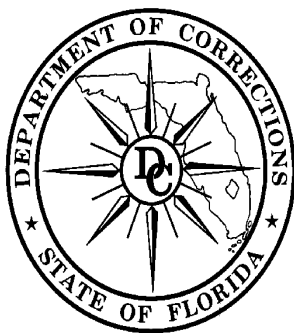


# FLORIDA'S CRIMINAL PUNISHMENT CODE: A COMPARATIVE ASSESSMENT

October 2001



A Report to the Florida Legislature  
Detailing Florida's Criminal  
Punishment Code



Michael W. Moore  
Secretary

Prepared by:  
Florida Department of Corrections  
Bureau of Research and Data Analysis  
2601 Blair Stone Road  
Tallahassee, FL 32399-2500

# **Florida's Criminal Punishment Code: A Comparative Assessment**

## **Offenses Committed On or After October 1, 1998**

### **Executive Summary**

In 1997, the Florida legislature created a new sentencing structure, the Florida Criminal Punishment Code (“Code”). The Criminal Punishment Code is Florida’s primary sentencing policy. It is unique in that it has features of both structured and unstructured sentencing policies.

From a structured sentencing perspective, the Code provides for a uniform evaluation of relevant factors present at sentencing, such as the offense before the court for sentencing, prior criminal record, victim injury, and others. It also provides for a lowest permissible sentence that the court must impose in any given sentencing event.

The Code also contains characteristics of unstructured sentencing, such as broad judicial discretion and the allowance for the imposition of lengthy terms of incarceration.

The Code is effective for offenses committed on or after October 1, 1998 and is unlike the state’s preceding sentencing guidelines, which provided for narrow ranges of permissible sentences in all non-capital sentencing events.

The intent of this report is to address the requirement set forth in Florida Statutes 921.002(4)(a) to analyze sentencing events under the Florida Criminal Punishment Code. Each year, the Department of Corrections is required to report on trends in sentencing practices and sentencing score thresholds, and provide an analysis of the sentencing factors considered by the courts. **In this report, a comparison is made between the Criminal Punishment Code sentences received in FY 1999-2000 and FY 2000-2001.**

Since January 1, 1994, the Florida Department of Corrections has collected more than 787,000 scoresheets on felony offenders sentenced in Florida courts under the state’s Sentencing Guidelines and Criminal Punishment Code. This report

describes the 103,264 Criminal Punishment Code scoresheets received by the Florida Department of Corrections through August 31, 2001, for felony offenses committed on or after October 1, 1998. It also compares 85,824 Criminal Punishment Code scoresheets received by the Florida Department of Corrections through August 31, 2001, for felony offenses committed on or after October 1, 1999 and sentence dates in Fiscal Year 2000-2001 with 91,660 Criminal Punishment Code scoresheets with offense dates on or after October 1, 1998 and sentence dates in Fiscal Year 1999-2000.

### *Heggs V. State*

In February 2000, the Florida Supreme Court, in its review of Curtis Leon Heggs, determined Chapter Law 95-184 to be unconstitutional due to a violation of the single subject rule of the Florida Constitution. This Chapter Law contained substantial changes in sentencing law referred commonly to as the "1995 Sentencing Guidelines."

In some cases, the 1995 Sentencing Guidelines provided for greater punishment than the 1994 Sentencing Guidelines. Some enhancements were made to the Guidelines, designed primarily to target offenders with more serious current or prior criminal records. There were a significant number of changes and the nature of the changes provided for significant effects for some offenders. However, many offenders sentenced under the 1995 Guidelines would have scored identically under the 1994 version of the law.

In May 2000, the Supreme Court revised and finalized their opinion in this case and further clarified who is eligible for re-sentencing. This decision stated that **"only those persons adversely affected by the amendments made by Chapter Law 95-184 may rely on our decision here to obtain relief. Stated another way, in the guidelines context, we determine that if a person's sentence imposed under the 1995 Guidelines could have been imposed under the 1994 Guidelines (without a departure), then that person shall not be entitled to relief. "**

The Supreme Court declined to rule in Heggs as to when the window period closed for offenders claiming their guidelines sentences are invalid due to the amendments contained in Chapter Law 95-184. However, in its review of Xzavier Trapp, the Supreme Court determined that the window period for challenging the

Sentencing Guidelines provisions amended in Chapter Law 95-184 opened on October 1, 1995 and closed on May 24, 1997.

Approximately 192,267 sentencing events occurred under the 1995 sentencing structure for offenses committed between October 1, 1995 and May 24, 1997, based on the Guidelines scoresheets received by the Department of Corrections through February 29, 2000. Original analysis indicated that 73,467 of these sentencing events evidenced scores adversely affected by the changes brought about in the 1995 guidelines. This analysis did not determine that the 1995 sentence was outside the range of the 1994 sentence, only that the scoresheet calculation reflected a difference in points.

Due to the potential number of re-sentencing events, it would be inaccurate to attempt to analyze and compare the 1995 sentencing guidelines to other versions of the sentencing scoresheet. As re-sentencing events occur, the original 1995 scoresheet will be replaced in the database with a 1994 scoresheet. This is necessary because the re-sentencing invalidates the original sentencing event. Likewise, the new sentence will overwrite the original sentence in DOC sentence structure and databases. A computerized record of the original sentence is not kept in the database that is used for data analysis.

As such, it is not possible to determine which scoresheets are the result of a re-sentencing or to verify that a re-sentencing event was a result of the Heggs ruling. Therefore, any analysis of this time period would yield a mixture of offenders sentenced under both the 1994 and 1995 guidelines.

**As this makes it impossible to compare the Criminal Punishment Code to prior sentencing practices, without going back to the 1994 Sentencing Guidelines, the data analysis in this report compares sentences received under the Criminal Punishment Code in FY 1999-2000 to those received in FY 2000-2001.**

# TABLE OF CONTENTS

**Executive Summary** ..... i-iii

**I. Introduction** ..... 1

1. Overview of Florida Sentencing Policies .....3-9

2. Narrative on Introductory Statistics ..... 10

2. Introductory Statistics .....11-17

**II. Lag Time Between Offense and Sentence Comparison** ..... 19

1.Narrative on the “Lag” Issue .....21-22

2.Comparative Statistics .....23-27

**III. Comparative Description** ..... 29

1. Narrative on Comparative Statistics .....31-33

2. Recommended Sanction and Sanction Imposed .....34-44

3. Offense Type and Sanction Imposed.....45-48

4. Offense Severity Levels.....49-50

5. Prior and Additional Offenses .....51-53

6. Mitigation.....54-60

## Appendices

Offense Level Ranking Chart

Criminal Punishment Code Scoresheet

# CRIMINAL PUNISHMENT CODE REPORT

## PART I

Figure 1	Scoresheets Received by Month of Sentence	Page 10	DONE
Table1	Scoresheets Received by Circuit	Page 10	DONE
Table 2	Sentencing Scoresheets Received by Month of Sentence	Page 11	DONE
Figure 2	Sentencing Scoresheets Received by Month of Sentence	Page 11	DONE
Table 3	Age at Sentencing	Page 12	DONE
Figure 3	Age at Sentencing Distribution	Page 12	DONE
Table 4	Age at Offense for Offenders Under 18	Page 13	DONE
Figure 4	Age at Offense Distribution - Offenders Under 18	Page 13	DONE
Table 5	Sanction Imposed by Primary Offense For All 11 - 17 Year Olds	Page 14	DONE
Figure 5	Sanction Imposed Distribution - Offenders Under 18	Page 14	DONE
Table 6	Gender by Judicial Circuit	Page 15	DONE
Table 7	Race by Judicial Circuit	Page 16	DONE

## PART II

Table 1	Comparison of Average Time from Offense Date to Sentence Date by Offense Severity Level of Primary Offense in Months	Page 20	DONE
Table 2	Comparison of Average Lag Time from Offense Date to Sentence Date by Primary Offense in Months	Page 20	DONE
Figure 1	Distribution of Offense Group, Sentence Dates FY99-00 vs. Sentence Dates FY00-01	Page 21	DONE
Table 3	Distribution of Offense - Sentencing Guidelines vs. Criminal Punishment Code (Off9)	Page 22	DONE
Table 4	Distribution of Offense - Sentencing Guidelines vs. Criminal Punishment Code (Off52)	Page 23/24	DONE

## PART III

Table 1	Recommended Sanction Category by Sanction Imposed	Page 29	DONE
Figure 1	Sanction Imposed for Offenders Scoring in the State Prison Sanction Category	Page 29	DONE
Table 2	Recommended Sanction Category by Sanction Imposed by Judicial Circuit	Page 30/33	DONE
Table 3	Sanction Imposed by Judicial Circuit and County	Page 34/39	DONE

## CRIMINAL PUNISHMENT CODE REPORT

Table 4	Offense Type by Sanction Imposed	Page 40/43	DONE
Table 5	Sanction Imposed by Offense Severity Level	Page 44	DONE
Table 6	State Prison Sentence Length by Offense Severity Level	Page 45	DONE
Table 7	Number of Prior Offenses	Page 46	DONE
Table 8	Number of Additional Offenses	Page 46	DONE
Table 9	Prior Felony Record and Sanction Imposed	Page 47	DONE
Table 10	Additional Offenses and Sanction Imposed	Page 48	DONE
Table 11	Mitigation Rates Among Offenders Scoring in Recommended State Prison Sanction Category	Page 49	DONE
Figure 2	Offenders Scoring in Recommended State Prison Sanction Category	Page 49	DONE
Figure 3	Mitigation Rates Among All Offenders Sentenced	Page 50	DONE
Table 12	Mitigated Sanction Rates by Judicial Circuit	Page 50	DONE
Table 13	Mitigated Sanction Rates and Sentence Length Rates by Judicial Circuit	Page 51	DONE
Table 14	Mitigation Rates Among Offenders Scoring in Recommended State Prison Sanction Category	Page 52/55	DONE

# PART I

## INTRODUCTION



# **Overview of Florida's Sentencing Policies**

## **History of Sentencing Policy**

### **Unstructured Sentencing**

Prior to October 1, 1983 courts sentenced in accordance with the provisions of law that permitted a wide range of judicial discretion in the sentencing decision. Sanctions ranged from 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 an 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.

### **Structured Sentencing/Sentencing Guidelines**

The Florida Sentencing Guidelines represents 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 each:

- 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.
- Are attempts 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. Every assessment of points reflects a policy statement regarding the relative severity of a criminal behavior.

Each policy is represented on its respective scoresheet, which must be completed for each felony defendant prior to sentencing.

### **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 that were committed on or after October 1, 1983 and before January 1, 1994.

The 1983 guideline structure was comprised of nine separate worksheets for specified offense categories such as murder, sexual offenses, drug offenses etc. All offenses were contained in one of these categories.

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 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, which resulted in an unanticipated impact upon correctional resources; the passage of unfunded mandatory minimum sentence legislation; and 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 percent. This lack of system integrity was the impetus for the creation of a new sentencing guideline structure.

## **The 1994 Sentencing Guidelines**

The 1994 sentencing guidelines were enacted through the passage of the “Safe Streets Act.” These guidelines were created with the recognition that prison resources are finite and that the use of state incarceration should be focused upon offenders who commit serious or violent offenses, or who offend repetitively. The 1994 guidelines repealed the grant of basic gain time, evidencing the legislature’s re-commitment to “truth in sentencing”. 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 structure of the 1994 sentencing guidelines has little similarity to the 1983 structure. The structure created 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.
- Each of the rankings has an associated point value in each of three elements subject to scoring: 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 of points lying in the area of the primary offense.
- Includes other policy levels through an assessment of points for a variety of other factors such as: victim injury, legal status, supervision violations, and others.

Under the 1994 structure, the total guidelines score determines the sanction and a range of length of sanction when state prison is applicable. There are basically three categories of sanction based upon total scores. There are ranges of score which:

1. Mandate a non-state prison sanction when the total score is 40 points or less.
2. Provide for discretionary prison or non-state prison sanction when the total score is greater than forty and less than 52 points.
3. Mandate a state prison sanction when the total score exceeds 52 points.

The length of prison is determined by subtracting twenty-eight from the total sentence points to derive the total prison months

The court has the discretion to increase or decrease the sanction by twenty five percent. This provided for a relatively narrow range for the imposition of a guideline sentence.

### **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 of the 1994 sentencing guidelines remained; however, point values were increased in a variety of areas and additional policy levers were created to provide for greater sanctions. The 1995 guidelines are in effect for offenses committed on or after October 1, 1995 through September 30, 1998.

The Hegg's ruling stated that the use of the 1995 Sentencing Guidelines for offenses between October 1, 1995 and May 24, 1997 is unconstitutional. However, the 1995 Sentencing Guidelines are used for offense dates between May 25, 1997 and September 30, 1998.

The guidelines were slightly modified in both 1996 and 1997, again providing for increased sanctions and sanction length in certain instances.

### **The Criminal Punishment Code**

The Criminal Punishment Code became effective for 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 contains features of both structured and unstructured sentencing policies. It maintains many of the goals of guidelines sentencing. Compared to the guidelines however, the Code allows for greater upward discretion in sentencing, provides for increased penalties, and lowers mandatory prison thresholds.

- 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.

<u>Felony Degree</u>	<u>Years in Prison</u>
Life Felony	Up to Life
1 <sup>st</sup>	Up to 30
2 <sup>nd</sup>	Up to 15
3 <sup>rd</sup>	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 than 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.

## **Department of Corrections Responsibilities**

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

- Develop the scoresheet and any revisions of the scoresheet for approval by the Supreme Court and supply Sentencing Guidelines and Criminal Punishment Code 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 prepared 27.9% of the scoresheets statewide in FY 2000-2001.
- Assist the Criminal Justice Estimating Conference in estimating correctional impact of proposed changes to the code.
- Provide the legislature by October 1 of each year a report detailing the rate of compliance of each judicial circuit in providing scoresheets to the department.
- 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 allow for the storage of completed scoresheets and allow 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.**

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

- The information is compiled from a database containing sentencing scoresheets received by the Department of Corrections for offenses with dates of commission on or after January 1, 1994. The information is based on the scoresheets in the database with dates of sentence in Fiscal Year 2000-2001 and offenses on or after October 1, 1998, entered as of August 31, 2001.
- 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 67.4%.
- **Though the Department retrieves and includes in the 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.

## **Introductory Statistics**

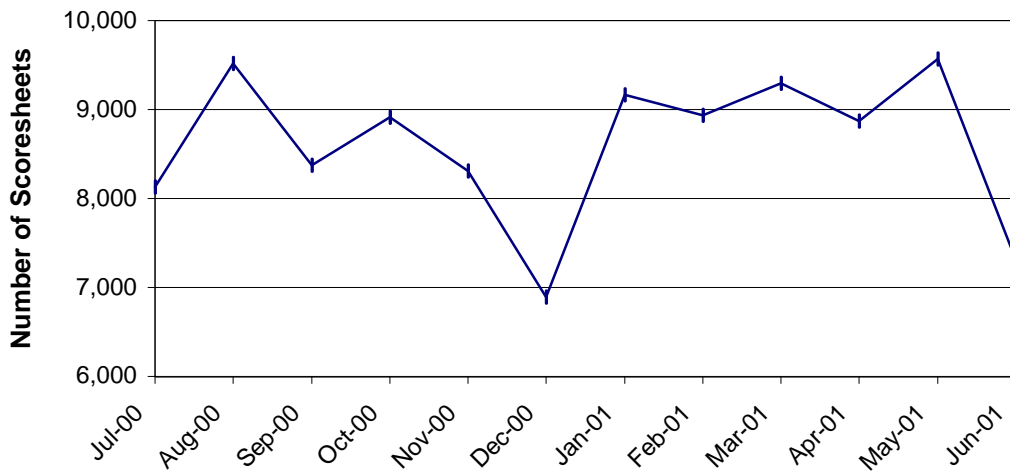
**FACT:** *There were 103,264 Punishment Code scoresheets with offense dates on or after October 1, 1998 entered into the sentencing scoresheet database, as of August 31, 2001.*

### **FINDINGS:**

- The number of Code scoresheets received by month of sentence has remained fairly constant from July 1, 2000 to June 30, 2001 (Figure 1).
- For the time period July 2000 through June 2001, Code scoresheets represent over eighty-seven percent (87.4%) of the total scoresheet submissions. In the month of June 2001, more than ninety percent (91.2%) of the scoresheets represented sentencing events under the Florida Criminal Punishment Code (Table 2).
- More than thirty-two percent (32.5%) of the offenders sentenced under the Code were considered “youthful offenders” at the time of sentencing (Table 3). Of the 2,605 true juveniles (under 18 at the time of their offense) transferred to adult court under the Code, 941 of the offenders were age sixteen or younger (Table 4).
- There were 946 juveniles sentenced under the Code for violent offenses, including, murder/manslaughter, sex offenses, robbery, and other violent personal offenses. These violent offenses represent over thirty-six percent (36.3%) of all offenses of juveniles (Table 4). Of the 946 violent juvenile offenders, 446, or 47.1%, received a state prison sanction.
- The gender distribution of the offenders sentenced under the Code are similar to previous years sentencing events. Nearly eighty-two percent (81.5%) of all scoresheets were for male offenders (Table 6), and 54.9% were for white offenders (Table 7).



**Figure 1**  
**Scoresheets Received by Month of Sentence**  
**Criminal Punishment Code**



**Table 1**  
**Scoresheets Received by Circuit**  
**Criminal Punishment Code**

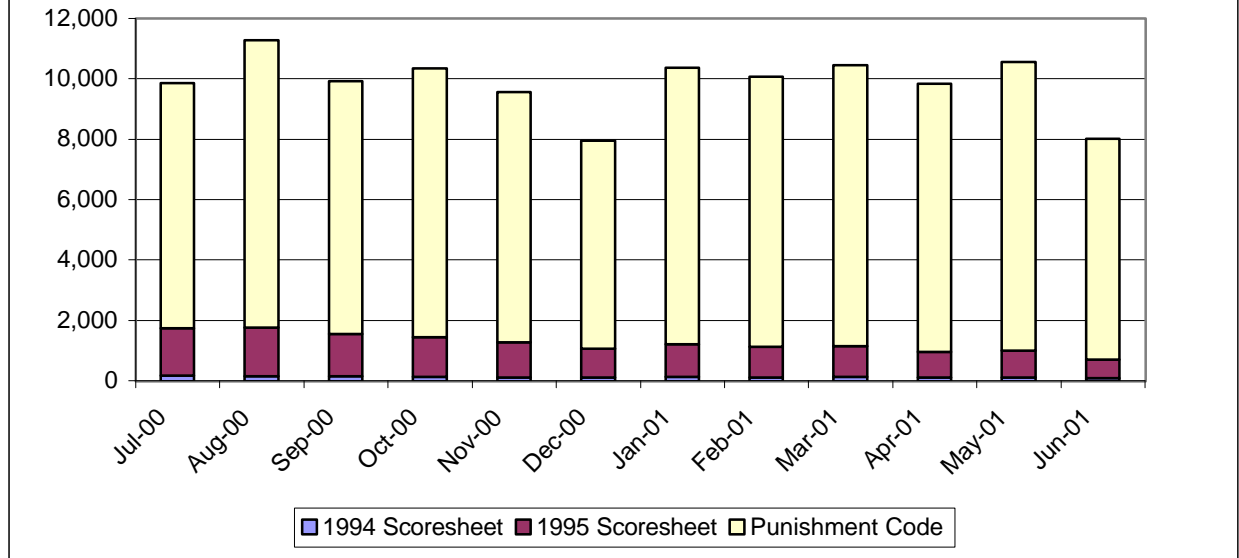
Month of Sentence	Total	
	Number	Percent
01 (Pensacola)	4,330	4.2%
02 (Tallahassee)	976	0.9%
03 (Lake City)	552	0.5%
04 (Jacksonville)	6,205	6.0%
05 (Tavares)	4,138	4.0%
06 (Clearwater)	10,424	10.1%
07 (Daytona Beach)	4,460	4.3%
08 (Gainesville)	2,368	2.3%
09 (Orlando)	7,255	7.0%
10 (Bartow)	5,003	4.8%
11 (Miami)	13,294	12.9%
12 (Sarasota)	3,494	3.4%
13 (Tampa)	9,479	9.2%
14 (Panama City)	2,691	2.6%
15 (West Palm Beach)	5,796	5.6%
16 (Key West)	1,050	1.0%
17 (Ft. Lauderdale)	11,667	11.3%
18 (Sanford)	2,599	2.5%
19 (Ft. Pierce)	2,914	2.8%
20 (Ft. Myers)	4,569	4.4%
<b>Total</b>	<b>103,264</b>	<b>100.0%</b>

**Table 2**  
**Sentencing Scoresheets Received by Month of Sentence\***  
**Fiscal Year 2000-2001**

Month of Sentence	1994 Sentencing Guidelines Scoresheet		1995 Sentencing Guidelines Scoresheet		Punishment Code Scoresheet		Total	
July 2000	171	1.7%	1,569	15.9%	8,128	82.4%	9,868	8.3%
August 2000	158	1.4%	1,599	14.2%	9,516	84.4%	11,273	9.5%
September 2000	153	1.5%	1,388	14.0%	8,371	84.5%	9,912	8.4%
October 2000	128	1.2%	1,309	12.6%	8,911	86.1%	10,348	8.8%
November 2000	113	1.2%	1,149	12.0%	8,310	86.8%	9,572	8.1%
December 2000	102	1.3%	963	12.1%	6,889	86.6%	7,954	6.7%
January 2001	135	1.3%	1,071	10.3%	9,162	88.4%	10,368	8.8%
February 2001	115	1.1%	1,013	10.1%	8,936	88.8%	10,064	8.5%
March 2001	133	1.3%	1,016	9.7%	9,294	89.0%	10,443	8.8%
April 2001	113	1.1%	848	8.6%	8,873	90.2%	9,834	8.3%
May 2001	107	1.0%	890	8.4%	9,567	90.6%	10,564	8.9%
June 2001	80	1.0%	621	7.8%	7,307	91.2%	8,008	6.8%
<b>Total</b>	<b>1,508</b>	<b>1.3%</b>	<b>13,436</b>	<b>11.4%</b>	<b>103,264</b>	<b>87.4%</b>	<b>118,208</b>	<b>100.0%</b>

\* Total number of scoresheets, including those with offense dates between October 1, 1995 and May 24, 1997.

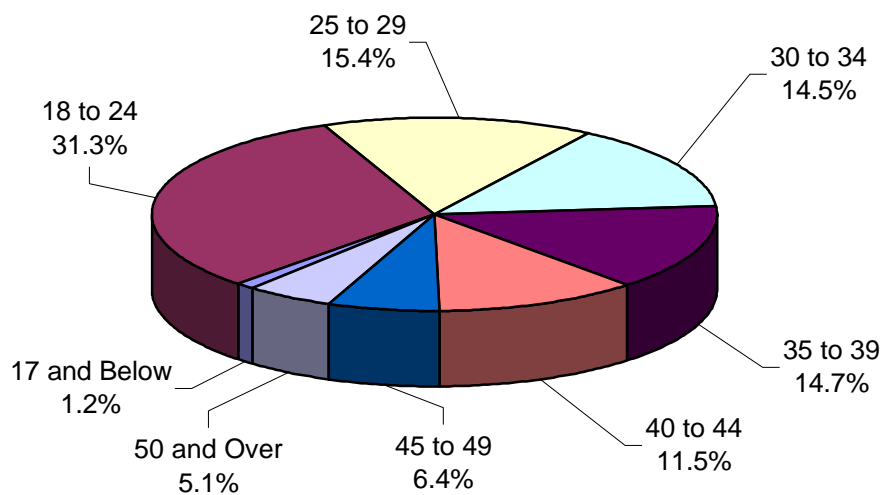
**Figure 2**  
**Sentencing Scoresheets Received:**  
**1994 SG vs. 1995 SG vs. Punishment Code Versions**



**Table 3**  
**Age at Sentencing**  
**Criminal Punishment Code**

Age	Number	Percent
17 and Below	1,213	1.2%
18 to 24	32,367	31.3%
25 to 29	15,934	15.4%
30 to 34	14,931	14.5%
35 to 39	15,146	14.7%
40 to 44	11,848	11.5%
45 to 49	6,579	6.4%
50 and Over	5,246	5.1%
<b>Total</b>	<b>103,264</b>	<b>100.0%</b>

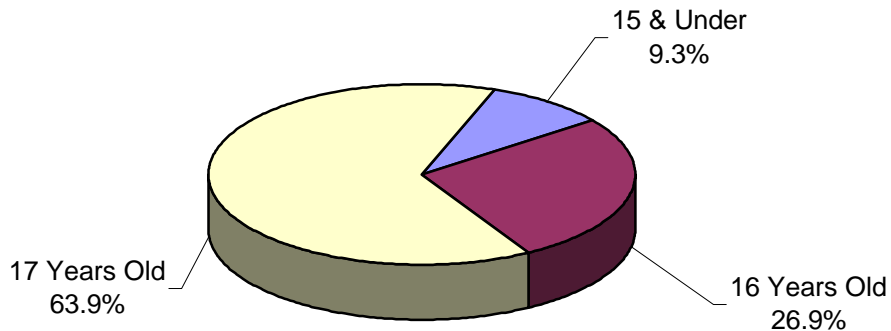
**Figure 3**  
**Age at Sentencing Distribution**  
**Criminal Punishment Code**



**Table 4**  
**Age at Offense for Offenders Under 18**  
**Criminal Punishment Code**

Primary Offense	15 & Under	16 Years Old	17 Years Old	Total
Murder/Manslaughter	16 6.6%	12 1.7%	34 2.0%	<b>62</b> <b>2.4%</b>
Sexual Offenses	8 3.3%	13 1.9%	41 2.5%	<b>62</b> <b>2.4%</b>
Robbery	74 30.7%	108 15.4%	187 11.2%	<b>369</b> <b>14.2%</b>
Violent Personal Offenses	43 17.8%	141 20.1%	269 16.2%	<b>453</b> <b>17.4%</b>
Burglary	44 18.3%	151 21.6%	354 21.3%	<b>549</b> <b>21.1%</b>
Theft, Forgery, Fraud	23 9.5%	90 12.9%	252 15.1%	<b>365</b> <b>14.0%</b>
Drugs	23 9.5%	130 18.6%	397 23.9%	<b>550</b> <b>21.1%</b>
Weapons	5 2.1%	20 2.9%	49 2.9%	<b>74</b> <b>2.8%</b>
Other Offenses	5 2.1%	35 5.0%	81 4.9%	<b>121</b> <b>4.6%</b>
<b>Total</b>	<b>241</b> <b>100.0%</b>	<b>700</b> <b>100.0%</b>	<b>1,664</b> <b>100.0%</b>	<b>2,605</b> <b>100.0%</b>

**Figure 4**  
**Age at Offense Distribution**  
**Offenders Under 18**

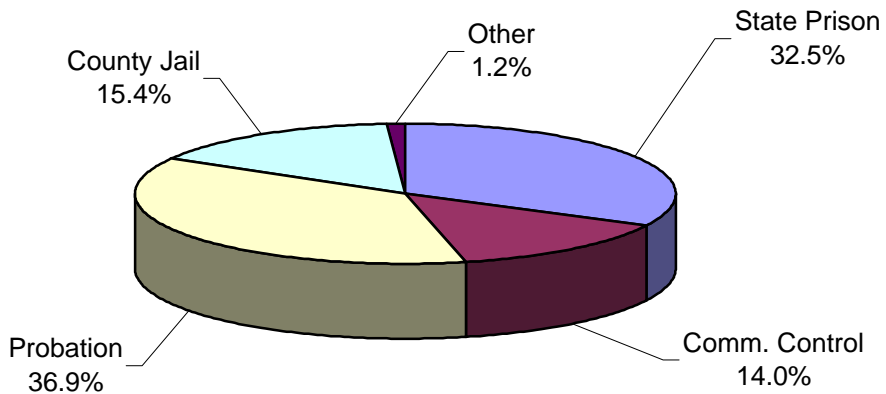


**Table 5**  
**Sanction Imposed by Primary Offense For All 11 - 17 Year Olds**  
**Criminal Punishment Code**

Primary Offense	State Prison	Comm. Control	Probation	County Jail	Other	Total
Murder/Manslaughter	49 2.5%	6 1.2%	6 0.2%	1 0.0%	0 0.0%	<b>62</b> <b>1.0%</b>
Sexual Offenses	25 2.0%	12 3.0%	22 2.0%	1 0.3%	2 0.0%	<b>62</b> <b>1.9%</b>
Robbery	203 25.0%	56 18.0%	81 8.7%	28 5.6%	1 0.0%	<b>369</b> <b>14.2%</b>
Violent Personal Offenses	169 19.2%	70 16.6%	141 14.5%	66 11.7%	7 6.3%	<b>453</b> <b>15.7%</b>
Burglary	183 25.9%	94 26.0%	199 23.7%	63 12.3%	10 43.8%	<b>549</b> <b>23.1%</b>
Theft, Forgery, Fraud	71 7.2%	37 11.5%	188 16.5%	63 17.8%	6 12.5%	<b>365</b> <b>13.3%</b>
Drugs	100 13.0%	70 16.3%	237 25.5%	141 44.8%	2 25.0%	<b>550</b> <b>23.5%</b>
Weapons	16 2.6%	9 2.1%	37 3.9%	11 4.2%	1 12.5%	<b>74</b> <b>3.4%</b>
Other Offenses	30 2.6%	10 5.3%	50 4.9%	28 3.3%	3 0.0%	<b>121</b> <b>4.0%</b>
<b>Total</b>	<b>846</b> <b>100.0%</b>	<b>364</b> <b>100.0%</b>	<b>961</b> <b>100.0%</b>	<b>402</b> <b>100.0%</b>	<b>32</b> <b>100.0%</b>	<b>2,605</b> <b>100.0%</b>

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

**Figure 5**  
**Sanction Imposed Distribution**  
**Offenders Under 18**



**Table 6**  
**Gender by Judicial Circuit**  
**Criminal Punishment Code**

Judicial Circuit	Gender				Total	
	Male		Female			
01 (Pensacola)	3,456	3.3%	874	0.8%	4,330	4.2%
02 (Tallahassee)	815	0.8%	161	0.2%	976	0.9%
03 (Lake City)	442	0.4%	110	0.1%	552	0.5%
04 (Jacksonville)	5,072	4.9%	1,133	1.1%	6,205	6.0%
05 (Tavares)	3,373	3.3%	765	0.7%	4,138	4.0%
06 (Clearwater)	8,114	7.9%	2,310	2.2%	10,424	10.1%
07 (Daytona Beach)	3,698	3.6%	762	0.7%	4,460	4.3%
08 (Gainesville)	1,970	1.9%	398	0.4%	2,368	2.3%
09 (Orlando)	5,991	5.8%	1,264	1.2%	7,255	7.0%
10 (Bartow)	3,925	3.8%	1,078	1.0%	5,003	4.8%
11 (Miami)	11,331	11.0%	1,963	1.9%	13,294	12.9%
12 (Sarasota)	2,796	2.7%	698	0.7%	3,494	3.4%
13 (Tampa)	7,619	7.4%	1,860	1.8%	9,479	9.2%
14 (Panama City)	2,162	2.1%	529	0.5%	2,691	2.6%
15 (West Palm Beach)	4,819	4.7%	977	0.9%	5,796	5.6%
16 (Key West)	897	0.9%	153	0.1%	1,050	1.0%
17 (Ft. Lauderdale)	9,452	9.2%	2,215	2.1%	11,667	11.3%
18 (Sanford)	2,117	2.1%	482	0.5%	2,599	2.5%
19 (Ft. Pierce)	2,351	2.3%	563	0.5%	2,914	2.8%
20 (Ft. Myers)	3,765	3.6%	804	0.8%	4,569	4.4%
<b>Total</b>	<b>84,165</b>	<b>81.5%</b>	<b>19,099</b>	<b>18.5%</b>	<b>103,264</b>	<b>100.0%</b>

**Table 7**  
**Race by Judicial Circuit**  
**Criminal Punishment Code**

Judicial Circuit	Race						Total	
	Black		White		Other*			
01 (Pensacola)	1,780	1.7%	2,498	2.4%	52	0.1%	4,330	4.2%
02 (Tallahassee)	676	0.7%	292	0.3%	8	0.0%	976	0.9%
03 (Lake City)	262	0.3%	286	0.3%	4	0.0%	552	0.5%
04 (Jacksonville)	3,555	3.4%	2,577	2.5%	73	0.1%	6,205	6.0%
05 (Tavares)	1,346	1.3%	2,689	2.6%	103	0.1%	4,138	4.0%
06 (Clearwater)	3,336	3.2%	7,005	6.8%	83	0.1%	10,424	10.1%
07 (Daytona Beach)	1,679	1.6%	2,752	2.7%	29	0.0%	4,460	4.3%
08 (Gainesville)	1,347	1.3%	1,010	1.0%	11	0.0%	2,368	2.3%
09 (Orlando)	3,388	3.3%	3,685	3.6%	182	0.2%	7,255	7.0%
10 (Bartow)	1,798	1.7%	3,127	3.0%	78	0.1%	5,003	4.8%
11 (Miami)	7,252	7.0%	6,005	5.8%	37	0.0%	13,294	12.9%
12 (Sarasota)	1,304	1.3%	2,134	2.1%	56	0.1%	3,494	3.4%
13 (Tampa)	4,391	4.3%	4,807	4.7%	281	0.3%	9,479	9.2%
14 (Panama City)	859	0.8%	1,810	1.8%	22	0.0%	2,691	2.6%
15 (W. Palm Beach)	2,748	2.7%	3,033	2.9%	15	0.0%	5,796	5.6%
16 (Key West)	236	0.2%	806	0.8%	8	0.0%	1,050	1.0%
17 (Ft. Lauderdale)	5,910	5.7%	5,560	5.4%	197	0.2%	11,667	11.3%
18 (Sanford)	927	0.9%	1,621	1.6%	51	0.0%	2,599	2.5%
19 (Ft. Pierce)	1,145	1.1%	1,716	1.7%	53	0.1%	2,914	2.8%
20 (Ft. Myers)	1,306	1.3%	3,234	3.1%	29	0.0%	4,569	4.4%
<b>Total</b>	<b>45,245</b>	<b>43.8%</b>	<b>56,647</b>	<b>54.9%</b>	<b>1,372</b>	<b>1.3%</b>	<b>103,264</b>	<b>100.0%</b>

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

## PART II

# OFFENSE TO SENTENCE DATE LAG TIME COMPARISON



## **Offense to Sentence Date Lag Time Comparison**

***FACT:** Scoresheets that have been received by the Department of Corrections for offenders sentenced under the Florida Criminal Punishment Code are not representative of the true impact of sentencing events under the Code.*

### **FINDINGS:**

- There were 85,824 scoresheets submitted to the Department of Corrections with sentence dates in FY2000-2001 and offense dates on or after October 1, 1999. The number of scoresheets submitted to the Department of Corrections with sentence dates in FY1999-2000 and offense dates on or after October 1, 1998 was 91,660.
- **Lag Time** - The average length of time that passes from the date an offender commits a crime to the date the offender is sentenced for that crime is 5.6 months. As defined by the word “average”, half of the lag times that occur are less than 5.6 months and half are greater than 5.6 months (Table 1).
- More serious and violent crimes typically have much longer lag time than the less serious property or drug crimes. A data file that is constrained by the date of offense must allow for enough time for the serious and violent crimes to be processed and convicted in order to represent a true distribution of sentencing events. The Florida Criminal Punishment Code went into effect for offenses committed on or after October 1, 1998. As of August 31, 2001, the Department of Corrections had received over 100,000 Code scoresheets. However, because of the long lag time for serious offenses, the information to date is skewed more heavily by the less serious offenses.
- The average lag time for FY1999-2000 sentencing events is 5.6 months, identical to that of the scoresheets received with sentence dates in FY2000-2001 (Table 1). When the lag times are examined by offense severity level and type of primary offense, the average lag time for level 10 offenses (most serious) was 9.5 months for sentencing events during FY2000-2001. In FY1999-2000, the average lag time for level 10 offenses was 9.3 months. Also, for murder/manslaughter, the average lag time from offense to sentence is 10.2 months for sentencing dates in FY2000-2001, and 9.4 months in FY1999-2000 (Table 2).

- In FY1999-2000, the more violent, serious offenses represented more than seventeen percent (17.8%) of the scoresheets, while for sentencing events in FY2000-2001, seventeen percent (17.0%) were the more violent, serious offenses (Table 3).

**Table 1**  
**Comparison of Average Time from Offense Date to Sentence Date**  
**by Offense Severity Level of Primary Offense, in Months**

<b>Offense Severity Level</b>	<b>FY 99-00 Sentence Dates<sup>1</sup></b>	<b>FY 00-01 Sentence Dates<sup>2</sup></b>
1	5.4	5.3
2	5.8	5.8
3	4.9	4.9
4	5.3	5.4
5	5.8	5.8
6	6.1	6.2
7	6.9	7.0
8	7.7	8.0
9	8.6	8.7
10	9.3	9.5
<b>Overall Average</b>	<b>5.6</b>	<b>5.6</b>

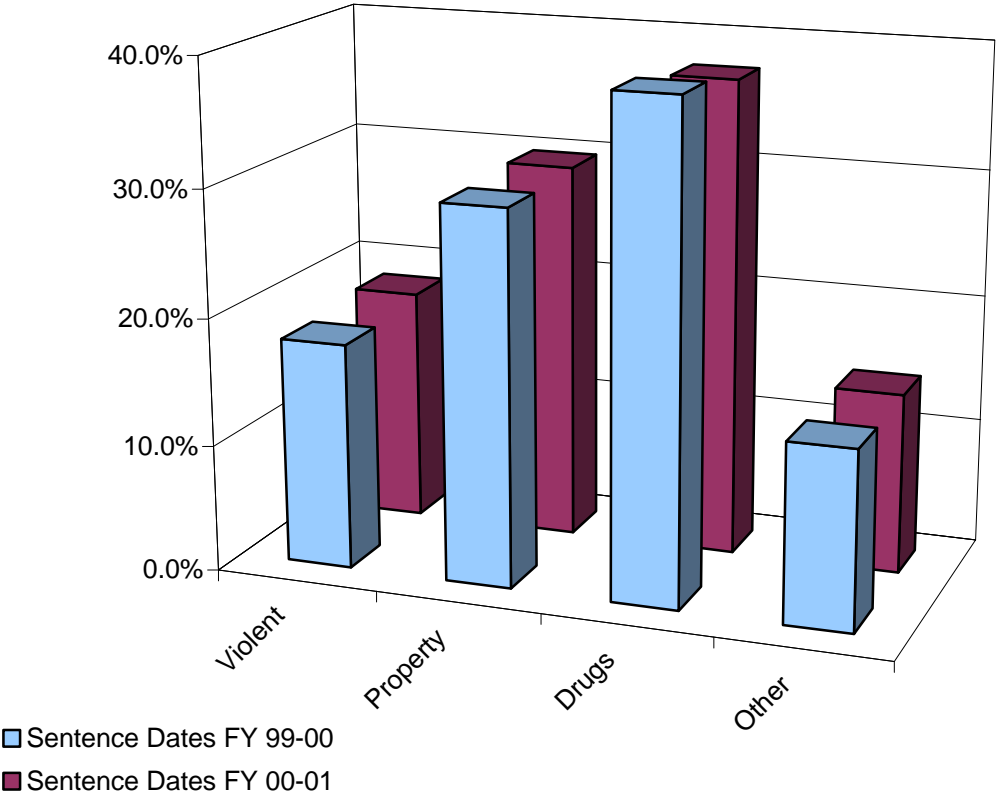
**Table 2**  
**Comparison of Average "Lag" Time from Offense Date to Sentence**  
**Date by Primary Offense, in Months**

<b>Primary Offense</b>	<b>FY 99-00 Sentence Dates<sup>1</sup></b>	<b>FY 00-01 Sentence Dates<sup>2</sup></b>
Murder/Manslaughter	9.4	10.2
Sexual/Lewd Behavior	8.3	8.4
Robbery	6.9	6.6
Violent, Other	5.9	6.0
Burglary	5.8	5.9
Property Theft/Fraud/Damage	5.9	6.0
Drugs	5.1	5.1
Weapons	5.9	6.0
Other	5.2	5.2
<b>Overall Average</b>	<b>5.6</b>	<b>5.6</b>

<sup>1</sup> Offense dates on or after October 1, 1998.

<sup>2</sup> Offense dates on or after October 1, 1999.

**Figure 1**  
**Distribution of Offense Group**  
**Sentence Dates FY99-00 vs. Sentence Dates FY00-01**



**Table 3**  
**Distribution of Offense**  
**Sentence Dates FY 99-00 vs. Sentence Dates FY 00-01**

Primary Offense	FY 99-00 Sentence Dates <sup>1</sup>	FY 00-01 Sentence Dates <sup>2</sup>
Murder/Manslaughter	288 0.3%	260 0.3%
Sexual Offenses	1,297 1.4%	1,179 1.4%
Robbery	2,057 2.2%	2,139 2.5%
Violent Personal Offenses	11,988 13.1%	11,664 13.6%
Burglary	8,544 9.3%	7,969 9.3%
Theft/Forgery/Fraud	18,752 20.5%	17,857 20.8%
Drugs	35,446 38.7%	32,173 37.5%
Weapons	2,320 2.5%	1,754 2.0%
Other	10,968 12.0%	10,829 12.6%
<b>Total</b>	<b>91,660</b> <b>100.0%</b>	<b>85,824</b> <b>100.0%</b>

<sup>1</sup> Offense dates on or after October 1, 1998.

<sup>2</sup> Offense dates on or after October 1, 1999.

**Table 4  
Distribution of Offense**

Primary Offense	FY 99-00 Sentence Dates		FY 00-01 Sentence Dates	
<b>Murder/Manslaughter</b>	<b>288</b>	<b>0.3%</b>	<b>260</b>	<b>0.3%</b>
1st Degree Murder	61	0.1%	49	0.1%
2nd Degree Murder	103	0.1%	90	0.1%
3rd Degree Murder	8	0.0%	3	0.0%
Homicide, Other	3	0.0%	4	0.0%
Manslaughter	69	0.1%	64	0.1%
DUI Manslaughter	44	0.0%	50	0.1%
<b>Sexual Offenses</b>	<b>1,297</b>	<b>1.4%</b>	<b>1,179</b>	<b>1.4%</b>
Capital Sexual Battery	58	0.1%	61	0.1%
Life Sexual Battery	29	0.0%	28	0.0%
1st Degree Sexual Battery	57	0.1%	45	0.1%
2nd Degree Sexual Battery	164	0.2%	143	0.2%
Sexual Assault, Other	7	0.0%	3	0.0%
Lewd/Lascivious Behavior	982	1.1%	899	1.0%
<b>Robbery</b>	<b>2,057</b>	<b>2.2%</b>	<b>2,139</b>	<b>2.5%</b>
Robbery with Weapon	808	0.9%	693	0.8%
Robbery without Weapon	1,215	1.3%	1,389	1.6%
Home Invasion, Robbery	34	0.0%	57	0.1%
<b>Violent Personal Offenses</b>	<b>11,988</b>	<b>13.1%</b>	<b>11,664</b>	<b>13.6%</b>
Home Invasion, Other	1	0.0%	0	0.0%
Carjacking	111	0.1%	112	0.1%
Aggravated Assault	2,043	2.2%	1,854	2.2%
Aggravated Battery	1,639	1.8%	1,565	1.8%
Assault/Battery on L.E.O.	1,649	1.8%	1,760	2.1%
Assault/Battery, Other	547	0.6%	504	0.6%
Aggravated Stalking	267	0.3%	281	0.3%
Resisting Arrest with Violence	2,303	2.5%	2,312	2.7%
Kidnapping	443	0.5%	371	0.4%
Arson	187	0.2%	175	0.2%
Abuse of Children	1,080	1.2%	887	1.0%
Leaving Accident, Injury/Death	412	0.4%	476	0.6%
DUI, Injury	137	0.1%	130	0.2%
Violent, Other	1,169	1.3%	1,237	1.4%
<b>Burglary</b>	<b>8,544</b>	<b>9.3%</b>	<b>7,969</b>	<b>9.3%</b>
Burglary, Structure	4,907	5.4%	4,627	5.4%
Burglary, Dwelling	2,479	2.7%	2,314	2.7%
Burglary, Armed	245	0.3%	201	0.2%
Burglary with Assault	278	0.3%	258	0.3%
Burglary/Trespass, Other	635	0.7%	569	0.7%

**Table 4  
Distribution of Offense**

<b>Primary Offense</b>	<b>FY 99-00 Sentence Dates</b>		<b>FY 00-01 Sentence Dates</b>	
<b>Theft/Forgery/Fraud</b>	<b>18,752</b>	<b>20.5%</b>	<b>17,857</b>	<b>20.8%</b>
Grand Theft, Other	6,866	7.5%	6,802	7.9%
Grand Theft, Automobile	3,047	3.3%	2,856	3.3%
Stolen Property	2,306	2.5%	2,026	2.4%
Forgery/Counterfeiting	2,850	3.1%	2,862	3.3%
Worthless Checks	621	0.7%	541	0.6%
Fraudulent Practices	1,767	1.9%	1,646	1.9%
Theft/Property Damage, Other	1,295	1.4%	1,124	1.3%
<b>Drugs</b>	<b>35,446</b>	<b>38.7%</b>	<b>32,173</b>	<b>37.5%</b>
Drugs, Manufacture/Sale/Purchase	12,746	13.9%	11,285	13.1%
Drugs, Trafficking	643	0.7%	576	0.7%
Drugs, Possession/Other	22,057	24.1%	20,312	23.7%
<b>Weapons</b>	<b>2,320</b>	<b>2.5%</b>	<b>1,754</b>	<b>2.0%</b>
Weapons, Discharging	403	0.4%	339	0.4%
Weapons, Possession	1,889	2.1%	1,404	1.6%
Weapons, Other	28	0.0%	11	0.0%
<b>Other</b>	<b>10,968</b>	<b>12.0%</b>	<b>10,829</b>	<b>12.6%</b>
Escape	1,947	2.1%	2,164	2.5%
DUI, No Injury	643	0.7%	509	0.6%
Traffic, Other	6,607	7.2%	6,371	7.4%
Racketeering	13	0.0%	20	0.0%
Pollution/Hazardous Materials	88	0.1%	80	0.1%
Other	1,670	1.8%	1,685	2.0%
<b>Total</b>	<b>91,660</b>	<b>100.0%</b>	<b>85,824</b>	<b>100.0%</b>

## PART III

# COMPARATIVE DESCRIPTION



## **Comparative Description**

**NOTES:** This section examines the sentencing parameters point values, as follows:

- The Criminal Punishment Code allows for a non-state prison sanction for offenders scoring 44.0 or less total points.
- The Code mandates state prison as the sanction, unless the sentence is mitigated, for all those offenders whose total points exceed 44.0.

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.

Florida Statute 921 allows for circumstances or factors that reasonably justify the downward departure of Guidelines/Code scoresheet.

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, 17.4% of offenders were sentenced to state prison as the most severe sanction in FY2000-2001. An additional 23.8% were sentenced to incarceration in county jail, or to time already served in jail. Over eight percent (8.3%) were sentenced to community control, and almost 50% to probation (49.9%), including drug offender probation, administrative probation, and regular probation. Less than one percent of offenders were sentenced to “other” sanctions. For sentencing dates in FY1999-2000, 18.0% of offenders were sentenced to state prison and 22.5% were sentenced to county jail or time served. Less than nine percent (8.7%) were sentenced to community control, and 50.1% to probation. Only 0.7% of the offenders were sentenced to “other” sanctions (Table 1).
- Almost eight out of ten of the 85,824 Code scoresheets with sentence date in FY2000-2001 examined (65,400 scoresheets or 76.2%) scored less than 44 points (Table 1). These scoresheets represent sentencing events where the judge has the discretion to sentence the offender to either a non-state prison sanction or a state prison sanction. If the judge chooses to sentence the offender to state prison, the judge has the discretion to sentence the offender up

to the statutory maximum of the law. For scoresheets with sentence dates in FY1999-2000, there were 70,461 (76.8%) offenders scoring less than 44 points (Table 1).

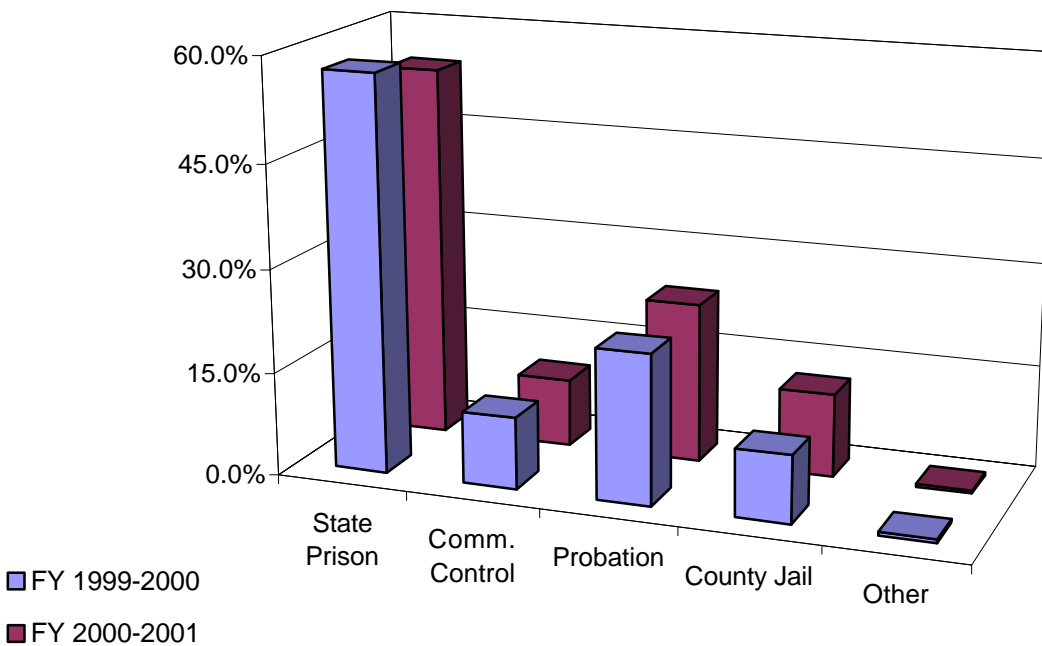
- For FY2000-2001, of the offenders scoring in the recommended state prison category, 54.4% were sentenced to state prison, with another 12.1% sentenced to county jail or time served. Of those scoring less than 44 points, just below 6% were sentenced to state prison, and 27.4% to county jail/time served. For FY1999-2000, almost fifty-eight percent of the offenders scoring above 44 points were sentenced to state prison (57.5%) and another 9.8% of these offenders were sentenced to county jail or time served. Of those scoring less than 44 points, 6.2% were sentenced to state prison, and 26.3% to county jail/time served. (Table 1).
- Table 2 presents the scoring distribution of offenders under the Code for FY1999-2000 and FY2000-2001 by the circuit and sanction imposed. Circuit 11 (Miami) shows the highest percentage of scoresheets scoring to the state prison sanction at 90.7% and 91.8%, respectively. Circuit 4 (Jacksonville) has the lowest percentage of state prison scoring offenders, with 54.4% for FY1999-2000 and 53.5% for FY2000-2001.
- Incarceration rates vary greatly by county and circuit. Jail sanctions also vary greatly depending on number of beds available and judicial inclination to use the jail sanction. Table 3 presents the distribution of sanction imposed by circuit and county. Although variance in sentencing does exist at the circuit and county level based on the judge involved, variability in the statistics presented in this table could also be as a result of differences in the type of offenders being sentenced around the state. There are also very small numbers of scoresheets for some of the counties listed in this table. The incarceration rates for counties with less than 100 scoresheets could possibly be misleading.
- Within the Code policy, a true mitigation occurs when an offender scores more than 44 total points and either receives a non-state prison sanction or a state prison sentence length below the 25% permissible discretion. A sanction mitigation occurs when an offender scores more than 44 total points, but receives a non-state prison sanction.

- The true mitigation rate for offenders that scored more than 44 total points is 55.5% for FY1999-2000 and 58.2% for FY2000-2001. The sanction mitigation rate (cases that scored to state prison but received a non-state prison sanction) was 42.5% for FY1999-2000 and 45.6% for FY2000-2001 (Table 11).
- For the offenders that received a mitigated prison sentence length, the average reduction in sentence was 24.7 months during FY1999-2000 and 26.3 months during FY2000-2001 (Table 11).
- Departure, as defined here, is not a comment on the legality of the sentence. There are many reasons for departure which are recognized as legitimate under Florida Statute 921. In addition, other Statutes, such as F. S. 948.034, establish special conditions allowing for departures from recommended sentences. Database limitations do not allow us to isolate all these reasons for departure.

**Table 1**  
**Recommended Sanction Category by Sanction Imposed**

Sanction Imposed	Recommended Sanction Category					
	FY 1999-2000			FY 2000-2001		
	44.0 Points or Less	More than 44.0 Points	Total	44.0 Points or Less	More than 44.0 Points	Total
State Prison	4,343 6.2%	12,193 57.5%	16,536 18.0%	3,856 5.9%	11,101 54.4%	14,957 17.4%
Community Control	5,751 8.2%	2,212 10.4%	7,963 8.7%	5,140 7.9%	2,019 9.9%	7,159 8.3%
Probation	41,285 58.6%	4,610 21.7%	45,895 50.1%	38,107 58.3%	4,743 23.2%	42,850 49.9%
County Jail	18,525 26.3%	2,075 9.8%	20,600 22.5%	17,947 27.4%	2,479 12.1%	20,426 23.8%
Other	557 0.8%	109 0.5%	666 0.7%	350 0.5%	82 0.4%	432 0.5%
<b>Total</b>	<b>70,461</b> <b>100.0%</b>	<b>21,199</b> <b>100.0%</b>	<b>91,660</b> <b>100.0%</b>	<b>65,400</b> <b>100.0%</b>	<b>20,424</b> <b>100.0%</b>	<b>85,824</b> <b>100.0%</b>

**Figure 1**  
**Sanction Imposed for Offenders Scoring In the State Prison Sanction Category\***



**Table 2**  
**Recommended Sanction Category by Sanction Imposed**

Judicial Circuit / Sanction Imposed	Recommended Sanction Category							
	FY 1999-2000				FY 2000-2001			
	44.0 Points or Less		More than 44.0 Points		44.0 Points or Less		More than 44.0 Points	
<b>01 (Pensacola)</b>	<b>3,157</b>	<b>81.0%</b>	<b>740</b>	<b>19.0%</b>	<b>2,981</b>	<b>83.7%</b>	<b>581</b>	<b>16.3%</b>
Prison	109	17.1%	528	82.9%	93	21.8%	334	78.2%
Community Control	362	81.3%	83	18.7%	377	82.0%	83	18.0%
Probation	2,021	95.2%	101	4.8%	1,886	94.1%	119	5.9%
County Jail	622	96.1%	25	3.9%	593	92.9%	45	7.1%
Other	43	93.5%	3	6.5%	32	100.0%	0	0.0%
<b>02 (Tallahassee)</b>	<b>1,093</b>	<b>71.0%</b>	<b>447</b>	<b>29.0%</b>	<b>447</b>	<b>56.4%</b>	<b>346</b>	<b>43.6%</b>
Prison	70	23.0%	234	77.0%	37	16.6%	186	83.4%
Community Control	85	63.4%	49	36.6%	28	40.0%	42	60.0%
Probation	838	85.2%	145	14.8%	336	76.7%	102	23.3%
County Jail	99	83.9%	19	16.1%	45	73.8%	16	26.2%
Other	1	100.0%	0	0.0%	1	100.0%	0	0.0%
<b>03 (Lake City)</b>	<b>311</b>	<b>66.6%</b>	<b>156</b>	<b>33.4%</b>	<b>196</b>	<b>61.3%</b>	<b>124</b>	<b>38.8%</b>
Prison	45	40.2%	67	59.8%	23	29.5%	55	70.5%
Community Control	61	72.6%	23	27.4%	39	68.4%	18	31.6%
Probation	178	74.8%	60	25.2%	107	73.3%	39	26.7%
County Jail	12	70.6%	5	29.4%	16	84.2%	3	15.8%
Other	15	93.8%	1	6.3%	11	55.0%	9	45.0%
<b>04 (Jacksonville)</b>	<b>4,403</b>	<b>78.5%</b>	<b>1,206</b>	<b>21.5%</b>	<b>4,452</b>	<b>78.3%</b>	<b>1,234</b>	<b>21.7%</b>
Prison	603	45.6%	718	54.4%	625	46.5%	720	53.5%
Community Control	265	79.8%	67	20.2%	238	76.3%	74	23.7%
Probation	1,866	86.7%	287	13.3%	1,685	85.3%	290	14.7%
County Jail	1,663	92.6%	133	7.4%	1,896	92.7%	149	7.3%
Other	6	85.7%	1	14.3%	8	88.9%	1	11.1%
<b>05 (Tavares)</b>	<b>3,093</b>	<b>83.4%</b>	<b>615</b>	<b>16.6%</b>	<b>2,752</b>	<b>84.9%</b>	<b>490</b>	<b>15.1%</b>
Prison	94	17.1%	456	82.9%	100	22.4%	346	77.6%
Community Control	246	84.8%	44	15.2%	233	83.5%	46	16.5%
Probation	2,105	96.1%	85	3.9%	1,857	96.3%	72	3.7%
County Jail	622	96.1%	25	3.9%	539	96.1%	22	3.9%
Other	26	83.9%	5	16.1%	23	85.2%	4	14.8%
<b>06 (Clearwater)</b>	<b>6,931</b>	<b>78.1%</b>	<b>1,948</b>	<b>21.9%</b>	<b>6,258</b>	<b>77.1%</b>	<b>1,862</b>	<b>22.9%</b>
Prison	304	20.1%	1,210	79.9%	210	15.1%	1,178	84.9%
Community Control	601	70.6%	250	29.4%	465	73.1%	171	26.9%
Probation	4,187	91.1%	408	8.9%	3,896	90.0%	431	10.0%
County Jail	1,789	96.1%	73	3.9%	1,637	95.6%	75	4.4%
Other	50	87.7%	7	12.3%	50	87.7%	7	12.3%

**Table 2**  
**Recommended Sanction Category by Sanction Imposed**

Judicial Circuit / Sanction Imposed	Recommended Sanction Category							
	FY 1999-2000				FY 2000-2001			
	44.0 Points or Less		More than 44.0 Points		44.0 Points or Less		More than 44.0 Points	
<b>07 (Daytona)</b>	<b>2,914</b>	<b>78.9%</b>	<b>777</b>	<b>21.1%</b>	<b>2,857</b>	<b>78.6%</b>	<b>778</b>	<b>21.4%</b>
Prison	373	39.3%	575	60.7%	412	43.4%	537	56.6%
Community Control	320	86.0%	52	14.0%	308	83.9%	59	16.1%
Probation	1,387	93.7%	94	6.3%	1,454	91.3%	139	8.7%
County Jail	813	94.0%	52	6.0%	673	94.1%	42	5.9%
Other	21	84.0%	4	16.0%	10	90.9%	1	9.1%
<b>08 (Gainesville)</b>	<b>1,319</b>	<b>68.6%</b>	<b>605</b>	<b>31.4%</b>	<b>1,275</b>	<b>69.9%</b>	<b>549</b>	<b>30.1%</b>
Prison	65	17.3%	310	82.7%	34	13.8%	213	86.2%
Community Control	174	68.5%	80	31.5%	117	58.8%	82	41.2%
Probation	910	85.4%	155	14.6%	936	83.8%	181	16.2%
County Jail	157	74.8%	53	25.2%	175	72.6%	66	27.4%
Other	13	65.0%	7	35.0%	13	65.0%	7	35.0%
<b>09 (Orlando)</b>	<b>4,920</b>	<b>80.0%</b>	<b>1,232</b>	<b>20.0%</b>	<b>4,579</b>	<b>78.3%</b>	<b>1,271</b>	<b>21.7%</b>
Prison	357	28.9%	877	71.1%	261	23.0%	872	77.0%
Community Control	345	81.0%	81	19.0%	340	78.0%	96	22.0%
Probation	2,876	93.4%	204	6.6%	2,588	92.9%	199	7.1%
County Jail	1,324	95.3%	65	4.7%	1,368	93.1%	101	6.9%
Other	18	78.3%	5	21.7%	22	88.0%	3	12.0%
<b>10 (Bartow)</b>	<b>3,433</b>	<b>83.2%</b>	<b>694</b>	<b>16.8%</b>	<b>3,302</b>	<b>82.9%</b>	<b>680</b>	<b>17.1%</b>
Prison	362	40.7%	528	59.3%	400	42.7%	536	57.3%
Community Control	225	86.9%	34	13.1%	265	86.6%	41	13.4%
Probation	2,108	95.9%	91	4.1%	2,181	96.4%	82	3.6%
County Jail	611	97.3%	17	2.7%	430	96.6%	15	3.4%
Other	127	84.1%	24	15.9%	26	81.3%	6	18.8%
<b>11 (Miami)</b>	<b>7,201</b>	<b>66.4%</b>	<b>3,650</b>	<b>33.6%</b>	<b>8,270</b>	<b>67.1%</b>	<b>4,047</b>	<b>32.9%</b>
Prison	96	8.2%	1,081	91.8%	118	9.3%	1,151	90.7%
Community Control	196	31.8%	421	68.2%	200	35.8%	358	64.2%
Probation	3,658	76.6%	1,116	23.4%	3,592	75.3%	1,177	24.7%
County Jail	3,251	75.9%	1,032	24.1%	4,360	76.2%	1,361	23.8%
Other	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>12 (Sarasota)</b>	<b>2,471</b>	<b>81.5%</b>	<b>562</b>	<b>18.5%</b>	<b>2,413</b>	<b>81.9%</b>	<b>533</b>	<b>18.1%</b>
Prison	96	18.0%	436	82.0%	99	20.1%	393	79.9%
Community Control	258	84.6%	47	15.4%	299	86.9%	45	13.1%
Probation	1,465	95.9%	62	4.1%	1,399	94.5%	81	5.5%
County Jail	636	97.8%	14	2.2%	606	97.9%	13	2.1%
Other	16	84.2%	3	15.8%	10	90.9%	1	9.1%

**Table 2**  
**Recommended Sanction Category by Sanction Imposed**

Judicial Circuit / Sanction Imposed	Recommended Sanction Category							
	FY 1999-2000				FY 2000-2001			
	44.0 Points or Less		More than 44.0 Points		44.0 Points or Less		More than 44.0 Points	
<b>13 (Tampa)</b>	<b>6,316</b>	<b>74.5%</b>	<b>2,166</b>	<b>25.5%</b>	<b>5,426</b>	<b>72.8%</b>	<b>2,031</b>	<b>27.2%</b>
Prison	264	19.0%	1,127	81.0%	213	18.1%	964	81.9%
Community Control	946	70.8%	391	29.2%	759	64.2%	423	35.8%
Probation	3,821	89.2%	464	10.8%	3,481	87.9%	479	12.1%
County Jail	1,205	88.5%	157	11.5%	924	86.3%	147	13.7%
Other	80	74.8%	27	25.2%	49	73.1%	18	26.9%
<b>14 (Panama City)</b>	<b>1,930</b>	<b>74.8%</b>	<b>651</b>	<b>25.2%</b>	<b>1,633</b>	<b>74.9%</b>	<b>546</b>	<b>25.1%</b>
Prison	256	37.4%	429	62.6%	197	34.4%	375	65.6%
Community Control	369	80.4%	90	19.6%	314	80.7%	75	19.3%
Probation	1,200	91.4%	113	8.6%	1,040	93.4%	74	6.6%
County Jail	78	86.7%	12	13.3%	69	81.2%	16	18.8%
Other	27	79.4%	7	20.6%	13	68.4%	6	31.6%
<b>15 (West Palm Beach)</b>	<b>4,357</b>	<b>78.3%</b>	<b>1,210</b>	<b>21.7%</b>	<b>4,154</b>	<b>77.6%</b>	<b>1,202</b>	<b>22.4%</b>
Prison	153	17.0%	747	83.0%	80	10.1%	716	89.9%
Community Control	127	77.0%	38	23.0%	80	71.4%	32	28.6%
Probation	1,925	89.1%	235	10.9%	1,931	89.1%	236	10.9%
County Jail	2,151	91.9%	190	8.1%	2,063	90.4%	218	9.6%
Other	1	100.0%	0	0.0%	0	0.0%	0	0.0%
<b>16 (Key West)</b>	<b>833</b>	<b>85.1%</b>	<b>146</b>	<b>14.9%</b>	<b>685</b>	<b>80.1%</b>	<b>170</b>	<b>19.9%</b>
Prison	30	23.3%	99	76.7%	24	22.4%	83	77.6%
Community Control	57	87.7%	8	12.3%	42	76.4%	13	23.6%
Probation	622	95.3%	31	4.7%	523	89.6%	61	10.4%
County Jail	102	95.3%	5	4.7%	78	85.7%	13	14.3%
Other	22	88.0%	3	12.0%	18	100.0%	0	0.0%
<b>17 (Ft. Lauderdale)</b>	<b>9,099</b>	<b>77.6%</b>	<b>2,621</b>	<b>22.4%</b>	<b>7,465</b>	<b>76.7%</b>	<b>2,267</b>	<b>23.3%</b>
Prison	696	30.0%	1,626	70.0%	533	28.0%	1,373	72.0%
Community Control	591	67.4%	286	32.6%	553	71.2%	224	28.8%
Probation	5,420	90.1%	598	9.9%	4,814	89.3%	576	10.7%
County Jail	2,351	95.6%	108	4.4%	1,534	95.2%	78	4.8%
Other	41	93.2%	3	6.8%	31	66.0%	16	34.0%
<b>18 (Sanford)</b>	<b>1,867</b>	<b>83.5%</b>	<b>368</b>	<b>16.5%</b>	<b>1,702</b>	<b>84.1%</b>	<b>321</b>	<b>15.9%</b>
Prison	89	24.5%	275	75.5%	60	21.3%	222	78.7%
Community Control	194	86.2%	31	13.8%	152	81.3%	35	18.7%
Probation	1,353	96.2%	54	3.8%	1,278	95.4%	61	4.6%
County Jail	227	96.6%	8	3.4%	211	98.6%	3	1.4%
Other	4	100.0%	0	0.0%	1	100.0%	0	0.0%

**Table 2**  
**Recommended Sanction Category by Sanction Imposed**

Judicial Circuit / Sanction Imposed	Recommended Sanction Category							
	FY 1999-2000				FY 2000-2001			
	44.0 Points or Less		More than 44.0 Points		44.0 Points or Less		More than 44.0 Points	
<b>19 (Ft. Pierce)</b>	<b>1,837</b>	<b>76.8%</b>	<b>555</b>	<b>23.2%</b>	<b>1,734</b>	<b>75.7%</b>	<b>556</b>	<b>24.3%</b>
Prison	223	36.6%	387	63.4%	282	40.3%	417	59.7%
Community Control	106	82.2%	23	17.8%	113	86.3%	18	13.7%
Probation	1,150	91.1%	112	8.9%	1,026	91.7%	93	8.3%
County Jail	346	92.5%	28	7.5%	302	91.8%	27	8.2%
Other	12	70.6%	5	29.4%	11	91.7%	1	8.3%
<b>20 (Ft. Myers)</b>	<b>2,976</b>	<b>77.8%</b>	<b>850</b>	<b>22.2%</b>	<b>2,819</b>	<b>77.1%</b>	<b>836</b>	<b>22.9%</b>
Prison	58	10.7%	483	89.3%	55	11.3%	430	88.7%
Community Control	223	66.2%	114	33.8%	218	72.2%	84	27.8%
Probation	2,195	91.8%	195	8.2%	2,097	89.3%	251	10.7%
County Jail	466	89.6%	54	10.4%	428	86.1%	69	13.9%
Other	34	89.5%	4	10.5%	21	91.3%	2	8.7%
<b>Statewide</b>	<b>70,461</b>	<b>100.0%</b>	<b>21,199</b>	<b>100.0%</b>	<b>65,400</b>	<b>100.0%</b>	<b>20,424</b>	<b>100.0%</b>

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



**Table 3  
Sanction Imposed By Judicial Circuit and County**

Circuit/County	Sentence Dates FY 1999 - 2000						Sentence Dates FY 2000-2001					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
<b>01 (Pensacola)</b>	<b>637</b> <b>16.3%</b>	<b>445</b> <b>11.4%</b>	<b>2,122</b> <b>54.5%</b>	<b>647</b> <b>16.6%</b>	<b>46</b> <b>1.2%</b>	<b>3,897</b> <b>100.0%</b>	<b>427</b> <b>12.0%</b>	<b>460</b> <b>12.9%</b>	<b>2,005</b> <b>56.3%</b>	<b>638</b> <b>17.9%</b>	<b>32</b> <b>0.9%</b>	<b>3,562</b> <b>100.0%</b>
Escambia	432 18.7%	284 12.3%	1,087 47.1%	476 20.6%	29 1.3%	<b>2,308</b> <b>100.0%</b>	316 14.2%	281 12.6%	1,116 50.0%	498 22.3%	19 0.9%	<b>2,230</b> <b>100.0%</b>
Okaloosa	123 13.8%	94 10.6%	564 63.4%	96 10.8%	13 1.5%	<b>890</b> <b>100.0%</b>	56 7.5%	106 14.2%	485 65.1%	89 11.9%	9 1.2%	<b>745</b> <b>100.0%</b>
Santa Rosa	67 12.1%	63 11.4%	344 62.3%	74 13.4%	4 0.7%	<b>552</b> <b>100.0%</b>	48 11.2%	65 15.2%	268 62.6%	44 10.3%	3 0.7%	<b>428</b> <b>100.0%</b>
Walton	15 10.2%	4 2.7%	127 86.4%	1 0.7%	0 0.0%	<b>147</b> <b>100.0%</b>	7 4.4%	8 5.0%	136 85.5%	7 4.4%	1 0.6%	<b>159</b> <b>100.0%</b>
<b>02 (Tallahassee)</b>	<b>304</b> <b>19.7%</b>	<b>134</b> <b>8.7%</b>	<b>983</b> <b>63.8%</b>	<b>118</b> <b>7.7%</b>	<b>1</b> <b>0.1%</b>	<b>1,540</b> <b>100.0%</b>	<b>223</b> <b>28.1%</b>	<b>70</b> <b>8.8%</b>	<b>438</b> <b>55.2%</b>	<b>61</b> <b>7.7%</b>	<b>1</b> <b>0.1%</b>	<b>793</b> <b>100.0%</b>
Franklin	3 10.3%	0 0.0%	25 86.2%	1 3.4%	0 0.0%	<b>29</b> <b>100.0%</b>	4 13.8%	2 6.9%	22 75.9%	1 3.4%	0 0.0%	<b>29</b> <b>100.0%</b>
Gadsden	79 25.7%	33 10.7%	190 61.9%	5 1.6%	0 0.0%	<b>307</b> <b>100.0%</b>	104 28.8%	22 6.1%	219 60.7%	16 4.4%	0 0.0%	<b>361</b> <b>100.0%</b>
Jefferson	8 38.1%	0 0.0%	13 61.9%	0 0.0%	0 0.0%	<b>21</b> <b>100.0%</b>	0 0.0%	0 0.0%	4 100.0%	0 0.0%	0 0.0%	<b>4</b> <b>100.0%</b>
Leon	192 18.3%	91 8.7%	658 62.7%	108 10.3%	1 0.1%	<b>1,050</b> <b>100.0%</b>	105 33.1%	35 11.0%	135 42.6%	41 12.9%	1 0.3%	<b>317</b> <b>100.0%</b>
Liberty	10 27.8%	1 2.8%	24 66.7%	1 2.8%	0 0.0%	<b>36</b> <b>100.0%</b>	5 17.9%	4 14.3%	19 67.9%	0 0.0%	0 0.0%	<b>28</b> <b>100.0%</b>
Wakulla	12 12.4%	9 9.3%	73 75.3%	3 3.1%	0 0.0%	<b>97</b> <b>100.0%</b>	5 9.3%	7 13.0%	39 72.2%	3 5.6%	0 0.0%	<b>54</b> <b>100.0%</b>
<b>03 (Lake City)</b>	<b>112</b> <b>24.0%</b>	<b>84</b> <b>18.0%</b>	<b>238</b> <b>51.0%</b>	<b>17</b> <b>3.6%</b>	<b>16</b> <b>3.4%</b>	<b>467</b> <b>100.0%</b>	<b>78</b> <b>24.4%</b>	<b>57</b> <b>17.8%</b>	<b>146</b> <b>45.6%</b>	<b>19</b> <b>5.9%</b>	<b>20</b> <b>6.3%</b>	<b>320</b> <b>100.0%</b>
Columbia	38 40.0%	20 21.1%	29 30.5%	4 4.2%	4 4.2%	<b>95</b> <b>100.0%</b>	30 46.2%	17 26.2%	10 15.4%	8 12.3%	0 0.0%	<b>65</b> <b>100.0%</b>
Dixie	6 11.1%	10 18.5%	31 57.4%	3 5.6%	4 7.4%	<b>54</b> <b>100.0%</b>	5 10.2%	10 20.4%	30 61.2%	1 2.0%	3 6.1%	<b>49</b> <b>100.0%</b>

**Table 3  
Sanction Imposed By Judicial Circuit and County**

Circuit/County	Sentence Dates FY 1999 - 2000						Sentence Dates FY 2000-2001					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
Hamilton	5 0.1%	10 0.3%	23 0.6%	0 0.0%	5 0.1%	<b>43</b> <b>1.1%</b>	5 0.1%	6 0.2%	18 0.5%	1 0.0%	9 0.3%	<b>39</b> <b>1.1%</b>
Lafayette	4 33.3%	1 8.3%	7 58.3%	0 0.0%	0 0.0%	<b>12</b> <b>100.0%</b>	5 45.5%	0 0.0%	5 45.5%	1 9.1%	0 0.0%	<b>11</b> <b>100.0%</b>
Madison	20 25.3%	12 15.2%	42 53.2%	3 3.8%	2 2.5%	<b>79</b> <b>100.0%</b>	11 28.9%	7 18.4%	15 39.5%	2 5.3%	3 7.9%	<b>38</b> <b>100.0%</b>
Suwannee	17 25.4%	9 13.4%	35 52.2%	5 7.5%	1 1.5%	<b>67</b> <b>100.0%</b>	14 26.9%	6 11.5%	32 61.5%	0 0.0%	0 0.0%	<b>52</b> <b>100.0%</b>
Taylor	22 18.8%	22 18.8%	71 60.7%	2 1.7%	0 0.0%	<b>117</b> <b>100.0%</b>	8 12.1%	11 16.7%	36 54.5%	6 9.1%	5 7.6%	<b>66</b> <b>100.0%</b>
<b>04 (Jacksonville)</b>	<b>1,321</b> <b>23.6%</b>	<b>332</b> <b>5.9%</b>	<b>2,153</b> <b>38.4%</b>	<b>1,796</b> <b>32.0%</b>	<b>7</b> <b>0.1%</b>	<b>5,609</b> <b>100.0%</b>	<b>1,345</b> <b>23.7%</b>	<b>312</b> <b>5.5%</b>	<b>1,975</b> <b>34.7%</b>	<b>2,045</b> <b>36.0%</b>	<b>9</b> <b>0.2%</b>	<b>5,686</b> <b>100.0%</b>
Clay	111 18.8%	34 5.8%	271 46.0%	172 29.2%	1 0.2%	<b>589</b> <b>100.0%</b>	131 20.8%	45 7.1%	314 49.8%	139 22.0%	2 0.3%	<b>631</b> <b>100.0%</b>
Duval	1,166 24.4%	281 5.9%	1,761 36.8%	1,567 32.8%	6 0.1%	<b>4,781</b> <b>100.0%</b>	1,126 23.6%	251 5.3%	1,586 33.3%	1,798 37.7%	7 0.1%	<b>4,768</b> <b>100.0%</b>
Nassau	44 18.4%	17 7.1%	121 50.6%	57 23.8%	0 0.0%	<b>239</b> <b>100.0%</b>	88 30.7%	16 5.6%	75 26.1%	108 37.6%	0 0.0%	<b>287</b> <b>100.0%</b>
<b>05 (Tavares)</b>	<b>550</b> <b>14.8%</b>	<b>290</b> <b>7.8%</b>	<b>2,190</b> <b>59.1%</b>	<b>647</b> <b>17.4%</b>	<b>31</b> <b>0.8%</b>	<b>3,708</b> <b>100.0%</b>	<b>446</b> <b>13.8%</b>	<b>279</b> <b>8.6%</b>	<b>1,929</b> <b>59.5%</b>	<b>561</b> <b>17.3%</b>	<b>27</b> <b>0.8%</b>	<b>3,242</b> <b>100.0%</b>
Citrus	62 16.7%	35 9.4%	206 55.4%	63 16.9%	6 1.6%	<b>372</b> <b>100.0%</b>	45 14.1%	8 2.5%	181 56.7%	82 25.7%	3 0.9%	<b>319</b> <b>100.0%</b>
Hernando	90 16.9%	70 13.2%	326 61.3%	45 8.5%	1 0.2%	<b>532</b> <b>100.0%</b>	72 13.5%	74 13.9%	340 63.9%	45 8.5%	1 0.2%	<b>532</b> <b>100.0%</b>
Lake	159 13.0%	66 5.4%	693 56.6%	305 24.9%	1 0.1%	<b>1,224</b> <b>100.0%</b>	174 15.2%	97 8.5%	585 51.2%	283 24.8%	3 0.3%	<b>1,142</b> <b>100.0%</b>
Marion	157 11.6%	101 7.5%	862 63.8%	213 15.8%	19 1.4%	<b>1,352</b> <b>100.0%</b>	110 10.2%	85 7.9%	724 67.0%	143 13.2%	19 1.8%	<b>1,081</b> <b>100.0%</b>
Sumter	82 36.0%	18 7.9%	103 45.2%	21 9.2%	4 1.8%	<b>228</b> <b>100.0%</b>	45 26.8%	15 8.9%	99 58.9%	8 4.8%	1 0.6%	<b>168</b> <b>100.0%</b>

**Table 3  
Sanction Imposed By Judicial Circuit and County**

Circuit/County	Sentence Dates FY 1999 - 2000						Sentence Dates FY 2000-2001					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
<b>06 (Clearwater)</b>	<b>1,514</b>	<b>851</b>	<b>4,595</b>	<b>1,862</b>	<b>57</b>	<b>8,879</b>	<b>1,388</b>	<b>636</b>	<b>4,327</b>	<b>1,712</b>	<b>57</b>	<b>8,120</b>
	<b>17.1%</b>	<b>9.6%</b>	<b>51.8%</b>	<b>21.0%</b>	<b>0.6%</b>	<b>100.0%</b>	<b>17.1%</b>	<b>7.8%</b>	<b>53.3%</b>	<b>21.1%</b>	<b>0.7%</b>	<b>100.0%</b>
Pasco	248	278	674	155	6	<b>1,361</b>	219	297	712	136	6	<b>1,370</b>
	18.2%	20.4%	49.5%	11.4%	0.4%	<b>100.0%</b>	16.0%	21.7%	52.0%	9.9%	0.4%	<b>100.0%</b>
Pinellas	1,266	573	3,921	1,707	51	<b>7,518</b>	1,169	339	3,615	1,576	51	<b>6,750</b>
	16.8%	7.6%	52.2%	22.7%	0.7%	<b>100.0%</b>	17.3%	5.0%	53.6%	23.3%	0.8%	<b>100.0%</b>
<b>07 (Daytona)</b>	<b>948</b>	<b>372</b>	<b>1,481</b>	<b>865</b>	<b>25</b>	<b>3,691</b>	<b>949</b>	<b>367</b>	<b>1,593</b>	<b>715</b>	<b>11</b>	<b>3,635</b>
	<b>25.7%</b>	<b>10.1%</b>	<b>40.1%</b>	<b>23.4%</b>	<b>0.7%</b>	<b>100.0%</b>	<b>26.1%</b>	<b>10.1%</b>	<b>43.8%</b>	<b>19.7%</b>	<b>0.3%</b>	<b>100.0%</b>
Flagler	34	22	80	28	0	<b>164</b>	23	19	81	11	0	<b>134</b>
	20.7%	13.4%	48.8%	17.1%	0.0%	<b>100.0%</b>	17.2%	14.2%	60.4%	8.2%	0.0%	<b>100.0%</b>
Putnam	76	27	93	39	3	<b>238</b>	101	23	124	33	5	<b>286</b>
	31.9%	11.3%	39.1%	16.4%	1.3%	<b>100.0%</b>	35.3%	8.0%	43.4%	11.5%	1.7%	<b>100.0%</b>
St. Johns	133	19	316	42	0	<b>510</b>	142	35	237	54	0	<b>468</b>
	26.1%	3.7%	62.0%	8.2%	0.0%	<b>100.0%</b>	30.3%	7.5%	50.6%	11.5%	0.0%	<b>100.0%</b>
Volusia	705	304	992	756	22	<b>2,779</b>	683	290	1,151	617	6	<b>2,747</b>
	25.4%	10.9%	35.7%	27.2%	0.8%	<b>100.0%</b>	24.9%	10.6%	41.9%	22.5%	0.2%	<b>100.0%</b>
<b>08 (Gainesville)</b>	<b>375</b>	<b>254</b>	<b>1,065</b>	<b>210</b>	<b>20</b>	<b>1,924</b>	<b>247</b>	<b>199</b>	<b>1,117</b>	<b>241</b>	<b>20</b>	<b>1,824</b>
	<b>19.5%</b>	<b>13.2%</b>	<b>55.4%</b>	<b>10.9%</b>	<b>1.0%</b>	<b>100.0%</b>	<b>13.5%</b>	<b>10.9%</b>	<b>61.2%</b>	<b>13.2%</b>	<b>1.1%</b>	<b>100.0%</b>
Alachua	295	186	750	193	8	<b>1,432</b>	175	130	782	207	14	<b>1,308</b>
	20.6%	13.0%	52.4%	13.5%	0.6%	<b>100.0%</b>	13.4%	9.9%	59.8%	15.8%	1.1%	<b>100.0%</b>
Baker	13	12	67	1	3	<b>96</b>	10	12	61	3	0	<b>86</b>
	13.5%	12.5%	69.8%	1.0%	3.1%	<b>100.0%</b>	11.6%	14.0%	70.9%	3.5%	0.0%	<b>100.0%</b>
Bradford	21	16	110	6	0	<b>153</b>	25	26	119	5	0	<b>175</b>
	13.7%	10.5%	71.9%	3.9%	0.0%	<b>100.0%</b>	14.3%	14.9%	68.0%	2.9%	0.0%	<b>100.0%</b>
Gilchrist	2	6	22	2	0	<b>32</b>	1	2	18	4	0	<b>25</b>
	6.3%	18.8%	68.8%	6.3%	0.0%	<b>100.0%</b>	4.0%	8.0%	72.0%	16.0%	0.0%	<b>100.0%</b>
Levy	27	30	82	7	9	<b>155</b>	24	21	102	16	6	<b>169</b>
	17.4%	19.4%	52.9%	4.5%	5.8%	<b>100.0%</b>	14.2%	12.4%	60.4%	9.5%	3.6%	<b>100.0%</b>
Union	17	4	34	1	0	<b>56</b>	12	8	35	6	0	<b>61</b>
	30.4%	7.1%	60.7%	1.8%	0.0%	<b>100.0%</b>	19.7%	13.1%	57.4%	9.8%	0.0%	<b>100.0%</b>

**Table 3  
Sanction Imposed By Judicial Circuit and County**

Circuit/County	Sentence Dates FY 1999 - 2000						Sentence Dates FY 2000-2001					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
<b>09 (Orlando)</b>	<b>1,234</b>	<b>426</b>	<b>3,080</b>	<b>1,389</b>	<b>23</b>	<b>6,152</b>	<b>1,133</b>	<b>436</b>	<b>2,787</b>	<b>1,469</b>	<b>25</b>	<b>5,850</b>
	<b>20.1%</b>	<b>6.9%</b>	<b>50.1%</b>	<b>22.6%</b>	<b>0.4%</b>	<b>100.0%</b>	<b>19.4%</b>	<b>7.5%</b>	<b>47.6%</b>	<b>25.1%</b>	<b>0.4%</b>	<b>100.0%</b>
Orange	1,079	337	2,647	1,133	18	<b>5,214</b>	985	363	2,413	1,222	18	<b>5,001</b>
	20.7%	6.5%	50.8%	21.7%	0.3%	<b>100.0%</b>	19.7%	7.3%	48.3%	24.4%	0.4%	<b>100.0%</b>
Osceola	155	89	433	256	5	<b>938</b>	148	73	374	247	7	<b>849</b>
	16.5%	9.5%	46.2%	27.3%	0.5%	<b>100.0%</b>	17.4%	8.6%	44.1%	29.1%	0.8%	<b>100.0%</b>
<b>10 (Bartow)</b>	<b>890</b>	<b>259</b>	<b>2,199</b>	<b>628</b>	<b>151</b>	<b>4,127</b>	<b>936</b>	<b>306</b>	<b>2,263</b>	<b>445</b>	<b>32</b>	<b>3,982</b>
	<b>21.6%</b>	<b>6.3%</b>	<b>53.3%</b>	<b>15.2%</b>	<b>3.7%</b>	<b>100.0%</b>	<b>23.5%</b>	<b>7.7%</b>	<b>56.8%</b>	<b>11.2%</b>	<b>0.8%</b>	<b>100.0%</b>
Hardee	6	0	32	3	1	<b>42</b>	11	3	57	25	0	<b>96</b>
	14.3%	0.0%	76.2%	7.1%	2.4%	<b>100.0%</b>	11.5%	3.1%	59.4%	26.0%	0.0%	<b>100.0%</b>
Highlands	69	25	232	26	4	<b>356</b>	77	18	174	35	2	<b>306</b>
	19.4%	7.0%	65.2%	7.3%	1.1%	<b>100.0%</b>	25.2%	5.9%	56.9%	11.4%	0.7%	<b>100.0%</b>
Polk	815	234	1,935	599	146	<b>3,729</b>	848	285	2,032	385	30	<b>3,580</b>
	21.9%	6.3%	51.9%	16.1%	3.9%	<b>100.0%</b>	23.7%	8.0%	56.8%	10.8%	0.8%	<b>100.0%</b>
<b>11 (Miami)</b>	<b>1,177</b>	<b>617</b>	<b>4,774</b>	<b>4,283</b>	<b>0</b>	<b>10,851</b>	<b>1,269</b>	<b>558</b>	<b>4,769</b>	<b>5,721</b>	<b>0</b>	<b>12,317</b>
	<b>10.8%</b>	<b>5.7%</b>	<b>44.0%</b>	<b>39.5%</b>	<b>0.0%</b>	<b>100.0%</b>	<b>10.3%</b>	<b>4.5%</b>	<b>38.7%</b>	<b>46.4%</b>	<b>0.0%</b>	<b>100.0%</b>
Miami-Dade	1,177	617	4,774	4,283	0	<b>10,851</b>	1,269	558	4,769	5,721	0	<b>12,317</b>
	10.8%	5.7%	44.0%	39.5%	0.0%	<b>100.0%</b>	10.3%	4.5%	38.7%	46.4%	0.0%	<b>100.0%</b>
<b>12 (Sarasota)</b>	<b>532</b>	<b>305</b>	<b>1,527</b>	<b>650</b>	<b>19</b>	<b>3,033</b>	<b>492</b>	<b>344</b>	<b>1,480</b>	<b>619</b>	<b>11</b>	<b>2,946</b>
	<b>17.5%</b>	<b>10.1%</b>	<b>50.3%</b>	<b>21.4%</b>	<b>0.6%</b>	<b>100.0%</b>	<b>16.7%</b>	<b>11.7%</b>	<b>50.2%</b>	<b>21.0%</b>	<b>0.4%</b>	<b>100.0%</b>
Desoto	40	16	42	15	1	<b>114</b>	42	16	60	18	1	<b>137</b>
	35.1%	14.0%	36.8%	13.2%	0.9%	<b>100.0%</b>	30.7%	11.7%	43.8%	13.1%	0.7%	<b>100.0%</b>
Manatee	279	148	610	343	2	<b>1,382</b>	255	145	593	264	1	<b>1,258</b>
	20.2%	10.7%	44.1%	24.8%	0.1%	<b>100.0%</b>	20.3%	11.5%	47.1%	21.0%	0.1%	<b>100.0%</b>
Sarasota	213	141	875	292	16	<b>1,537</b>	195	183	827	337	9	<b>1,551</b>
	13.9%	9.2%	56.9%	19.0%	1.0%	<b>100.0%</b>	12.6%	11.8%	53.3%	21.7%	0.6%	<b>100.0%</b>
<b>13 (Tampa)</b>	<b>1,391</b>	<b>1,337</b>	<b>4,285</b>	<b>1,362</b>	<b>107</b>	<b>8,482</b>	<b>1,177</b>	<b>1,182</b>	<b>3,960</b>	<b>1,071</b>	<b>67</b>	<b>7,457</b>
	<b>16.4%</b>	<b>15.8%</b>	<b>50.5%</b>	<b>16.1%</b>	<b>1.3%</b>	<b>100.0%</b>	<b>15.8%</b>	<b>15.9%</b>	<b>53.1%</b>	<b>14.4%</b>	<b>0.9%</b>	<b>100.0%</b>
Hillsborough	1,391	1,337	4,285	1,362	107	<b>8,482</b>	1,177	1,182	3,960	1,071	67	<b>7,457</b>
	16.4%	15.8%	50.5%	16.1%	1.3%	<b>100.0%</b>	15.8%	15.9%	53.1%	14.4%	0.9%	<b>100.0%</b>

**Table 3  
Sanction Imposed By Judicial Circuit and County**

Circuit/County	Sentence Dates FY 1999 - 2000						Sentence Dates FY 2000-2001					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
<b>14 (Panama City)</b>	<b>685</b>	<b>459</b>	<b>1,313</b>	<b>90</b>	<b>34</b>	<b>2,581</b>	<b>572</b>	<b>389</b>	<b>1,114</b>	<b>85</b>	<b>19</b>	<b>2,179</b>
	<b>26.5%</b>	<b>17.8%</b>	<b>50.9%</b>	<b>3.5%</b>	<b>1.3%</b>	<b>100.0%</b>	<b>26.3%</b>	<b>17.9%</b>	<b>51.1%</b>	<b>3.9%</b>	<b>0.9%</b>	<b>100.0%</b>
Bay	519	340	958	63	25	<b>1,905</b>	415	281	742	57	12	<b>1,507</b>
	27.2%	17.8%	50.3%	3.3%	1.3%	<b>100.0%</b>	27.5%	18.6%	49.2%	3.8%	0.8%	<b>100.0%</b>
Calhoun	26	24	33	4	1	<b>88</b>	20	13	59	3	0	<b>95</b>
	29.5%	27.3%	37.5%	4.5%	1.1%	<b>100.0%</b>	21.1%	13.7%	62.1%	3.2%	0.0%	<b>100.0%</b>
Gulf	25	9	55	1	1	<b>91</b>	9	10	42	1	0	<b>62</b>
	27.5%	9.9%	60.4%	1.1%	1.1%	<b>100.0%</b>	14.5%	16.1%	67.7%	1.6%	0.0%	<b>100.0%</b>
Holmes	19	32	47	1	3	<b>102</b>	12	31	58	3	3	<b>107</b>
	18.6%	31.4%	46.1%	1.0%	2.9%	<b>100.0%</b>	11.2%	29.0%	54.2%	2.8%	2.8%	<b>100.0%</b>
Jackson	70	28	149	19	0	<b>266</b>	71	28	172	18	0	<b>289</b>
	26.3%	10.5%	56.0%	7.1%	0.0%	<b>100.0%</b>	24.6%	9.7%	59.5%	6.2%	0.0%	<b>100.0%</b>
Washington	26	26	71	2	4	<b>129</b>	45	26	41	3	4	<b>119</b>
	20.2%	20.2%	55.0%	1.6%	3.1%	<b>100.0%</b>	37.8%	21.8%	34.5%	2.5%	3.4%	<b>100.0%</b>
<b>15 (West Palm Beach)</b>	<b>900</b>	<b>165</b>	<b>2,160</b>	<b>2,341</b>	<b>1</b>	<b>5,567</b>	<b>796</b>	<b>112</b>	<b>2,167</b>	<b>2,281</b>	<b>0</b>	<b>5,356</b>
	<b>16.2%</b>	<b>3.0%</b>	<b>38.8%</b>	<b>42.1%</b>	<b>0.0%</b>	<b>100.0%</b>	<b>14.9%</b>	<b>2.1%</b>	<b>40.5%</b>	<b>42.6%</b>	<b>0.0%</b>	<b>100.0%</b>
Palm Beach	900	165	2,160	2,341	1	<b>5,567</b>	796	112	2,167	2,281	0	<b>5,356</b>
	16.2%	3.0%	38.8%	42.1%	0.0%	<b>100.0%</b>	14.9%	2.1%	40.5%	42.6%	0.0%	<b>100.0%</b>
<b>16 (Key West)</b>	<b>129</b>	<b>65</b>	<b>653</b>	<b>107</b>	<b>25</b>	<b>979</b>	<b>107</b>	<b>55</b>	<b>584</b>	<b>91</b>	<b>18</b>	<b>855</b>
	<b>13.2%</b>	<b>6.6%</b>	<b>66.7%</b>	<b>10.9%</b>	<b>2.6%</b>	<b>100.0%</b>	<b>12.5%</b>	<b>6.4%</b>	<b>68.3%</b>	<b>10.6%</b>	<b>2.1%</b>	<b>100.0%</b>
Monroe	129	65	653	107	25	<b>979</b>	107	55	584	91	18	<b>855</b>
	13.2%	6.6%	66.7%	10.9%	2.6%	<b>100.0%</b>	12.5%	6.4%	68.3%	10.6%	2.1%	<b>100.0%</b>
<b>17 (Ft. Lauderdale)</b>	<b>2,322</b>	<b>877</b>	<b>6,018</b>	<b>2,459</b>	<b>44</b>	<b>11,720</b>	<b>1,906</b>	<b>777</b>	<b>5,390</b>	<b>1,612</b>	<b>47</b>	<b>9,732</b>
	<b>19.8%</b>	<b>7.5%</b>	<b>51.3%</b>	<b>21.0%</b>	<b>0.4%</b>	<b>100.0%</b>	<b>19.6%</b>	<b>8.0%</b>	<b>55.4%</b>	<b>16.6%</b>	<b>0.5%</b>	<b>100.0%</b>
Broward	2,322	877	6,018	2,459	44	<b>11,720</b>	1,906	777	5,390	1,612	47	<b>9,732</b>
	19.8%	7.5%	51.3%	21.0%	0.4%	<b>100.0%</b>	19.6%	8.0%	55.4%	16.6%	0.5%	<b>100.0%</b>
<b>18 (Sanford)</b>	<b>364</b>	<b>225</b>	<b>1,407</b>	<b>235</b>	<b>4</b>	<b>2,235</b>	<b>282</b>	<b>187</b>	<b>1,339</b>	<b>214</b>	<b>1</b>	<b>2,023</b>
	<b>16.3%</b>	<b>10.1%</b>	<b>63.0%</b>	<b>10.5%</b>	<b>0.2%</b>	<b>100.0%</b>	<b>13.9%</b>	<b>9.2%</b>	<b>66.2%</b>	<b>10.6%</b>	<b>0.0%</b>	<b>100.0%</b>
Brevard	165	148	638	36	0	<b>987</b>	139	121	781	52	0	<b>1,093</b>
	16.7%	15.0%	64.6%	3.6%	0.0%	<b>100.0%</b>	12.7%	11.1%	71.5%	4.8%	0.0%	<b>100.0%</b>

**Table 3**  
**Sanction Imposed By Judicial Circuit and County**

Circuit/County	Sentence Dates FY 1999 - 2000						Sentence Dates FY 2000-2001					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
Seminole	199 15.9%	77 6.2%	769 61.6%	199 15.9%	4 0.3%	<b>1,248</b> <b>100.0%</b>	143 15.4%	66 7.1%	558 60.0%	162 17.4%	1 0.1%	<b>930</b> <b>100.0%</b>
<b>19 (Ft. Pierce)</b>	<b>610</b> <b>25.5%</b>	<b>129</b> <b>5.4%</b>	<b>1,262</b> <b>52.8%</b>	<b>374</b> <b>15.6%</b>	<b>17</b> <b>0.7%</b>	<b>2,392</b> <b>100.0%</b>	<b>699</b> <b>30.5%</b>	<b>131</b> <b>5.7%</b>	<b>1,119</b> <b>48.9%</b>	<b>329</b> <b>14.4%</b>	<b>12</b> <b>0.5%</b>	<b>2,290</b> <b>100.0%</b>
Indian River	90 15.5%	23 4.0%	274 47.1%	180 30.9%	15 2.6%	<b>582</b> <b>100.0%</b>	156 26.0%	19 3.2%	302 50.2%	117 19.5%	7 1.2%	<b>601</b> <b>100.0%</b>
Martin	103 22.5%	31 6.8%	273 59.6%	50 10.9%	1 0.2%	<b>458</b> <b>100.0%</b>	93 21.2%	38 8.7%	212 48.3%	96 21.9%	0 0.0%	<b>439</b> <b>100.0%</b>
Okeechobee	28 20.1%	7 5.0%	91 65.5%	13 9.4%	0 0.0%	<b>139</b> <b>100.0%</b>	42 25.1%	4 2.4%	107 64.1%	13 7.8%	1 0.6%	<b>167</b> <b>100.0%</b>
St. Lucie	389 32.1%	68 5.6%	624 51.4%	131 10.8%	1 0.1%	<b>1,213</b> <b>100.0%</b>	408 37.7%	70 6.5%	498 46.0%	103 9.5%	4 0.4%	<b>1,083</b> <b>100.0%</b>
<b>20 (Ft. Myers)</b>	<b>541</b> <b>14.1%</b>	<b>337</b> <b>8.8%</b>	<b>2,390</b> <b>62.5%</b>	<b>520</b> <b>13.6%</b>	<b>38</b> <b>1.0%</b>	<b>3,826</b> <b>100.0%</b>	<b>485</b> <b>13.3%</b>	<b>302</b> <b>8.3%</b>	<b>2,348</b> <b>64.2%</b>	<b>497</b> <b>13.6%</b>	<b>23</b> <b>0.6%</b>	<b>3,655</b> <b>100.0%</b>
Charlotte	93 22.5%	70 16.9%	198 47.8%	49 11.8%	4 1.0%	<b>414</b> <b>100.0%</b>	69 17.3%	94 23.6%	194 48.6%	40 10.0%	2 0.5%	<b>399</b> <b>100.0%</b>
Collier	123 12.1%	87 8.6%	660 65.0%	131 12.9%	15 1.5%	<b>1,016</b> <b>100.0%</b>	120 11.5%	73 7.0%	693 66.3%	151 14.4%	8 0.8%	<b>1,045</b> <b>100.0%</b>
Glades	5 10.0%	10 20.0%	33 66.0%	2 4.0%	0 0.0%	<b>50</b> <b>100.0%</b>	4 9.1%	9 20.5%	29 65.9%	1 2.3%	1 2.3%	<b>44</b> <b>100.0%</b>
Hendry	29 11.9%	26 10.7%	164 67.2%	21 8.6%	4 1.6%	<b>244</b> <b>100.0%</b>	9 8.9%	18 17.8%	61 60.4%	11 10.9%	2 2.0%	<b>101</b> <b>100.0%</b>
Lee	291 13.8%	144 6.9%	1,335 63.5%	317 15.1%	15 0.7%	<b>2,102</b> <b>100.0%</b>	283 13.7%	108 5.2%	1,371 66.4%	294 14.2%	10 0.5%	<b>2,066</b> <b>100.0%</b>
<b>Statewide</b>	<b>16,536</b> <b>18.0%</b>	<b>7,963</b> <b>8.7%</b>	<b>45,895</b> <b>50.1%</b>	<b>20,600</b> <b>22.5%</b>	<b>666</b> <b>0.7%</b>	<b>91,660</b> <b>100.0%</b>	<b>14,957</b> <b>17.4%</b>	<b>7,159</b> <b>8.3%</b>	<b>42,850</b> <b>49.9%</b>	<b>20,426</b> <b>23.8%</b>	<b>432</b> <b>0.5%</b>	<b>85,824</b> <b>100.0%</b>

**Table 4  
Offense Types by Sanction Imposed**

Offense Type	Sentence Dates FY 1999 - 2000						Sentence Dates FY 1999 - 2000					
	State Prison	Comm. Control	Probation	County Jail	Other	Total	State Prison	Comm. Control	Probation	County Jail	Other	Total
<b>Murder/Manslaughter</b>												
First Degree Murder												
Attempt	57	2	2	0	0	61	45	1	3	0	0	49
	93.4%	3.3%	3.3%	0.0%	0.0%	100.0%	91.8%	2.0%	6.1%	0.0%	0.0%	100.0%
Second Degree Murder												
Attempt	39	3	0	1	0	43	37	2	7	0	0	46
	90.7%	7.0%	0.0%	2.3%	0.0%	100.0%	80.4%	4.3%	15.2%	0.0%	0.0%	100.0%
Complete	57	1	2	0	0	60	44	0	0	0	0	44
	95.0%	1.7%	3.3%	0.0%	0.0%	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Third Degree Murder												
Complete	7	1	0	0	0	8	3	0	0	0	0	3
	87.5%	12.5%	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Homicide, Other												
Attempt	0	0	0	0	0	0	1	0	0	0	0	1
	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	3	0	0	0	0	3	3	0	0	0	0	3
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Manslaughter												
Attempt	5	0	0	0	0	5	5	0	1	0	0	6
	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	83.3%	0.0%	16.7%	0.0%	0.0%	100.0%
Complete	50	6	8	0	0	64	41	11	5	1	0	58
	78.1%	9.4%	12.5%	0.0%	0.0%	100.0%	70.7%	19.0%	8.6%	1.7%	0.0%	100.0%
DUI Manslaughter												
Complete	34	3	6	1	0	44	36	5	9	0	0	50
	77.3%	6.8%	13.6%	2.3%	0.0%	100.0%	72.0%	10.0%	18.0%	0.0%	0.0%	100.0%
<b>Sexual/Lewd Behavior</b>												
Capital Sexual Battery												
Attempt	51	4	3	0	0	58	48	2	11	0	0	61
	87.9%	6.9%	5.2%	0.0%	0.0%	100.0%	78.7%	3.3%	18.0%	0.0%	0.0%	100.0%

**Table 4  
Offense Types by Sanction Imposed**

Offense Type	Sentence Dates FY 1999 - 2000						Sentence Dates FY 1999 - 2000						
	State Prison	Comm. Control	Probation	County Jail	Other	Total	State Prison	Comm. Control	Probation	County Jail	Other	Total	
Life Sexual Battery	Attempt	3	1	1	0	0	5	6	0	4	0	0	10
		60.0%	20.0%	20.0%	0.0%	0.0%	100.0%	60.0%	0.0%	40.0%	0.0%	0.0%	100.0%
	Complete	20	0	4	0	0	24	15	1	1	0	1	18
		83.3%	0.0%	16.7%	0.0%	0.0%	100.0%	83.3%	5.6%	5.6%	0.0%	5.6%	100.0%
1st Degree Sexual Battery	Attempt	3	0	1	0	0	4	1	1	1	0	0	3
		75.0%	0.0%	25.0%	0.0%	0.0%	100.0%	33.3%	33.3%	33.3%	0.0%	0.0%	100.0%
	Complete	40	2	11	0	0	53	27	5	9	1	0	42
		75.5%	3.8%	20.8%	0.0%	0.0%	100.0%	64.3%	11.9%	21.4%	2.4%	0.0%	100.0%
2nd Degree Sexual Battery	Attempt	13	4	11	3	1	32	9	1	9	0	0	19
		40.6%	12.5%	34.4%	9.4%	3.1%	100.0%	47.4%	5.3%	47.4%	0.0%	0.0%	100.0%
	Complete	62	17	50	3	0	132	48	19	52	5	0	124
		47.0%	12.9%	37.9%	2.3%	0.0%	100.0%	38.7%	15.3%	41.9%	4.0%	0.0%	100.0%
Sexual Assault, Other	Complete	0	0	7	0	0	7	1	0	2	0	0	3
		0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	33.3%	0.0%	66.7%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior	Attempt	13	14	69	5	1	102	10	9	42	6	1	68
		12.7%	13.7%	67.6%	4.9%	1.0%	100.0%	14.7%	13.2%	61.8%	8.8%	1.5%	100.0%
	Complete	320	164	373	18	5	880	289	143	370	27	2	831
		36.4%	18.6%	42.4%	2.0%	0.6%	100.0%	34.8%	17.2%	44.5%	3.2%	0.2%	100.0%
<b>Robbery</b>													
Robbery with Weapon	Attempt	73	10	14	2	0	99	57	10	11	7	0	85
		73.7%	10.1%	14.1%	2.0%	0.0%	100.0%	67.1%	11.8%	12.9%	8.2%	0.0%	100.0%
	Complete	582	55	52	20	0	709	486	60	53	8	1	608
		82.1%	7.8%	7.3%	2.8%	0.0%	100.0%	79.9%	9.9%	8.7%	1.3%	0.2%	100.0%



**Table 4  
Offense Types by Sanction Imposed**

Offense Type	Sentence Dates FY 1999 - 2000						Sentence Dates FY 1999 - 2000					
	State Prison	Comm. Control	Probation	County Jail	Other	Total	State Prison	Comm. Control	Probation	County Jail	Other	Total
Robbery without Weapon												
Attempt	49	22	61	31	0	<b>163</b>	56	23	69	23	0	<b>171</b>
	30.1%	13.5%	37.4%	19.0%	0.0%	<b>100.0%</b>	32.7%	13.5%	40.4%	13.5%	0.0%	<b>100.0%</b>
Complete	464	102	347	135	4	<b>1,052</b>	503	133	391	185	6	<b>1,218</b>
	44.1%	9.7%	33.0%	12.8%	0.4%	<b>100.0%</b>	41.3%	10.9%	32.1%	15.2%	0.5%	<b>100.0%</b>
Home Invasion, Robbery												
Attempt	0	0	1	0	0	<b>1</b>	1	0	0	0	0	<b>1</b>
	0.0%	0.0%	100.0%	0.0%	0.0%	<b>100.0%</b>	100.0%	0.0%	0.0%	0.0%	0.0%	<b>100.0%</b>
Complete	30	2	1	0	0	<b>33</b>	43	2	9	2	0	<b>56</b>
	90.9%	6.1%	3.0%	0.0%	0.0%	<b>100.0%</b>	76.8%	3.6%	16.1%	3.6%	0.0%	<b>100.0%</b>
<b>Violent Personal Offenses</b>												
Attempt	50	18	74	17	1	<b>160</b>	45	18	59	8	0	<b>130</b>
	31.3%	11.3%	46.3%	10.6%	0.6%	<b>100.0%</b>	34.6%	13.8%	45.4%	6.2%	0.0%	<b>100.0%</b>
Complete	2,270	1,207	6,743	1,536	72	<b>11,828</b>	2,192	1,165	6,536	1,573	68	<b>11,534</b>
	19.2%	10.2%	57.0%	13.0%	0.6%	<b>100.0%</b>	19.0%	10.1%	56.7%	13.6%	0.6%	<b>100.0%</b>
<b>Burglary</b>												
Attempt	87	28	136	48	3	<b>302</b>	73	22	118	48	1	<b>262</b>
	28.8%	9.3%	45.0%	15.9%	1.0%	<b>100.0%</b>	27.9%	8.4%	45.0%	18.3%	0.4%	<b>100.0%</b>
Complete	2,504	846	3,616	1,217	59	<b>8,242</b>	2,274	766	3,479	1,159	29	<b>7,707</b>
	30.4%	10.3%	43.9%	14.8%	0.7%	<b>100.0%</b>	29.5%	9.9%	45.1%	15.0%	0.4%	<b>100.0%</b>
<b>Property Theft/Fraud/Damage</b>												
Attempt	5	4	12	7	0	<b>28</b>	3	1	10	1	1	<b>16</b>
	17.9%	14.3%	42.9%	25.0%	0.0%	<b>100.0%</b>	18.8%	6.3%	62.5%	6.3%	6.3%	<b>100.0%</b>
Complete	2,327	1,310	11,248	3,681	158	<b>18,724</b>	2,157	1,250	10,712	3,610	112	<b>17,841</b>
	12.4%	7.0%	60.1%	19.7%	0.8%	<b>100.0%</b>	12.1%	7.0%	60.0%	20.2%	0.6%	<b>100.0%</b>

**Table 4  
Offense Types by Sanction Imposed**

Offense Type	Sentence Dates FY 1999 - 2000						Sentence Dates FY 1999 - 2000					
	State Prison	Comm. Control	Probation	County Jail	Other	Total	State Prison	Comm. Control	Probation	County Jail	Other	Total
<b>Drugs</b>												
Manufacture/Sale/Purchase												
Attempt	55	65	520	337	12	<b>989</b>	48	45	326	188	5	<b>612</b>
	5.6%	6.6%	52.6%	34.1%	1.2%	<b>100.0%</b>	7.8%	7.4%	53.3%	30.7%	0.8%	<b>100.0%</b>
Complete	2,876	1,106	4,900	2,810	65	<b>11,757</b>	2,505	965	4,427	2,733	43	<b>10,673</b>
	24.5%	9.4%	41.7%	23.9%	0.6%	<b>100.0%</b>	23.5%	9.0%	41.5%	25.6%	0.4%	<b>100.0%</b>
<b>Drugs, Trafficking</b>												
Attempt	25	8	16	3	0	<b>52</b>	30	10	23	3	0	<b>66</b>
	48.1%	15.4%	30.8%	5.8%	0.0%	<b>100.0%</b>	45.5%	15.2%	34.8%	4.5%	0.0%	<b>100.0%</b>
Complete	411	77	79	22	2	<b>591</b>	352	49	100	9	0	<b>510</b>
	69.5%	13.0%	13.4%	3.7%	0.3%	<b>100.0%</b>	69.0%	9.6%	19.6%	1.8%	0.0%	<b>100.0%</b>
<b>Drugs, Possession/Other</b>												
Attempt	5	12	62	14	0	<b>93</b>	10	6	34	13	0	<b>63</b>
	5.4%	12.9%	66.7%	15.1%	0.0%	<b>100.0%</b>	15.9%	9.5%	54.0%	20.6%	0.0%	<b>100.0%</b>
Complete	1,927	1,620	10,926	7,323	168	<b>21,964</b>	1,610	1,286	9,967	7,288	98	<b>20,249</b>
	8.8%	7.4%	49.7%	33.3%	0.8%	<b>100.0%</b>	8.0%	6.4%	49.2%	36.0%	0.5%	<b>100.0%</b>
<b>Weapons</b>												
Attempt	2	4	13	3	0	<b>22</b>	1	3	11	5	1	<b>21</b>
	9.1%	18.2%	59.1%	13.6%	0.0%	<b>100.0%</b>	4.8%	14.3%	52.4%	23.8%	4.8%	<b>100.0%</b>
Complete	502	232	1,202	340	22	<b>2,298</b>	426	150	879	265	13	<b>1,733</b>
	21.8%	10.1%	52.3%	14.8%	1.0%	<b>100.0%</b>	24.6%	8.7%	50.7%	15.3%	0.8%	<b>100.0%</b>
<b>Other</b>												
Attempt	8	2	24	11	0	<b>45</b>	12	1	25	19	0	<b>57</b>
	17.8%	4.4%	53.3%	24.4%	0.0%	<b>100.0%</b>	21.1%	1.8%	43.9%	33.3%	0.0%	<b>100.0%</b>
Complete	1,507	1,011	5,300	3,012	93	<b>10,923</b>	1,404	994	5,085	3,239	50	<b>10,772</b>
	13.8%	9.3%	48.5%	27.6%	0.9%	<b>100.0%</b>	13.0%	9.2%	47.2%	30.1%	0.5%	<b>100.0%</b>
<b>Total</b>	<b>16,536</b>	<b>7,963</b>	<b>45,895</b>	<b>20,600</b>	<b>666</b>	<b>91,660</b>	<b>14,957</b>	<b>7,159</b>	<b>42,850</b>	<b>20,426</b>	<b>432</b>	<b>85,824</b>

**Table 5  
Sanction Imposed by Offense Severity Level**

Offense Severity Level	Sentence Dates FY 1999 - 2000						Sentence Dates FY 2000 - 2001*					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
<b>1</b>	849 7.5%	965 8.5%	6,149 54.2%	3,259 28.7%	129 1.1%	<b>11,351</b> <b>100.0%</b>	777 7.2%	866 8.0%	5,689 52.5%	3,428 31.6%	74 0.7%	<b>10,834</b> <b>100.0%</b>
<b>2</b>	767 7.9%	670 6.9%	6,496 67.0%	1,688 17.4%	79 0.8%	<b>9,700</b> <b>100.0%</b>	767 8.1%	672 7.1%	6,256 65.7%	1,770 18.6%	55 0.6%	<b>9,520</b> <b>100.0%</b>
<b>3</b>	2,244 8.9%	1,862 7.4%	12,762 50.5%	8,221 32.5%	196 0.8%	<b>25,285</b> <b>100.0%</b>	1,901 8.1%	1,578 6.7%	11,729 50.0%	8,147 34.7%	113 0.5%	<b>23,468</b> <b>100.0%</b>
<b>4</b>	2,340 17.1%	1,067 7.8%	7,083 51.6%	3,132 22.8%	93 0.7%	<b>13,715</b> <b>100.0%</b>	2,081 16.3%	971 7.6%	6,677 52.3%	2,968 23.3%	59 0.5%	<b>12,756</b> <b>100.0%</b>
<b>5</b>	3,787 25.8%	1,357 9.2%	6,417 43.6%	3,050 20.7%	94 0.6%	<b>14,705</b> <b>100.0%</b>	3,488 25.9%	1,184 8.8%	5,909 43.8%	2,839 21.1%	64 0.5%	<b>13,484</b> <b>100.0%</b>
<b>6</b>	2,005 24.6%	855 10.5%	4,377 53.6%	875 10.7%	49 0.6%	<b>8,161</b> <b>100.0%</b>	1,872 24.5%	831 10.9%	4,020 52.6%	882 11.5%	40 0.5%	<b>7,645</b> <b>100.0%</b>
<b>7</b>	2,863 45.1%	908 14.3%	2,225 35.1%	321 5.1%	26 0.4%	<b>6,343</b> <b>100.0%</b>	2,508 43.5%	770 13.4%	2,109 36.6%	350 6.1%	24 0.4%	<b>5,761</b> <b>100.0%</b>
<b>8</b>	726 58.9%	193 15.7%	280 22.7%	33 2.7%	0 0.0%	<b>1,232</b> <b>100.0%</b>	682 55.7%	197 16.1%	321 26.2%	24 2.0%	1 0.1%	<b>1,225</b> <b>100.0%</b>
<b>9</b>	820 81.6%	76 7.6%	93 9.3%	16 1.6%	0 0.0%	<b>1,005</b> <b>100.0%</b>	773 77.3%	85 8.5%	126 12.6%	15 1.5%	1 0.1%	<b>1,000</b> <b>100.0%</b>
<b>10</b>	135 82.8%	10 6.1%	13 8.0%	5 3.1%	0 0.0%	<b>163</b> <b>100.0%</b>	107 82.3%	5 3.8%	14 10.8%	3 2.3%	1 0.8%	<b>130</b> <b>100.0%</b>
<b>Total</b>	<b>16,536</b> <b>18.0%</b>	<b>7,963</b> <b>8.7%</b>	<b>45,895</b> <b>50.1%</b>	<b>20,600</b> <b>22.5%</b>	<b>666</b> <b>0.7%</b>	<b>91,660</b> <b>100.0%</b>	<b>14,956</b> <b>17.4%</b>	<b>7,159</b> <b>8.3%</b>	<b>42,850</b> <b>49.9%</b>	<b>20,426</b> <b>23.8%</b>	<b>432</b> <b>0.5%</b>	<b>85,823</b> <b>100.0%</b>

\* Data Unavailable: 1

**Table 6  
State Prison Sentence Length by Offense Severity Level**

Offense Severity Level	Sentence Dates FY 1999 - 2000					Sentence Dates FY 2000 - 2001				
	LE 2*	GT 2-LE 4*	GT 4-LE 10*	GT 10*	Total	LE 2*	GT 2-LE 4*	GT 4-LE 10*	GT 10*	Total
<b>1</b>	636 74.9%	148 17.4%	60 7.1%	5 0.6%	<b>849</b> <b>100.0%</b>	622 80.1%	113 14.5%	39 5.0%	3 0.4%	<b>777</b> <b>100.0%</b>
<b>2</b>	516 67.3%	181 23.6%	60 7.8%	10 1.3%	<b>767</b> <b>100.0%</b>	544 70.9%	165 21.5%	53 6.9%	5 0.7%	<b>767</b> <b>100.0%</b>
<b>3</b>	1,627 72.5%	456 20.3%	145 6.5%	16 0.7%	<b>2,244</b> <b>100.0%</b>	1,403 73.8%	350 18.4%	135 7.1%	13 0.7%	<b>1,901</b> <b>100.0%</b>
<b>4</b>	1,422 60.8%	580 24.8%	311 13.3%	27 1.2%	<b>2,340</b> <b>100.0%</b>	1,268 60.9%	535 25.7%	261 12.5%	17 0.8%	<b>2,081</b> <b>100.0%</b>
<b>5</b>	2,060 54.4%	1,091 28.8%	511 13.5%	125 3.3%	<b>3,787</b> <b>100.0%</b>	1,821 52.2%	1,040 29.8%	498 14.3%	129 3.7%	<b>3,488</b> <b>100.0%</b>
<b>6</b>	911 45.4%	620 30.9%	343 17.1%	131 6.5%	<b>2,005</b> <b>100.0%</b>	856 45.7%	560 29.9%	325 17.4%	131 7.0%	<b>1,872</b> <b>100.0%</b>
<b>7</b>	678 23.7%	1,114 38.9%	778 27.2%	293 10.2%	<b>2,863</b> <b>100.0%</b>	528 21.1%	1,087 43.3%	673 26.8%	220 8.8%	<b>2,508</b> <b>100.0%</b>
<b>8</b>	101 13.9%	215 29.6%	277 38.2%	133 18.3%	<b>726</b> <b>100.0%</b>	108 15.8%	196 28.7%	259 38.0%	119 17.4%	<b>682</b> <b>100.0%</b>
<b>9</b>	117 14.3%	142 17.3%	312 38.0%	249 30.4%	<b>820</b> <b>100.0%</b>	108 14.0%	146 18.9%	292 37.8%	227 29.4%	<b>773</b> <b>100.0%</b>
<b>10</b>	24 17.8%	6 4.4%	24 17.8%	81 60.0%	<b>135</b> <b>100.0%</b>	35 32.7%	5 4.7%	17 15.9%	50 46.7%	<b>107</b> <b>100.0%</b>
<b>Total</b>	<b>8,092</b> 48.9%	<b>4,553</b> 27.5%	<b>2,821</b> 17.1%	<b>1,070</b> 6.5%	<b>16,536</b> <b>100.0%</b>	<b>7,293</b> 48.8%	<b>4,197</b> 28.1%	<b>2,552</b> 17.1%	<b>914</b> 6.1%	<b>14,956</b> <b>100.0%</b>

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

**Table 7  
Number of Prior Offenses\***

Prior Offenses	Sentence Dates FY 1999 - 2000		Sentence Dates FY 2000 - 2001	
	Number	Percent	Number	Percent
None	25,273	27.6%	23,779	27.7%
Misdemeanor Only	20,672	22.6%	19,305	22.5%
One Felony	18,336	20.0%	16,889	19.7%
Two Felonies	12,575	13.7%	11,625	13.5%
Three Felonies	7,464	8.1%	7,050	8.2%
Four Felonies	3,968	4.3%	3,966	4.6%
Five Felonies	1,953	2.1%	1,872	2.2%
Six Felonies	861	0.9%	820	1.0%
Seven or More Felonies	558	0.6%	518	0.6%
<b>Total</b>	<b>91,660</b>	<b>100.0%</b>	<b>85,824</b>	<b>100.0%</b>

\* As indicated on the scoresheet.

**Table 8  
Number of Additional Offenses\***

Additional Offenses	Sentence Dates FY 1999 - 2000		Sentence Dates FY 2000 - 2001	
	Number	Percent	Number	Percent
None	52,451	57.2%	48,959	57.0%
Misdemeanor Only	20,294	22.1%	19,273	22.5%
One Felony	13,364	14.6%	12,388	14.4%
Two Felonies	3,584	3.9%	3,298	3.8%
Three Felonies	1,194	1.3%	1,090	1.3%
Four Felonies	395	0.4%	409	0.5%
Five Felonies	182	0.2%	197	0.2%
Six Felonies	85	0.1%	102	0.1%
Seven or More Felonies	111	0.1%	108	0.1%
<b>Total</b>	<b>91,660</b>	<b>100.0%</b>	<b>85,824</b>	<b>100.0%</b>

\* As indicated on the scoresheet.

**Table 9  
Prior Felony Record\* and Sanction Imposed**

Number of Prior Felonies	Sentence Dates FY 1999 - 2000						Sentence Dates FY 2000 - 2001					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
None	3,360 7.3%	3,881 8.4%	30,896 67.2%	7,376 16.1%	432 0.9%	<b>45,945</b> <b>100.0%</b>	3,270 7.6%	3,634 8.4%	28,600 66.4%	7,302 16.9%	278 0.6%	<b>43,084</b> <b>100.0%</b>
One	3,186 17.4%	1,839 10.0%	7,887 43.0%	5,313 29.0%	111 0.6%	<b>18,336</b> <b>100.0%</b>	2,906 17.2%	1,527 9.0%	7,152 42.3%	5,227 30.9%	77 0.5%	<b>16,889</b> <b>100.0%</b>
Two	3,452 27.5%	1,195 9.5%	3,930 31.3%	3,925 31.2%	73 0.6%	<b>12,575</b> <b>100.0%</b>	2,998 25.8%	1,019 8.8%	3,855 33.2%	3,710 31.9%	43 0.4%	<b>11,625</b> <b>100.0%</b>
Three	2,812 37.7%	577 7.7%	1,875 25.1%	2,177 29.2%	23 0.3%	<b>7,464</b> <b>100.0%</b>	2,389 33.9%	550 7.8%	1,889 26.8%	2,202 31.2%	20 0.3%	<b>7,050</b> <b>100.0%</b>
Four	1,823 45.9%	291 7.3%	788 19.9%	1,050 26.5%	16 0.4%	<b>3,968</b> <b>100.0%</b>	1,715 43.2%	289 7.3%	823 20.8%	1,129 28.5%	10 0.3%	<b>3,966</b> <b>100.0%</b>
Five	1,045 53.5%	110 5.6%	328 16.8%	462 23.7%	8 0.4%	<b>1,953</b> <b>100.0%</b>	959 51.2%	79 4.2%	336 17.9%	496 26.5%	2 0.1%	<b>1,872</b> <b>100.0%</b>
Six	512 59.5%	46 5.3%	121 14.1%	180 20.9%	2 0.2%	<b>861</b> <b>100.0%</b>	424 51.7%	36 4.4%	132 16.1%	228 27.8%	0 0.0%	<b>820</b> <b>100.0%</b>
Seven or More	346 62.0%	24 4.3%	70 12.5%	117 21.0%	1 0.2%	<b>558</b> <b>100.0%</b>	296 57.1%	25 4.8%	63 12.2%	132 25.5%	2 0.4%	<b>518</b> <b>100.0%</b>
<b>Total</b>	<b>16,536</b> <b>18.0%</b>	<b>7,963</b> <b>8.7%</b>	<b>45,895</b> <b>50.1%</b>	<b>20,600</b> <b>22.5%</b>	<b>666</b> <b>0.7%</b>	<b>91,660</b> <b>100.0%</b>	<b>14,957</b> <b>16.3%</b>	<b>7,159</b> <b>7.8%</b>	<b>42,850</b> <b>46.7%</b>	<b>20,426</b> <b>22.3%</b>	<b>432</b> <b>0.5%</b>	<b>85,824</b> <b>93.6%</b>

\* As indicated on the scoresheet

**Table 10**  
**Additional Offenses\* and Sanction Imposed**

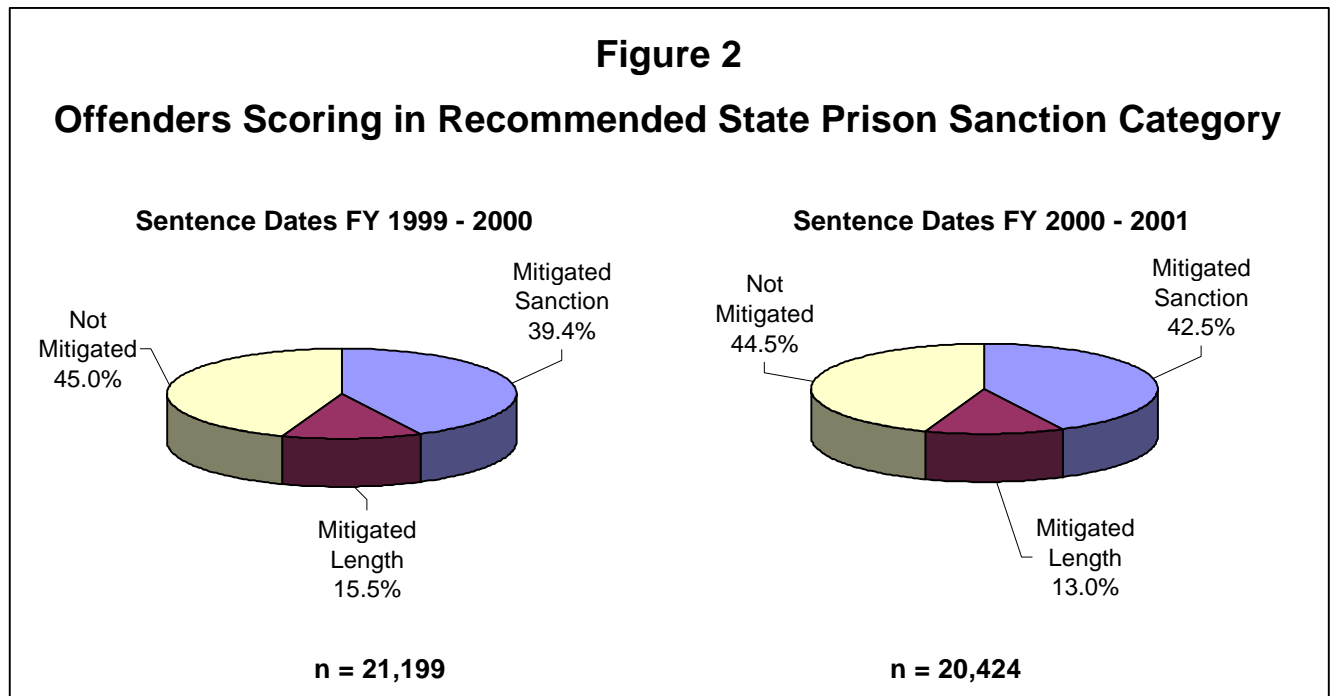
Number of Additional Felonies	Sentence Dates FY 1999 - 2000						Sentence Dates FY 2000 - 2001					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
None	9,902 13.6%	5,830 8.0%	38,732 53.2%	17,724 24.4%	557 0.8%	<b>72,745</b> <b>100.0%</b>	8,841 13.0%	5,285 7.7%	36,092 52.9%	17,646 25.9%	368 0.5%	<b>68,232</b> <b>100.0%</b>
One	3,824 28.6%	1,467 11.0%	5,667 42.4%	2,326 17.4%	80 0.6%	<b>13,364</b> <b>100.0%</b>	3,486 28.1%	1,269 10.2%	5,324 43.0%	2,261 18.3%	48 0.4%	<b>12,388</b> <b>100.0%</b>
Two	1,581 44.1%	441 12.3%	1,103 30.8%	433 12.1%	26 0.7%	<b>3,584</b> <b>100.0%</b>	1,450 44.0%	386 11.7%	1,053 31.9%	398 12.1%	11 0.3%	<b>3,298</b> <b>100.0%</b>
Three	671 56.2%	138 11.6%	295 24.7%	87 7.3%	3 0.3%	<b>1,194</b> <b>100.0%</b>	614 56.3%	128 11.7%	260 23.9%	85 7.8%	3 0.3%	<b>1,090</b> <b>100.0%</b>
Four	273 69.1%	40 10.1%	61 15.4%	21 5.3%	0 0.0%	<b>395</b> <b>100.0%</b>	260 63.6%	50 12.2%	73 17.8%	25 6.1%	1 0.2%	<b>409</b> <b>100.0%</b>
Five	132 72.5%	25 13.7%	19 10.4%	6 3.3%	0 0.0%	<b>182</b> <b>100.0%</b>	138 70.1%	23 11.7%	29 14.7%	6 3.0%	1 0.5%	<b>197</b> <b>100.0%</b>
Six	66 77.6%	9 10.6%	10 11.8%	0 0.0%	0 0.0%	<b>85</b> <b>100.0%</b>	76 74.5%	12 11.8%	11 10.8%	3 2.9%	0 0.0%	<b>102</b> <b>100.0%</b>
Seven or More	87 78.4%	13 11.7%	8 7.2%	3 2.7%	0 0.0%	<b>111</b> <b>100.0%</b>	92 85.2%	6 5.6%	8 7.4%	2 1.9%	0 0.0%	<b>108</b> <b>100.0%</b>
<b>Total</b>	<b>16,536</b> <b>18.0%</b>	<b>7,963</b> <b>8.7%</b>	<b>45,895</b> <b>50.1%</b>	<b>20,600</b> <b>22.5%</b>	<b>666</b> <b>0.7%</b>	<b>91,660</b> <b>100.0%</b>	<b>14,957</b> <b>17.4%</b>	<b>7,159</b> <b>8.3%</b>	<b>42,850</b> <b>49.9%</b>	<b>20,426</b> <b>23.8%</b>	<b>432</b> <b>0.5%</b>	<b>85,824</b> <b>100.0%</b>

\* As indicated on the scoresheet.

**Table 11**  
**Mitigation Rates\* Among Offenders Scoring in Recommended State**  
**Prison Sanction Category**

Category	Sentence Dates FY 1999 - 2000*		Sentence Dates FY 2000 - 2001*	
	Number / Percent	Average Mitigated Length in Months	Number / Percent	Average Mitigated Length in Months
Mitigated Total	11,768 55.5%		11,895 58.2%	
Mitigated Sanction	9,006 42.5%		9,323 45.6%	
Mitigated Length	2,762 13.0%	24.7	2,572 12.6%	26.3
Not Mitigated	9,431 44.5%		8,529 41.8%	
<b>Total</b>	<b>21,199</b> <b>100.0%</b>		<b>20,424</b> <b>100.0%</b>	

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

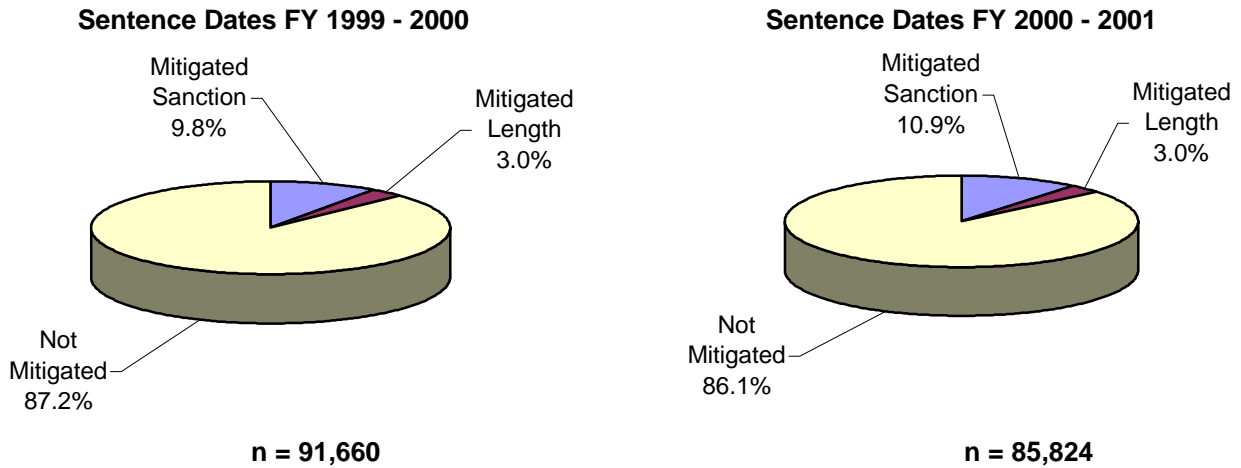


\* Total points exceeding 44.0



**Figure 3**

**Deviation Rates Below Permitted Sentences Among All Offenders Sentenced**



**Table 12**  
**Mitigated Sanction Rates\* By Judicial Circuit**

Judicial Circuit	Sentence Dates FY 1999 - 2000			Sentence Dates FY 2000 - 2001		
	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate
01- Pensacola	740	212	28.6%	581	247	42.5%
02- Tallahassee	447	213	47.7%	346	160	46.2%
03- Lake City	156	89	57.1%	124	69	55.6%
04- Jacksonville	1,206	488	40.5%	1,234	514	41.7%
05- Tavares	615	159	25.9%	490	144	29.4%
06- Clearwater	1,948	738	37.9%	1,862	684	36.7%
07- Daytona	777	202	26.0%	778	241	31.0%
08- Gainesville	605	295	48.8%	549	336	61.2%
09- Orlando	1,232	355	28.8%	1,271	399	31.4%
10- Bartow	694	166	23.9%	680	144	21.2%
11- Miami	3,650	2,569	70.4%	4,047	2,896	71.6%
12- Sarasota	562	126	22.4%	533	140	26.3%
13- Tampa	2,166	1,039	48.0%	2,031	1,067	52.5%
14- Panama City	651	222	34.1%	546	171	31.3%
15- West Palm Beach	1,210	463	38.3%	1,202	486	40.4%
16- Key West	146	47	32.2%	170	87	51.2%
17- Ft. Lauderdale	2,621	995	38.0%	2,267	894	39.4%
18- Sanford	368	93	25.3%	321	99	30.8%
19- Ft. Pierce	555	168	30.3%	556	139	25.0%
20- Ft. Myers	850	367	43.2%	836	406	48.6%
<b>Statewide</b>	<b>21,199</b>	<b>9,006</b>	<b>42.5%</b>	<b>20,424</b>	<b>9,323</b>	<b>45.6%</b>

\* Mitigation of sanction occurs when an offender does not receive a prison sanction although a prison sanction is mandated by the Criminal Punishment Code.

**Table 13**

**Mitigated Sanction Rates and Sentence Length Rates\* By Judicial Circuit**

Judicial Circuit	Sentence Dates FY 1999 - 2000			Sentence Dates FY 2000 - 2001		
	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate
01- Pensacola	740	266	35.9%	581	292	50.3%
02- Tallahassee	447	331	74.0%	346	237	68.5%
03- Lake City	156	115	73.7%	124	88	71.0%
04- Jacksonville	1,206	689	57.1%	1,234	689	55.8%
05- Tavares	615	210	34.1%	490	168	34.3%
06- Clearwater	1,948	948	48.7%	1,862	906	48.7%
07- Daytona	777	342	44.0%	778	397	51.0%
08- Gainesville	605	397	65.6%	549	407	74.1%
09- Orlando	1,232	435	35.3%	1,271	513	40.4%
10- Bartow	694	240	34.6%	680	204	30.0%
11- Miami	3,650	3,263	89.4%	4,047	3,527	87.2%
12- Sarasota	562	170	30.2%	533	171	32.1%
13- Tampa	2,166	1,311	60.5%	2,031	1,332	65.6%
14- Panama City	651	281	43.2%	546	220	40.3%
15- West Palm Beach	1,210	606	50.1%	1,202	693	57.7%
16- Key West	146	63	43.2%	170	104	61.2%
17- Ft. Lauderdale	2,621	1,261	48.1%	2,267	1,100	48.5%
18- Sandford	368	125	34.0%	321	119	37.1%
19- Ft. Pierce	555	228	41.1%	556	202	36.3%
20- Ft. Myers	850	487	57.3%	836	526	62.9%
<b>Statewide</b>	<b>21,199</b>	<b>11,768</b>	<b>55.5%</b>	<b>20,424</b>	<b>11,895</b>	<b>58.2%</b>

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

**Table 14**  
**Mitigation Rates\* Among Offenders Scoring in Recommended State Prison Sanction Category\*\***

Offense Type	Sentence Dates FY 1999 -2000					Sentence Dates FY 2000 - 2001				
	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
<b>Murder/Manslaughter</b>										
First Degree Murder										
Attempt	<b>16</b>	4	12	45	<b>61</b>	<b>16</b>	4	12	32	<b>48</b>
	<b>26.2%</b>	6.6%	19.7%	73.8%	<b>100.0%</b>	<b>33.3%</b>	8.3%	25.0%	66.7%	<b>100.0%</b>
2nd Degree Murder										
Attempt	<b>17</b>	4	13	26	<b>43</b>	<b>14</b>	8	6	31	<b>45</b>
	<b>39.5%</b>	9.3%	30.2%	60.5%	<b>100.0%</b>	<b>31.1%</b>	17.8%	13.3%	68.9%	<b>100.0%</b>
Complete	<b>14</b>	3	11	46	<b>60</b>	<b>0</b>	0	12	32	<b>44</b>
	<b>23.3%</b>	5.0%	18.3%	76.7%	<b>100.0%</b>	<b>27.3%</b>	0.0%	27.3%	72.7%	<b>100.0%</b>
3rd Degree Murder										
Complete	<b>3</b>	1	2	5	<b>8</b>	<b>1</b>	0	1	2	<b>3</b>
	<b>37.5%</b>	12.5%	25.0%	62.5%	<b>100.0%</b>	<b>33.3%</b>	0.0%	33.3%	66.7%	<b>100.0%</b>
Homicide, Other										
Attempt	<b>0</b>	0	0	0	<b>0</b>	<b>0</b>	0	0	1	<b>1</b>
	<b>0.0%</b>	0.0%	0.0%	0.0%	<b>0.0%</b>	<b>0.0%</b>	0.0%	0.0%	100.0%	<b>100.0%</b>
Complete	<b>1</b>	0	1	2	<b>3</b>	<b>0</b>	0	0	3	<b>3</b>
	<b>33.3%</b>	0.0%	33.3%	66.7%	<b>100.0%</b>	<b>0.0%</b>	0.0%	0.0%	100.0%	<b>100.0%</b>
Manslaughter										
Attempt	<b>0</b>	0	0	5	<b>5</b>	<b>2</b>	1	1	3	<b>5</b>
	<b>0.0%</b>	0.0%	0.0%	100.0%	<b>100.0%</b>	<b>40.0%</b>	20.0%	20.0%	60.0%	<b>100.0%</b>
Complete	<b>29</b>	14	15	35	<b>64</b>	<b>35</b>	17	18	23	<b>58</b>
	<b>45.3%</b>	21.9%	23.4%	54.7%	<b>100.0%</b>	<b>60.3%</b>	29.3%	31.0%	39.7%	<b>100.0%</b>
DUI Manslaughter										
Complete	<b>25</b>	10	15	19	<b>44</b>	<b>36</b>	14	22	14	<b>50</b>
	<b>56.8%</b>	22.7%	34.1%	43.2%	<b>100.0%</b>	<b>72.0%</b>	28.0%	44.0%	28.0%	<b>100.0%</b>

**Table 14**  
**Mitigation Rates\* Among Offenders Scoring in Recommended State Prison Sanction Category\*\***

Offense Type	Sentence Dates FY 1999 -2000					Sentence Dates FY 2000 - 2001				
	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
<b>Sexual/Lewd Behavior</b>										
Capital Sexual Battery										
Attempt	26	7	19	32	58	23	13	10	38	61
	44.8%	12.1%	32.8%	55.2%	100.0%	37.7%	21.3%	16.4%	62.3%	100.0%
Life Sexual Battery										
Attempt	4	2	2	1	5	5	4	1	5	10
	80.0%	40.0%	40.0%	20.0%	100.0%	50.0%	40.0%	10.0%	50.0%	100.0%
Complete	12	4	8	12	24	7	3	4	11	18
	50.0%	16.7%	33.3%	50.0%	100.0%	38.9%	16.7%	22.2%	61.1%	100.0%
1st Degree Sexual Battery										
Attempt	2	1	1	2	4	2	2	0	1	3
	50.0%	25.0%	25.0%	50.0%	100.0%	66.7%	66.7%	0.0%	33.3%	100.0%
Complete	20	11	9	31	51	21	13	8	19	40
	39.2%	21.6%	17.6%	60.8%	100.0%	52.5%	32.5%	20.0%	47.5%	100.0%
2nd Degree Sexual Battery										
Attempt	18	14	4	8	26	13	8	5	4	17
	69.2%	53.8%	15.4%	30.8%	100.0%	76.5%	47.1%	29.4%	23.5%	100.0%
Complete	87	58	29	32	119	87	66	21	27	114
	73.1%	48.7%	24.4%	26.9%	100.0%	76.3%	57.9%	18.4%	23.7%	100.0%
Sexual Assault, Other										
Complete	2	2	0	0	2	0	0	0	1	1
	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%
Lewd/Lascivious Behavior										
Attempt	10	9	1	11	21	11	8	3	6	17
	47.6%	42.9%	4.8%	52.4%	100.0%	64.7%	47.1%	17.6%	35.3%	100.0%
Complete	666	538	128	190	856	560	434	126	153	713
	77.8%	62.9%	15.0%	22.2%	100.0%	78.5%	60.9%	17.7%	21.5%	100.0%

**Table 14**  
**Mitigation Rates\* Among Offenders Scoring in Recommended State Prison Sanction Category\*\***

Offense Type	Sentence Dates FY 1999 -2000					Sentence Dates FY 2000 - 2001				
	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
<b>Robbery</b>										
Robbery with Weapon										
Attempt	42	22	20	53	95	39	27	12	44	83
	44.2%	23.2%	21.1%	55.8%	100.0%	47.0%	32.5%	14.5%	53.0%	100.0%
Complete	301	126	175	407	708	279	121	158	327	606
	42.5%	17.8%	24.7%	57.5%	100.0%	46.0%	20.0%	26.1%	54.0%	100.0%
Robbery without Weapon										
Attempt	10	7	3	31	41	20	13	7	33	53
	24.4%	17.1%	7.3%	75.6%	100.0%	37.7%	24.5%	13.2%	62.3%	100.0%
Complete	190	130	60	331	521	224	158	66	357	581
	36.5%	25.0%	11.5%	63.5%	100.0%	38.6%	27.2%	11.4%	61.4%	100.0%
Home Invasion, Robbery										
Attempt	1	1	0	0	1	0	0	0	1	1
	100.0%	100.0%	0.0%	0.0%	100.0%	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	6	3	3	27	33	33	13	20	23	56
	18.2%	9.1%	9.1%	81.8%	100.0%	58.9%	23.2%	35.7%	41.1%	100.0%
<b>Violent Personal Offenses</b>										
	3,357	2,823	534	1,479	4,836	3,212	2,707	505	1,416	4,628
	69.4%	58.4%	11.0%	30.6%	100.0%	69.4%	58.5%	10.9%	30.6%	100.0%
<b>Burglary</b>										
	2,239	1,616	623	1,593	3,832	2,086	1,569	517	1,515	3,601
	58.4%	42.2%	16.3%	41.6%	100.0%	57.9%	43.6%	14.4%	42.1%	100.0%
<b>Property Theft/Fraud/Damage</b>										
	876	678	198	1,016	1,892	971	775	196	964	1,935
	46.3%	35.8%	10.5%	53.7%	100.0%	50.2%	40.1%	10.1%	49.8%	100.0%

**Table 14**  
**Mitigation Rates\* Among Offenders Scoring in Recommended State Prison Sanction Category\*\***

Offense Type	Sentence Dates FY 1999 -2000					Sentence Dates FY 2000 - 2001				
	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
<b>Drugs</b> Manufacture/Sale/Purchase	<b>1,404</b> <b>43.0%</b>	1,058 32.4%	346 10.6%	1,862 57.0%	<b>3,266</b> <b>100.0%</b>	<b>1,562</b> <b>49.9%</b>	1,194 38.1%	368 11.7%	1,570 50.1%	<b>3,132</b> <b>100.0%</b>
Drugs, Trafficking	<b>308</b> <b>49.7%</b>	188 30.3%	120 19.4%	312 50.3%	<b>620</b> <b>100.0%</b>	<b>289</b> <b>52.2%</b>	174 31.4%	115 20.8%	265 47.8%	<b>554</b> <b>100.0%</b>
Drugs, Possession/Other	<b>1,119</b> <b>59.7%</b>	946 50.5%	173 9.2%	756 40.3%	<b>1,875</b> <b>100.0%</b>	<b>1,331</b> <b>67.0%</b>	1,172 59.0%	159 8.0%	656 33.0%	<b>1,987</b> <b>100.0%</b>
<b>Weapons</b>	<b>281</b> <b>45.6%</b>	224 36.4%	57 9.3%	335 54.4%	<b>616</b> <b>100.0%</b>	<b>213</b> <b>44.8%</b>	175 36.8%	38 8.0%	262 55.2%	<b>475</b> <b>100.0%</b>
<b>Other</b>	<b>682</b> <b>48.4%</b>	502 35.6%	180 12.8%	727 51.6%	<b>1,409</b> <b>100.0%</b>	<b>791</b> <b>53.4%</b>	630 42.5%	161 10.9%	690 46.6%	<b>1,481</b> <b>100.0%</b>
<b>Total</b>	<b>11,768</b>	<b>9,006</b>	<b>2,762</b>	<b>9,431</b>	<b>21,199</b>	<b>11,895</b>	<b>9,323</b>	<b>2,572</b>	<b>8,529</b>	<b>20,424</b>

\* Mitigation of sanction occurs when an offender does not receive a prison sanction although a prison sanction is mandated by the Criminal Punishment Code.

Mitigated length occurs when an offender receives a prison sentence below the 25% permissible discretion existing within the Criminal Punishment Code.

This total rate includes both mitigated sanction and mitigated length sentences.

\*\* Total Points Exceeding 44.0.

# APPENDICES

**Florida Criminal Punishment Code**  
**Offense Severity Ranking Chart**  
**Section 921.0022, Florida Statutes**

Florida Statute	Felony Degree	Description
<b>LEVEL 1</b>		
24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.
212.054(2)(b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
212.15(2)(b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
319.30(5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
319.35(1)(a)	3rd	Tamper, adjust, change, etc., an odometer.
320.26(1)(a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
322.212(1)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver's license; possession of simulated identification.
322.212(4)	3rd	Supply or aid in supplying unauthorized driver's license or identification card.
322.212(5)(a)	3rd	False application for driver's license or identification card.
370.13(3)(a)	3rd	Molest any stone crab trap, line, or buoy which is property of license holder.
370.135(1)	3rd	Molest any blue crab trap, line, or buoy which is property of license holder.
372.663(1)	3rd	Poach any alligator or crocodilia.
414.39(2)	3rd	Unauthorized use, possession, forgery, or alteration of food stamps, Medicaid ID, value greater than \$200.
414.39(3)(a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
443.071(1)	3rd	False statement or representation to obtain or increase unemployment compensation benefits.
509.151(1)	3rd	Defraud an innkeeper, food or lodging value greater than \$300.
517.302(1)	3rd	Violation of the Florida Securities and Investor Protection Act.
562.27(1)	3rd	Possess still or still apparatus.
713.69	3rd	Tenant removes property upon which lien has accrued, value more than \$50.



812.014(3)(c)	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
812.081(2)	3rd	Unlawfully makes or causes to be made a reproduction of a trade secret.
815.04(4)(a)	3rd	Offense against intellectual property (i.e., computer programs, data).
817.52(2)	3rd	Hiring with intent to defraud, motor vehicle services.
826.01	3rd	Bigamy.
828.122(3)	3rd	Fighting or baiting animals.
831.04(1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
831.31(1)(a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.
832.041(1)	3rd	Stopping payment with intent to defraud \$150 or more.
832.05(2)(b) & (4)(c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
838.015(3)	3rd	Bribery.
838.016(1)	3rd	Public servant receiving unlawful compensation.
838.15(2)	3rd	Commercial bribe receiving.
838.16	3rd	Commercial bribery.
843.18	3rd	Fleeing by boat to elude a law enforcement officer.
847.011(1)(a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
849.01	3rd	Keeping gambling house.
849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
849.23	3rd	Gambling-related machines; &#x201c;common offender&#x201d; as to property rights.
849.25(2)	3rd	Engaging in bookmaking.
860.08	3rd	Interfere with a railroad signal.
860.13(1)(a)	3rd	Operate aircraft while under the influence.
893.13(2)(a)2.	3rd	Purchase of cannabis.
893.13(6)(a)	3rd	Possession of cannabis (more than 20 grams).
893.13(7)(a)10.	3rd	Affix false or forged label to package of controlled substance.
934.03(1)(a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.

<b>LEVEL 2</b>		
403.413(5)(c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
517.07	3rd	Registration of securities and furnishing of prospectus required.
590.28(1)	3rd	Willful, malicious, or intentional burning.
784.05(3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
787.04(1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
806.13(1)(b)3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
810.09(2)(e)	3rd	Trespassing on posted commercial horticulture property.
812.014(2)(c)1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
812.014(2)(d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
812.015(7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
817.234(1)(a)2.	3rd	False statement in support of insurance claim.
817.481(3)(a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
817.52(3)	3rd	Failure to redeliver hired vehicle.
817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
817.60(5)	3rd	Dealing in credit cards of another.
817.60(6)(a)	3rd	Forgery; purchase goods, services with false card.
817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
831.01	3rd	Forgery.
831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
832.05(3)(a)	3rd	Cashing or depositing item with intent to defraud.

843.08	3rd	Falsely impersonating an officer.
893.13(2)(a)2.	3rd	Purchase of any s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs other than cannabis.
893.147(2)	3rd	Manufacture or delivery of drug paraphernalia.
<b>LEVEL 3</b>		
316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in marked patrol vehicle with siren and lights activated.
319.30(4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
319.33(1)(a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
501.001(2)(b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
697.08	3rd	Equity skimming.
790.15(3)	3rd	Person directs another to discharge firearm from a vehicle.
796.05(1)	3rd	Live on earnings of a prostitute.
806.10(1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
806.10(2)	3rd	Interferes with or assaults firefighter in performance of duty.
810.09(2)(c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
815.04(4)(b)	2nd	Computer offense devised to defraud or obtain property.
817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
817.233	3rd	Burning to defraud insurer.
817.234(8) & (9)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.

817.234(11)(a)	3rd	Insurance fraud; property value less than \$20,000.
817.505(4)	3rd	Patient brokering.
828.12(2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
831.28(2)(a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
831.29	2nd	Possession of instruments for counterfeiting drivers' licenses or identification cards.
838.021(3)(b)	3rd	Threatens unlawful harm to public servant.
843.19	3rd	Injure, disable, or kill police dog or horse.
870.01(2)	3rd	Riot; inciting or encouraging.
893.13(1)(a)2.	3rd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs).
893.13(1)(d)2.	2nd	Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs within 200 feet of university or public park.
893.13(1)(f)2.	2nd	Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs within 200 feet of public housing facility.
893.13(6)(a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
893.13(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
893.13(7)(a)11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
918.13(1)(a)	3rd	Alter, destroy, or conceal investigation evidence.
944.47(1)(a)1.-2.	3rd	Introduce contraband to correctional facility.
944.47(1)(c)	2nd	Possess contraband while upon the grounds of a correctional institution.
985.3141	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
<b>LEVEL 4</b>		
316.1935(3)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a marked patrol vehicle with siren and lights activated.
784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, intake officer, etc.
784.074(1)(c)	3rd	Battery of sexually violent predators facility staff.

784.075	3rd	Battery on detention or commitment facility staff.
784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
784.08(2)(c)	3rd	Battery on a person 65 years of age or older.
784.081(3)	3rd	Battery on specified official or employee.
784.082(3)	3rd	Battery by detained person on visitor or other detainee.
784.083(3)	3rd	Battery on code inspector.
784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
787.03(1)	3rd	Interference with custody; wrongly takes child from appointed guardian.
787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
787.04(3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
790.115(2)(b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
790.115(2)(c)	3rd	Possessing firearm on school property.
800.04(7)(d)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
810.02(4)(a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
810.02(4)(b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
810.06	3rd	Burglary; possession of tools.
810.08(2)(c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
812.014(2)(c)3	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
812.014(2)(c)4 - 10	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
812.0195(2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
817.563(1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
817.568(2)(a)	3rd	Fraudulent use of personal identification information.
817.625(2)(a)	3rd	Fraudulent use of scanning device or reencoder.
828.125(1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.

837.02(1)	3rd	Perjury in official proceedings.
837.021(1)	3rd	Make contradictory statements in official proceedings.
843.021	3rd	Possession of a concealed handcuff key by a person in custody.
843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
874.05(1)	3rd	Encouraging or recruiting another to join a criminal street gang.
893.13(2)(a)1.	2nd	Purchase of cocaine (or other s. 893.03(1)(a), (b), or (d), (2)(a), (2)(b), or (2)(c)4. drugs).
914.14(2)	3rd	Witnesses accepting bribes.
914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
918.12	3rd	Tampering with jurors.
934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
<b>LEVEL 5</b>		
316.027(1)(a)	3rd	Accidents involving personal injuries, failure to stop; leaving scene.
316.1935(4)	2nd	Aggravated fleeing or eluding.
322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
327.30(5)	3rd	Vessel accidents involving personal injury; leaving scene.
381.0041(11)(b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
790.01(2)	3rd	Carrying a concealed firearm.
790.162	2nd	Threat to throw or discharge destructive device.
790.163	2nd	False report of deadly explosive.
790.165(2)	3rd	Manufacture, sell, possess, or deliver hoax bomb.
790.221(1)	2nd	Possession of short-barreled shotgun or machine gun.
790.23	2nd	Felons in possession of firearms or electronic weapons or devices.
800.04(6)(c)	3rd	Lewd or lascivious conduct; offender less than 18 years.
800.04(7)(c)	2nd	Lewd or lascivious exhibition; offender 18 years or older.
806.111(1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
812.015(8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.

812.019(1)	2nd	Stolen property; dealing in or trafficking in.
812.131(2)(b)	3rd	Robbery by sudden snatching.
812.16(2)	3rd	Owning, operating, or conducting a chop shop.
817.034(4)(a)2.	2nd	Communications fraud, value \$20,000 to \$50,000.
817.234(11)(b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
817.568(2)(b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$75,000 or more.
817.625(2)(b)	2nd	Second or subsequent fraudulent use of scanning device or reencoder.
825.1025(4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
827.071(4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.
843.01	3rd	Resist officer with violence to person; resist arrest with violence.
874.05(2)	2nd	Encouraging or recruiting another to join a criminal street gang; second or subsequent offense.
893.13(1)(a)1.	2nd	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
893.13(1)(c)2.	2nd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs) within 1,000 feet of a child care facility or school.
893.13(1)(d)1.	1st	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs) within 200 feet of university or public park.
893.13(1)(e)2.	2nd	Sell, manufacture, or deliver cannabis or other drug prohibited under s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) within 1,000 feet of property used for religious services or a specified business site.
893.13(1)(f)1.	1st	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), or (2)(a), (2)(b), or (2)(c)4. drugs) within 200 feet of public housing facility.
893.13(4)(b)	2nd	Deliver to minor cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs).
<b>LEVEL 6</b>		
316.027(1)(b)	2nd	Accident involving death, failure to stop; leaving scene.
316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
775.0875(1)	3rd	Taking firearm from law enforcement officer.

775.21(10)	3rd	Sexual predators; failure to register; failure to renew driver's license or identification card.
784.021(1)(a)	3rd	Aggravated assault; deadly weapon without intent to kill.
784.021(1)(b)	3rd	Aggravated assault; intent to commit felony.
784.041	3rd	Felony battery.
784.048(3)	3rd	Aggravated stalking; credible threat.
784.048(5)	3rd	Aggravated stalking of person under 16.
784.07(2)(c)	2nd	Aggravated assault on law enforcement officer.
784.074(1)(b)	2nd	Aggravated assault on sexually violent predators facility staff.
784.08(2)(b)	2nd	Aggravated assault on a person 65 years of age or older.
784.081(2)	2nd	Aggravated assault on specified official or employee.
784.082(2)	2nd	Aggravated assault by detained person on visitor or other detainee.
784.083(2)	2nd	Aggravated assault on code inspector.
787.02(2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
790.115(2)(d)	2nd	Discharging firearm or weapon on school property.
790.161(2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
790.164(1)	2nd	False report of deadly explosive or act of arson or violence to state property.
790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
794.011(8)(a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
794.05(1)	2nd	Unlawful sexual activity with specified minor.
800.04(5)(d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender less than 18 years.
800.04(6)(b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
806.031(2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
810.02(3)(c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
812.014(2)(b)1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
812.014(2)(b)2.	2nd	Property stolen cargo valued at less than \$50,000, grand theft in 2nd degree.
812.015(9)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.



812.13(2)(c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
817.034(4)(a)1.	1st	Communications fraud, value greater than \$50,000.
817.4821(5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
825.102(1)	3rd	Abuse of an elderly person or disabled adult.
825.102(3)(c)	3rd	Neglect of an elderly person or disabled adult.
825.1025(3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
825.103(2)(c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.
827.03(1)	3rd	Abuse of a child.
827.03(3)(c)	3rd	Neglect of a child.
827.071(2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
836.05	2nd	Threats; extortion.
836.10	2nd	Written threats to kill or do bodily injury.
843.12	3rd	Aids or assists person to escape.
847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
943.0435(9)	3rd	Sex offenders; failure to comply with reporting requirements.
944.35(3)(a)2	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.
944.40	2nd	Escapes.
944.46	3rd	Harboring, concealing, aiding escaped prisoners.
944.47(1)(a)5	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
951.22(1)	3rd	Intoxicating drug, firearm, or weapon introduced into county facility.
<b>LEVEL 7</b>		
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.
402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfigurement, permanent disability, or death.
409.920(2)	3rd	Medicaid provider fraud.
456.065(2)	3rd	Practicing a health care profession without a license.

456.065(2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
458.327(1)	3rd	Practicing medicine without a license.
459.013(1)	3rd	Practicing osteopathic medicine without a license.
460.411(1)	3rd	Practicing chiropractic medicine without a license.
461.012(1)	3rd	Practicing podiatric medicine without a license.
462.17	3rd	Practicing naturopathy without a license.
463.015(1)	3rd	Practicing optometry without a license.
464.016(1)	3rd	Practicing nursing without a license.
465.015(2)	3rd	Practicing pharmacy without a license.
466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
467.201	3rd	Practicing midwifery without a license.
468.366	3rd	Delivering respiratory care services without a license.
483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
483.901(9)	3rd	Practicing medical physics without a license.
484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
484.053	3rd	Dispensing hearing aids without a license.
494.0018(2)	1st	Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
560.123(8)(b)1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.
560.125(5)(a)	3rd	Money transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
782.071	2nd	Killing of human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).
782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
784.045(1)(a)1	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.

784.045(1)(a)2	2nd	Aggravated battery; using deadly weapon.
784.045(1)(b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
784.048(4)	3rd	Aggravated stalking; violation of injunction or court order.
784.07(2)(d)	1st	Aggravated battery on law enforcement officer.
784.074(1)(a)	1st	Aggravated battery on sexually violent predators facility staff.
784.08(2)(a)	1st	Aggravated battery on a person 65 years of age or older.
784.081(1)	1st	Aggravated battery on specified official or employee.
784.082(1)	1st	Aggravated battery by detained person on visitor or other detainee.
784.083(1)	1st	Aggravated battery on code inspector.
790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
790.16(1)	1st	Discharge of a machine gun under specified circumstances.
790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
796.03	2nd	Procuring any person under 16 years for prostitution.
800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
800.04(5)(c)2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender 18 years or older.
806.01(2)	2nd	Maliciously damage structure by fire or explosive.
810.02(3)(a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
810.02(3)(b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
810.02(3)(d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
812.014(2)(a)	1st	Property stolen, valued at \$100,000 or more; cargo stolen valued at \$50,000, or more; property stolen while causing other property damage; 1st degree grand theft.
812.014(2)(b)2	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
812.131(2)(a)	2nd	Robbery by sudden snatching.
812.133(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
817.234(11)(c)	1st	Insurance fraud; property value \$100,000 or more.
825.102(3)(b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
825.1025(2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.

825.103(2)(b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$20,000 or more, but less than \$100,000.
827.03(3)(b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
827.04(3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
837.05(2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
872.06	2nd	Abuse of a dead human body.
893.13(1)(c)1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.) within 1,000 feet of a child care facility or school.
893.13(1)(e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4., within 1,000 feet of property used for religious services or a specified business site.
893.13(4)(a)	1st	Deliver to minor cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
893.135(1)(a)1	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
893.135(1)(b)1.a	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
893.135(1)(c)1.a	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
893.135(1)(d)1	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
893.135(1)(e)1	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
893.135(1)(f)1	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
893.135(1)(g)1.a	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
893.135(1)(h)1.a	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
893.135(1)(i)1.a	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
893.135(1)(j)2.a	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
896.101(5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
896.104(4)(a)1	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.

<b>LEVEL 8</b>		
316.193(3)(c)3.a	2nd	DUI manslaughter.
327.35(3)(c)3	2nd	Vessel BUI manslaughter.
560.123(8)(b)2	2nd	Failure to report currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000 by money transmitter.
560.125(5)(b)	2nd	Money transmitter business by unauthorized person, currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000.
655.50(10)(b)2	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
777.03(2)(a)	1st	Accessory after the fact, capital felony.
782.04(4)	2nd	Killing of human without design when engaged in act or attempt of any felony other than arson, sexual battery, robbery, burglary, kidnapping, aircraft piracy, or unlawfully discharging bomb.
782.051(2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04(3).
782.071(1)(b)	1st	Committing vehicular homicide and failing to render aid or give information.
782.072(2)	1st	Committing vessel homicide and failing to render aid or give information.
790.161(3)	1st	Discharging a destructive device which results in bodily harm or property damage.
794.011(5)	2nd	Sexual battery, victim 12 years or over, offender does not use physical force likely to cause serious injury.
800.04(4)	2nd	Lewd or lascivious battery.
806.01(1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
810.02(2)(a)	1st,PBL	Burglary with assault or battery.
810.02(2)(b)	1st,PBL	Burglary; armed with explosives or dangerous weapon.
810.02(2)(c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
812.13(2)(b)	1st	Robbery with a weapon.
812.135(2)	1st	Home-invasion robbery.
825.102(2)	2nd	Aggravated abuse of an elderly person or disabled adult.
825.103(2)(a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$100,000 or more.

837.02(2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
837.021(2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
860.121(2)(c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
860.16	1st	Aircraft piracy.
893.13(1)(b)	1st	Sell or deliver in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
893.13(2)(b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
893.13(6)(c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
893.135(1)(a)2	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
893.135(1)(b)1.b	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
893.135(1)(c)1.b	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
893.135(1)(d)1.b	1st	Trafficking in phencyclidine, more than 200 grams, less than 400 grams.
893.135(1)(e)1.b	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
893.135(1)(f)1.b	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
893.135(1)(g)1.b	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
893.135	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
893.135(1)(i)1.b	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
893.135(1)(j)2.b	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
895.03(1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
895.03(2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
895.03(3)	1st	Conduct or participate in any enterprise through pattern of racketeering activity.
896.101(5)(b)	2nd	Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.
896.104(4)(a)2	2nd	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$20,000 but less than \$100,000.

<b>LEVEL 9</b>		
316.193(3)(c)3.b	1st	DUI manslaughter; failing to render aid or give information.
560.123(8)(b)3	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
560.125(5)(c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
655.50(10)(b)3	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
755.0844	1st	Aggravated white collar crime.
782.04(1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
782.04(3)	1st,PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, and other specified felonies.
782.051(1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).
782.07(2)	1st	Aggravated manslaughter of an elderly person or disabled adult.
787.01(1)(a)1	1st,PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
787.01(1)(a)2	1st,PBL	Kidnapping with intent to commit or facilitate commission of any felony.
787.01(1)(a)4	1st,PBL	Kidnapping with intent to interfere with performance of any governmental or political function.
787.02(3)(a)	1st	False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
790.161	1st	Attempted capital destructive device offense.
790.166(2)	1st,PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
794.011(2)	1st	Attempted sexual battery; victim less than 12 years of age.
794.011(2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
794.011(4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
794.011(8)(b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
800.04(5)(b)	1st	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
812.13(2)(a)	1st,PBL	Robbery with firearm or other deadly weapon.
812.133(2)(a)	1st,PBL	Carjacking; firearm or other deadly weapon.
827.03(2)	1st	Aggravated child abuse.

847.0145(1)	1st	Selling, or otherwise transferring custody or control, of a minor.
847.0145(2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
859.01	1st	Poisoning food, drink, medicine, or water with intent to kill or injure another person.
893.135	1st	Attempted capital trafficking offense.
893.135(1)(a)3	1st	Trafficking in cannabis, more than 10,000 lbs.
893.135(1)(b)1.c	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
893.135(1)(c)1.c	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
893.135(1)(d)1.c	1st	Trafficking in phencyclidine, more than 400 grams.
893.135(1)(e)1.c	1st	Trafficking in methaqualone, more than 25 kilograms.
893.135(1)(f)1.c	1st	Trafficking in amphetamine, more than 200 grams.
893.135(1)(h)1.c	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.
893.135(1)(i)1.c	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
893.135(1)(j)2.c	1st	Trafficking in Phenethylamines, 400 grams or more.
896.101(5)(c)	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
896.104(4)(a)3.	1st	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.
<b>LEVEL 10</b>		
782.04(2)	1st,PBL	Unlawful killing of human; act is homicide, unpremeditated.
787.01(1)(a)3	1st,PBL	Kidnapping; inflict bodily harm upon or terrorize victim.
787.01(3)(a)	Life	Kidnapping; child under age 13, perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
782.07(3)	1st	Aggravated manslaughter of a child.
794.011(3)	Life	Sexual battery; victim 12 years or older, offender uses or threatens to use deadly weapon or physical force to cause serious injury.
876.32	1st	Treason against the state.



## RULE 3.992(a) CRIMINAL PUNISHMENT CODE SCORESHEET

1. DATE OF SENTENCE	2. PREPARER'S NAME <input type="checkbox"/> DC <input type="checkbox"/> SAO	3. COUNTY	4. SENTENCING JUDGE	
5. NAME (LAST, FIRST, MI.I.)	6. DOB	8. RACE <input type="checkbox"/> B <input type="checkbox"/> W <input type="checkbox"/> OTHER	10. PRIMARY OFF. DATE	12. PLEA <input type="checkbox"/>
	7. DC #	9. GENDER <input type="checkbox"/> M <input type="checkbox"/> F	11. PRIMARY DOCKET #	TRIAL <input type="checkbox"/>

I. **PRIMARY OFFENSE:** If Qualifier, please check  A  S  C  R (A=Attempt, S=Solicitation, C=Conspiracy, R=Reclassification)

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
---------------	-------	-------------	---------------	--------

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)

Prior capital felony triples Primary Offense points

I. \_\_\_\_\_

II. **ADDITIONAL OFFENSE(S):** Supplemental page attached

DOCKET#	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY A S C R	COUNTS	POINTS	TOTAL
---------	---------------	-------	---------------	--------------------	--------	--------	-------

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  \_\_\_\_\_ X \_\_\_\_\_ = \_\_\_\_\_

Description \_\_\_\_\_

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  \_\_\_\_\_ X \_\_\_\_\_ = \_\_\_\_\_

Description \_\_\_\_\_

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  \_\_\_\_\_ X \_\_\_\_\_ = \_\_\_\_\_

Description \_\_\_\_\_

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

Prior capital felony triples Additional Offense points

Supplemental page points \_\_\_\_\_

II. \_\_\_\_\_

III. **VICTIM INJURY:**

	Number	Total		Number	Total
2 <sup>nd</sup> Degree Murder	240 X	_____ = _____	Slight	4 X	_____ = _____
Death	120 X	_____ = _____	Sex Penetration	80 X	_____ = _____
Severe	40 X	_____ = _____	Sex Contact	40 X	_____ = _____
Moderate	18 X	_____ = _____			

III. \_\_\_\_\_

IV. **PRIOR RECORD:** Supplemental page attached

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY A S C R	DESCRIPTION	NUMBER	POINTS	TOTAL
---------------	-------	---------------	--------------------	-------------	--------	--------	-------

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  \_\_\_\_\_ X \_\_\_\_\_ = \_\_\_\_\_

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  \_\_\_\_\_ X \_\_\_\_\_ = \_\_\_\_\_

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  \_\_\_\_\_ X \_\_\_\_\_ = \_\_\_\_\_

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  \_\_\_\_\_ X \_\_\_\_\_ = \_\_\_\_\_

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  \_\_\_\_\_ X \_\_\_\_\_ = \_\_\_\_\_

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  \_\_\_\_\_ X \_\_\_\_\_ = \_\_\_\_\_

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

Supplemental page points \_\_\_\_\_

IV. \_\_\_\_\_

**Page 1 Subtotal:** \_\_\_\_\_

- V. Legal Status violation = 4 Points V. \_\_\_\_\_
- VI. Community Sanction violation before the court for sentencing  
6 points x each successive violation OR  
New felony conviction = 12 points x each successive violation VI. \_\_\_\_\_
- VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 Points VII. \_\_\_\_\_
- VIII. Prior Serious Felony = 30 Points VIII. \_\_\_\_\_

**Subtotal Sentence Points** \_\_\_\_\_

IX. Enhancements (only if the primary offense qualifies for enhancement)

Law Enforcement Protection ____ x 1.5    ____ x 2.0    ____ x 2.5	Drug Trafficking ____ x 1.5	Grand Theft Motor Vehicle ____ x 1.5	Street Gang (offenses committed on or after 10-1-96) ____ x 1.5	Domestic Violence (offenses committed on or after 10-1-97) ____ x 1.5
--	--------------------------------	---	---	---

Enhanced Subtotal Sentence Points **IX.** \_\_\_\_\_

**TOTAL SENTENCE POINTS** \_\_\_\_\_

**SENTENCE COMPUTATION**

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non-state prison sanction.

If total sentence points are greater than 44:

$$\frac{\text{total sentence points}}{\text{total sentence points}} \text{ minus } 28 = \text{_____} \times .75 = \frac{\text{lowest permissible prison sentence in months}}{\text{lowest permissible prison sentence in months}}$$

The maximum sentence is up to the statutory maximum for the primary and any additional offenses as provided in s. 775.082, F.S., unless the lowest permissible sentence under the code, exceeds the statutory maximum. Such sentences may be imposed concurrently or consecutively. If total sentence points are greater than or equal to 363, a life sentence may be imposed.

\_\_\_\_\_   
 maximum sentence   
 in years

**TOTAL SENTENCE IMPOSED**

	Years	Months	Days
<input type="checkbox"/> State Prison <input type="checkbox"/> Life	_____	_____	_____
<input type="checkbox"/> County Jail <input type="checkbox"/> Time Served	_____	_____	_____
<input type="checkbox"/> Community Control	_____	_____	_____
<input type="checkbox"/> Probation	_____	_____	_____

Please check if sentenced as  habitual offender,  habitual violent offender,  violent career criminal,  prison releasee reoffender, or a  mandatory minimum applies.

Mitigated Departure     Plea Bargain

Other Reason \_\_\_\_\_

**JUDGE'S SIGNATURE** \_\_\_\_\_

### 3.992(b) CRIMINAL PUNISHMENT CODE SUPPLEMENTAL SCORESHEET

NAME (LAST, FIRST, M.I.)	DOCKET #	DATE OF SENTENCE
--------------------------	----------	------------------

**II. ADDITIONAL OFFENSE(S):**

DOCKET#	FEL/MM DEGREE	F.S. #	OFFENSE LEVEL	QUALIFY A S C R	COUNTS	POINTS	TOTAL
_____ / _____ / _____	_____ / _____	_____ / _____	_____	□□□□	_____ X _____	= _____	
Description _____							
_____ / _____ / _____	_____ / _____	_____ / _____	_____	□□□□	_____ X _____	= _____	
Description _____							
_____ / _____ / _____	_____ / _____	_____ / _____	_____	□□□□	_____ X _____	= _____	
Description _____							
_____ / _____ / _____	_____ / _____	_____ / _____	_____	□□□□	_____ X _____	= _____	
Description _____							
_____ / _____ / _____	_____ / _____	_____ / _____	_____	□□□□	_____ X _____	= _____	
Description _____							

(Level - Points M= 0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

II. \_\_\_\_\_

**IV. PRIOR RECORD**

FEL/MM DEGREE	F.S. #	OFFENSE LEVEL	QUALIFY A S C R	DESCRIPTION	NUMBER	POINTS	TOTAL
_____ / _____	_____ / _____	_____ / _____	□□□□ □	_____ / _____	_____ X _____	= _____	
_____ / _____	_____ / _____	_____ / _____	□□□□ □	_____ / _____	_____ X _____	= _____	
_____ / _____	_____ / _____	_____ / _____	□□□□ □	_____ / _____	_____ X _____	= _____	
_____ / _____	_____ / _____	_____ / _____	□□□□ □	_____ / _____	_____ X _____	= _____	
_____ / _____	_____ / _____	_____ / _____	□□□□ □	_____ / _____	_____ X _____	= _____	
_____ / _____	_____ / _____	_____ / _____	□□□□ □	_____ / _____	_____ X _____	= _____	

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

IV. \_\_\_\_\_

**Reasons for Departure – Mitigating Circumstances**  
(reasons may be checked here or written on the scoresheet)

- Legitimate, uncoerced plea bargain
- The defendant was an accomplice to the offense and was a relatively minor participant in the criminal conduct.
- The capacity of the defendant to appreciate the criminal nature of the conduct or to conform that conduct to the requirements of law was substantially impaired.
- The defendant requires specialized treatment for a mental disorder that is unrelated to substance abuse or addiction, or for a physical disability, and the defendant is amenable to treatment.
- The need for payment of restitution to the victim outweighs the need for a prison sentence.
- The victim was an initiator, willing participant, aggressor, or provoker of the incident.
- The defendant acted under extreme duress or under the domination of another person.
- Before the identity of the defendant was determined, the victim was substantially compensated.
- The defendant cooperated with the State to resolve the current offense or any other offense.
- The offense was committed in an unsophisticated manner and was an isolated incident for which the defendant has shown remorse.
- At the time of the offense the defendant was too young to appreciate the consequences of the offense.
- The defendant is to be sentenced as a youthful offender.

Pursuant to 921.0026(3) the defendant's substance abuse or addiction does not justify a downward departure from the lowest permissible sentence .

For additional copies or more information contact:

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