	0	0	0	0	2
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
3rd Degree Murder						
Attempt	0	0	0	0	0	0
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	2	0	2	0	0	4
	50.0%	0.0%	50.0%	0.0%	0.0%	100.0%
Homicide, Other						
Attempt	0	0	0	0	0	0
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	0	0	0	0	0	0
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Manslaughter						
Attempt	0	0	0	0	0	0
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Complete	7	0	4	0	0	11
	63.6%	0.0%	36.4%	0.0%	0.0%	100.0%
DUI Manslaughter						
Complete	9	0	0	0	0	9
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Sexual/Lewd Assault						
Capital Sexual Battery						

Attempt	3	0	0	0	0	3
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Life Sexual Battery						
Attempt	0	0	0	0	0	0
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Complete	2	0	0	0	0	2
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
1st Degree Sexual Battery						
Attempt	0	0	1	0	0	1
	0.0%	0.0%	100.0%	0.0%	0.0%	100.0%
Complete	2	0	0	0	0	2
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
2nd Degree Sexual Battery						
Attempt	3	3	7	0	0	13
	23.1%	23.1%	53.8%	0.0%	0.0%	100.0%
Complete	5	1	2	0	0	8
	62.5%	12.5%	25.0%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	7	9	31	2	0	49
	14.3%	18.4%	63.3%	4.1%	0.0%	100.0%
Complete	27	10	13	0	0	50
	54.0%	20.0%	26.0%	0.0%	0.0%	100.0%
Robbery						
Robbery with Weapon						
Attempt	3	1	1	0	0	5
	60.0%	20.0%	20.0%	0.0%	0.0%	100.0%
Complete	14	3	2	0	0	19
	73.7%	15.8%	10.5%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	7	9	31	2	0	49
	14.3%	18.4%	63.3%	4.1%	0.0%	100.0%
Complete	27	10	13	0	0	50
	54.0%	20.0%	26.0%	0.0%	0.0%	100.0%
Robbery						
Robbery with Weapon						
Attempt	3	1	1	0	0	5
	60.0%	20.0%	20.0%	0.0%	0.0%	100.0%
Complete	14	3	2	0	0	19
	73.7%	15.8%	10.5%	0.0%	0.0%	100.0%
Robbery without Weapon	47	23	30	25	0	125
	37.6%	18.4%	24.0%	20.0%	0.0%	100.0%
Home Invasion,Robbery	2	0	0	0	0	2
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Violent,Other	0	0	2	0	0	2

	0.0%	0.0%	100.0%	0.0%	0.0%	100.0%
Burglary	122	46	176	0	0	344
	35.5%	13.4%	51.2%	0.0%	0.0%	100.0%
Property	63	96	545	261	1	966
Theft/Fraud/Damage	6.5%	9.9%	56.4%	27.0%	0.1%	100.0%
Drugs						
Manufacture/Sale/Purchase	59	61	293	197	0	610
	9.7%	10.0%	48.0%	32.3%	0.0%	100.0%
Trafficking	20	3	6	2	0	31
	64.5%	9.7%	19.4%	6.5%	0.0%	100.0%
Possession,Other	41	79	450	293	1	864
	4.7%	9.1%	52.1%	33.9%	0.1%	100.0%
Weapons	22	14	48	26	0	110
	20.0%	12.7%	43.6%	23.6%	0.0%	100.0%
Other	10	3	17	22	0	52
	19.2%	5.8%	32.7%	42.3%	0.0%	100.0%
Total	489	354	1,630	828	2	3,303
	14.8%	10.7%	49.3%	25.1%	0.1%	100.0%

(This section continues on next page.)

Part III Sentencing Guidelines Practice

Section 1. Recommended Sanction and Sanction Imposed (Continued)

Table 13

Offense Types by Sanction Imposed

Circuit 08 - Gainesville

Offense Type	State Prison	Community Control	Probation	County Jail	Other	Total
Murder/Manslaughter						
1st Degree Murder						
Attempt	4	0	0	0	0	4
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
2nd Degree Murder						
Attempt	5	0	0	1	0	6
	83.3%	0.0%	0.0%	16.7%	0.0%	100.0%
Complete	6	0	0	0	0	6
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
3rd Degree Murder						
Attempt	0	0	0	0	0	0
	100%	0.0%	0.0%	0.0%	0.0%	100%
Complete	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Homicide, Other						
Attempt	0	0	0	0	0	0
	100%	0.0%	0.0%	0.0%	0.0%	100%
Complete	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Manslaughter						
Attempt	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Complete	1	1	2	1	0	5
	20.0%	20.0%	40.0%	20.0%	0.0%	100.0%
DUI Manslaughter						
Complete	2	0	2	0	0	4
	50.0%	0.0%	50.0%	0.0%	0.0%	100.0%
Sexual/Lewd Assault						
Capital Sexual Battery						

Attempt	2	0	0	0	0	2
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Life Sexual Battery						
Attempt	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Complete	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
1st Degree Sexual Battery						
Attempt	1	0	1	0	0	2
	50.0%	0.0%	50.0%	0.0%	0.0%	100.0%
Complete	2	3	0	0	0	5
	40.0%	60.0%	0.0%	0.0%	0.0%	100.0%
2nd Degree Sexual Battery						
Attempt	2	3	2	0	0	7
	28.6%	42.9%	28.6%	0.0%	0.0%	100.0%
Complete	2	1	0	0	0	3
	66.7%	33.3%	0.0%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	3	7	11	2	0	23
	13.0%	30.4%	47.8%	8.7%	0.0%	100.0%
Complete	15	7	9	2	0	33
	45.5%	21.2%	27.3%	6.1%	0.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	3	7	11	2	0	23
	13.0%	30.4%	47.8%	8.7%	0.0%	100.0%
Complete	15	7	9	2	0	33
	45.5%	21.2%	27.3%	6.1%	0.0%	100.0%
Robbery						
Robbery with Weapon						
Attempt	6	0	3	0	0	9
	66.7%	0.0%	33.3%	0.0%	0.0%	100.0%
Complete	44	0	0	0	0	44
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Robbery without Weapon						
	16	13	17	7	0	53
	30.2%	24.5%	32.1%	13.2%	0.0%	100.0%
Home Invasion,Robbery						
	5	0	0	0	0	5
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Violent,Other						
	1	1	2	2	0	6
	16.7%	16.7%	33.3%	33.3%	0.0%	100.0%
Burglary						
	86	49	142	51	3	331
	26.0%	14.8%	42.9%	15.4%	0.9%	100.0%
Property						
	60	50	383	160	3	656
Theft/Fraud/Damage						
	9.1%	7.6%	58.4%	24.4%	0.5%	100.0%
Drugs						

Manufacture/Sale/Purchase	59	42	131	61	1	294
	20.1%	14.3%	44.6%	20.7%	0.3%	100.0%
Trafficking	3	3	5	0	0	11
	27.3%	27.3%	45.5%	0.0%	0.0%	100.0%
Possession,Other	22	31	266	107	2	428
	5.1%	7.2%	62.1%	25.0%	0.5%	100.0%
Weapons	20	7	82	19	1	129
	15.5%	5.4%	63.6%	14.7%	0.8%	100.0%
Other	6	1	13	6	1	27
	22.2%	3.7%	48.1%	22.2%	3.7%	100.0%
Total	375	219	1,071	419	11	2,095
	17.9%	10.5%	51.1%	20.0%	0.5%	100.0%

(This section continues on next page.)

Part III Sentencing Guidelines Practice

Section 1. Recommended Sanction and Sanction Imposed (Continued)

Table 14

Offense Types by Sanction Imposed

Circuit 09 - Orlando

Offense Type	State Prison	Community Control	Probation	County Jail	Other	Total
Murder/Manslaughter						
1st Degree Murder						
Attempt	12	0	0	0	0	12
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
2nd Degree Murder						
Attempt	10	0	1	0	0	11
	90.9%	0.0%	9.1%	0.0%	0.0%	100.0%
Complete	16	0	0	0	0	16
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
3rd Degree Murder						
Attempt	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Homicide, Other						
Attempt	0	0	0	0	0	0
	100%	0.0%	0.0%	0.0%	0.0%	100%
Complete	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Manslaughter						
Attempt	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Complete	9	2	2	0	0	13
	69.2%	15.4%	15.4%	0.0%	0.0%	100.0%
DUI Manslaughter						
Complete	5	1	0	0	0	6
	83.3%	16.7%	0.0%	0.0%	0.0%	100.0%
Sexual/Lewd Assault						
Capital Sexual Battery						

	Attempt	10	1	4	0	0	15
		66.7%	6.7%	26.7%	0.0%	0.0%	100.0%
Life Sexual Battery							
	Attempt	2	0	1	0	0	3
		66.7%	0.0%	33.3%	0.0%	0.0%	100.0%
	Complete	6	0	0	0	0	6
		100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
1st Degree Sexual Battery							
	Attempt	1	0	1	0	0	2
		50.0%	0.0%	50.0%	0.0%	0.0%	100.0%
	Complete	5	0	0	0	0	5
		100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
2nd Degree Sexual Battery							
	Attempt	9	1	6	3	0	19
		47.4%	5.3%	31.6%	15.8%	0.0%	100.0%
	Complete	9	1	3	0	0	13
		69.2%	7.7%	23.1%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior							
	Attempt	1	2	11	5	0	19
		5.3%	10.5%	57.9%	26.3%	0.0%	100.0%
	Complete	41	19	31	7	0	98
		41.8%	19.4%	31.6%	7.1%	0.0%	100.0%
Lewd/Lascivious Behavior							
	Attempt	1	2	11	5	0	19
		5.3%	10.5%	57.9%	26.3%	0.0%	100.0%
	Complete	41	19	31	7	0	98
		41.8%	19.4%	31.6%	7.1%	0.0%	100.0%
Robbery							
Robbery with Weapon							
	Attempt	14	2	4	1	0	21
		66.7%	9.5%	19.0%	4.8%	0.0%	100.0%
	Complete	91	8	2	4	0	105
		86.7%	7.6%	1.9%	3.8%	0.0%	100.0%
Robbery without Weapon							
		54	13	78	88	0	233
		23.2%	5.6%	33.5%	37.8%	0.0%	100.0%
Home Invasion,Robbery							
		7	1	1	0	0	9
		77.8%	11.1%	11.1%	0.0%	0.0%	100.0%
Violent,Other							
		0	0	1	0	0	1
		0.0%	0.0%	100.0%	0.0%	0.0%	100.0%
Burglary							
		244	46	393	291	4	978
		24.9%	4.7%	40.2%	29.8%	0.4%	100.0%
Property							
		135	93	1,482	815	15	2,540
Theft/Fraud/Damage							
		5.3%	3.7%	58.3%	32.1%	0.6%	100.0%
Drugs							

Manufacture/Sale/Purchase	98	56	549	643	1	1,347
	7.3%	4.2%	40.8%	47.7%	0.1%	100.0%
Trafficking	56	7	24	6	0	93
	60.2%	7.5%	25.8%	6.5%	0.0%	100.0%
Possession,Other	62	56	888	893	5	1,904
	3.3%	2.9%	46.6%	46.9%	0.3%	100.0%
Weapons	59	28	163	95	4	349
	16.9%	8.0%	46.7%	27.2%	1.1%	100.0%
Other	8	1	44	62	0	115
	7.0%	0.9%	38.3%	53.9%	0.0%	100.0%
Total	965	338	3,689	2,913	29	7,934
	12.2%	4.3%	46.5%	36.7%	0.4%	100.0%

Table 15

Offense Types by Sanction Imposed

Circuit 10 - Bartow

Offense Type	State Prison	Community Control	Probation	County Jail	Other	Total
Murder/Manslaughter						
1st Degree Murder						
Attempt	5	0	0	0	0	5
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
2nd Degree Murder						
Attempt	4	0	0	0	1	5
	80.0%	0.0%	0.0%	0.0%	20.0%	100.0%
Complete	6	0	0	0	0	6
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
3rd Degree Murder						
Attempt	0	0	0	0	0	0
	100%	0.0%	0.0%	0.0%	0.0%	100%
Complete	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Homicide, Other						
Attempt	0	0	0	0	0	0
	100%	0.0%	0.0%	0.0%	0.0%	100%
Complete	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Manslaughter						
Attempt	0	1	0	0	0	1
	0.0%	100.0%	0.0%	0.0%	0.0%	100.0%
Complete	6	2	1	0	0	9

	66.7%	22.2%	11.1%	0.0%	0.0%	100.0%
DUI Manslaughter						
Complete	7	1	0	0	0	8
	87.5%	12.5%	0.0%	0.0%	0.0%	100.0%
Sexual/Lewd Assault						
Capital Sexual Battery						
Attempt	6	0	2	0	0	8
	75.0%	0.0%	25.0%	0.0%	0.0%	100.0%
Life Sexual Battery						
Attempt	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Complete	2	0	0	0	0	2
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
1st Degree Sexual Battery						
Attempt	0	0	1	0	0	1
	0.0%	0.0%	100.0%	0.0%	0.0%	100.0%
Complete	7	0	0	0	0	7
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
2nd Degree Sexual Battery						
Attempt	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	8	1	2	0	0	11
	72.7%	9.1%	18.2%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	4	1	6	1	0	12
	33.3%	8.3%	50.0%	8.3%	0.0%	100.0%
Complete	20	15	23	1	0	59
	33.9%	25.4%	39.0%	1.7%	0.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	4	1	6	1	0	12
	33.3%	8.3%	50.0%	8.3%	0.0%	100.0%
Complete	20	15	23	1	0	59
	33.9%	25.4%	39.0%	1.7%	0.0%	100.0%
Robbery						
Robbery with Weapon						
Attempt	5	0	1	0	0	6
	83.3%	0.0%	16.7%	0.0%	0.0%	100.0%
Complete	31	1	0	0	1	33
	93.9%	3.0%	0.0%	0.0%	3.0%	100.0%
Robbery without Weapon	33	8	26	5	0	72
	45.8%	11.1%	36.1%	6.9%	0.0%	100.0%
Home Invasion,Robbery	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Violent,Other	3	1	11	0	0	15

	20.0%	6.7%	73.3%	0.0%	0.0%	100.0%
Burglary	164	61	207	64	3	499
	32.9%	12.2%	41.5%	12.8%	0.6%	100.0%
Property	112	83	584	167	7	953
Theft/Fraud/Damage	11.8%	8.7%	61.3%	17.5%	0.7%	100.0%
Drugs						
Manufacture/Sale/Purchase	67	49	299	120	1	536
	12.5%	9.1%	55.8%	22.4%	0.2%	100.0%
Trafficking	25	12	3	0	0	40
	62.5%	30.0%	7.5%	0.0%	0.0%	100.0%
Possession,Other	54	82	675	247	2	1,060
	5.1%	7.7%	63.7%	23.3%	0.2%	100.0%
Weapons	52	18	102	19	0	191
	27.2%	9.4%	53.4%	9.9%	0.0%	100.0%
Other	19	3	22	5	0	49
	38.8%	6.1%	44.9%	10.2%	0.0%	100.0%
Total	642	339	1,965	629	15	3,590
	17.9%	9.4%	54.7%	17.5%	0.4%	100.0%

(This section continues on next page.)

Part III Sentencing Guidelines Practice

Section 1. Recommended Sanction and Sanction Imposed (Continued)

Table 16

Offense Types by Sanction Imposed

Circuit 11 - Miami

Offense Type	State Prison	Community Control	Probation	County Jail	Other	Total
Murder/Manslaughter						
1st Degree Murder						
Attempt	45	8	12	3	0	68
	66.2%	11.8%	17.6%	4.4%	0.0%	100.0%
2nd Degree Murder						
Attempt	43	5	15	1	0	64
	67.2%	7.8%	23.4%	1.6%	0.0%	100.0%
Complete	31	0	0	0	0	31
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
3rd Degree Murder						
Attempt	0	0	0	0	0	0
	100%	0.0%	0.0%	0.0%	0.0%	100%
Complete	0	0	0	1	0	1
	0.0%	0.0%	0.0%	100.0%	0.0%	100.0%
Homicide, Other						
Attempt	0	0	0	0	0	0
	100%	0.0%	0.0%	0.0%	0.0%	100%
Complete	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Manslaughter						
Attempt	2	0	0	0	0	2
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	19	1	6	1	0	27
	70.4%	3.7%	22.2%	3.7%	0.0%	100.0%
DUI Manslaughter						
Complete	8	1	1	0	0	10
	80.0%	10.0%	10.0%	0.0%	0.0%	100.0%
Sexual/Lewd Assault						
Capital Sexual Battery						

Attempt	7	0	9	0	0	16
	43.8%	0.0%	56.3%	0.0%	0.0%	100.0%
Life Sexual Battery						
Attempt	1	0	1	0	0	2
	50.0%	0.0%	50.0%	0.0%	0.0%	100.0%
Complete	11	1	0	0	0	12
	91.7%	8.3%	0.0%	0.0%	0.0%	100.0%
1st Degree Sexual Battery						
Attempt	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Complete	5	1	5	0	0	11
	45.5%	9.1%	45.5%	0.0%	0.0%	100.0%
2nd Degree Sexual Battery						
Attempt	2	2	1	1	0	6
	33.3%	33.3%	16.7%	16.7%	0.0%	100.0%
Complete	5	3	9	0	0	17
	29.4%	17.6%	52.9%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Complete	15	7	60	4	0	86
	17.4%	8.1%	69.8%	4.7%	0.0%	100.0%
Robbery						
Robbery with Weapon						
Attempt	6	3	7	2	0	18
	33.3%	16.7%	38.9%	11.1%	0.0%	100.0%
Complete	178	33	50	9	0	270
	65.9%	12.2%	18.5%	3.3%	0.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Complete	15	7	60	4	0	86
	17.4%	8.1%	69.8%	4.7%	0.0%	100.0%
Robbery						
Robbery with Weapon						
Attempt	6	3	7	2	0	18
	33.3%	16.7%	38.9%	11.1%	0.0%	100.0%
Complete	178	33	50	9	0	270
	65.9%	12.2%	18.5%	3.3%	0.0%	100.0%
Robbery without Weapon	74	28	142	73	0	317
	23.3%	8.8%	44.8%	23.0%	0.0%	100.0%
Home Invasion,Robbery	5	0	1	0	0	6
	83.3%	0.0%	16.7%	0.0%	0.0%	100.0%
Violent,Other	2	0	26	21	0	49

	4.1%	0.0%	53.1%	42.9%	0.0%	100.0%
Burglary	469	140	637	376	0	1,622
	28.9%	8.6%	39.3%	23.2%	0.0%	100.0%
Property	109	57	1,024	507	0	1,697
Theft/Fraud/Damage	6.4%	3.4%	60.3%	29.9%	0.0%	100.0%
Drugs						
Manufacture/Sale/Purchase	180	48	434	1,040	0	1,702
	10.6%	2.8%	25.5%	61.1%	0.0%	100.0%
Trafficking	141	13	35	41	0	230
	61.3%	5.7%	15.2%	17.8%	0.0%	100.0%
Possession,Other	66	46	465	1,853	0	2,430
	2.7%	1.9%	19.1%	76.3%	0.0%	100.0%
Weapons	82	30	258	194	0	564
	14.5%	5.3%	45.7%	34.4%	0.0%	100.0%
Other	6	4	43	26	0	79
	7.6%	5.1%	54.4%	32.9%	0.0%	100.0%
Total	1,512	431	3,241	4,153	0	9,337
	16.2%	4.6%	34.7%	44.5%	0.0%	100.0%

Table 17

Offense Types by Sanction Imposed

Circuit 12 - Sarasota

Offense Type	State Prison	Community Control	Probation	County Jail	Other	Total
Murder/Manslaughter						
1st Degree Murder						
Attempt	3	0	0	0	0	3
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
2nd Degree Murder						
Attempt	4	0	0	0	0	4
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	3	0	0	0	0	3
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
3rd Degree Murder						
Attempt	0	0	0	0	0	0
	100%	0.0%	0.0%	0.0%	0.0%	100%
Complete	1	0	3	0	0	4
	25.0%	0.0%	75.0%	0.0%	0.0%	100.0%
Homicide, Other						
Attempt	0	0	0	0	0	0
	100%	0.0%	0.0%	0.0%	0.0%	100%

	Complete	0	0	0	0	0	0
		100%	100%	100%	100%	100%	100%
Manslaughter	Attempt	0	0	0	0	0	0
		100%	100%	100%	100%	100%	100%
	Complete	3	1	1	0	0	5
		60.0%	20.0%	20.0%	0.0%	0.0%	100.0%
DUI Manslaughter	Complete	5	0	0	0	0	5
		100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Sexual/Lewd Assault							
Capital Sexual Battery							
	Attempt	8	0	0	0	0	8
		100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Life Sexual Battery							
	Attempt	1	0	0	0	0	1
		100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
	Complete	2	0	0	0	0	2
		100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
1st Degree Sexual Battery							
	Attempt	0	0	0	0	0	0
		100%	100%	100%	100%	100%	100%
	Complete	4	0	2	0	0	6
		66.7%	0.0%	33.3%	0.0%	0.0%	100.0%
2nd Degree Sexual Battery							
	Attempt	0	0	2	0	0	2
		0.0%	0.0%	100.0%	0.0%	0.0%	100.0%
	Complete	2	0	0	0	0	2
		100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior							
	Attempt	1	3	8	0	0	12
		8.3%	25.0%	66.7%	0.0%	0.0%	100.0%
	Complete	21	4	17	2	0	44
		47.7%	9.1%	38.6%	4.5%	0.0%	100.0%
Robbery							
Robbery with Weapon							
	Attempt	5	1	1	0	0	7
		71.4%	14.3%	14.3%	0.0%	0.0%	100.0%
	Complete	32	1	1	0	0	34
		94.1%	2.9%	2.9%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior							
	Attempt	1	3	8	0	0	12
		8.3%	25.0%	66.7%	0.0%	0.0%	100.0%
	Complete	21	4	17	2	0	44

	47.7%	9.1%	38.6%	4.5%	0.0%	100.0%
Robbery						
Robbery with Weapon						
Attempt	5	1	1	0	0	7
	71.4%	14.3%	14.3%	0.0%	0.0%	100.0%
Complete	32	1	1	0	0	34
	94.1%	2.9%	2.9%	0.0%	0.0%	100.0%
Robbery without Weapon	24	5	18	8	0	55
	43.6%	9.1%	32.7%	14.5%	0.0%	100.0%
Home Invasion,Robbery	3	0	0	2	0	5
	60.0%	0.0%	0.0%	40.0%	0.0%	100.0%
Violent,Other	1	2	4	0	0	7
	14.3%	28.6%	57.1%	0.0%	0.0%	100.0%
Burglary	89	25	153	66	0	333
	26.7%	7.5%	45.9%	19.8%	0.0%	100.0%
Property	70	53	461	197	4	785
Theft/Fraud/Damage	8.9%	6.8%	58.7%	25.1%	0.5%	100.0%
Drugs						
Manufacture/Sale/Purchase	75	55	275	183	2	590
	12.7%	9.3%	46.6%	31.0%	0.3%	100.0%
Trafficking	15	3	3	0	0	21
	71.4%	14.3%	14.3%	0.0%	0.0%	100.0%
Possession,Other	29	29	332	246	1	637
	4.6%	4.6%	52.1%	38.6%	0.2%	100.0%
Weapons	25	8	46	23	0	102
	24.5%	7.8%	45.1%	22.5%	0.0%	100.0%
Other	6	6	12	9	0	33
	18.2%	18.2%	36.4%	27.3%	0.0%	100.0%
Total	432	196	1,339	736	7	2,710
	15.9%	7.2%	49.4%	27.2%	0.3%	100.0%

(This section continues on next page.)

Part III Sentencing Guidelines Practice

Section 1. Recommended Sanction and Sanction Imposed (Continued)

Table 18

Offense Types by Sanction Imposed

Circuit 13 - Tampa

Offense Type	State Prison	Community Control	Probation	County Jail	Other	Total
Murder/Manslaughter						
1st Degree Murder						
Attempt	16	2	2	0	0	20
	80.0%	10.0%	10.0%	0.0%	0.0%	100.0%
2nd Degree Murder						
Attempt	5	0	0	0	0	5
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	10	0	2	0	0	12
	83.3%	0.0%	16.7%	0.0%	0.0%	100.0%
3rd Degree Murder						
Attempt	0	0	0	0	0	0
	100%	0.0%	0.0%	0.0%	0.0%	100%
Complete	4	0	0	0	0	4
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Homicide, Other						
Attempt	0	0	0	0	0	0
	100%	0.0%	0.0%	0.0%	0.0%	100%
Complete	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Manslaughter						
Attempt	2	0	0	0	0	2
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	17	1	1	0	0	19
	89.5%	5.3%	5.3%	0.0%	0.0%	100.0%
DUI Manslaughter						
Complete	4	2	1	0	0	7
	57.1%	28.6%	14.3%	0.0%	0.0%	100.0%
Sexual/Lewd Assault						
Capital Sexual Battery						

	Attempt	15	7	1	0	0	23
		65.2%	30.4%	4.3%	0.0%	0.0%	100.0%
Life Sexual Battery							
	Attempt	0	1	1	0	0	2
		0.0%	50.0%	50.0%	0.0%	0.0%	100.0%
	Complete	3	0	1	0	0	4
		75.0%	0.0%	25.0%	0.0%	0.0%	100.0%
1st Degree Sexual Battery							
	Attempt	0	0	0	0	0	0
		100%	100%	100%	100%	100%	100%
	Complete	5	4	1	0	0	10
		50.0%	40.0%	10.0%	0.0%	0.0%	100.0%
2nd Degree Sexual Battery							
	Attempt	2	0	0	0	0	2
		100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
	Complete	2	2	2	0	0	6
		33.3%	33.3%	33.3%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior							
	Attempt	0	1	5	0	0	6
		0.0%	16.7%	83.3%	0.0%	0.0%	100.0%
	Complete	27	18	46	1	0	92
		29.3%	19.6%	50.0%	1.1%	0.0%	100.0%
Lewd/Lascivious Behavior							
	Attempt	0	1	5	0	0	6
		0.0%	16.7%	83.3%	0.0%	0.0%	100.0%
	Complete	27	18	46	1	0	92
		29.3%	19.6%	50.0%	1.1%	0.0%	100.0%
Robbery							
Robbery with Weapon							
	Attempt	10	1	3	0	0	14
		71.4%	7.1%	21.4%	0.0%	0.0%	100.0%
	Complete	89	20	17	2	0	128
		69.5%	15.6%	13.3%	1.6%	0.0%	100.0%
Robbery without Weapon							
		83	47	56	18	0	204
		40.7%	23.0%	27.5%	8.8%	0.0%	100.0%
Home Invasion,Robbery							
		1	0	0	0	0	1
		100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Violent,Other							
		5	6	22	4	0	37
		13.5%	16.2%	59.5%	10.8%	0.0%	100.0%
Burglary							
		310	457	1,549	499	2	2,817
		11.0%	16.2%	55.0%	17.7%	0.1%	100.0%
Property							
		296	319	394	158	0	1,167
Theft/Fraud/Damage							
		25.4%	27.3%	33.8%	13.5%	0.0%	100.0%
Drugs							

Manufacture/Sale/Purchase	212	335	565	220	1	1,333
	15.9%	25.1%	42.4%	16.5%	0.1%	100.0%
Trafficking	64	51	23	3	0	141
	45.4%	36.2%	16.3%	2.1%	0.0%	100.0%
Possession,Other	182	574	1,381	708	1	2,846
	6.4%	20.2%	48.5%	24.9%	0.0%	100.0%
Weapons	106	117	239	70	0	532
	19.9%	22.0%	44.9%	13.2%	0.0%	100.0%
Other	8	12	49	9	0	78
	10.3%	15.4%	62.8%	11.5%	0.0%	100.0%
Total	1,478	1,977	4,361	1,692	4	9,512
	15.5%	20.8%	45.8%	17.8%	0.0%	100.0%

Table 19

Offense Types by Sanction Imposed

Circuit 14 - Panama City

Offense Type	State Prison	Community Control	Probation	County Jail	Other	Total
Murder/Manslaughter						
1st Degree Murder						
Attempt	2	0	0	0	0	2
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
2nd Degree Murder						
Attempt	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	7	0	0	0	0	7
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
3rd Degree Murder						
Attempt	0	0	0	0	0	0
	100%	0.0%	0.0%	0.0%	0.0%	100%
Complete	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Homicide, Other						
Attempt	0	0	0	0	0	0
	100%	0.0%	0.0%	0.0%	0.0%	100%
Complete	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Manslaughter						
Attempt	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Complete	3	1	1	0	0	5

	60.0%	20.0%	20.0%	0.0%	0.0%	100.0%
DUI Manslaughter						
Complete	2	0	1	0	0	3
	66.7%	0.0%	33.3%	0.0%	0.0%	100.0%
Sexual/Lewd Assault						
Capital Sexual Battery						
Attempt	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Life Sexual Battery						
Attempt	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Complete	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
1st Degree Sexual Battery						
Attempt	0	0	1	0	0	1
	0.0%	0.0%	100.0%	0.0%	0.0%	100.0%
Complete	2	1	0	0	0	3
	66.7%	33.3%	0.0%	0.0%	0.0%	100.0%
2nd Degree Sexual Battery						
Attempt	1	1	0	0	0	2
	50.0%	50.0%	0.0%	0.0%	0.0%	100.0%
Complete	4	1	0	1	0	6
	66.7%	16.7%	0.0%	16.7%	0.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	2	5	10	2	0	19
	10.5%	26.3%	52.6%	10.5%	0.0%	100.0%
Complete	15	12	8	0	0	35
	42.9%	34.3%	22.9%	0.0%	0.0%	100.0%
Robbery						
Robbery with Weapon						
Attempt	2	0	2	0	0	4
	50.0%	0.0%	50.0%	0.0%	0.0%	100.0%
Complete	23	0	3	0	0	26
	88.5%	0.0%	11.5%	0.0%	0.0%	100.0%
Robbery without Weapon	33	10	17	2	0	62
	53.2%	16.1%	27.4%	3.2%	0.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	2	5	10	2	0	19
	10.5%	26.3%	52.6%	10.5%	0.0%	100.0%
Complete	15	12	8	0	0	35
	42.9%	34.3%	22.9%	0.0%	0.0%	100.0%
Robbery						
Robbery with Weapon						
Attempt	2	0	2	0	0	4

	50.0%	0.0%	50.0%	0.0%	0.0%	100.0%
Complete	23	0	3	0	0	26
	88.5%	0.0%	11.5%	0.0%	0.0%	100.0%
Robbery without Weapon	33	10	17	2	0	62
	53.2%	16.1%	27.4%	3.2%	0.0%	100.0%
Home Invasion,Robbery	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Violent,Other	1	2	6	0	0	9
	11.1%	22.2%	66.7%	0.0%	0.0%	100.0%
Burglary	131	58	157	22	2	370
	35.4%	15.7%	42.4%	5.9%	0.5%	100.0%
Property	111	110	413	53	14	701
Theft/Fraud/Damage	15.8%	15.7%	58.9%	7.6%	2.0%	100.0%
Drugs						
Manufacture/Sale/Purchase	116	100	228	41	9	494
	23.5%	20.2%	46.2%	8.3%	1.8%	100.0%
Trafficking	5	1	0	0	0	6
	83.3%	16.7%	0.0%	0.0%	0.0%	100.0%
Possession,Other	58	102	224	52	7	443
	13.1%	23.0%	50.6%	11.7%	1.6%	100.0%
Weapons	29	17	42	3	1	92
	31.5%	18.5%	45.7%	3.3%	1.1%	100.0%
Other	8	10	23	5	1	47
	17.0%	21.3%	48.9%	10.6%	2.1%	100.0%
Total	558	431	1,136	181	34	2,340
	23.8%	18.4%	48.5%	7.7%	1.5%	100.0%

(This section continues on next page.)

Part III Sentencing Guidelines Practice

Section 1. Recommended Sanction and Sanction Imposed (Continued)

Table 20

Offense Types by Sanction Imposed

Circuit 15 - West Palm Beach

Offense Type	State Prison	Community Control	Probation	County Jail	Other	Total
Murder/Manslaughter						
1st Degree Murder						
Attempt	9	1	0	0	0	10
	90.0%	10.0%	0.0%	0.0%	0.0%	100.0%
2nd Degree Murder						
Attempt	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	12	0	0	1	0	13
	92.3%	0.0%	0.0%	7.7%	0.0%	100.0%
3rd Degree Murder						
Attempt	0	0	0	0	0	0
	100%	0.0%	0.0%	0.0%	0.0%	100%
Complete	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Homicide, Other						
Attempt	0	0	0	0	0	0
	100%	0.0%	0.0%	0.0%	0.0%	100%
Complete	0	0	1	0	0	1
	0.0%	0.0%	100.0%	0.0%	0.0%	100.0%
Manslaughter						
Attempt	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Complete	8	0	3	0	0	11
	72.7%	0.0%	27.3%	0.0%	0.0%	100.0%
DUI Manslaughter						
Complete	5	1	2	0	0	8
	62.5%	12.5%	25.0%	0.0%	0.0%	100.0%
Sexual/Lewd Assault						
Capital Sexual Battery						

	Attempt	3	1	1	0	0	5
		60.0%	20.0%	20.0%	0.0%	0.0%	100.0%
Life Sexual Battery							
	Attempt	0	0	0	0	0	0
		100%	100%	100%	100%	100%	100%
	Complete	7	0	2	0	0	9
		77.8%	0.0%	22.2%	0.0%	0.0%	100.0%
1st Degree Sexual Battery							
	Attempt	0	1	2	0	0	3
		0.0%	33.3%	66.7%	0.0%	0.0%	100.0%
	Complete	3	0	1	0	0	4
		75.0%	0.0%	25.0%	0.0%	0.0%	100.0%
2nd Degree Sexual Battery							
	Attempt	0	0	1	0	0	1
		0.0%	0.0%	100.0%	0.0%	0.0%	100.0%
	Complete	4	0	3	0	0	7
		57.1%	0.0%	42.9%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior							
	Attempt	2	1	1	0	0	4
		50.0%	25.0%	25.0%	0.0%	0.0%	100.0%
	Complete	18	8	49	3	0	78
		23.1%	10.3%	62.8%	3.8%	0.0%	100.0%
Robbery							
Robbery with Weapon							
	Attempt	8	2	2	2	0	14
		57.1%	14.3%	14.3%	14.3%	0.0%	100.0%
	Complete	45	4	5	1	0	55
		81.8%	7.3%	9.1%	1.8%	0.0%	100.0%
Lewd/Lascivious Behavior							
	Attempt	2	1	1	0	0	4
		50.0%	25.0%	25.0%	0.0%	0.0%	100.0%
	Complete	18	8	49	3	0	78
		23.1%	10.3%	62.8%	3.8%	0.0%	100.0%
Robbery							
Robbery with Weapon							
	Attempt	8	2	2	2	0	14
		57.1%	14.3%	14.3%	14.3%	0.0%	100.0%
	Complete	45	4	5	1	0	55
		81.8%	7.3%	9.1%	1.8%	0.0%	100.0%
Robbery without Weapon							
		50	15	34	34	2	135
		37.0%	11.1%	25.2%	25.2%	1.5%	100.0%
Home Invasion,Robbery							
		9	0	2	1	0	12
		75.0%	0.0%	16.7%	8.3%	0.0%	100.0%
Violent,Other							
		1	0	7	5	0	13

	7.7%	0.0%	53.8%	38.5%	0.0%	100.0%
Burglary	237	36	301	255	3	832
	28.5%	4.3%	36.2%	30.6%	0.4%	100.0%
Property	74	21	483	345	9	932
Theft/Fraud/Damage	7.9%	2.3%	51.8%	37.0%	1.0%	100.0%
Drugs						
Manufacture/Sale/Purchase	128	22	397	713	2	1,262
	10.1%	1.7%	31.5%	56.5%	0.2%	100.0%
Trafficking	27	3	9	3	0	42
	64.3%	7.1%	21.4%	7.1%	0.0%	100.0%
Possession,Other	29	15	387	569	3	1,003
	2.9%	1.5%	38.6%	56.7%	0.3%	100.0%
Weapons	22	14	81	45	3	165
	13.3%	8.5%	49.1%	27.3%	1.8%	100.0%
Other	5	1	25	17	5	53
	9.4%	1.9%	47.2%	32.1%	9.4%	100.0%
Total	707	146	1,799	1,994	27	4,673
	15.1%	3.1%	38.5%	42.7%	0.6%	100.0%

Table 21

Offense Types by Sanction Imposed

Circuit 16 - Key West

Offense Type	State Prison	Community Control	Probation	County Jail	Other	Total
Murder/Manslaughter						
1st Degree Murder						
Attempt	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
2nd Degree Murder						
Attempt	0	1	0	0	0	1
	0.0%	100.0%	0.0%	0.0%	0.0%	100.0%
Complete	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
3rd Degree Murder						
Attempt	0	0	0	0	0	0
	100%	0.0%	0.0%	0.0%	0.0%	100%
Complete	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Homicide, Other						
Attempt	0	0	0	0	0	0

	100%	0.0%	0.0%	0.0%	0.0%	100%
Complete	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Manslaughter						
Attempt	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Complete	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
DUI Manslaughter						
Complete	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Sexual/Lewd Assault						
Capital Sexual Battery						
Attempt	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Life Sexual Battery						
Attempt	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Complete	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
1st Degree Sexual Battery						
Attempt	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Complete	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
2nd Degree Sexual Battery						
Attempt	1	1	0	0	0	2
	50.0%	50.0%	0.0%	0.0%	0.0%	100.0%
Complete	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	1	2	3	1	0	7
	14.3%	28.6%	42.9%	14.3%	0.0%	100.0%
Complete	4	0	0	0	0	4
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Robbery						
Robbery with Weapon						
Attempt	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Complete	3	0	0	0	0	3
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Robbery without Weapon	6	2	4	0	0	12
	50.0%	16.7%	33.3%	0.0%	0.0%	100.0%
Home Invasion,Robbery	0	0	0	0	0	0

	100%	100%	100%	100%	100%	100%
Violent,Other	0	0	5	0	0	5
	0.0%	0.0%	100.0%	0.0%	0.0%	100.0%
Burglary	18	14	67	10	0	109
	16.5%	12.8%	61.5%	9.2%	0.0%	100.0%
Property	28	41	212	36	0	317
Theft/Fraud/Damage	8.8%	12.9%	66.9%	11.4%	0.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	1	2	3	1	0	7
	14.3%	28.6%	42.9%	14.3%	0.0%	100.0%
Complete	4	0	0	0	0	4
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Robbery						
Robbery with Weapon						
Attempt	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Complete	3	0	0	0	0	3
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Robbery without Weapon	6	2	4	0	0	12
	50.0%	16.7%	33.3%	0.0%	0.0%	100.0%
Home Invasion,Robbery	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Violent,Other	0	0	5	0	0	5
	0.0%	0.0%	100.0%	0.0%	0.0%	100.0%
Burglary	18	14	67	10	0	109
	16.5%	12.8%	61.5%	9.2%	0.0%	100.0%
Property	28	41	212	36	0	317
Theft/Fraud/Damage	8.8%	12.9%	66.9%	11.4%	0.0%	100.0%
Drugs						
Manufacture/Sale/Purchase	48	52	191	23	0	314
	15.3%	16.6%	60.8%	7.3%	0.0%	100.0%
Trafficking	5	0	0	0	0	5
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Possession,Other	15	41	211	37	0	304
	4.9%	13.5%	69.4%	12.2%	0.0%	100.0%
Weapons	5	7	20	1	0	33
	15.2%	21.2%	60.6%	3.0%	0.0%	100.0%
Other	1	2	7	6	0	16
	6.3%	12.5%	43.8%	37.5%	0.0%	100.0%
Total	142	163	720	114	0	1,139
	12.5%	14.3%	63.2%	10.0%	0.0%	100.0%

(This section continues on next page.)

Part III Sentencing Guidelines Practice

Section 1. Recommended Sanction and Sanction Imposed (Continued)

Table 22

Offense Types by Sanction Imposed

Circuit 17 - Ft. Lauderdale

Offense Type	State Prison	Community Control	Probation	County Jail	Other	Total
Murder/Manslaughter						
1st Degree Murder						
Attempt	22	0	0	0	0	22
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
2nd Degree Murder						
Attempt	13	1	0	0	0	14
	92.9%	7.1%	0.0%	0.0%	0.0%	100.0%
Complete	16	3	0	0	0	19
	84.2%	15.8%	0.0%	0.0%	0.0%	100.0%
3rd Degree Murder						
Attempt	0	0	0	0	0	0
	100%	0.0%	0.0%	0.0%	0.0%	100%
Complete	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Homicide, Other						
Attempt	0	0	0	0	0	0
	100%	0.0%	0.0%	0.0%	0.0%	100%
Complete	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Manslaughter						
Attempt	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Complete	9	3	2	0	0	14
	64.3%	21.4%	14.3%	0.0%	0.0%	100.0%
DUI Manslaughter						
Complete	8	0	2	0	0	10
	80.0%	0.0%	20.0%	0.0%	0.0%	100.0%
Sexual/Lewd Assault						
Capital Sexual Battery						

	Attempt	2	0	0	0	0	2
		100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Life Sexual Battery							
	Attempt	0	0	0	0	0	0
		100%	100%	100%	100%	100%	100%
	Complete	9	1	1	0	0	11
		81.8%	9.1%	9.1%	0.0%	0.0%	100.0%
1st Degree Sexual Battery							
	Attempt	0	0	1	0	0	1
		0.0%	0.0%	100.0%	0.0%	0.0%	100.0%
	Complete	17	7	0	0	0	24
		70.8%	29.2%	0.0%	0.0%	0.0%	100.0%
2nd Degree Sexual Battery							
	Attempt	1	0	0	0	0	1
		100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
	Complete	4	5	2	0	0	11
		36.4%	45.5%	18.2%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior							
	Attempt	0	0	0	0	0	0
		100%	100%	100%	100%	100%	100%
	Complete	36	20	14	4	0	74
		48.6%	27.0%	18.9%	5.4%	0.0%	100.0%
Robbery							
Robbery with Weapon							
	Attempt	11	4	2	1	0	18
		61.1%	22.2%	11.1%	5.6%	0.0%	100.0%
	Complete	121	13	25	2	0	161
		75.2%	8.1%	15.5%	1.2%	0.0%	100.0%
	Robbery without Weapon	117	36	72	43	1	269
		43.5%	13.4%	26.8%	16.0%	0.4%	100.0%
Lewd/Lascivious Behavior							
	Attempt	0	0	0	0	0	0
		100%	100%	100%	100%	100%	100%
	Complete	36	20	14	4	0	74
		48.6%	27.0%	18.9%	5.4%	0.0%	100.0%
Robbery							
Robbery with Weapon							
	Attempt	11	4	2	1	0	18
		61.1%	22.2%	11.1%	5.6%	0.0%	100.0%
	Complete	121	13	25	2	0	161
		75.2%	8.1%	15.5%	1.2%	0.0%	100.0%
	Robbery without Weapon	117	36	72	43	1	269
		43.5%	13.4%	26.8%	16.0%	0.4%	100.0%
	Home Invasion,Robbery	2	0	0	0	0	2

Homicide, Other						
Attempt	0	0	0	0	0	0
	100%	0.0%	0.0%	0.0%	0.0%	100%
Complete	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Manslaughter						
Attempt	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Complete	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
DUI Manslaughter						
Complete	4	0	0	0	0	4
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Sexual/Lewd Assault						
Capital Sexual Battery						
Attempt	2	0	1	0	0	3
	66.7%	0.0%	33.3%	0.0%	0.0%	100.0%
Life Sexual Battery						
Attempt	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	5	1	0	0	0	6
	83.3%	16.7%	0.0%	0.0%	0.0%	100.0%
1st Degree Sexual Battery						
Attempt	0	0	2	0	0	2
	0.0%	0.0%	100.0%	0.0%	0.0%	100.0%
Complete	4	1	2	0	0	7
	57.1%	14.3%	28.6%	0.0%	0.0%	100.0%
2nd Degree Sexual Battery						
Attempt	2	3	4	0	0	9
	22.2%	33.3%	44.4%	0.0%	0.0%	100.0%
Complete	1	0	1	0	0	2
	50.0%	0.0%	50.0%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	1	1	5	0	0	7
	14.3%	14.3%	71.4%	0.0%	0.0%	100.0%
Complete	23	20	23	0	0	66
	34.8%	30.3%	34.8%	0.0%	0.0%	100.0%
Robbery						
Robbery with Weapon						
Attempt	1	0	1	0	0	2
	50.0%	0.0%	50.0%	0.0%	0.0%	100.0%
Complete	31	1	3	0	0	35
	88.6%	2.9%	8.6%	0.0%	0.0%	100.0%
Robbery without Weapon						
	21	7	27	2	0	57

	36.8%	12.3%	47.4%	3.5%	0.0%	100.0%
Home Invasion,Robbery	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	1	1	5	0	0	7
	14.3%	14.3%	71.4%	0.0%	0.0%	100.0%
Complete	23	20	23	0	0	66
	34.8%	30.3%	34.8%	0.0%	0.0%	100.0%
Robbery						
Robbery with Weapon						
Attempt	1	0	1	0	0	2
	50.0%	0.0%	50.0%	0.0%	0.0%	100.0%
Complete	31	1	3	0	0	35
	88.6%	2.9%	8.6%	0.0%	0.0%	100.0%
Robbery without Weapon	21	7	27	2	0	57
	36.8%	12.3%	47.4%	3.5%	0.0%	100.0%
Home Invasion,Robbery	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Violent,Other	0	0	2	0	0	2
	0.0%	0.0%	100.0%	0.0%	0.0%	100.0%
Burglary	101	73	179	19	1	373
	27.1%	19.6%	48.0%	5.1%	0.3%	100.0%
Property	70	60	614	87	8	839
Theft/Fraud/Damage	8.3%	7.2%	73.2%	10.4%	1.0%	100.0%
Drugs						
Manufacture/Sale/Purchase	80	51	318	46	1	496
	16.1%	10.3%	64.1%	9.3%	0.2%	100.0%
Trafficking	6	4	2	0	0	12
	50.0%	33.3%	16.7%	0.0%	0.0%	100.0%
Possession,Other	34	31	429	69	4	567
	6.0%	5.5%	75.7%	12.2%	0.7%	100.0%
Weapons	17	8	36	4	0	65
	26.2%	12.3%	55.4%	6.2%	0.0%	100.0%
Other	2	6	16	7	0	31
	6.5%	19.4%	51.6%	22.6%	0.0%	100.0%
Total	413	269	1,665	234	14	2,595
	15.9%	10.4%	64.2%	9.0%	0.5%	100.0%

(This section continues on next page.)

Part III Sentencing Guidelines Practice

Section 1. Recommended Sanction and Sanction Imposed (Continued)

Table 24

Offense Types by Sanction Imposed

Circuit 19 - Ft. Pierce

Offense Type	State Prison	Community Control	Probation	County Jail	Other	Total
Murder/Manslaughter						
1st Degree Murder						
Attempt	6	0	0	0	0	6
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
2nd Degree Murder						
Attempt	6	0	0	0	0	6
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	3	0	0	0	0	3
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
3rd Degree Murder						
Attempt	0	0	0	0	0	0
	100%	0.0%	0.0%	0.0%	0.0%	100%
Complete	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Homicide, Other						
Attempt	0	0	0	0	0	0
	100%	0.0%	0.0%	0.0%	0.0%	100%
Complete	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Manslaughter						
Attempt	3	0	0	0	0	3
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	3	0	0	0	0	3
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
DUI Manslaughter						
Complete	6	0	1	0	0	7
	85.7%	0.0%	14.3%	0.0%	0.0%	100.0%
Sexual/Lewd Assault						
Capital Sexual Battery						

Attempt	3	0	0	0	0	3
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Life Sexual Battery						
Attempt	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Complete	0	1	0	0	0	1
	0.0%	100.0%	0.0%	0.0%	0.0%	100.0%
1st Degree Sexual Battery						
Attempt	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	1	1	1	0	0	3
	33.3%	33.3%	33.3%	0.0%	0.0%	100.0%
2nd Degree Sexual Battery						
Attempt	1	0	2	0	0	3
	33.3%	0.0%	66.7%	0.0%	0.0%	100.0%
Complete	3	1	0	0	0	4
	75.0%	25.0%	0.0%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	2	0	1	1	0	4
	50.0%	0.0%	25.0%	25.0%	0.0%	100.0%
Complete	19	12	21	3	0	55
	34.5%	21.8%	38.2%	5.5%	0.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	2	0	1	1	0	4
	50.0%	0.0%	25.0%	25.0%	0.0%	100.0%
Complete	19	12	21	3	0	55
	34.5%	21.8%	38.2%	5.5%	0.0%	100.0%
Robbery						
Robbery with Weapon						
Attempt	2	0	0	1	0	3
	66.7%	0.0%	0.0%	33.3%	0.0%	100.0%
Complete	16	2	2	1	2	23
	69.6%	8.7%	8.7%	4.3%	8.7%	100.0%
Robbery without Weapon						
	23	3	19	12	0	57
	40.4%	5.3%	33.3%	21.1%	0.0%	100.0%
Home Invasion,Robbery						
	2	0	0	0	0	2
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Violent,Other						
	0	1	5	2	0	8
	0.0%	12.5%	62.5%	25.0%	0.0%	100.0%
Burglary						
	110	29	158	63	2	362
	30.4%	8.0%	43.6%	17.4%	0.6%	100.0%
Property						
	72	31	452	181	6	742
Theft/Fraud/Damage						
	9.7%	4.2%	60.9%	24.4%	0.8%	100.0%
Drugs						

Manufacture/Sale/Purchase	105	34	196	162	2	499
	21.0%	6.8%	39.3%	32.5%	0.4%	100.0%
Trafficking	18	2	9	1	0	30
	60.0%	6.7%	30.0%	3.3%	0.0%	100.0%
Possession,Other	29	28	252	189	5	503
	5.8%	5.6%	50.1%	37.6%	1.0%	100.0%
Weapons	19	15	57	29	3	123
	15.4%	12.2%	46.3%	23.6%	2.4%	100.0%
Other	5	3	18	8	1	35
	14.3%	8.6%	51.4%	22.9%	2.9%	100.0%
Total	459	163	1,194	653	21	2,490
	18.4%	6.5%	48.0%	26.2%	0.8%	100.0%

Table 25

Offense Types by Sanction Imposed

Circuit 20 - Ft. Myers

Offense Type	State Prison	Community Control	Probation	County Jail	Other	Total
Murder/Manslaughter						
1st Degree Murder						
Attempt	3	0	0	0	0	3
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
2nd Degree Murder						
Attempt	4	0	0	0	0	4
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	7	0	0	0	0	7
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
3rd Degree Murder						
Attempt	0	0	0	0	0	0
	100%	0.0%	0.0%	0.0%	0.0%	100%
Complete	5	0	0	0	0	5
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Homicide, Other						
Attempt	0	0	0	0	0	0
	100%	0.0%	0.0%	0.0%	0.0%	100%
Complete	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Manslaughter						
Attempt	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Complete	6	1	1	0	0	8

	75.0%	12.5%	12.5%	0.0%	0.0%	100.0%
DUI Manslaughter						
Complete	6	0	0	0	0	6
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Sexual/Lewd Assault						
Capital Sexual Battery						
Attempt	12	0	1	0	0	13
	92.3%	0.0%	7.7%	0.0%	0.0%	100.0%
Life Sexual Battery						
Attempt	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	2	0	0	0	0	2
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
1st Degree Sexual Battery						
Attempt	0	0	0	0	0	0
	100%	100%	100%	100%	100%	100%
Complete	7	0	0	0	0	7
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
2nd Degree Sexual Battery						
Attempt	0	0	1	0	0	1
	0.0%	0.0%	100.0%	0.0%	0.0%	100.0%
Complete	3	1	1	0	0	5
	60.0%	20.0%	20.0%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	1	1	1	0	0	3
	33.3%	33.3%	33.3%	0.0%	0.0%	100.0%
Complete	18	13	24	3	0	58
	31.0%	22.4%	41.4%	5.2%	0.0%	100.0%
Lewd/Lascivious Behavior						
Attempt	1	1	1	0	0	3
	33.3%	33.3%	33.3%	0.0%	0.0%	100.0%
Complete	18	13	24	3	0	58
	31.0%	22.4%	41.4%	5.2%	0.0%	100.0%
Robbery						
Robbery with Weapon						
Attempt	2	0	0	0	0	2
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	26	1	2	0	0	29
	89.7%	3.4%	6.9%	0.0%	0.0%	100.0%
Robbery without Weapon	21	11	27	5	0	64
	32.8%	17.2%	42.2%	7.8%	0.0%	100.0%
Home Invasion,Robbery	1	1	0	0	0	2
	50.0%	50.0%	0.0%	0.0%	0.0%	100.0%
Violent,Other	0	1	5	0	0	6

	0.0%	16.7%	83.3%	0.0%	0.0%	100.0%
Burglary	140	82	235	63	1	521
	26.9%	15.7%	45.1%	12.1%	0.2%	100.0%
Property	83	120	699	155	3	1,060
Theft/Fraud/Damage	7.8%	11.3%	65.9%	14.6%	0.3%	100.0%
Drugs						
Manufacture/Sale/Purchase	96	150	551	125	2	924
	10.4%	16.2%	59.6%	13.5%	0.2%	100.0%
Trafficking	11	3	10	2	0	26
	42.3%	11.5%	38.5%	7.7%	0.0%	100.0%
Possession,Other	32	73	605	172	4	886
	3.6%	8.2%	68.3%	19.4%	0.5%	100.0%
Weapons	13	21	93	20	0	147
	8.8%	14.3%	63.3%	13.6%	0.0%	100.0%
Other	7	7	24	8	4	50
	14.0%	14.0%	48.0%	16.0%	8.0%	100.0%
Total	508	486	2,280	553	14	3,841
	13.2%	12.7%	59.4%	14.4%	0.4%	100.0%

Appendices

Definition of "Violent Offender"

There are hundreds of criminal offenses in Florida statutes. There are any number of ways one can define what a "violent" crime is and categorize all the crimes accordingly. No one way of determining what specific crimes should be considered violent is correct. The Florida Department of Corrections has developed the following definition of violent crimes to guide the way in which it categorizes crimes as violent or non-violent.

A crime is defined as violent if the crime involves actual or the threat of physical harm to a person or the crime has a reasonable probability of causing unintended physical harm or physical threat of harm to a person.

One of the following conditions must occur for a crime to be defined as violent under this definition:

1. Actual physical harm.
1. Actual threat of physical harm.
2. A reasonable probability existed that individual criminal acts could have resulted in unintended physical harm.
3. A reasonable probability existed that individual criminal acts could have resulted in the threat of physical harm.

Note: Crimes are defined as violent from the statutory reference only. Therefore, a judgment has to be made based on this sometimes limited information whether any of these four conditions existed in the actual crime. For example, if the crime is "shooting into a vehicle," it is not known if actual or the threat of physical harm occurred. However, in this case, we assume there is a reasonable probability that violence could have resulted. "Burglary of a dwelling" is not defined as violent under this definition because, while actual or the threat of physical harm could have occurred, it is assumed there is not a reasonable probability that it occurred.

Appendices

To obtain a copy of the
Criminal Punishment Code Scoresheet,
please contact:

[Stacey Anderson](#)

**Bureau of Research and Data Analysis
Florida Department of Corrections
2601 Blair Stone Road
Tallahassee, Florida 32399**

(850) 410-4488