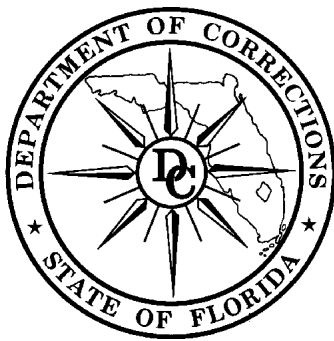


# FLORIDA'S CRIMINAL PUNISHMENT CODE: A COMPARATIVE ASSESSMENT

September 2002



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



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# 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, absent a valid reason for departure.

The Code also contains some 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 2000-2001 and FY 2001-2002.**

Since January 1, 1994, the Florida Department of Corrections has collected more than 898,000 scoresheets on felony offenders sentenced in Florida courts under the state’s Sentencing Guidelines and Criminal Punishment Code. This report

describes the 99,754 Criminal Punishment Code scoresheets with sentence dates in FY2001-02 received by the Florida Department of Corrections through September 6, 2002, for felony offenses committed on or after October 1, 1998. It also compares 76,468 Criminal Punishment Code scoresheets received by the Florida Department of Corrections through September 6, 2002, for felony offenses committed on or after October 1, 2000 and sentence dates in Fiscal Year 2001-2002 with 87,348 Criminal Punishment Code scoresheets with offense dates on or after October 1, 1999 and sentence dates in Fiscal Year 2000-2001.

### *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 2000-2001 to those received in FY 2001-2002.**

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

## **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.
- Prior to July 1, 2001, the Department had a coequal responsibility to prepare scoresheets with the state attorneys. However, the Department of Corrections continued to complete scoresheets which had been ordered by the courts prior to July 1, 2001. In addition there were transitional issues involved in transferring this responsibility to the state attorneys. This resulted in 9.7% of scoresheets received during FY2001-02 having been prepared by the Department of Corrections.
- 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 2001-2002 and offenses on or after October 1, 1998, entered as of September 6, 2002.
- 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 61.4%.
- **Though the Department retrieves and includes in the database omitted information from a 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.

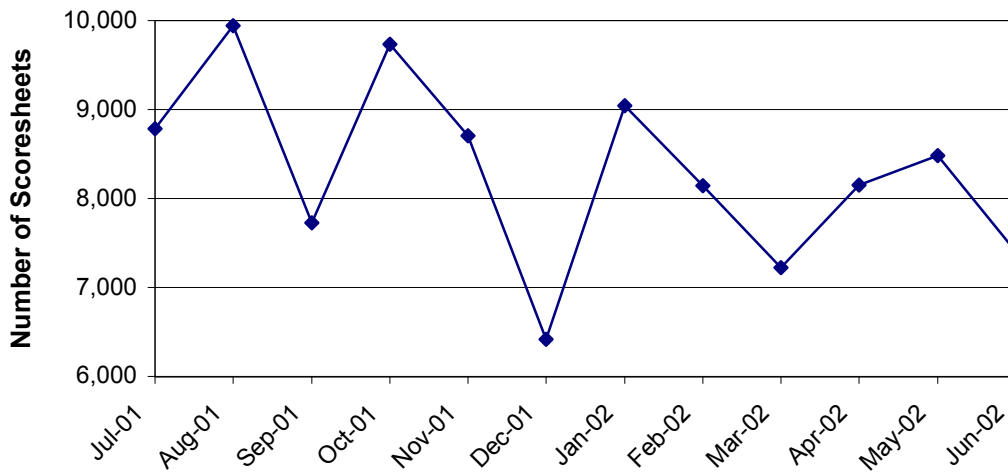
## **Introductory Statistics**

***FACT:*** *There were 99,754 Punishment Code scoresheets with offense dates on or after October 1, 1998 with sentencing dates during FY2001-02 entered into the sentencing scoresheet database, as of September 6, 2002.*

### **FINDINGS:**

- The number of Code scoresheets received by month of sentence fluctuated from a high of 9,900 to a low of 6,400 from July 1, 2001 to June 30, 2002 (Figure 1).
- For the time period July 2001 through June 2002, Code scoresheets represent over ninety-four percent (94.1%) of the total scoresheet submissions. Beginning in the month of April 2002 and continuing through the end of the fiscal year, more than ninety-five percent of the scoresheets represented sentencing events under the Florida Criminal Punishment Code (Table 2).
- More than thirty-two percent (32.2%) of the offenders sentenced under the Code were considered “youthful offenders” at the time of sentencing (Table 3). Of the 2,439 true juveniles (under 18 at the time of their offense) transferred to adult court under the Code, 909 of the offenders were age sixteen or younger (Table 4).
- There were 887 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 (36.5%) of all offenses of juveniles (Table 4). Of the 887 violent juvenile offenders, 427, or 41.1%, received a state prison sanction (Table 5).
- The gender and race distributions of offenders sentenced under the Code are similar to previous years sentencing events. Nearly eighty-one percent (80.8%) of all scoresheets were for male offenders (Table 6), and 56.1% 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**

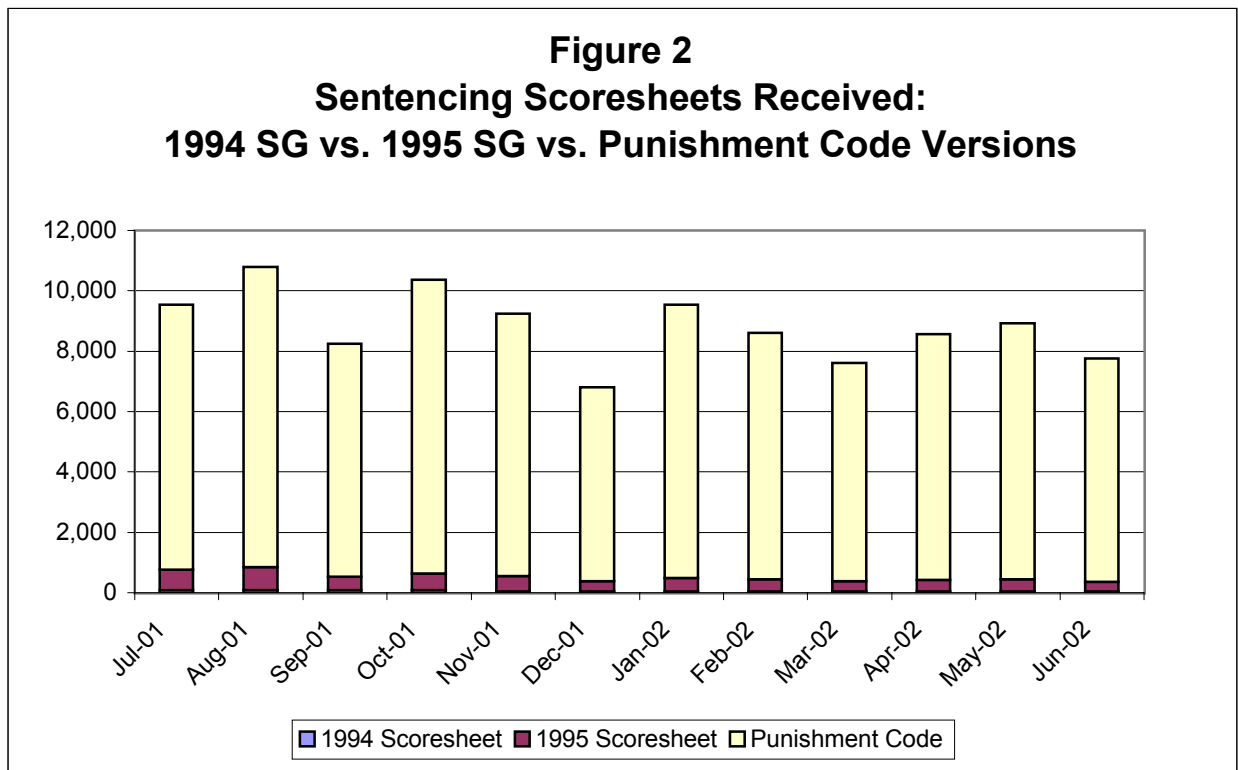
Circuit of Sentence	Total	
	Number	Percent
01 (Pensacola)	4,887	4.9%
02 (Tallahassee)	661	0.7%
03 (Lake City)	255	0.3%
04 (Jacksonville)	6,241	6.3%
05 (Tavares)	4,684	4.7%
06 (Clearwater)	11,763	11.8%
07 (Daytona Beach)	4,249	4.3%
08 (Gainesville)	2,391	2.4%
09 (Orlando)	7,771	7.8%
10 (Bartow)	4,139	4.1%
11 (Miami)	7,697	7.7%
12 (Sarasota)	3,473	3.5%
13 (Tampa)	9,398	9.4%
14 (Panama City)	2,321	2.3%
15 (West Palm Beach)	5,882	5.9%
16 (Key West)	555	0.6%
17 (Ft. Lauderdale)	12,024	12.1%
18 (Sanford)	2,630	2.6%
19 (Ft. Pierce)	3,421	3.4%
20 (Ft. Myers)	5,312	5.3%
<b>Total</b>	<b>99,754</b>	<b>100.0%</b>

**Table 2**  
**Sentencing Scoresheets Received by Month of Sentence\***  
**Fiscal Year 2001-2002**

Month of Sentence	1994 Sentencing Guidelines Scoresheet		1995 Sentencing Guidelines Scoresheet		Punishment Code Scoresheet		Total	
July 2001	89	0.9%	673	7.0%	8,786	92.0%	9,548	9.0%
August 2001	91	0.8%	758	7.0%	9,944	92.1%	10,793	10.2%
September 2001	76	0.9%	444	5.4%	7,726	93.7%	8,246	7.8%
October 2001	87	0.8%	543	5.2%	9,733	93.9%	10,363	9.8%
November 2001	53	0.6%	490	5.3%	8,703	94.1%	9,246	8.7%
December 2001	43	0.6%	342	5.0%	6,416	94.3%	6,801	6.4%
January 2002	50	0.5%	439	4.6%	9,044	94.9%	9,533	9.0%
February 2002	49	0.6%	405	4.7%	8,144	94.7%	8,598	8.1%
March 2002	49	0.6%	341	4.5%	7,221	94.9%	7,611	7.2%
April 2002	52	0.6%	363	4.2%	8,154	95.2%	8,569	8.1%
May 2002	49	0.5%	389	4.4%	8,481	95.1%	8,919	8.4%
June 2002	49	0.6%	301	3.9%	7,402	95.5%	7,752	7.3%
<b>Total</b>	<b>737</b>	<b>0.7%</b>	<b>5,488</b>	<b>5.2%</b>	<b>99,754</b>	<b>94.1%</b>	<b>105,979</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**

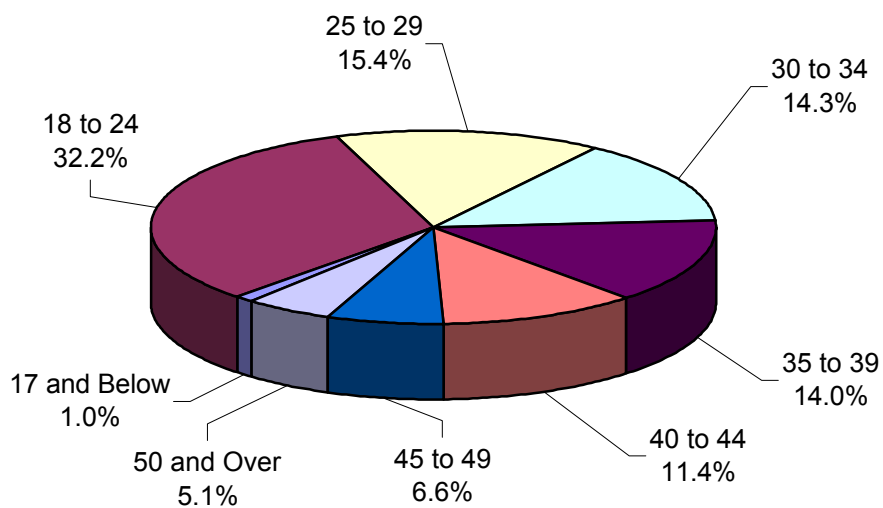




**Table 3**  
**Age at Sentencing**  
**Criminal Punishment Code**

Age	Number	Percent
17 and Below	1,021	1.0%
18 to 24	32,142	32.2%
25 to 29	15,344	15.4%
30 to 34	14,223	14.3%
35 to 39	13,979	14.0%
40 to 44	11,344	11.4%
45 to 49	6,581	6.6%
50 and Over	5,120	5.1%
<b>Total</b>	<b>99,754</b>	<b>100.0%</b>

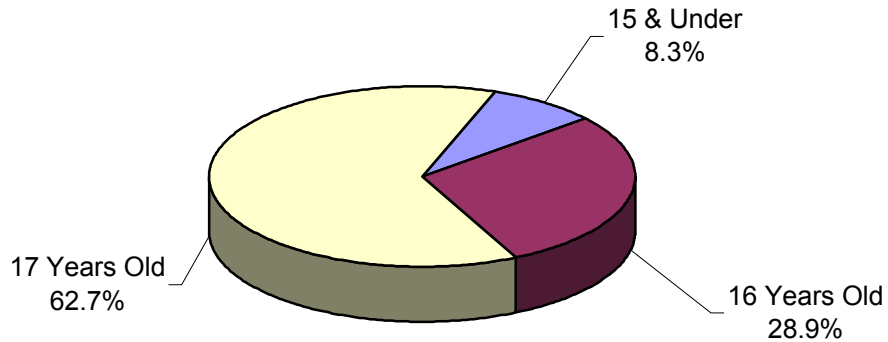
**Figure 3**  
**Age at Sentencing Distribution**  
**Criminal Punishment Code**



**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	14 6.9%	20 2.8%	14 0.9%	<b>48</b> <b>2.0%</b>
Sexual Offenses	15 7.4%	21 3.0%	56 3.7%	<b>92</b> <b>3.8%</b>
Robbery	47 23.2%	117 16.6%	167 10.9%	<b>331</b> <b>13.6%</b>
Violent Personal Offenses	47 23.2%	130 18.4%	239 15.6%	<b>416</b> <b>17.1%</b>
Burglary	33 16.3%	155 22.0%	355 23.2%	<b>543</b> <b>22.3%</b>
Theft, Forgery, Fraud	20 9.9%	94 13.3%	266 17.4%	<b>380</b> <b>15.6%</b>
Drugs	18 8.9%	118 16.7%	331 21.6%	<b>467</b> <b>19.1%</b>
Weapons	6 3.0%	20 2.8%	41 2.7%	<b>67</b> <b>2.7%</b>
Other Offenses	3 1.5%	31 4.4%	61 4.0%	<b>95</b> <b>3.9%</b>
<b>Total</b>	<b>203</b> <b>100.0%</b>	<b>706</b> <b>100.0%</b>	<b>1,530</b> <b>100.0%</b>	<b>2,439</b> <b>100.0%</b>

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

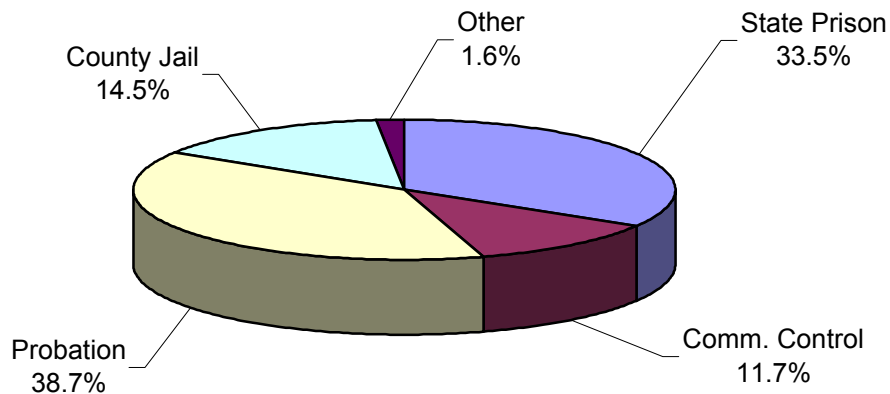


**Table 5**  
**Sanction Imposed by Primary Offense For All 11 - 17 Year Olds**  
**Criminal Punishment Code**

Primary Offense	State Prison	Comm. Control	Probation	County Jail	Other	Total
Murder/Manslaughter	41 2.5%	6 1.2%	1 0.2%	0 0.0%	0 0.0%	<b>48</b> <b>1.0%</b>
Sexual Offenses	48 2.0%	16 3.0%	27 2.0%	1 0.3%	0 0.0%	<b>92</b> <b>1.9%</b>
Robbery	180 25.0%	37 18.0%	88 8.7%	21 5.6%	5 0.0%	<b>331</b> <b>14.2%</b>
Violent Personal Offenses	158 19.2%	56 16.6%	155 14.5%	39 11.7%	8 6.3%	<b>416</b> <b>15.7%</b>
Burglary	178 25.9%	64 26.0%	220 23.7%	72 12.3%	9 43.8%	<b>543</b> <b>23.1%</b>
Theft, Forgery, Fraud	65 7.2%	33 11.5%	184 16.5%	91 17.8%	7 12.5%	<b>380</b> <b>13.3%</b>
Drugs	103 13.0%	57 16.3%	197 25.5%	103 44.8%	7 25.0%	<b>467</b> <b>23.5%</b>
Weapons	19 2.6%	8 2.1%	32 3.9%	7 4.2%	1 12.5%	<b>67</b> <b>3.4%</b>
Other Offenses	25 2.6%	8 5.3%	40 4.9%	20 3.3%	2 0.0%	<b>95</b> <b>4.0%</b>
<b>Total</b>	<b>817</b> <b>100.0%</b>	<b>285</b> <b>100.0%</b>	<b>944</b> <b>100.0%</b>	<b>354</b> <b>100.0%</b>	<b>39</b> <b>100.0%</b>	<b>2,439</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)	3,949	4.0%	938	0.9%	4,887	4.9%
02 (Tallahassee)	521	0.5%	140	0.1%	661	0.7%
03 (Lake City)	200	0.2%	55	0.1%	255	0.3%
04 (Jacksonville)	5,026	5.0%	1,215	1.2%	6,241	6.3%
05 (Tavares)	3,761	3.8%	923	0.9%	4,684	4.7%
06 (Clearwater)	9,028	9.1%	2,735	2.7%	11,763	11.8%
07 (Daytona Beach)	3,536	3.5%	713	0.7%	4,249	4.3%
08 (Gainesville)	1,969	2.0%	422	0.4%	2,391	2.4%
09 (Orlando)	6,382	6.4%	1,389	1.4%	7,771	7.8%
10 (Bartow)	3,268	3.3%	871	0.9%	4,139	4.1%
11 (Miami)	6,550	6.6%	1,147	1.1%	7,697	7.7%
12 (Sarasota)	2,746	2.8%	727	0.7%	3,473	3.5%
13 (Tampa)	7,450	7.5%	1,948	2.0%	9,398	9.4%
14 (Panama City)	1,844	1.8%	477	0.5%	2,321	2.3%
15 (West Palm Beach)	4,862	4.9%	1,020	1.0%	5,882	5.9%
16 (Key West)	472	0.5%	83	0.1%	555	0.6%
17 (Ft. Lauderdale)	9,843	9.9%	2,181	2.2%	12,024	12.1%
18 (Sanford)	2,173	2.2%	457	0.5%	2,630	2.6%
19 (Ft. Pierce)	2,707	2.7%	714	0.7%	3,421	3.4%
20 (Ft. Myers)	4,341	4.4%	971	1.0%	5,312	5.3%
<b>Total</b>	<b>80,628</b>	<b>80.8%</b>	<b>19,126</b>	<b>19.2%</b>	<b>99,754</b>	<b>100.0%</b>

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

Judicial Circuit	Race						Total	
	Black		White		Other*			
01 (Pensacola)	2,050	2.1%	2,800	2.8%	37	0.0%	4,887	4.9%
02 (Tallahassee)	487	0.5%	164	0.2%	10	0.0%	661	0.7%
03 (Lake City)	121	0.1%	134	0.1%	0	0.0%	255	0.3%
04 (Jacksonville)	3,455	3.5%	2,727	2.7%	59	0.1%	6,241	6.3%
05 (Tavares)	1,441	1.4%	3,133	3.1%	110	0.1%	4,684	4.7%
06 (Clearwater)	3,626	3.6%	8,045	8.1%	92	0.1%	11,763	11.8%
07 (Daytona Beach)	1,611	1.6%	2,600	2.6%	38	0.0%	4,249	4.3%
08 (Gainesville)	1,365	1.4%	1,021	1.0%	5	0.0%	2,391	2.4%
09 (Orlando)	3,547	3.6%	3,955	4.0%	269	0.3%	7,771	7.8%
10 (Bartow)	1,412	1.4%	2,603	2.6%	124	0.1%	4,139	4.1%
11 (Miami)	4,141	4.2%	3,488	3.5%	68	0.1%	7,697	7.7%
12 (Sarasota)	1,217	1.2%	2,176	2.2%	80	0.1%	3,473	3.5%
13 (Tampa)	4,273	4.3%	4,698	4.7%	427	0.4%	9,398	9.4%
14 (Panama City)	657	0.7%	1,648	1.7%	16	0.0%	2,321	2.3%
15 (W. Palm Beach)	2,713	2.7%	3,162	3.2%	7	0.0%	5,882	5.9%
16 (Key West)	125	0.1%	417	0.4%	13	0.0%	555	0.6%
17 (Ft. Lauderdale)	6,135	6.2%	5,742	5.8%	147	0.1%	12,024	12.1%
18 (Sanford)	949	1.0%	1,625	1.6%	56	0.1%	2,630	2.6%
19 (Ft. Pierce)	1,285	1.3%	2,060	2.1%	76	0.1%	3,421	3.4%
20 (Ft. Myers)	1,467	1.5%	3,770	3.8%	75	0.1%	5,312	5.3%
<b>Total</b>	<b>42,077</b>	<b>42.2%</b>	<b>55,968</b>	<b>56.1%</b>	<b>1,709</b>	<b>1.7%</b>	<b>99,754</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 76,468 scoresheets submitted to the Department of Corrections with sentence dates in FY2001-2002 and offense dates on or after October 1, 2000. The number of scoresheets submitted to the Department of Corrections with sentence dates in FY2000-2001 and offense dates on or after October 1, 1999 was 87,348.
- **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 5.7 months for sentencing events in FY2001-2002. As defined by the word “average”, half of the lag times that occur are less than 5.7 months and half are greater than 5.7 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 September 6, 2002, the Department of Corrections had received over 428,000 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 FY2000-2001 sentencing events is 5.6 months, just shy of the 5.7 months for the scoresheets received with sentence dates in FY2001-2002 (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 FY2001-2002, the average lag time for level 10 offenses was 8.2 months. Also, for murder/manslaughter, the average lag time from offense to sentence is 10.3 months for sentencing dates in FY2000-2001, and 10.2 months in FY2001-2002 (Table 2).

- The more violent, serious offenses represented more than seventeen percent of the scoresheets in both FY2000-2001 (17.8%) and FY2001-02 (17.7%) (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 00-01 Sentence Dates<sup>1</sup></b>	<b>FY 01-02 Sentence Dates<sup>2</sup></b>
1	5.3	5.3
2	5.8	5.9
3	4.9	5.1
4	5.4	5.4
5	5.8	5.9
6	6.3	6.3
7	7.0	7.0
8	8.0	7.9
9	8.7	8.8
10	9.6	8.2
<b>Overall Average</b>	<b>5.6</b>	<b>5.7</b>

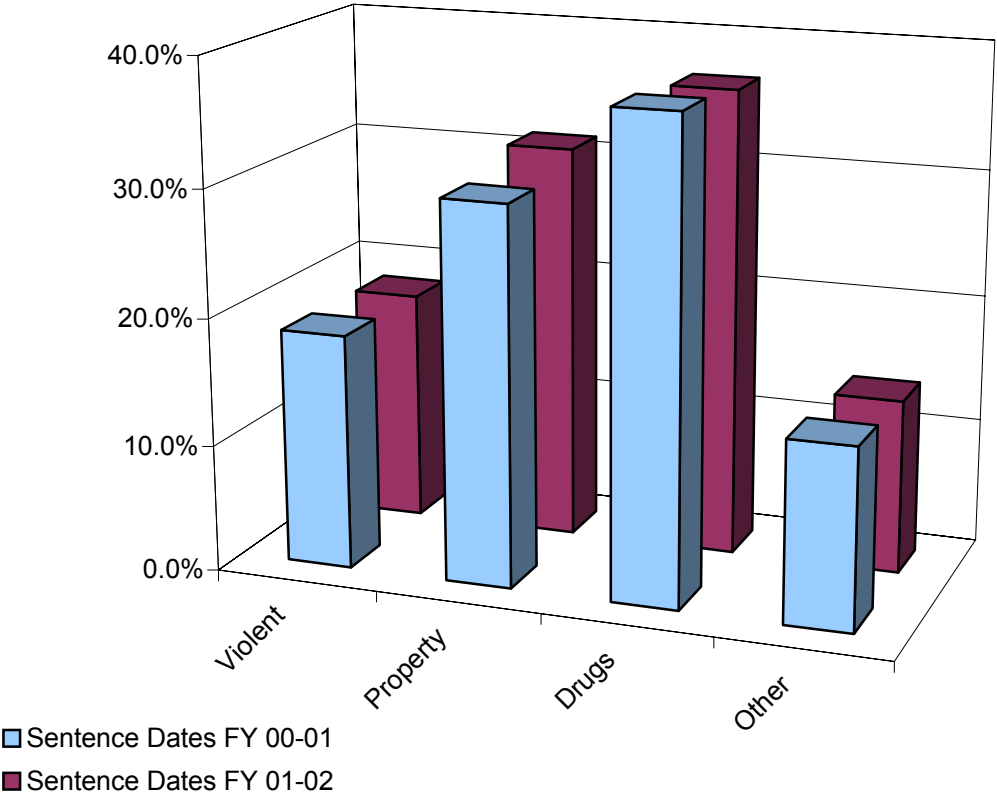
**Table 2**  
**Comparison of Average "Lag" Time from Offense Date to Sentence**  
**Date by Primary Offense, in Months**

<b>Primary Offense</b>	<b>FY 00-01 Sentence Dates<sup>1</sup></b>	<b>FY 01-02 Sentence Dates<sup>2</sup></b>
Murder/Manslaughter	10.3	10.2
Sexual/Lewd Behavior	8.5	8.2
Robbery	6.6	6.6
Violent, Other	6.1	6.1
Burglary	5.9	5.7
Property Theft/Fraud/Damage	6.0	6.0
Drugs	5.1	5.3
Weapons	6.1	5.9
Other	5.2	5.1
<b>Overall Average</b>	<b>5.6</b>	<b>5.7</b>

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

<sup>2</sup> Offense dates on or after October 1, 2000.

**Figure 1**  
**Distribution of Offense Group**  
**Sentence Dates FY00-01 vs. Sentence Dates FY01-02**



**Table 3**  
**Distribution of Offense**  
**Sentence Dates FY 00-01 vs. Sentence Dates FY 01-02**

Primary Offense	FY 00-01 Sentence Dates <sup>1</sup>	FY 01-02 Sentence Dates <sup>2</sup>
Murder/Manslaughter	263 0.3%	220 0.3%
Sexual Offenses	1,207 1.4%	965 1.3%
Robbery	2,178 2.5%	1,988 2.6%
Violent Personal Offenses	11,874 13.6%	10,308 13.5%
Burglary	8,123 9.3%	7,361 9.6%
Theft/Forgery/Fraud	18,160 20.8%	16,726 21.9%
Drugs	32,735 37.5%	28,093 36.7%
Weapons	1,791 2.1%	1,447 1.9%
Other	11,017 12.6%	9,360 12.2%
<b>Total</b>	<b>87,348</b> <b>100.0%</b>	<b>76,468</b> <b>100.0%</b>

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

<sup>2</sup> Offense dates on or after October 1, 2000.

**Table 4  
Distribution of Offense**

Primary Offense	FY 00-01 Sentence Dates		FY 01-02 Sentence Dates	
<b>Murder/Manslaughter</b>	<b>263</b>	<b>0.3%</b>	<b>220</b>	<b>0.3%</b>
1st Degree Murder	49	0.1%	47	0.1%
2nd Degree Murder	92	0.1%	61	0.1%
3rd Degree Murder	3	0.0%	5	0.0%
Homicide, Other	4	0.0%	6	0.0%
Manslaughter	65	0.1%	57	0.1%
DUI Manslaughter	50	0.1%	44	0.1%
<b>Sexual Offenses</b>	<b>1,207</b>	<b>1.4%</b>	<b>965</b>	<b>1.3%</b>
Capital Sexual Battery	61	0.1%	37	0.0%
Life Sexual Battery	28	0.0%	26	0.0%
1st Degree Sexual Battery	49	0.1%	37	0.0%
2nd Degree Sexual Battery	146	0.2%	132	0.2%
Sexual Assault, Other	3	0.0%	3	0.0%
Lewd/Lascivious Behavior	920	1.1%	730	1.0%
<b>Robbery</b>	<b>2,178</b>	<b>2.5%</b>	<b>1,988</b>	<b>2.6%</b>
Robbery with Weapon	710	0.8%	713	0.9%
Robbery without Weapon	1,410	1.6%	1,231	1.6%
Home Invasion, Robbery	58	0.1%	44	0.1%
<b>Violent Personal Offenses</b>	<b>11,874</b>	<b>13.6%</b>	<b>10,308</b>	<b>13.5%</b>
Home Invasion, Other	0	0.0%	0	0.0%
Carjacking	114	0.1%	82	0.1%
Aggravated Assault	1,889	2.2%	1,663	2.2%
Aggravated Battery	1,597	1.8%	1,287	1.7%
Assault/Battery on L.E.O.	1,798	2.1%	1,486	1.9%
Assault/Battery, Other	515	0.6%	488	0.6%
Aggravated Stalking	292	0.3%	209	0.3%
Resisting Arrest with Violence	2,350	2.7%	1,817	2.4%
Kidnapping	375	0.4%	298	0.4%
Arson	181	0.2%	180	0.2%
Abuse of Children	895	1.0%	943	1.2%
Leaving Accident, Injury/Death	482	0.6%	376	0.5%
DUI, Injury	132	0.2%	128	0.2%
Violent, Other	1,254	1.4%	1,351	1.8%
<b>Burglary</b>	<b>8,123</b>	<b>9.3%</b>	<b>7,361</b>	<b>9.6%</b>
Burglary, Structure	4,711	5.4%	4,525	5.9%
Burglary, Dwelling	2,354	2.7%	1,985	2.6%
Burglary, Armed	210	0.2%	166	0.2%
Burglary with Assault	263	0.3%	200	0.3%
Burglary/Trespass, Other	585	0.7%	485	0.6%

**Table 4  
Distribution of Offense**

<b>Primary Offense</b>	<b>FY 00-01 Sentence Dates</b>		<b>FY 01-02 Sentence Dates</b>	
<b>Theft/Forgery/Fraud</b>	<b>18,160</b>	<b>20.8%</b>	<b>16,726</b>	<b>21.9%</b>
Grand Theft, Other	6,906	7.9%	6,318	8.3%
Grand Theft, Automobile	2,898	3.3%	2,445	3.2%
Stolen Property	2,070	2.4%	2,105	2.8%
Forgery/Counterfeiting	2,903	3.3%	2,799	3.7%
Worthless Checks	552	0.6%	494	0.6%
Fraudulent Practices	1,691	1.9%	1,535	2.0%
Theft/Property Damage, Other	1,140	1.3%	1,030	1.3%
<b>Drugs</b>	<b>32,735</b>	<b>37.5%</b>	<b>28,093</b>	<b>36.7%</b>
Drugs, Manufacture/Sale/Purchase	11,484	13.1%	9,366	12.2%
Drugs, Trafficking	596	0.7%	732	1.0%
Drugs, Possession/Other	20,655	23.6%	17,995	23.5%
<b>Weapons</b>	<b>1,791</b>	<b>2.1%</b>	<b>1,447</b>	<b>1.9%</b>
Weapons, Discharging	345	0.4%	298	0.4%
Weapons, Possession	1,435	1.6%	1,142	1.5%
Weapons, Other	11	0.0%	7	0.0%
<b>Other</b>	<b>11,017</b>	<b>12.6%</b>	<b>9,360</b>	<b>12.2%</b>
Escape	2,210	2.5%	1,877	2.5%
DUI, No Injury	520	0.6%	399	0.5%
Traffic, Other	6,464	7.4%	5,508	7.2%
Racketeering	20	0.0%	8	0.0%
Pollution/Hazardous Materials	82	0.1%	77	0.1%
Other	1,721	2.0%	1,491	1.9%
<b>Total</b>	<b>87,348</b>	<b>100.0%</b>	<b>76,468</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.

In addition, on January 24, 2002 the Supreme Court of Florida ruled in *Jones v. State* that Section 948.01(3) F.S. (supp. 1998), which allows for the sanction of drug offender probation in the case of a chronic substance abuser, provides an alternative sentencing scheme for drug offenders that is outside the Code. It was ruled that the trial court had the discretion to sentence the defendant to drug offender probation even though the Code mandated prison time.

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, 17.1% of offenders were sentenced to state prison as the most severe sanction in FY2001-2002. An additional 21.6% were sentenced to incarceration in county jail, or to time already served in jail. Nearly eight percent (7.9%) were sentenced to community control, and over half to probation (53.0%), including drug offender probation, administrative probation, and regular probation. Less than one percent of offenders were sentenced to “other” sanctions. For sentencing dates in FY2000-2001, 17.4% of offenders were sentenced to state prison and 23.9% were sentenced to county jail or time served. Less than nine percent (8.4%) were sentenced to community control, and 49.8% to probation. Only 0.5% of the offenders were sentenced to “other” sanctions (Table 1).

- Almost eight out of ten of the 76,468 Code scoresheets with sentence date in FY2001-2002 examined (59,138 scoresheets or 77.3%) 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 chose to sentence the offender to state prison, the judge had the discretion to sentence the offender up to the statutory maximum of the law. For scoresheets with sentence dates in FY2000-2001, there were 66,513 (76.1%) offenders scoring less than 44 points (Table 1).
- For FY2001-2002, of the offenders scoring in the recommended state prison category, 55.6% were sentenced to state prison, with another 10.2% sentenced to county jail or time served. Of those scoring less than 44 points, just below 6% were sentenced to state prison, and 24.9% to county jail/time served. For FY2000-2001, over fifty-four percent of the offenders scoring above 44 points were sentenced to state prison (54.4%) and another 9.9% of these offenders were sentenced to county jail or time served. Of those scoring less than 44 points, 5.8% were sentenced to state prison, and 27.6% to county jail/time served. (Table 1).
- Table 2 presents the scoring distribution of offenders under the Code for FY2000-2001 and FY2001-2002 by the circuit and sanction imposed. Circuit 2 (Miami) shows the highest percentage of scoresheets scoring to and receiving the state prison sanction at 90.9% and 90.4%, respectively. Circuit 4 (Jacksonville) has the lowest percentage of state prison scoring offenders, with 53.3% for FY2000-2001 and 56.3% for FY2001-2002.
- Incarceration rates vary greatly by county and circuit. Jail sanctions also vary greatly depending on the 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 (except drug



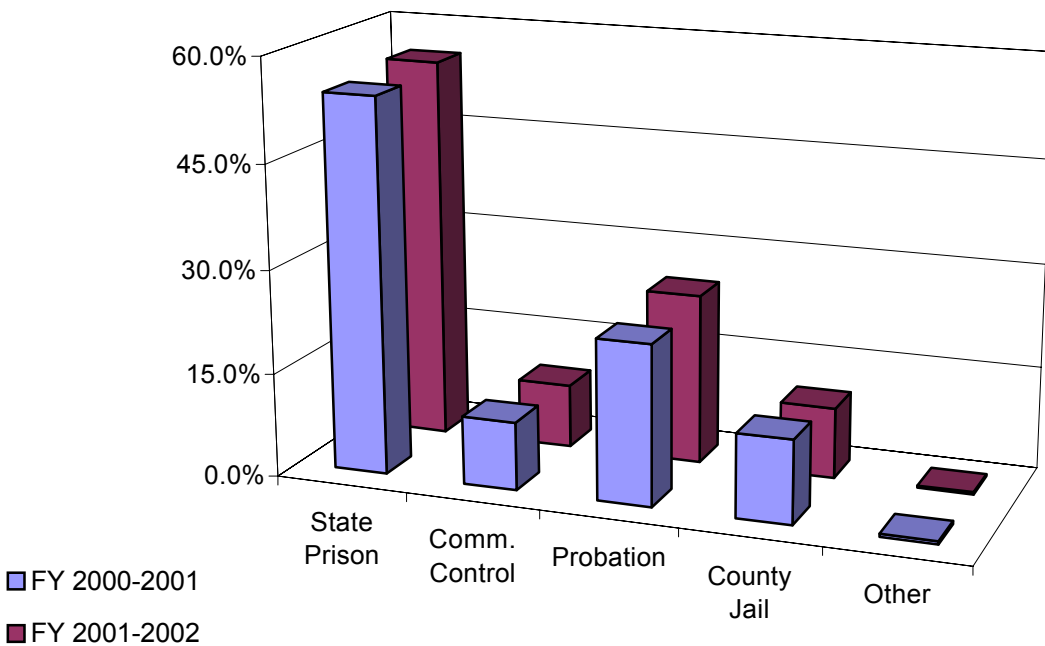
offender probation) or a state prison sentence length below the 25% permissible discretion. A sanction mitigation occurs when an offender scores more than 44 total points, but receives a non-state prison sanction (except drug offender probation).

- The true mitigation rate for offenders that scored more than 44 total points is 58.2% for FY2000-2001 and 57.8% for FY2001-2002. The sanction mitigation rate (cases that scored to state prison but received a non-state prison sanction) was 45.6% for FY2000-2001 and 44.4% for FY2001-2002 (Table 11).
- For the offenders that received a mitigated prison sentence length, the average reduction in sentence was 64.7 months during FY2000-2001 and 24.6 months during FY2001-2002 (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 2000-2001			FY 2001-2002		
	44.0 Points or Less	More than 44.0 Points	Total	44.0 Points or Less	More than 44.0 Points	Total
State Prison	3,890 5.8%	11,324 54.4%	<b>15,214</b> <b>17.4%</b>	3,416 5.8%	9,627 55.6%	<b>13,043</b> <b>17.1%</b>
Community Control	5,237 7.9%	2,064 9.9%	<b>7,301</b> <b>8.4%</b>	4,406 7.5%	1,598 9.2%	<b>6,004</b> <b>7.9%</b>
Probation	38,699 58.2%	4,837 23.2%	<b>43,536</b> <b>49.8%</b>	36,267 61.3%	4,274 24.7%	<b>40,541</b> <b>53.0%</b>
County Jail	18,325 27.6%	2,528 12.1%	<b>20,853</b> <b>23.9%</b>	14,714 24.9%	1,772 10.2%	<b>16,486</b> <b>21.6%</b>
Other	362 0.5%	82 0.4%	<b>444</b> <b>0.5%</b>	335 0.6%	59 0.3%	<b>394</b> <b>0.5%</b>
<b>Total</b>	<b>66,513</b> <b>100.0%</b>	<b>20,835</b> <b>100.0%</b>	<b>87,348</b> <b>100.0%</b>	<b>59,138</b> <b>100.0%</b>	<b>17,330</b> <b>100.0%</b>	<b>76,468</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 2000-2001				FY 2001-2002			
	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>3,012</b>	<b>83.5%</b>	<b>595</b>	<b>16.5%</b>	<b>3,044</b>	<b>82.0%</b>	<b>670</b>	<b>18.0%</b>
Prison	96	21.9%	343	78.1%	147	24.8%	445	75.2%
Community Control	380	81.7%	85	18.3%	419	82.5%	89	17.5%
Probation	1,904	94.0%	122	6.0%	1,854	94.3%	112	5.7%
County Jail	600	93.0%	45	7.0%	597	96.1%	24	3.9%
Other	32	100.0%	0	0.0%	27	100.0%	0	0.0%
<b>02 (Tallahassee)</b>	<b>448</b>	<b>56.2%</b>	<b>349</b>	<b>43.8%</b>	<b>302</b>	<b>59.9%</b>	<b>202</b>	<b>40.1%</b>
Prison	37	16.4%	189	83.6%	30	19.9%	121	80.1%
Community Control	28	40.0%	42	60.0%	27	50.9%	26	49.1%
Probation	337	76.8%	102	23.2%	223	81.4%	51	18.6%
County Jail	45	73.8%	16	26.2%	22	84.6%	4	15.4%
Other	1	100.0%	0	0.0%	0	0.0%	0	0.0%
<b>03 (Lake City)</b>	<b>197</b>	<b>61.2%</b>	<b>125</b>	<b>38.8%</b>	<b>78</b>	<b>67.8%</b>	<b>37</b>	<b>32.2%</b>
Prison	23	29.1%	56	70.9%	14	38.9%	22	61.1%
Community Control	39	68.4%	18	31.6%	19	79.2%	5	20.8%
Probation	107	73.3%	39	26.7%	41	85.4%	7	14.6%
County Jail	17	85.0%	3	15.0%	0	0.0%	2	100.0%
Other	11	55.0%	9	45.0%	4	80.0%	1	20.0%
<b>04 (Jacksonville)</b>	<b>4,465</b>	<b>78.4%</b>	<b>1,232</b>	<b>21.6%</b>	<b>4,023</b>	<b>76.4%</b>	<b>1,245</b>	<b>23.6%</b>
Prison	628	46.7%	718	53.3%	581	43.8%	747	56.3%
Community Control	238	76.5%	73	23.5%	238	76.3%	74	23.7%
Probation	1,687	85.3%	291	14.7%	1,354	85.3%	233	14.7%
County Jail	1,904	92.7%	149	7.3%	1,838	90.6%	191	9.4%
Other	8	88.9%	1	11.1%	12	100.0%	0	0.0%
<b>05 (Tavares)</b>	<b>2,890</b>	<b>84.4%</b>	<b>536</b>	<b>15.6%</b>	<b>2,914</b>	<b>85.7%</b>	<b>487</b>	<b>14.3%</b>
Prison	103	21.4%	379	78.6%	132	28.8%	326	71.2%
Community Control	253	83.8%	49	16.2%	244	84.1%	46	15.9%
Probation	1,944	96.0%	80	4.0%	2,145	95.5%	101	4.5%
County Jail	566	95.9%	24	4.1%	375	97.2%	11	2.8%
Other	24	85.7%	4	14.3%	18	85.7%	3	14.3%
<b>06 (Clearwater)</b>	<b>6,443</b>	<b>76.7%</b>	<b>1,952</b>	<b>23.3%</b>	<b>6,434</b>	<b>76.5%</b>	<b>1,971</b>	<b>23.5%</b>
Prison	217	14.9%	1,237	85.1%	221	15.9%	1,170	84.1%
Community Control	486	72.9%	181	27.1%	262	72.4%	100	27.6%
Probation	3,980	90.0%	442	10.0%	4,098	87.9%	563	12.1%
County Jail	1,708	95.3%	85	4.7%	1,790	93.8%	119	6.2%
Other	52	88.1%	7	11.9%	63	76.8%	19	23.2%

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

Judicial Circuit / Sanction Imposed	Recommended Sanction Category							
	FY 2000-2001				FY 2001-2002			
	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>2,865</b>	<b>78.6%</b>	<b>781</b>	<b>21.4%</b>	<b>2,659</b>	<b>79.2%</b>	<b>699</b>	<b>20.8%</b>
Prison	412	43.3%	540	56.7%	369	43.9%	472	56.1%
Community Control	308	83.9%	59	16.1%	284	79.3%	74	20.7%
Probation	1,457	91.3%	139	8.7%	1,468	92.9%	112	7.1%
County Jail	678	94.2%	42	5.8%	536	92.9%	41	7.1%
Other	10	90.9%	1	9.1%	2	100.0%	0	0.0%
<b>08 (Gainesville)</b>	<b>1,286</b>	<b>69.9%</b>	<b>555</b>	<b>30.1%</b>	<b>1,139</b>	<b>68.2%</b>	<b>530</b>	<b>31.8%</b>
Prison	35	14.1%	214	85.9%	40	15.3%	221	84.7%
Community Control	119	58.3%	85	41.7%	74	49.7%	75	50.3%
Probation	942	83.7%	183	16.3%	859	83.3%	172	16.7%
County Jail	176	72.7%	66	27.3%	144	72.0%	56	28.0%
Other	14	66.7%	7	33.3%	22	78.6%	6	21.4%
<b>09 (Orlando)</b>	<b>4,738</b>	<b>78.2%</b>	<b>1,317</b>	<b>21.8%</b>	<b>4,794</b>	<b>83.2%</b>	<b>965</b>	<b>16.8%</b>
Prison	268	23.0%	899	77.0%	315	33.7%	620	66.3%
Community Control	355	78.5%	97	21.5%	313	82.4%	67	17.6%
Probation	2,665	92.4%	218	7.6%	2,811	93.1%	209	6.9%
County Jail	1,421	93.4%	100	6.6%	1,323	95.4%	64	4.6%
Other	29	90.6%	3	9.4%	32	86.5%	5	13.5%
<b>10 (Bartow)</b>	<b>3,300</b>	<b>82.9%</b>	<b>682</b>	<b>17.1%</b>	<b>2,726</b>	<b>82.8%</b>	<b>565</b>	<b>17.2%</b>
Prison	401	42.7%	538	57.3%	191	31.9%	408	68.1%
Community Control	265	86.6%	41	13.4%	220	85.9%	36	14.1%
Probation	2,178	96.4%	82	3.6%	2,039	95.5%	97	4.5%
County Jail	430	96.6%	15	3.4%	271	92.2%	23	7.8%
Other	26	81.3%	6	18.8%	5	83.3%	1	16.7%
<b>11 (Miami)</b>	<b>8,510</b>	<b>67.1%</b>	<b>4,174</b>	<b>32.9%</b>	<b>4,479</b>	<b>67.0%</b>	<b>2,202</b>	<b>33.0%</b>
Prison	120	9.1%	1,195	90.9%	63	9.6%	595	90.4%
Community Control	209	35.8%	375	64.2%	120	34.8%	225	65.2%
Probation	3,687	75.3%	1,210	24.7%	2,079	74.3%	720	25.7%
County Jail	4,494	76.3%	1,394	23.7%	2,217	77.0%	662	23.0%
Other	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>12 (Sarasota)</b>	<b>2,417</b>	<b>81.8%</b>	<b>537</b>	<b>18.2%</b>	<b>2,230</b>	<b>83.5%</b>	<b>442</b>	<b>16.5%</b>
Prison	99	20.0%	397	80.0%	91	21.4%	334	78.6%
Community Control	300	87.0%	45	13.0%	244	88.7%	31	11.3%
Probation	1,401	94.5%	81	5.5%	1,259	95.3%	62	4.7%
County Jail	607	97.9%	13	2.1%	613	97.9%	13	2.1%
Other	10	90.9%	1	9.1%	23	92.0%	2	8.0%

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

Judicial Circuit / Sanction Imposed	Recommended Sanction Category							
	FY 2000-2001				FY 2001-2002			
	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>5,427</b>	<b>72.8%</b>	<b>2,029</b>	<b>27.2%</b>	<b>4,886</b>	<b>73.8%</b>	<b>1,735</b>	<b>26.2%</b>
Prison	213	18.1%	962	81.9%	170	18.0%	773	82.0%
Community Control	758	64.2%	423	35.8%	659	66.8%	327	33.2%
Probation	3,483	87.9%	479	12.1%	3,358	87.4%	484	12.6%
County Jail	924	86.3%	147	13.7%	655	82.6%	138	17.4%
Other	49	73.1%	18	26.9%	44	77.2%	13	22.8%
<b>14 (Panama City)</b>	<b>1,633</b>	<b>74.9%</b>	<b>548</b>	<b>25.1%</b>	<b>1,355</b>	<b>76.3%</b>	<b>422</b>	<b>23.7%</b>
Prison	197	34.3%	377	65.7%	170	37.3%	286	62.7%
Community Control	314	80.7%	75	19.3%	289	85.5%	49	14.5%
Probation	1,040	93.4%	74	6.6%	823	92.0%	72	8.0%
County Jail	69	81.2%	16	18.8%	60	80.0%	15	20.0%
Other	13	68.4%	6	31.6%	13	100.0%	0	0.0%
<b>15 (West Palm Beach)</b>	<b>4,162</b>	<b>77.6%</b>	<b>1,202</b>	<b>22.4%</b>	<b>4,233</b>	<b>79.7%</b>	<b>1,075</b>	<b>20.3%</b>
Prison	80	10.1%	716	89.9%	94	13.8%	586	86.2%
Community Control	80	71.4%	32	28.6%	55	74.3%	19	25.7%
Probation	1,934	89.1%	236	10.9%	2,101	89.3%	253	10.7%
County Jail	2,068	90.5%	218	9.5%	1,983	90.1%	217	9.9%
Other	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>16 (Key West)</b>	<b>686</b>	<b>80.0%</b>	<b>171</b>	<b>20.0%</b>	<b>315</b>	<b>78.0%</b>	<b>89</b>	<b>22.0%</b>
Prison	24	22.4%	83	77.6%	13	25.5%	38	74.5%
Community Control	42	76.4%	13	23.6%	18	66.7%	9	33.3%
Probation	523	89.4%	62	10.6%	248	89.2%	30	10.8%
County Jail	79	85.9%	13	14.1%	32	72.7%	12	27.3%
Other	18	100.0%	0	0.0%	4	100.0%	0	0.0%
<b>17 (Ft. Lauderdale)</b>	<b>7,510</b>	<b>76.6%</b>	<b>2,289</b>	<b>23.4%</b>	<b>6,933</b>	<b>74.8%</b>	<b>2,334</b>	<b>25.2%</b>
Prison	530	27.7%	1,384	72.3%	371	21.0%	1,395	79.0%
Community Control	555	71.1%	226	28.9%	377	62.8%	223	37.2%
Probation	4,830	89.3%	581	10.7%	4,864	88.4%	639	11.6%
County Jail	1,564	95.0%	82	5.0%	1,305	94.9%	70	5.1%
Other	31	66.0%	16	34.0%	16	69.6%	7	30.4%
<b>18 (Sanford)</b>	<b>1,928</b>	<b>84.5%</b>	<b>353</b>	<b>15.5%</b>	<b>1,574</b>	<b>84.6%</b>	<b>286</b>	<b>15.4%</b>
Prison	69	22.0%	245	78.0%	64	22.5%	221	77.5%
Community Control	173	82.0%	38	18.0%	158	88.8%	20	11.2%
Probation	1,447	95.6%	67	4.4%	1,203	96.6%	42	3.4%
County Jail	238	98.8%	3	1.2%	149	98.0%	3	2.0%
Other	1	100.0%	0	0.0%	0	0.0%	0	0.0%

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

Judicial Circuit / Sanction Imposed	Recommended Sanction Category							
	FY 2000-2001				FY 2001-2002			
	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>1,737</b>	<b>75.8%</b>	<b>556</b>	<b>24.2%</b>	<b>1,927</b>	<b>77.6%</b>	<b>556</b>	<b>22.4%</b>
Prison	282	40.3%	417	59.7%	250	36.8%	430	63.2%
Community Control	113	86.3%	18	13.7%	147	84.0%	28	16.0%
Probation	1,029	91.7%	93	8.3%	1,216	94.5%	71	5.5%
County Jail	302	91.8%	27	8.2%	306	92.2%	26	7.8%
Other	11	91.7%	1	8.3%	8	88.9%	1	11.1%
<b>20 (Ft. Myers)</b>	<b>2,859</b>	<b>77.0%</b>	<b>852</b>	<b>23.0%</b>	<b>3,093</b>	<b>79.1%</b>	<b>818</b>	<b>20.9%</b>
Prison	56	11.4%	435	88.6%	90	17.8%	417	82.2%
Community Control	222	71.4%	89	28.6%	239	76.1%	75	23.9%
Probation	2,124	89.2%	256	10.8%	2,224	90.1%	244	9.9%
County Jail	435	86.1%	70	13.9%	498	86.0%	81	14.0%
Other	22	91.7%	2	8.3%	42	97.7%	1	2.3%
<b>Statewide</b>	<b>66,513</b>	<b>100.0%</b>	<b>20,835</b>	<b>100.0%</b>	<b>59,138</b>	<b>100.0%</b>	<b>17,330</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 2000 - 2001						Sentence Dates FY 2001-2002					
	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>439</b>	<b>465</b>	<b>2,026</b>	<b>645</b>	<b>32</b>	<b>3,607</b>	<b>592</b>	<b>508</b>	<b>1,966</b>	<b>621</b>	<b>27</b>	<b>3,714</b>
	<b>12.2%</b>	<b>12.9%</b>	<b>56.2%</b>	<b>17.9%</b>	<b>0.9%</b>	<b>100.0%</b>	<b>15.9%</b>	<b>13.7%</b>	<b>52.9%</b>	<b>16.7%</b>	<b>0.7%</b>	<b>100.0%</b>
Escambia	322	281	1,118	503	19	<b>2,243</b>	442	302	1,116	541	23	<b>2,424</b>
	14.4%	12.5%	49.8%	22.4%	0.8%	<b>100.0%</b>	18.2%	12.5%	46.0%	22.3%	0.9%	<b>100.0%</b>
Okaloosa	62	110	492	91	9	<b>764</b>	114	123	507	49	3	<b>796</b>
	8.1%	14.4%	64.4%	11.9%	3.0%	<b>101.8%</b>	14.3%	15.5%	63.7%	6.2%	0.4%	<b>100.0%</b>
Santa Rosa	48	65	271	44	3	<b>431</b>	33	57	199	26	1	<b>316</b>
	11.1%	15.1%	62.9%	10.2%	1.0%	<b>100.3%</b>	10.4%	18.0%	63.0%	8.2%	0.3%	<b>100.0%</b>
Walton	7	9	145	7	1	<b>169</b>	3	26	144	5	0	<b>178</b>
	4.1%	5.3%	85.8%	4.1%	0.6%	<b>100.0%</b>	1.7%	14.6%	80.9%	2.8%	0.0%	<b>100.0%</b>
<b>02 (Tallahassee)</b>	<b>226</b>	<b>70</b>	<b>439</b>	<b>61</b>	<b>1</b>	<b>797</b>	<b>151</b>	<b>53</b>	<b>274</b>	<b>26</b>	<b>0</b>	<b>504</b>
	<b>28.4%</b>	<b>8.8%</b>	<b>55.1%</b>	<b>7.7%</b>	<b>0.1%</b>	<b>100.0%</b>	<b>30.0%</b>	<b>10.5%</b>	<b>54.4%</b>	<b>5.2%</b>	<b>0.0%</b>	<b>100.0%</b>
Franklin	4	2	22	1	0	<b>29</b>	3	2	8	1	0	<b>14</b>
	13.8%	6.9%	75.9%	3.4%	0.0%	<b>100.0%</b>	21.4%	14.3%	57.1%	7.1%	0.0%	<b>100.0%</b>
Gadsden	107	22	219	16	0	<b>364</b>	65	20	153	5	0	<b>243</b>
	29.4%	6.0%	60.2%	4.4%	0.0%	<b>100.0%</b>	26.7%	8.2%	63.0%	2.1%	0.0%	<b>100.0%</b>
Jefferson	0	0	4	0	0	<b>4</b>	0	0	0	0	0	<b>0</b>
	0.0%	0.0%	100.0%	0.0%	0.0%	<b>100.0%</b>	0.0%	0.0%	0.0%	0.0%	0.0%	<b>0.0%</b>
Leon	105	35	136	41	1	<b>318</b>	69	29	105	19	0	<b>222</b>
	33.0%	11.0%	42.8%	12.9%	0.3%	<b>100.0%</b>	31.1%	13.1%	47.3%	8.6%	0.0%	<b>100.0%</b>
Liberty	5	4	19	0	0	<b>28</b>	14	2	8	1	0	<b>25</b>
	17.9%	14.3%	67.9%	0.0%	0.0%	<b>100.0%</b>	56.0%	8.0%	32.0%	4.0%	0.0%	<b>100.0%</b>
Wakulla	5	7	39	3	0	<b>54</b>	0	0	0	0	0	<b>0</b>
	9.3%	13.0%	72.2%	5.6%	0.0%	<b>100.0%</b>	0.0%	0.0%	0.0%	0.0%	0.0%	<b>0.0%</b>
<b>03 (Lake City)</b>	<b>79</b>	<b>57</b>	<b>146</b>	<b>20</b>	<b>20</b>	<b>322</b>	<b>36</b>	<b>24</b>	<b>48</b>	<b>2</b>	<b>5</b>	<b>115</b>
	<b>24.5%</b>	<b>17.7%</b>	<b>45.3%</b>	<b>6.2%</b>	<b>6.2%</b>	<b>100.0%</b>	<b>31.3%</b>	<b>20.9%</b>	<b>41.7%</b>	<b>1.7%</b>	<b>4.3%</b>	<b>100.0%</b>
Columbia	31	17	10	8	0	<b>66</b>	11	5	10	0	0	<b>26</b>
	47.0%	25.8%	15.2%	12.1%	0.0%	<b>100.0%</b>	42.3%	19.2%	38.5%	0.0%	0.0%	<b>100.0%</b>
Dixie	5	10	30	2	3	<b>50</b>	6	0	1	0	0	<b>7</b>
	10.0%	20.0%	60.0%	4.0%	6.0%	<b>100.0%</b>	85.7%	0.0%	14.3%	0.0%	0.0%	<b>100.0%</b>

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

Circuit/County	Sentence Dates FY 2000 - 2001						Sentence Dates FY 2001-2002					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
Hamilton	5 0.1%	6 0.2%	18 0.5%	1 0.0%	9 0.2%	<b>39</b> <b>1.1%</b>	6 0.2%	0 0.0%	2 0.1%	0 0.0%	2 0.1%	<b>10</b> <b>0.3%</b>
Lafayette	5 45.5%	0 0.0%	5 45.5%	1 9.1%	0 0.0%	<b>11</b> <b>100.0%</b>	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	<b>0</b> <b>0.0%</b>
Madison	11 28.9%	7 18.4%	15 39.5%	2 5.3%	3 7.9%	<b>38</b> <b>100.0%</b>	2 66.7%	1 33.3%	0 0.0%	0 0.0%	0 0.0%	<b>3</b> <b>100.0%</b>
Suwannee	14 26.9%	6 11.5%	32 61.5%	0 0.0%	0 0.0%	<b>52</b> <b>100.0%</b>	4 80.0%	0 0.0%	1 20.0%	0 0.0%	0 0.0%	<b>5</b> <b>100.0%</b>
Taylor	8 12.1%	11 16.7%	36 54.5%	6 9.1%	5 7.6%	<b>66</b> <b>100.0%</b>	7 10.9%	18 28.1%	34 53.1%	2 3.1%	3 4.7%	<b>64</b> <b>100.0%</b>
<b>04 (Jacksonville)</b>	<b>1,346</b> <b>23.6%</b>	<b>311</b> <b>5.5%</b>	<b>1,978</b> <b>34.7%</b>	<b>2,053</b> <b>36.0%</b>	<b>9</b> <b>0.2%</b>	<b>5,697</b> <b>100.0%</b>	<b>1,328</b> <b>25.2%</b>	<b>312</b> <b>5.9%</b>	<b>1,587</b> <b>30.1%</b>	<b>2,029</b> <b>38.5%</b>	<b>12</b> <b>0.2%</b>	<b>5,268</b> <b>100.0%</b>
Clay	132 20.6%	45 7.0%	316 49.3%	146 22.8%	2 0.3%	<b>641</b> <b>100.0%</b>	135 19.7%	41 6.0%	323 47.2%	184 26.9%	2 0.3%	<b>685</b> <b>100.0%</b>
Duval	1,127 23.6%	251 5.3%	1,587 33.3%	1,799 37.7%	7 0.1%	<b>4,771</b> <b>100.0%</b>	1,075 25.2%	250 5.9%	1,152 27.0%	1,782 41.8%	8 0.2%	<b>4,267</b> <b>100.0%</b>
Nassau	87 30.5%	15 5.3%	75 26.3%	108 37.9%	0 0.0%	<b>285</b> <b>100.0%</b>	118 37.3%	21 6.6%	112 35.4%	63 19.9%	2 0.6%	<b>316</b> <b>100.0%</b>
<b>05 (Tavares)</b>	<b>482</b> <b>14.1%</b>	<b>302</b> <b>8.8%</b>	<b>2,024</b> <b>59.1%</b>	<b>590</b> <b>17.2%</b>	<b>28</b> <b>0.8%</b>	<b>3,426</b> <b>100.0%</b>	<b>458</b> <b>13.5%</b>	<b>290</b> <b>8.5%</b>	<b>2,246</b> <b>66.0%</b>	<b>386</b> <b>11.3%</b>	<b>21</b> <b>0.6%</b>	<b>3,401</b> <b>100.0%</b>
Citrus	49 14.4%	9 2.6%	191 56.2%	88 25.9%	3 0.9%	<b>340</b> <b>100.0%</b>	74 19.3%	20 5.2%	239 62.2%	46 12.0%	5 1.3%	<b>384</b> <b>100.0%</b>
Hernando	84 15.1%	76 13.6%	349 62.7%	47 8.4%	1 0.2%	<b>557</b> <b>100.0%</b>	73 14.8%	62 12.6%	325 65.8%	32 6.5%	2 0.4%	<b>494</b> <b>100.0%</b>
Lake	187 15.5%	105 8.7%	614 51.0%	294 24.4%	4 0.3%	<b>1,204</b> <b>100.0%</b>	143 12.8%	99 8.9%	678 60.6%	193 17.3%	5 0.4%	<b>1,118</b> <b>100.0%</b>
Marion	117 10.1%	97 8.4%	771 66.7%	152 13.1%	19 1.6%	<b>1,156</b> <b>100.0%</b>	117 9.4%	98 7.9%	907 73.1%	110 8.9%	9 0.7%	<b>1,241</b> <b>100.0%</b>
Sumter	45 26.6%	15 8.9%	99 58.6%	9 5.3%	1 0.6%	<b>169</b> <b>100.0%</b>	51 31.1%	11 6.7%	97 59.1%	5 3.0%	0 0.0%	<b>164</b> <b>100.0%</b>



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

Circuit/County	Sentence Dates FY 2000 - 2001						Sentence Dates FY 2001-2002					
	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>1,454</b>	<b>667</b>	<b>4,422</b>	<b>1,793</b>	<b>59</b>	<b>8,395</b>	<b>1,391</b>	<b>362</b>	<b>4,661</b>	<b>1,909</b>	<b>82</b>	<b>8,405</b>
	<b>17.3%</b>	<b>7.9%</b>	<b>52.7%</b>	<b>21.4%</b>	<b>0.7%</b>	<b>100.0%</b>	<b>16.5%</b>	<b>4.3%</b>	<b>55.5%</b>	<b>22.7%</b>	<b>1.0%</b>	<b>100.0%</b>
Pasco	240	317	748	148	6	<b>1,459</b>	252	253	737	156	0	<b>1,398</b>
	16.4%	21.7%	51.3%	10.1%	0.4%	<b>100.0%</b>	18.0%	18.1%	52.7%	11.2%	0.0%	<b>100.0%</b>
Pinellas	1,214	350	3,674	1,645	53	<b>6,936</b>	1,139	109	3,924	1,753	82	<b>7,007</b>
	17.5%	5.0%	53.0%	23.7%	0.8%	<b>100.0%</b>	16.3%	1.6%	56.0%	25.0%	1.2%	<b>100.0%</b>
<b>07 (Daytona)</b>	<b>952</b>	<b>367</b>	<b>1,596</b>	<b>720</b>	<b>11</b>	<b>3,646</b>	<b>841</b>	<b>358</b>	<b>1,580</b>	<b>577</b>	<b>2</b>	<b>3,358</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>	<b>25.0%</b>	<b>10.7%</b>	<b>47.1%</b>	<b>17.2%</b>	<b>0.1%</b>	<b>100.0%</b>
Flagler	23	19	82	13	0	<b>137</b>	11	14	33	6	0	<b>64</b>
	16.8%	13.9%	59.9%	9.5%	0.0%	<b>100.0%</b>	17.2%	21.9%	51.6%	9.4%	0.0%	<b>100.0%</b>
Putnam	103	23	124	33	5	<b>288</b>	95	18	113	22	2	<b>250</b>
	35.8%	8.0%	43.1%	11.5%	1.7%	<b>100.0%</b>	38.0%	7.2%	45.2%	8.8%	0.8%	<b>100.0%</b>
St. Johns	142	35	237	55	0	<b>469</b>	149	14	333	44	0	<b>540</b>
	30.3%	7.5%	50.5%	11.7%	0.0%	<b>100.0%</b>	27.6%	2.6%	61.7%	8.1%	0.0%	<b>100.0%</b>
Volusia	684	290	1,153	619	6	<b>2,752</b>	586	312	1,101	505	0	<b>2,504</b>
	24.9%	10.5%	41.9%	22.5%	0.2%	<b>100.0%</b>	23.4%	12.5%	44.0%	20.2%	0.0%	<b>100.0%</b>
<b>08 (Gainesville)</b>	<b>249</b>	<b>204</b>	<b>1,125</b>	<b>242</b>	<b>21</b>	<b>1,841</b>	<b>261</b>	<b>149</b>	<b>1,031</b>	<b>200</b>	<b>28</b>	<b>1,669</b>
	<b>13.5%</b>	<b>11.1%</b>	<b>61.1%</b>	<b>13.1%</b>	<b>1.1%</b>	<b>100.0%</b>	<b>15.6%</b>	<b>8.9%</b>	<b>61.8%</b>	<b>12.0%</b>	<b>1.7%</b>	<b>100.0%</b>
Alachua	175	130	785	207	14	<b>1,311</b>	188	104	757	165	23	<b>1,237</b>
	13.3%	9.9%	59.9%	15.8%	1.1%	<b>100.0%</b>	15.2%	8.4%	61.2%	13.3%	1.9%	<b>100.0%</b>
Baker	11	14	64	4	0	<b>93</b>	14	5	45	5	1	<b>70</b>
	11.8%	15.1%	68.8%	4.3%	0.0%	<b>100.0%</b>	20.0%	7.1%	64.3%	7.1%	1.4%	<b>100.0%</b>
Bradford	25	26	121	5	0	<b>177</b>	28	6	100	10	1	<b>145</b>
	14.1%	14.7%	68.4%	2.8%	0.0%	<b>100.0%</b>	19.3%	4.1%	69.0%	6.9%	0.7%	<b>100.0%</b>
Gilchrist	1	2	18	4	0	<b>25</b>	0	1	12	5	0	<b>18</b>
	4.0%	8.0%	72.0%	16.0%	0.0%	<b>100.0%</b>	0.0%	5.6%	66.7%	27.8%	0.0%	<b>100.0%</b>
Levy	24	22	102	16	7	<b>171</b>	24	29	75	11	3	<b>142</b>
	14.0%	12.9%	59.6%	9.4%	4.1%	<b>100.0%</b>	16.9%	20.4%	52.8%	7.7%	2.1%	<b>100.0%</b>
Union	13	10	35	6	0	<b>64</b>	7	4	42	4	0	<b>57</b>
	20.3%	15.6%	54.7%	9.4%	0.0%	<b>100.0%</b>	12.3%	7.0%	73.7%	7.0%	0.0%	<b>100.0%</b>

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

Circuit/County	Sentence Dates FY 2000 - 2001						Sentence Dates FY 2001-2002					
	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>1,167</b>	<b>452</b>	<b>2,883</b>	<b>1,521</b>	<b>32</b>	<b>6,055</b>	<b>935</b>	<b>380</b>	<b>3,020</b>	<b>1,387</b>	<b>37</b>	<b>5,759</b>
	<b>19.3%</b>	<b>7.5%</b>	<b>47.6%</b>	<b>25.1%</b>	<b>0.5%</b>	<b>100.0%</b>	<b>16.2%</b>	<b>6.6%</b>	<b>52.4%</b>	<b>24.1%</b>	<b>0.6%</b>	<b>100.0%</b>
Orange	1,022	378	2,498	1,273	24	<b>5,195</b>	814	309	2,384	1,075	29	<b>4,611</b>
	19.7%	7.3%	48.1%	24.5%	0.5%	<b>100.0%</b>	17.7%	6.7%	51.7%	23.3%	0.6%	<b>100.0%</b>
Osceola	145	74	385	248	8	<b>860</b>	121	71	636	312	8	<b>1,148</b>
	16.9%	8.6%	44.8%	28.8%	0.9%	<b>100.0%</b>	10.5%	6.2%	55.4%	27.2%	0.7%	<b>100.0%</b>
<b>10 (Bartow)</b>	<b>939</b>	<b>306</b>	<b>2,260</b>	<b>445</b>	<b>32</b>	<b>3,982</b>	<b>599</b>	<b>256</b>	<b>2,136</b>	<b>294</b>	<b>6</b>	<b>3,291</b>
	<b>23.6%</b>	<b>7.7%</b>	<b>56.8%</b>	<b>11.2%</b>	<b>0.8%</b>	<b>100.0%</b>	<b>18.2%</b>	<b>7.8%</b>	<b>64.9%</b>	<b>8.9%</b>	<b>0.2%</b>	<b>100.0%</b>
Hardee	11	3	57	25	0	<b>96</b>	22	11	36	11	0	<b>80</b>
	11.5%	3.1%	59.4%	26.0%	0.0%	<b>100.0%</b>	27.5%	13.8%	45.0%	13.8%	0.0%	<b>100.0%</b>
Highlands	78	18	174	35	2	<b>307</b>	70	34	171	7	1	<b>283</b>
	25.4%	5.9%	56.7%	11.4%	0.7%	<b>100.0%</b>	24.7%	12.0%	60.4%	2.5%	0.4%	<b>100.0%</b>
Polk	850	285	2,029	385	30	<b>3,579</b>	507	211	1,929	276	5	<b>2,928</b>
	23.7%	8.0%	56.7%	10.8%	0.8%	<b>100.0%</b>	17.3%	7.2%	65.9%	9.4%	0.2%	<b>100.0%</b>
<b>11 (Miami)</b>	<b>1,315</b>	<b>584</b>	<b>4,897</b>	<b>5,888</b>	<b>0</b>	<b>12,684</b>	<b>658</b>	<b>345</b>	<b>2,799</b>	<b>2,879</b>	<b>0</b>	<b>6,681</b>
	<b>10.4%</b>	<b>4.6%</b>	<b>38.6%</b>	<b>46.4%</b>	<b>0.0%</b>	<b>100.0%</b>	<b>9.8%</b>	<b>5.2%</b>	<b>41.9%</b>	<b>43.1%</b>	<b>0.0%</b>	<b>100.0%</b>
Miami-Dade	1,315	584	4,897	5,888	0	<b>12,684</b>	658	345	2,799	2,879	0	<b>6,681</b>
	10.4%	4.6%	38.6%	46.4%	0.0%	<b>100.0%</b>	9.8%	5.2%	41.9%	43.1%	0.0%	<b>100.0%</b>
<b>12 (Sarasota)</b>	<b>496</b>	<b>345</b>	<b>1,482</b>	<b>620</b>	<b>11</b>	<b>2,954</b>	<b>425</b>	<b>275</b>	<b>1,321</b>	<b>626</b>	<b>25</b>	<b>2,672</b>
	<b>16.8%</b>	<b>11.7%</b>	<b>50.2%</b>	<b>21.0%</b>	<b>0.4%</b>	<b>100.0%</b>	<b>15.9%</b>	<b>10.3%</b>	<b>49.4%</b>	<b>23.4%</b>	<b>0.9%</b>	<b>100.0%</b>
Desoto	44	16	62	18	1	<b>141</b>	23	17	45	19	0	<b>104</b>
	31.2%	11.3%	44.0%	12.8%	0.7%	<b>100.0%</b>	22.1%	16.3%	43.3%	18.3%	0.0%	<b>100.0%</b>
Manatee	255	145	593	264	1	<b>1,258</b>	200	96	585	201	2	<b>1,084</b>
	20.3%	11.5%	47.1%	21.0%	0.1%	<b>100.0%</b>	18.5%	8.9%	54.0%	18.5%	0.2%	<b>100.0%</b>
Sarasota	197	184	827	338	9	<b>1,555</b>	202	162	691	406	23	<b>1,484</b>
	12.7%	11.8%	53.2%	21.7%	0.6%	<b>100.0%</b>	13.6%	10.9%	46.6%	27.4%	1.5%	<b>100.0%</b>
<b>13 (Tampa)</b>	<b>1,175</b>	<b>1,181</b>	<b>3,962</b>	<b>1,071</b>	<b>67</b>	<b>7,456</b>	<b>943</b>	<b>986</b>	<b>3,842</b>	<b>793</b>	<b>57</b>	<b>6,621</b>
	<b>15.8%</b>	<b>15.8%</b>	<b>53.1%</b>	<b>14.4%</b>	<b>0.9%</b>	<b>100.0%</b>	<b>14.2%</b>	<b>14.9%</b>	<b>58.0%</b>	<b>12.0%</b>	<b>0.9%</b>	<b>100.0%</b>
Hillsborough	1,175	1,181	3,962	1,071	67	<b>7,456</b>	943	986	3,842	793	57	<b>6,621</b>
	15.8%	15.8%	53.1%	14.4%	0.9%	<b>100.0%</b>	14.2%	14.9%	58.0%	12.0%	0.9%	<b>100.0%</b>

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

Circuit/County	Sentence Dates FY 2000 - 2001						Sentence Dates FY 2001-2002					
	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>574</b>	<b>389</b>	<b>1,114</b>	<b>85</b>	<b>19</b>	<b>2,181</b>	<b>456</b>	<b>338</b>	<b>895</b>	<b>75</b>	<b>13</b>	<b>1,777</b>
	<b>26.3%</b>	<b>17.8%</b>	<b>51.1%</b>	<b>3.9%</b>	<b>0.9%</b>	<b>100.0%</b>	<b>25.7%</b>	<b>19.0%</b>	<b>50.4%</b>	<b>4.2%</b>	<b>0.7%</b>	<b>100.0%</b>
Bay	415	281	742	57	12	<b>1,507</b>	375	289	680	61	13	<b>1,418</b>
	27.5%	18.6%	49.2%	3.8%	0.8%	<b>100.0%</b>	26.4%	20.4%	48.0%	4.3%	0.9%	<b>100.0%</b>
Calhoun	20	13	59	3	0	<b>95</b>	8	0	7	1	0	<b>16</b>
	21.1%	13.7%	62.1%	3.2%	0.0%	<b>100.0%</b>	50.0%	0.0%	43.8%	6.3%	0.0%	<b>100.0%</b>
Gulf	9	10	42	1	0	<b>62</b>	0	3	17	2	0	<b>22</b>
	14.5%	16.1%	67.7%	1.6%	0.0%	<b>100.0%</b>	0.0%	13.6%	77.3%	9.1%	0.0%	<b>100.0%</b>
Holmes	14	31	58	3	3	<b>109</b>	15	12	49	0	0	<b>76</b>
	12.8%	28.4%	53.2%	2.8%	2.8%	<b>100.0%</b>	19.7%	15.8%	64.5%	0.0%	0.0%	<b>100.0%</b>
Jackson	72	28	172	18	0	<b>290</b>	35	24	87	9	0	<b>155</b>
	24.8%	9.7%	59.3%	6.2%	0.0%	<b>100.0%</b>	22.6%	15.5%	56.1%	5.8%	0.0%	<b>100.0%</b>
Washington	44	26	41	3	4	<b>118</b>	23	10	55	2	0	<b>90</b>
	37.3%	22.0%	34.7%	2.5%	3.4%	<b>100.0%</b>	25.6%	11.1%	61.1%	2.2%	0.0%	<b>100.0%</b>
<b>15 (West Palm Beach)</b>	<b>796</b>	<b>112</b>	<b>2,170</b>	<b>2,286</b>	<b>0</b>	<b>5,364</b>	<b>680</b>	<b>74</b>	<b>2,354</b>	<b>2,200</b>	<b>0</b>	<b>5,308</b>
	<b>14.8%</b>	<b>2.1%</b>	<b>40.5%</b>	<b>42.6%</b>	<b>0.0%</b>	<b>100.0%</b>	<b>12.8%</b>	<b>1.4%</b>	<b>44.3%</b>	<b>41.4%</b>	<b>0.0%</b>	<b>100.0%</b>
Palm Beach	796	112	2,170	2,286	0	<b>5,364</b>	680	74	2,354	2,200	0	<b>5,308</b>
	14.8%	2.1%	40.5%	42.6%	0.0%	<b>100.0%</b>	12.8%	1.4%	44.3%	41.4%	0.0%	<b>100.0%</b>
<b>16 (Key West)</b>	<b>107</b>	<b>55</b>	<b>585</b>	<b>92</b>	<b>18</b>	<b>857</b>	<b>51</b>	<b>27</b>	<b>278</b>	<b>44</b>	<b>4</b>	<b>404</b>
	<b>12.5%</b>	<b>6.4%</b>	<b>68.3%</b>	<b>10.7%</b>	<b>2.1%</b>	<b>100.0%</b>	<b>12.6%</b>	<b>6.7%</b>	<b>68.8%</b>	<b>10.9%</b>	<b>1.0%</b>	<b>100.0%</b>
Monroe	107	55	585	92	18	<b>857</b>	51	27	278	44	4	<b>404</b>
	12.5%	6.4%	68.3%	10.7%	2.1%	<b>100.0%</b>	12.6%	6.7%	68.8%	10.9%	1.0%	<b>100.0%</b>
<b>17 (Ft. Lauderdale)</b>	<b>1,914</b>	<b>781</b>	<b>5,411</b>	<b>1,646</b>	<b>47</b>	<b>9,799</b>	<b>1,766</b>	<b>600</b>	<b>5,503</b>	<b>1,375</b>	<b>23</b>	<b>9,267</b>
	<b>19.5%</b>	<b>8.0%</b>	<b>55.2%</b>	<b>16.8%</b>	<b>0.5%</b>	<b>100.0%</b>	<b>19.1%</b>	<b>6.5%</b>	<b>59.4%</b>	<b>14.8%</b>	<b>0.2%</b>	<b>100.0%</b>
Broward	1,914	781	5,411	1,646	47	<b>9,799</b>	1,766	600	5,503	1,375	23	<b>9,267</b>
	19.5%	8.0%	55.2%	16.8%	0.5%	<b>100.0%</b>	19.1%	6.5%	59.4%	14.8%	0.2%	<b>100.0%</b>
<b>18 (Sanford)</b>	<b>314</b>	<b>211</b>	<b>1,514</b>	<b>241</b>	<b>1</b>	<b>2,281</b>	<b>285</b>	<b>178</b>	<b>1,245</b>	<b>152</b>	<b>0</b>	<b>1,860</b>
	<b>13.8%</b>	<b>9.3%</b>	<b>66.4%</b>	<b>10.6%</b>	<b>0.0%</b>	<b>100.0%</b>	<b>15.3%</b>	<b>9.6%</b>	<b>66.9%</b>	<b>8.2%</b>	<b>0.0%</b>	<b>100.0%</b>
Brevard	151	133	876	56	0	<b>1,216</b>	139	129	596	20	0	<b>884</b>
	12.4%	10.9%	72.0%	4.6%	0.0%	<b>100.0%</b>	15.7%	14.6%	67.4%	2.3%	0.0%	<b>100.0%</b>

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Sanction Imposed By Judicial Circuit and County**

Circuit/County	Sentence Dates FY 2000 - 2001						Sentence Dates FY 2001-2002					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
Seminole	163 15.3%	78 7.3%	638 59.9%	185 17.4%	1 0.1%	<b>1,065</b> <b>100.0%</b>	146 15.0%	49 5.0%	649 66.5%	132 13.5%	0 0.0%	<b>976</b> <b>100.0%</b>
<b>19 (Ft. Pierce)</b>	<b>699</b> <b>30.5%</b>	<b>131</b> <b>5.7%</b>	<b>1,122</b> <b>48.9%</b>	<b>329</b> <b>14.3%</b>	<b>12</b> <b>0.5%</b>	<b>2,293</b> <b>100.0%</b>	<b>680</b> <b>27.4%</b>	<b>175</b> <b>7.0%</b>	<b>1,287</b> <b>51.8%</b>	<b>332</b> <b>13.4%</b>	<b>9</b> <b>0.4%</b>	<b>2,483</b> <b>100.0%</b>
Indian River	156 26.0%	19 3.2%	302 50.2%	117 19.5%	7 1.2%	<b>601</b> <b>100.0%</b>	137 27.1%	30 5.9%	264 52.2%	72 14.2%	3 0.6%	<b>506</b> <b>100.0%</b>
Martin	93 21.1%	38 8.6%	214 48.5%	96 21.8%	0 0.0%	<b>441</b> <b>100.0%</b>	155 22.2%	44 6.3%	363 51.9%	136 19.5%	1 0.1%	<b>699</b> <b>100.0%</b>
Okeechobee	42 25.0%	4 2.4%	108 64.3%	13 7.7%	1 0.6%	<b>168</b> <b>100.0%</b>	43 31.9%	2 1.5%	71 52.6%	17 12.6%	2 1.5%	<b>135</b> <b>100.0%</b>
St. Lucie	408 37.7%	70 6.5%	498 46.0%	103 9.5%	4 0.4%	<b>1,083</b> <b>100.0%</b>	345 30.2%	99 8.7%	589 51.5%	107 9.4%	3 0.3%	<b>1,143</b> <b>100.0%</b>
<b>20 (Ft. Myers)</b>	<b>491</b> <b>13.2%</b>	<b>311</b> <b>8.4%</b>	<b>2,380</b> <b>64.1%</b>	<b>505</b> <b>13.6%</b>	<b>24</b> <b>0.6%</b>	<b>3,711</b> <b>100.0%</b>	<b>507</b> <b>13.0%</b>	<b>314</b> <b>8.0%</b>	<b>2,468</b> <b>63.1%</b>	<b>579</b> <b>14.8%</b>	<b>43</b> <b>1.1%</b>	<b>3,911</b> <b>100.0%</b>
Charlotte	70 16.9%	98 23.7%	200 48.3%	44 10.6%	2 0.5%	<b>414</b> <b>100.0%</b>	73 14.5%	77 15.3%	279 55.5%	73 14.5%	1 0.2%	<b>503</b> <b>100.0%</b>
Collier	121 11.5%	75 7.1%	694 66.2%	151 14.4%	8 0.8%	<b>1,049</b> <b>100.0%</b>	102 9.5%	63 5.8%	754 69.9%	153 14.2%	6 0.6%	<b>1,078</b> <b>100.0%</b>
Glades	4 8.9%	9 20.0%	30 66.7%	1 2.2%	1 2.2%	<b>45</b> <b>100.0%</b>	2 8.3%	1 4.2%	19 79.2%	1 4.2%	1 4.2%	<b>24</b> <b>100.0%</b>
Hendry	10 8.3%	20 16.7%	77 64.2%	11 9.2%	2 1.7%	<b>120</b> <b>100.0%</b>	14 8.7%	9 5.6%	122 75.8%	16 9.9%	0 0.0%	<b>161</b> <b>100.0%</b>
Lee	286 13.7%	109 5.2%	1,379 66.2%	298 14.3%	11 0.5%	<b>2,083</b> <b>100.0%</b>	316 14.7%	164 7.6%	1,294 60.3%	336 15.7%	35 1.6%	<b>2,145</b> <b>100.0%</b>
<b>Statewide</b>	<b>15,214</b> <b>17.4%</b>	<b>7,301</b> <b>8.4%</b>	<b>43,536</b> <b>49.8%</b>	<b>20,853</b> <b>23.9%</b>	<b>444</b> <b>0.5%</b>	<b>87,348</b> <b>100.0%</b>	<b>13,043</b> <b>17.1%</b>	<b>6,004</b> <b>7.9%</b>	<b>40,541</b> <b>53.0%</b>	<b>16,486</b> <b>21.6%</b>	<b>394</b> <b>0.5%</b>	<b>76,468</b> <b>100.0%</b>

**Table 4  
Offense Types by Sanction Imposed**

Offense Type	Sentence Dates FY 2000 - 2001						Sentence Dates FY 2001 - 2002					
	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	45	1	3	0	0	<b>49</b>	41	3	2	1	0	<b>47</b>
	91.8%	2.0%	6.1%	0.0%	0.0%	<b>100.0%</b>	87.2%	6.4%	4.3%	2.1%	0.0%	<b>100.0%</b>
Second Degree Murder												
Attempt	39	2	7	0	0	<b>48</b>	27	4	2	0	0	<b>33</b>
	81.3%	4.2%	14.6%	0.0%	0.0%	<b>100.0%</b>	81.8%	12.1%	6.1%	0.0%	0.0%	<b>100.0%</b>
Complete	44	0	0	0	0	<b>44</b>	28	0	0	0	0	<b>28</b>
	100.0%	0.0%	0.0%	0.0%	0.0%	<b>100.0%</b>	100.0%	0.0%	0.0%	0.0%	0.0%	<b>100.0%</b>
Third Degree Murder												
Attempt	0	0	0	0	0	<b>0</b>	1	0	0	0	0	<b>1</b>
	0.0%	0.0%	0.0%	0.0%	0.0%	<b>0.0%</b>	100.0%	0.0%	0.0%	0.0%	0.0%	<b>100.0%</b>
Complete	3	0	0	0	0	<b>3</b>	3	0	1	0	0	<b>4</b>
	100.0%	0.0%	0.0%	0.0%	0.0%	<b>100.0%</b>	75.0%	0.0%	25.0%	0.0%	0.0%	<b>100.0%</b>
Homicide, Other												
Attempt	1	0	0	0	0	<b>1</b>	0	0	0	0	0	<b>0</b>
	0.0%	0.0%	0.0%	0.0%	0.0%	<b>0.0%</b>	0.0%	0.0%	0.0%	0.0%	0.0%	<b>0.0%</b>
Complete	3	0	0	0	0	<b>3</b>	4	0	2	0	0	<b>6</b>
	100.0%	0.0%	0.0%	0.0%	0.0%	<b>100.0%</b>	66.7%	0.0%	33.3%	0.0%	0.0%	<b>100.0%</b>
Manslaughter												
Attempt	4	0	1	0	0	<b>5</b>	4	0	1	0	0	<b>5</b>
	80.0%	0.0%	20.0%	0.0%	0.0%	<b>0.0%</b>	80.0%	0.0%	20.0%	0.0%	0.0%	<b>100.0%</b>
Complete	43	11	5	1	0	<b>60</b>	34	4	13	1	0	<b>52</b>
	71.7%	18.3%	8.3%	1.7%	0.0%	<b>100.0%</b>	65.4%	7.7%	25.0%	1.9%	0.0%	<b>100.0%</b>
DUI Manslaughter												
Complete	36	5	9	0	0	<b>50</b>	34	4	6	0	0	<b>44</b>
	72.0%	10.0%	18.0%	0.0%	0.0%	<b>100.0%</b>	77.3%	9.1%	13.6%	0.0%	0.0%	<b>100.0%</b>
<b>Sexual/Lewd Behavior</b>												
Capital Sexual Battery												
Attempt	48	2	11	0	0	<b>61</b>	35	1	1	0	0	<b>37</b>
	78.7%	3.3%	18.0%	0.0%	0.0%	<b>100.0%</b>	94.6%	2.7%	2.7%	0.0%	0.0%	<b>100.0%</b>
Life Sexual Battery												

**Table 4  
Offense Types by Sanction Imposed**

Offense Type	Sentence Dates FY 2000 - 2001						Sentence Dates FY 2001 - 2002					
	State Prison	Comm. Control	Probation	County Jail	Other	Total	State Prison	Comm. Control	Probation	County Jail	Other	Total
Attempt	6	0	4	0	0	10	3	0	0	0	0	3
	60.0%	0.0%	40.0%	0.0%	0.0%	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Complete	15	1	1	0	1	18	21	1	1	0	0	23
	83.3%	5.6%	5.6%	0.0%	5.6%	100.0%	91.3%	4.3%	4.3%	0.0%	0.0%	100.0%
<b>1st Degree Sexual Battery</b>												
Attempt	1	2	2	0	0	5	2	1	2	0	0	5
	20.0%	40.0%	40.0%	0.0%	0.0%	100.0%	40.0%	20.0%	40.0%	0.0%	0.0%	100.0%
Complete	29	4	10	1	0	44	26	3	3	0	0	32
	65.9%	9.1%	22.7%	2.3%	0.0%	100.0%	81.3%	9.4%	9.4%	0.0%	0.0%	100.0%
<b>2nd Degree Sexual Battery</b>												
Attempt	9	1	10	0	0	20	8	3	5	0	0	16
	45.0%	5.0%	50.0%	0.0%	0.0%	100.0%	50.0%	18.8%	31.3%	0.0%	0.0%	100.0%
Complete	49	19	53	5	0	126	53	12	46	5	0	116
	38.9%	15.1%	42.1%	4.0%	0.0%	100.0%	45.7%	10.3%	39.7%	4.3%	0.0%	100.0%
<b>Sexual Assault, Other</b>												
Complete	1	0	2	0	0	3	0	0	1	2	0	3
	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	33.3%	66.7%	0.0%	100.0%
<b>Lewd/Lascivious Behavior</b>												
Attempt	11	9	42	6	1	69	7	7	29	3	0	46
	15.9%	13.0%	60.9%	8.7%	1.4%	100.0%	15.2%	15.2%	63.0%	6.5%	0.0%	100.0%
Complete	297	148	376	28	2	851	251	99	303	29	2	684
	34.9%	17.4%	44.2%	3.3%	0.2%	100.0%	36.7%	14.5%	44.3%	4.2%	0.3%	100.0%
<b>Robbery</b>												
<b>Robbery with Weapon</b>												
Attempt	58	10	12	7	0	87	64	13	17	4	0	98
	66.7%	11.5%	13.8%	8.0%	0.0%	100.0%	65.3%	13.3%	17.3%	4.1%	0.0%	100.0%
Complete	499	62	53	8	1	623	480	49	72	13	1	615
	80.1%	10.0%	8.5%	1.3%	0.2%	100.0%	78.0%	8.0%	11.7%	2.1%	0.2%	100.0%

**Table 4  
Offense Types by Sanction Imposed**

Offense Type	Sentence Dates FY 2000 - 2001						Sentence Dates FY 2001 - 2002					
	State Prison	Comm. Control	Probation	County Jail	Other	Total	State Prison	Comm. Control	Probation	County Jail	Other	Total
Robbery without Weapon												
Attempt	58	23	70	24	0	175	56	5	63	27	1	152
	33.1%	13.1%	40.0%	13.7%	0.0%	100.0%	36.8%	3.3%	41.4%	17.8%	0.7%	100.0%
Complete	511	135	396	187	6	1,235	429	94	402	151	3	1,079
	41.4%	10.9%	32.1%	15.1%	0.5%	100.0%	39.8%	8.7%	37.3%	14.0%	0.3%	100.0%
Home Invasion, Robbery												
Attempt	1	0	0	0	0	1	0	0	2	0	0	2
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%	100.0%	0.0%	0.0%	100.0%
Complete	44	1	10	2	0	57	32	6	4	0	0	42
	77.2%	1.8%	17.5%	3.5%	0.0%	100.0%	76.2%	14.3%	9.5%	0.0%	0.0%	100.0%
<b>Violent Personal Offenses</b>												
Attempt	46	20	60	8	0	134	25	8	51	9	2	95
	34.3%	14.9%	44.8%	6.0%	0.0%	100.0%	26.3%	8.4%	53.7%	9.5%	2.1%	100.0%
Complete	2,239	1,191	6,633	1,606	71	11,740	1,915	934	5,991	1,324	49	10,213
	19.1%	10.1%	56.5%	13.7%	0.6%	100.0%	18.8%	9.1%	58.7%	13.0%	0.5%	100.0%
<b>Burglary</b>												
Attempt	75	22	121	48	1	267	67	14	126	40	0	247
	28.1%	8.2%	45.3%	18.0%	0.4%	100.0%	27.1%	5.7%	51.0%	16.2%	0.0%	100.0%
Complete	2,311	781	3,544	1,190	30	7,856	1,981	653	3,404	1,046	30	7,114
	29.4%	9.9%	45.1%	15.1%	0.4%	100.0%	27.8%	9.2%	47.8%	14.7%	0.4%	100.0%
<b>Property Theft/Fraud/Damage</b>												
Attempt	3	1	10	1	1	16	3	1	9	2	0	15
	18.8%	6.3%	62.5%	6.3%	6.3%	100.0%	20.0%	6.7%	60.0%	13.3%	0.0%	100.0%
Complete	2,186	1,278	10,883	3,681	116	18,144	1,916	1,111	10,200	3,383	101	16,711
	12.0%	7.0%	60.0%	20.3%	0.6%	100.0%	11.5%	6.6%	61.0%	20.2%	0.6%	100.0%
<b>Drugs</b>												
Manufacture/Sale/Purchase												
Attempt	48	45	326	191	5	615	38	38	329	139	0	544
	7.8%	7.3%	53.0%	31.1%	0.8%	100.0%	7.0%	7.0%	60.5%	25.6%	0.0%	100.0%
Complete	2,540	981	4,515	2,789	44	10,869	2,168	724	3,805	2,088	37	8,822
	23.4%	9.0%	41.5%	25.7%	0.4%	100.0%	24.6%	8.2%	43.1%	23.7%	0.4%	100.0%

**Table 4  
Offense Types by Sanction Imposed**

Offense Type	Sentence Dates FY 2000 - 2001						Sentence Dates FY 2001 - 2002						
	State Prison	Comm. Control	Probation	County Jail	Other	Total	State Prison	Comm. Control	Probation	County Jail	Other	Total	
Drugs, Trafficking	Attempt	36	10	25	3	0	74	23	17	43	6	0	89
		48.6%	13.5%	33.8%	4.1%	0.0%	100.0%	25.8%	19.1%	48.3%	6.7%	0.0%	100.0%
	Complete	362	52	99	9	0	522	448	68	103	23	1	643
		69.3%	10.0%	19.0%	1.7%	0.0%	100.0%	69.7%	10.6%	16.0%	3.6%	0.2%	100.0%
Drugs, Possession/Other	Attempt	10	6	34	14	0	64	2	6	39	14	0	61
		15.6%	9.4%	53.1%	21.9%	0.0%	100.0%	3.3%	9.8%	63.9%	23.0%	0.0%	100.0%
	Complete	1,630	1,306	10,118	7,438	99	20,591	1,270	1,198	10,081	5,291	94	17,934
		7.9%	6.3%	49.1%	36.1%	0.5%	100.0%	7.1%	6.7%	56.2%	29.5%	0.5%	100.0%
Weapons	Attempt	1	3	11	5	1	21	3	1	2	0	0	6
		4.8%	14.3%	52.4%	23.8%	4.8%	100.0%	50.0%	16.7%	33.3%	0.0%	0.0%	100.0%
	Complete	436	153	892	275	14	1,770	377	120	736	200	8	1,441
		24.6%	8.6%	50.4%	15.5%	0.8%	100.0%	26.2%	8.3%	51.1%	13.9%	0.6%	100.0%
Other	Attempt	12	1	25	20	0	58	7	1	17	18	0	43
		20.7%	1.7%	43.1%	34.5%	0.0%	100.0%	16.3%	2.3%	39.5%	41.9%	0.0%	100.0%
	Complete	1,424	1,015	5,163	3,306	51	10,959	1,157	801	4,627	2,667	65	9,317
		13.0%	9.3%	47.1%	30.2%	0.5%	100.0%	12.4%	8.6%	49.7%	28.6%	0.7%	100.0%
<b>Total</b>	<b>15,214</b>	<b>7,301</b>	<b>43,536</b>	<b>20,853</b>	<b>444</b>	<b>87,347</b>	<b>13,043</b>	<b>6,004</b>	<b>40,541</b>	<b>16,486</b>	<b>394</b>	<b>76,468</b>	



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

Offense Severity Level	Sentence Dates FY 2000 - 2001						Sentence Dates FY 2001 - 2002					
	State Prison*	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
1	787 7.2%	880 8.0%	5,766 52.4%	3,490 31.7%	77 0.7%	<b>11,000</b> <b>100.0%</b>	616 6.5%	704 7.4%	5,265 55.2%	2,876 30.2%	76 0.8%	<b>9,537</b> <b>100.0%</b>
2	769 8.0%	687 7.1%	6,343 65.7%	1,804 18.7%	58 0.6%	<b>9,661</b> <b>100.0%</b>	709 7.9%	550 6.2%	5,944 66.5%	1,684 18.8%	52 0.6%	<b>8,939</b> <b>100.0%</b>
3	1,925 8.1%	1,603 6.7%	11,926 49.9%	8,322 34.8%	114 0.5%	<b>23,890</b> <b>100.0%</b>	1,512 7.3%	1,436 6.9%	11,709 56.3%	6,031 29.0%	106 0.5%	<b>20,794</b> <b>100.0%</b>
4	2,107 16.2%	991 7.6%	6,794 52.3%	3,038 23.4%	59 0.5%	<b>12,989</b> <b>100.0%</b>	1,859 16.3%	839 7.4%	6,161 54.1%	2,453 21.6%	68 0.6%	<b>11,380</b> <b>100.0%</b>
5	3,547 25.8%	1,205 8.8%	6,009 43.8%	2,902 21.1%	67 0.5%	<b>13,730</b> <b>100.0%</b>	2,971 25.2%	1,000 8.5%	5,416 45.9%	2,356 20.0%	52 0.4%	<b>11,795</b> <b>100.0%</b>
6	1,914 24.6%	854 11.0%	4,076 52.4%	899 11.5%	42 0.5%	<b>7,785</b> <b>100.0%</b>	1,645 23.8%	645 9.3%	3,839 55.5%	766 11.1%	28 0.4%	<b>6,923</b> <b>100.0%</b>
7	2,560 43.6%	789 13.4%	2,147 36.6%	354 6.0%	24 0.4%	<b>5,874</b> <b>100.0%</b>	2,291 46.1%	607 12.2%	1,797 36.1%	271 5.4%	9 0.2%	<b>4,975</b> <b>100.0%</b>
8	702 55.7%	201 15.9%	331 26.2%	26 2.1%	1 0.1%	<b>1,261</b> <b>100.0%</b>	636 56.7%	143 12.8%	302 26.9%	38 3.4%	2 0.2%	<b>1,121</b> <b>100.0%</b>
9	791 77.3%	86 8.4%	130 12.7%	15 1.5%	1 0.1%	<b>1,023</b> <b>100.0%</b>	704 79.5%	75 8.5%	97 10.9%	9 1.0%	1 0.1%	<b>886</b> <b>100.0%</b>
10	111 82.8%	5 3.7%	14 10.4%	3 2.2%	1 0.7%	<b>134</b> <b>100.0%</b>	100 84.7%	5 4.2%	11 9.3%	2 1.7%	0 0.0%	<b>118</b> <b>100.0%</b>
<b>Total</b>	<b>15,213</b> <b>17.4%</b>	<b>7,301</b> <b>8.4%</b>	<b>43,536</b> <b>49.8%</b>	<b>20,853</b> <b>23.9%</b>	<b>444</b> <b>0.5%</b>	<b>87,347</b> <b>100.0%</b>	<b>13,043</b> <b>17.1%</b>	<b>6,004</b> <b>7.9%</b>	<b>40,541</b> <b>53.0%</b>	<b>16,486</b> <b>21.6%</b>	<b>394</b> <b>0.5%</b>	<b>76,468</b> <b>100.0%</b>

Data Unavailable=1

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

Offense Severity Level	Sentence Dates FY 2000 - 2001**					Sentence Dates FY 2001 - 2002				
	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>	631 80.2%	113 14.4%	40 5.1%	3 0.4%	<b>787</b> <b>100.0%</b>	491 79.7%	90 14.6%	30 4.9%	5 0.8%	<b>616</b> <b>100.0%</b>
<b>2</b>	547 71.1%	164 21.3%	54 7.0%	4 0.5%	<b>769</b> <b>100.0%</b>	525 74.0%	129 18.2%	51 7.2%	4 0.6%	<b>709</b> <b>100.0%</b>
<b>3</b>	1,416 73.6%	360 18.7%	136 7.1%	13 0.7%	<b>1,925</b> <b>100.0%</b>	1,129 74.7%	269 17.8%	99 6.5%	15 1.0%	<b>1,512</b> <b>100.0%</b>
<b>4</b>	1,285 61.0%	539 25.6%	266 12.6%	17 0.8%	<b>2,107</b> <b>100.0%</b>	1,172 63.0%	445 23.9%	222 11.9%	20 1.1%	<b>1,859</b> <b>100.0%</b>
<b>5</b>	1,850 52.2%	1,059 29.9%	503 14.2%	135 3.8%	<b>3,547</b> <b>100.0%</b>	1,625 54.7%	861 29.0%	405 13.6%	80 2.7%	<b>2,971</b> <b>100.0%</b>
<b>6</b>	873 45.6%	570 29.8%	339 17.7%	132 6.9%	<b>1,914</b> <b>100.0%</b>	753 45.8%	515 31.3%	270 16.4%	107 6.5%	<b>1,645</b> <b>100.0%</b>
<b>7</b>	539 21.1%	1,109 43.3%	688 26.9%	224 8.8%	<b>2,560</b> <b>100.0%</b>	552 24.1%	884 38.6%	636 27.8%	219 9.6%	<b>2,291</b> <b>100.0%</b>
<b>8</b>	107 15.2%	205 29.2%	270 38.5%	120 17.1%	<b>702</b> <b>100.0%</b>	107 16.8%	184 28.9%	235 36.9%	110 17.3%	<b>636</b> <b>100.0%</b>
<b>9</b>	114 14.4%	147 18.6%	301 38.1%	229 29.0%	<b>791</b> <b>100.0%</b>	87 12.4%	106 15.1%	287 40.8%	224 31.8%	<b>704</b> <b>100.0%</b>
<b>10</b>	36 32.4%	5 4.5%	19 17.1%	51 45.9%	<b>111</b> <b>100.0%</b>	32 32.0%	4 4.0%	15 15.0%	49 49.0%	<b>100</b> <b>100.0%</b>
<b>Total</b>	<b>7,398</b> 48.6%	<b>4,271</b> 28.1%	<b>2,616</b> 17.2%	<b>928</b> 6.1%	<b>15,213</b> <b>100.0%</b>	<b>6,473</b> 49.6%	<b>3,487</b> 26.7%	<b>2,250</b> 17.3%	<b>833</b> 6.4%	<b>13,043</b> <b>100.0%</b>

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

\*\*Data Unavailable=1

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

Prior Offenses	Sentence Dates FY 2000 - 2001		Sentence Dates FY 2001 - 2002	
	Number	Percent	Number	Percent
None	24,209	27.7%	21,863	28.6%
Misdemeanor Only	19,642	22.5%	18,096	23.7%
One Felony	17,181	19.7%	14,517	19.0%
Two Felonies	11,841	13.6%	10,078	13.2%
Three Felonies	7,182	8.2%	6,031	7.9%
Four Felonies	4,023	4.6%	3,267	4.3%
Five Felonies	1,905	2.2%	1,556	2.0%
Six Felonies	839	1.0%	663	0.9%
Seven or More Felonies	526	0.6%	397	0.5%
<b>Total</b>	<b>87,348</b>	<b>100.0%</b>	<b>76,468</b>	<b>100.0%</b>

\* As indicated on the scoresheet.

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

Additional Offenses	Sentence Dates FY 2000 - 2001		Sentence Dates FY 2001 - 2002	
	Number	Percent	Number	Percent
None	49,798	57.0%	42,678	55.8%
Misdemeanor Only	19,602	22.4%	17,649	23.1%
One Felony	12,617	14.4%	11,254	14.7%
Two Felonies	3,369	3.9%	3,126	4.1%
Three Felonies	1,116	1.3%	1,014	1.3%
Four Felonies	424	0.5%	390	0.5%
Five Felonies	203	0.2%	188	0.2%
Six Felonies	106	0.1%	83	0.1%
Seven or More Felonies	113	0.1%	86	0.1%
<b>Total</b>	<b>87,348</b>	<b>100.0%</b>	<b>76,468</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 2000 - 2001						Sentence Dates FY 2001 - 2002					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
None	3,332 7.6%	3,704 8.4%	29,056 66.3%	7,472 17.0%	287 0.7%	<b>43,851</b> <b>100.0%</b>	3,152 7.9%	3,051 7.6%	27,017 67.6%	6,462 16.2%	277 0.7%	<b>39,959</b> <b>100.0%</b>
One	2,953 17.2%	1,556 9.1%	7,264 42.3%	5,331 31.0%	77 0.4%	<b>17,181</b> <b>100.0%</b>	2,416 16.6%	1,306 9.0%	6,760 46.6%	3,983 27.4%	52 0.4%	<b>14,517</b> <b>100.0%</b>
Two	3,049 25.7%	1,041 8.8%	3,924 33.1%	3,781 31.9%	46 0.4%	<b>11,841</b> <b>100.0%</b>	2,568 25.5%	833 8.3%	3,733 37.0%	2,908 28.9%	36 0.4%	<b>10,078</b> <b>100.0%</b>
Three	2,438 33.9%	563 7.8%	1,919 26.7%	2,242 31.2%	20 0.3%	<b>7,182</b> <b>100.0%</b>	2,074 34.4%	457 7.6%	1,772 29.4%	1,710 28.4%	18 0.3%	<b>6,031</b> <b>100.0%</b>
Four	1,737 43.2%	293 7.3%	832 20.7%	1,151 28.6%	10 0.2%	<b>4,023</b> <b>100.0%</b>	1,436 44.0%	213 6.5%	762 23.3%	850 26.0%	6 0.2%	<b>3,267</b> <b>100.0%</b>
Five	974 51.1%	81 4.3%	342 18.0%	506 26.6%	2 0.1%	<b>1,905</b> <b>100.0%</b>	811 52.1%	86 5.5%	310 19.9%	346 22.2%	3 0.2%	<b>1,556</b> <b>100.0%</b>
Six	432 51.5%	37 4.4%	136 16.2%	234 27.9%	0 0.0%	<b>839</b> <b>100.0%</b>	360 54.3%	35 5.3%	121 18.3%	145 21.9%	2 0.3%	<b>663</b> <b>100.0%</b>
Seven or More	299 56.8%	26 4.9%	63 12.0%	136 25.9%	2 0.4%	<b>526</b> <b>100.0%</b>	226 56.9%	23 5.8%	66 16.6%	82 20.7%	0 0.0%	<b>397</b> <b>100.0%</b>
<b>Total</b>	<b>15,214</b> <b>17.4%</b>	<b>7,301</b> <b>8.4%</b>	<b>43,536</b> <b>49.8%</b>	<b>20,853</b> <b>23.9%</b>	<b>444</b> <b>0.5%</b>	<b>87,348</b> <b>100.0%</b>	<b>13,043</b> <b>14.9%</b>	<b>6,004</b> <b>6.9%</b>	<b>40,541</b> <b>46.4%</b>	<b>16,486</b> <b>18.9%</b>	<b>394</b> <b>0.5%</b>	<b>76,468</b> <b>87.5%</b>

\* As indicated on the scoresheet

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

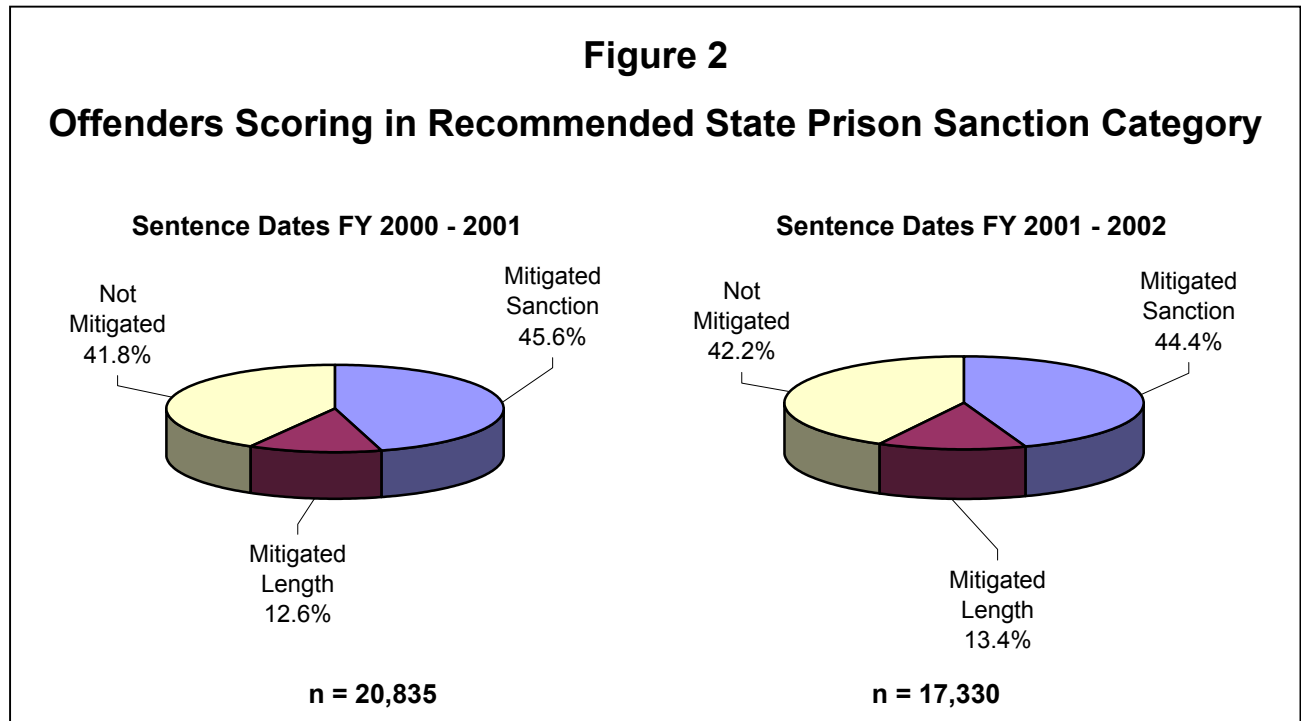
Number of Additional Felonies	Sentence Dates FY 2000 - 2001						Sentence Dates FY 2001 - 2002					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
None	8,978 12.9%	5,378 7.7%	36,659 52.8%	18,005 25.9%	380 0.5%	<b>69,400</b> <b>100.0%</b>	7,551 12.5%	4,300 7.1%	33,962 56.3%	14,178 23.5%	336 0.6%	<b>60,327</b> <b>100.0%</b>
One	3,542 28.1%	1,302 10.3%	5,411 42.9%	2,314 18.3%	48 0.4%	<b>12,617</b> <b>100.0%</b>	3,095 27.5%	1,160 10.3%	5,089 45.2%	1,873 16.6%	37 0.3%	<b>11,254</b> <b>100.0%</b>
Two	1,477 43.8%	394 11.7%	1,077 32.0%	410 12.2%	11 0.3%	<b>3,369</b> <b>100.0%</b>	1,333 42.6%	347 11.1%	1,084 34.7%	349 11.2%	13 0.4%	<b>3,126</b> <b>100.0%</b>
Three	629 56.4%	132 11.8%	265 23.7%	87 7.8%	3 0.3%	<b>1,116</b> <b>100.0%</b>	593 58.5%	110 10.8%	242 23.9%	64 6.3%	5 0.5%	<b>1,014</b> <b>100.0%</b>
Four	271 63.9%	52 12.3%	74 17.5%	26 6.1%	1 0.2%	<b>424</b> <b>100.0%</b>	228 58.5%	44 11.3%	98 25.1%	18 4.6%	2 0.5%	<b>390</b> <b>100.0%</b>
Five	141 69.5%	25 12.3%	30 14.8%	6 3.0%	1 0.5%	<b>203</b> <b>100.0%</b>	122 64.9%	21 11.2%	43 22.9%	2 1.1%	0 0.0%	<b>188</b> <b>100.0%</b>
Six	79 74.5%	12 11.3%	12 11.3%	3 2.8%	0 0.0%	<b>106</b> <b>100.0%</b>	56 67.5%	12 14.5%	14 16.9%	1 1.2%	0 0.0%	<b>83</b> <b>100.0%</b>
Seven or More	97 85.8%	6 5.3%	8 7.1%	2 1.8%	0 0.0%	<b>113</b> <b>100.0%</b>	65 75.6%	10 11.6%	9 10.5%	1 1.2%	1 1.2%	<b>86</b> <b>100.0%</b>
<b>Total</b>	<b>15,214</b> <b>17.4%</b>	<b>7,301</b> <b>8.4%</b>	<b>43,536</b> <b>49.8%</b>	<b>20,853</b> <b>23.9%</b>	<b>444</b> <b>0.5%</b>	<b>87,348</b> <b>100.0%</b>	<b>13,043</b> <b>17.1%</b>	<b>6,004</b> <b>7.9%</b>	<b>40,541</b> <b>53.0%</b>	<b>16,486</b> <b>21.6%</b>	<b>394</b> <b>0.5%</b>	<b>76,468</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 2000 - 2001		Sentence Dates FY 2001 - 2002	
	Number / Percent	Average Mitigated Length in Months	Number / Percent	Average Mitigated Length in Months
Mitigated Total	12,134 58.2%		10,019 57.8%	
Mitigated Sanction	9,511 45.6%		7,703 44.4%	
Mitigated Length	2,623 12.6%	26.6	2,316 13.4%	24.6
Not Mitigated	8,701 41.8%		7,311 42.2%	
<b>Total</b>	<b>20,835</b> <b>100.0%</b>		<b>17,330</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.

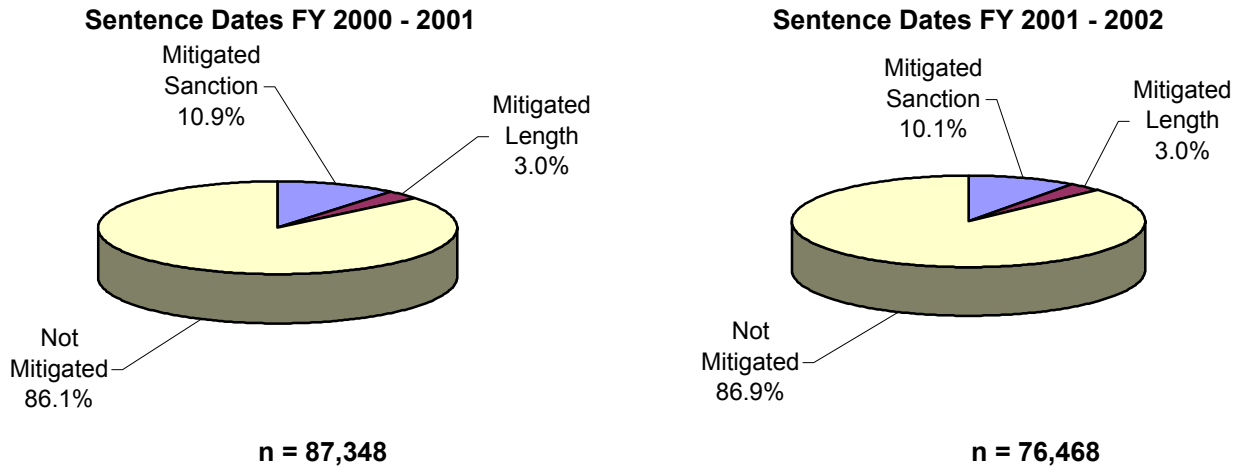


\* Total points exceeding 44.0

	FY2000-01	FY2001-02
Mitigated Sanction	45.6%	44.4%
Mitigated Length	12.6%	13.4%
Not Mitigated	41.8%	42.2%

**Figure 3**

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



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

Judicial Circuit	Sentence Dates FY 2000 - 2001			Sentence Dates FY 2001 - 2002		
	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate
01- Pensacola	595	252	42.4%	670	225	33.6%
02- Tallahassee	349	160	45.8%	202	81	40.1%
03- Lake City	125	69	55.2%	37	15	40.5%
04- Jacksonville	1,232	514	41.7%	1,245	498	40.0%
05- Tavares	536	157	29.3%	487	161	33.1%
06- Clearwater	1,952	715	36.6%	1,971	801	40.6%
07- Daytona	781	241	30.9%	699	227	32.5%
08- Gainesville	555	341	61.4%	530	309	58.3%
09- Orlando	1,317	418	31.7%	965	345	35.8%
10- Bartow	682	144	21.1%	565	157	27.8%
11- Miami	4,174	2,979	71.4%	2,202	1,607	73.0%
12- Sarasota	537	140	26.1%	442	108	24.4%
13- Tampa	2,029	1,067	52.6%	1,735	962	55.4%
14- Panama City	548	171	31.2%	422	136	32.2%
15- West Palm Beach	1,202	486	40.4%	1,075	489	45.5%
16- Key West	171	88	51.5%	89	51	57.3%
17- Ft. Lauderdale	2,289	905	39.5%	2,334	939	40.2%
18- Sanford	353	108	30.6%	286	65	22.7%
19- Ft. Pierce	556	139	25.0%	556	126	22.7%
20- Ft. Myers	852	417	48.9%	818	401	49.0%
<b>Statewide</b>	<b>20,835</b>	<b>9,511</b>	<b>45.6%</b>	<b>17,330</b>	<b>7,703</b>	<b>44.4%</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 2000 - 2001			Sentence Dates FY 2001 - 2002		
	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate
01- Pensacola	595	297	49.9%	670	276	41.2%
02- Tallahassee	349	237	67.9%	202	130	64.4%
03- Lake City	125	88	70.4%	37	22	59.5%
04- Jacksonville	1,232	688	55.8%	1,245	737	59.2%
05- Tavares	536	182	34.0%	487	196	40.2%
06- Clearwater	1,952	953	48.8%	1,971	1,001	50.8%
07- Daytona	781	397	50.8%	699	380	54.4%
08- Gainesville	555	413	74.4%	530	419	79.1%
09- Orlando	1,317	532	40.4%	965	454	47.0%
10- Bartow	682	204	29.9%	565	217	38.4%
11- Miami	4,174	3,635	87.1%	2,202	1,974	89.6%
12- Sarasota	537	171	31.8%	442	135	30.5%
13- Tampa	2,029	1,332	65.6%	1,735	1,225	70.6%
14- Panama City	548	222	40.5%	422	172	40.8%
15- West Palm Beach	1,202	694	57.7%	1,075	675	62.8%
16- Key West	171	105	61.4%	89	60	67.4%
17- Ft. Lauderdale	2,289	1,111	48.5%	2,334	1,163	49.8%
18- Sandford	353	131	37.1%	286	82	28.7%
19- Ft. Pierce	556	202	36.3%	556	188	33.8%
20- Ft. Myers	852	540	63.4%	818	513	62.7%
<b>Statewide</b>	<b>20,835</b>	<b>12,134</b>	<b>58.2%</b>	<b>17,330</b>	<b>10,019</b>	<b>57.8%</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 2000 -2001					Sentence Dates FY 2001 - 2002				
	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	17	4	13	31	48	15	6	9	32	47
	35.4%	8.3%	27.1%	64.6%	100.0%	31.9%	12.8%	19.1%	68.1%	100.0%
2nd Degree Murder										
Attempt	15	8	7	32	47	11	6	5	22	33
	31.9%	17.0%	14.9%	68.1%	100.0%	33.3%	18.2%	15.2%	66.7%	100.0%
Complete	12	0	12	32	44	0	0	2	26	28
	27.3%	0.0%	27.3%	72.7%	100.0%	7.1%	0.0%	7.1%	92.9%	100.0%
3rd Degree Murder										
Attempt	0	0	0	0	0	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%
Complete	1	0	1	2	3	3	1	2	1	4
	33.3%	0.0%	33.3%	66.7%	100.0%	75.0%	25.0%	50.0%	25.0%	100.0%
Homicide, Other										
Attempt	0	0	0	1	1	0	0	0	0	0
	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Complete	0	0	0	3	3	3	2	1	3	6
	0.0%	0.0%	0.0%	100.0%	100.0%	50.0%	33.3%	16.7%	50.0%	100.0%
Manslaughter										
Attempt	2	1	1	2	4	0	0	0	4	4
	50.0%	25.0%	25.0%	50.0%	100.0%	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	36	17	19	24	60	30	18	12	22	52
	60.0%	28.3%	31.7%	40.0%	100.0%	57.7%	34.6%	23.1%	42.3%	100.0%
DUI Manslaughter										
Complete	36	14	22	14	50	36	10	26	8	44
	72.0%	28.0%	44.0%	28.0%	100.0%	81.8%	22.7%	59.1%	18.2%	100.0%

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

Offense Type	Sentence Dates FY 2000 -2001					Sentence Dates FY 2001 - 2002				
	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	23 37.7%	13 21.3%	10 16.4%	38 62.3%	61 100.0%	13 35.1%	2 5.4%	11 29.7%	24 64.9%	37 100.0%
Life Sexual Battery										
Attempt	5 50.0%	4 40.0%	1 10.0%	5 50.0%	10 100.0%	1 33.3%	0 0.0%	1 33.3%	2 66.7%	3 100.0%
Complete	7 38.9%	3 16.7%	4 22.2%	11 61.1%	18 100.0%	9 39.1%	2 8.7%	7 30.4%	14 60.9%	23 100.0%
1st Degree Sexual Battery										
Attempt	2 66.7%	2 66.7%	0 0.0%	1 33.3%	3 100.0%	3 75.0%	2 50.0%	1 25.0%	1 25.0%	4 100.0%
Complete	23 53.5%	14 32.6%	9 20.9%	20 46.5%	43 100.0%	14 46.7%	6 20.0%	8 26.7%	16 53.3%	30 100.0%
2nd Degree Sexual Battery										
Attempt	14 77.8%	9 50.0%	5 27.8%	4 22.2%	18 100.0%	7 50.0%	6 42.9%	1 7.1%	7 50.0%	14 100.0%
Complete	88 75.9%	67 57.8%	21 18.1%	28 24.1%	116 100.0%	72 73.5%	47 48.0%	25 25.5%	26 26.5%	98 100.0%
Sexual Assault, Other										
Complete	0 0.0%	0 0.0%	0 0.0%	1 0.0%	1 0.0%	2 100.0%	2 100.0%	0 0.0%	0 0.0%	2 100.0%
Lewd/Lascivious Behavior										
Attempt	11 61.1%	8 44.4%	3 16.7%	7 38.9%	18 100.0%	12 75.0%	10 62.5%	2 12.5%	4 25.0%	16 100.0%
Complete	573 78.5%	443 60.7%	130 17.8%	157 21.5%	730 100.0%	448 76.5%	348 59.4%	100 17.1%	138 23.5%	586 100.0%

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

Offense Type	Sentence Dates FY 2000 -2001					Sentence Dates FY 2001 - 2002				
	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	40	28	12	45	85	47	30	17	47	94
	47.1%	32.9%	14.1%	52.9%	100.0%	50.0%	31.9%	18.1%	50.0%	100.0%
Complete	286	124	162	336	622	256	126	130	346	602
	46.0%	19.9%	26.0%	54.0%	100.0%	42.5%	20.9%	21.6%	57.5%	100.0%
Robbery without Weapon										
Attempt	20	13	7	35	55	16	10	6	33	49
	36.4%	23.6%	12.7%	63.6%	100.0%	32.7%	20.4%	12.2%	67.3%	100.0%
Complete	227	160	67	364	591	175	124	51	298	473
	38.4%	27.1%	11.3%	61.6%	100.0%	37.0%	26.2%	10.8%	63.0%	100.0%
Home Invasion, Robbery										
Attempt	0	0	0	1	1	2	2	0	0	2
	0.0%	0.0%	0.0%	100.0%	100.0%	100.0%	100.0%	0.0%	0.0%	100.0%
Complete	33	13	20	24	57	21	10	11	21	42
	57.9%	22.8%	35.1%	42.1%	100.0%	50.0%	23.8%	26.2%	50.0%	100.0%
<b>Violent Personal Offenses</b>	3,276	2,762	514	1,449	4,725	2,616	2,188	428	1,236	3,852
	69.3%	58.5%	10.9%	30.7%	100.0%	67.9%	56.8%	11.1%	32.1%	100.0%
<b>Burglary</b>	2,129	1,601	528	1,541	3,670	1,881	1,389	492	1,243	3,124
	58.0%	43.6%	14.4%	42.0%	100.0%	60.2%	44.5%	15.7%	39.8%	100.0%
<b>Property Theft/Fraud/Damage</b>	992	793	199	979	1,971	861	679	182	819	1,680
	50.3%	40.2%	10.1%	49.7%	100.0%	51.3%	40.4%	10.8%	48.8%	100.0%

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

Offense Type	Sentence Dates FY 2000 -2001					Sentence Dates FY 2001 - 2002				
	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>1,599</b> <b>50.1%</b>	1,224 38.3%	375 11.7%	1,595 49.9%	<b>3,194</b> <b>100.0%</b>	<b>1,193</b> <b>47.6%</b>	858 34.2%	335 13.4%	1,313 52.4%	<b>2,506</b> <b>100.0%</b>
Drugs, Trafficking	<b>302</b> <b>52.6%</b>	178 31.0%	124 21.6%	272 47.4%	<b>574</b> <b>100.0%</b>	<b>385</b> <b>55.6%</b>	227 32.8%	158 22.8%	307 44.4%	<b>692</b> <b>100.0%</b>
Drugs, Possession/Other	<b>1,343</b> <b>66.6%</b>	1,185 58.8%	158 7.8%	673 33.4%	<b>2,016</b> <b>100.0%</b>	<b>1,024</b> <b>65.6%</b>	901 57.7%	123 7.9%	537 34.4%	<b>1,561</b> <b>100.0%</b>
<b>Weapons</b>	<b>219</b> <b>44.8%</b>	180 36.8%	39 8.0%	270 55.2%	<b>489</b> <b>100.0%</b>	<b>173</b> <b>43.6%</b>	129 32.5%	44 11.1%	224 56.4%	<b>397</b> <b>100.0%</b>
<b>Other</b>	<b>803</b> <b>53.3%</b>	643 42.7%	160 10.6%	704 46.7%	<b>1,507</b> <b>100.0%</b>	<b>688</b> <b>56.2%</b>	562 45.9%	126 10.3%	536 43.8%	<b>1,224</b> <b>100.0%</b>
<b>Total</b>	<b>12,134</b>	<b>9,511</b>	<b>2,623</b>	<b>8,701</b>	<b>20,835</b>	<b>10,017</b>	<b>7,703</b>	<b>2,316</b>	<b>7,311</b>	<b>17,330</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**

<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
<b>LEVEL 1</b>		
<a href="#">24.118(3)(a)</a>	3rd	Counterfeit or altered state lottery ticket.
<a href="#">212.054(2)(b)</a>	3rd	Discretionary sales surtax; limitations, administration, and collection.
<a href="#">212.15(2)(b)</a>	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
<a href="#">319.30(5)</a>	3rd	Sell, exchange, give away certificate of title or identification number plate.
<a href="#">319.35(1)(a)</a>	3rd	Tamper, adjust, change, etc., an odometer.
<a href="#">320.26(1)(a)</a>	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
<a href="#">322.212(1)(a)-(c)</a>	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver's license; possession of simulated identification.
<a href="#">322.212(4)</a>	3rd	Supply or aid in supplying unauthorized driver's license or identification card.
<a href="#">322.212(5)(a)</a>	3rd	False application for driver's license or identification card.
<a href="#">370.13(3)(a)</a>	3rd	Molest any stone crab trap, line, or buoy which is property of licenseholder.
<a href="#">370.135(1)</a>	3rd	Molest any blue crab trap, line, or buoy which is property of licenseholder.
<a href="#">372.663(1)</a>	3rd	Poach any alligator or crocodilia.
<a href="#">414.39(2)</a>	3rd	Unauthorized use, possession, forgery, or alteration of food stamps, Medicaid ID, value greater than \$200.
<a href="#">414.39(3)(a)</a>	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
<a href="#">443.071(1)</a>	3rd	False statement or representation to obtain or increase unemployment compensation benefits.
<a href="#">509.151(1)</a>	3rd	Defraud an innkeeper, food or lodging value greater than \$300.
<a href="#">517.302(1)</a>	3rd	Violation of the Florida Securities and Investor Protection Act.
<a href="#">562.27(1)</a>	3rd	Possess still or still apparatus.
<a href="#">713.69</a>	3rd	Tenant removes property upon which lien has accrued, value more than \$50.
<a href="#">812.014(3)(c)</a>	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
<a href="#">812.081(2)</a>	3rd	Unlawfully makes or causes to be made a reproduction of a trade secret.
<a href="#">815.04(4)(a)</a>	3rd	Offense against intellectual property (i.e., computer programs, data).
<a href="#">817.52(2)</a>	3rd	Hiring with intent to defraud, motor vehicle services.
<a href="#">817.569(2)</a>	3rd	Use of public record or public records information to facilitate commission of a felony.
<a href="#">826.01</a>	3rd	Bigamy.
<a href="#">828.122(3)</a>	3rd	Fighting or baiting animals.
<a href="#">831.04(1)</a>	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. <a href="#">92.28</a> .
<a href="#">831.31(1)(a)</a>	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. <a href="#">893.03(5)</a> drugs.
<a href="#">832.041(1)</a>	3rd	Stopping payment with intent to defraud \$150 or more.
<a href="#">832.05(2)(b)&amp;(4)(c)</a>	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining

		property in return for worthless check \$150 or more.
<a href="#">838.015</a> (3)	3rd	Bribery.
<a href="#">838.016</a> (1)	3rd	Public servant receiving unlawful compensation.
<a href="#">838.15</a> (2)	3rd	Commercial bribe receiving.
<a href="#">838.16</a>	3rd	Commercial bribery.
<a href="#">843.18</a>	3rd	Fleeing by boat to elude a law enforcement officer.
<a href="#">847.011</a> (1)(a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
<a href="#">849.01</a>	3rd	Keeping gambling house.
<a href="#">849.09</a> (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.
<a href="#">849.23</a>	3rd	Gambling-related machines; "common offender" as to property rights.
<a href="#">849.25</a> (2)	3rd	Engaging in bookmaking.
<a href="#">860.08</a>	3rd	Interfere with a railroad signal.
<a href="#">860.13</a> (1)(a)	3rd	Operate aircraft while under the influence.
<a href="#">893.13</a> (2)(a)2.	3rd	Purchase of cannabis.
<a href="#">893.13</a> (6)(a)	3rd	Possession of cannabis (more than 20 grams).
<a href="#">934.03</a> (1)(a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
<b>LEVEL 2</b>		
<a href="#">403.413</a> (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.
<a href="#">517.07</a>	3rd	Registration of securities and furnishing of prospectus required.
<sup>2</sup> <a href="#">590.28</a> (1)	3rd	Willful, malicious, or intentional burning.
<a href="#">784.05</a> (3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
<a href="#">787.04</a> (1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
<a href="#">806.13</a> (1)(b)3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
<a href="#">810.09</a> (2)(e)	3rd	Trespassing on posted commercial horticulture property.
<a href="#">812.014</a> (2)(c)1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
<a href="#">812.014</a> (2)(d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
<a href="#">812.015</a> (7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
<a href="#">817.234</a> (1)(a)2.	3rd	False statement in support of insurance claim.
<a href="#">817.481</a> (3)(a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
<a href="#">817.52</a> (3)	3rd	Failure to redeliver hired vehicle.
<a href="#">817.54</a>	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
<a href="#">817.60</a> (5)	3rd	Dealing in credit cards of another.
<a href="#">817.60</a> (6)(a)	3rd	Forgery; purchase goods, services with false card.
<a href="#">817.61</a>	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
<a href="#">826.04</a>	3rd	Knowingly marries or has sexual intercourse with person to whom related.
<a href="#">831.01</a>	3rd	Forgery.
<a href="#">831.02</a>	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
<a href="#">831.07</a>	3rd	Forging bank bills, checks, drafts, or promissory notes.
<a href="#">831.08</a>	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
<a href="#">831.09</a>	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
<a href="#">831.11</a>	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
<a href="#">832.05</a> (3)(a)	3rd	Cashing or depositing item with intent to defraud.
<a href="#">843.08</a>	3rd	Falsely impersonating an officer.
<a href="#">893.13</a> (2)(a)2.	3rd	Purchase of any s. <a href="#">893.03</a> (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.
<a href="#">893.147</a> (2)	3rd	Manufacture or delivery of drug paraphernalia.
<b>LEVEL 3</b>		
<a href="#">316.193</a> (2)(b)	3rd	Felony DUI, 3rd conviction.
<a href="#">316.1935</a> (2)	3rd	Fleeing or attempting to elude law enforcement officer in marked patrol vehicle with siren and lights activated.
<a href="#">319.30</a> (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
<a href="#">319.33</a> (1)(a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
<a href="#">319.33</a> (1)(c)	3rd	Procure or pass title on stolen vehicle.
<a href="#">319.33</a> (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
<a href="#">327.35</a> (2)(b)	3rd	Felony BUI.
<a href="#">328.05</a> (2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
<a href="#">328.07</a> (4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
<a href="#">376.302</a> (5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
<a href="#">501.001</a> (2)(b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
<a href="#">697.08</a>	3rd	Equity skimming.
<a href="#">790.15</a> (3)	3rd	Person directs another to discharge firearm from a vehicle.
<a href="#">796.05</a> (1)	3rd	Live on earnings of a prostitute.
<a href="#">806.10</a> (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
<a href="#">806.10</a> (2)	3rd	Interferes with or assaults firefighter in performance of duty.
<a href="#">810.09</a> (2)(c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
<a href="#">812.014</a> (2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
<a href="#">812.0145</a> (2)(c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
<a href="#">815.04</a> (4)(b)	2nd	Computer offense devised to defraud or obtain property.
<a href="#">817.034</a> (4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
<a href="#">817.233</a>	3rd	Burning to defraud insurer.
<a href="#">817.234</a> (8)&(9)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
<a href="#">817.234</a> (11)(a)	3rd	Insurance fraud; property value less than \$20,000.
<a href="#">817.505</a> (4)	3rd	Patient brokering.
<a href="#">828.12</a> (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
<a href="#">831.28</a> (2)(a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
<a href="#">831.29</a>	2nd	Possession of instruments for counterfeiting drivers' licenses or identification cards.
<a href="#">838.021</a> (3)(b)	3rd	Threatens unlawful harm to public servant.
<a href="#">843.19</a>	3rd	Injure, disable, or kill police dog or horse.
<a href="#">870.01</a> (2)	3rd	Riot; inciting or encouraging.
<a href="#">893.13</a> (1)(a)2.	3rd	Sell, manufacture, or deliver cannabis (or other s. <a href="#">893.03</a> (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).
<a href="#">893.13</a> (1)(d)2.	2nd	Sell, manufacture, or deliver s. <a href="#">893.03</a> (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.
<a href="#">893.13</a> (1)(f)2.	2nd	Sell, manufacture, or deliver s. <a href="#">893.03</a> (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.
<a href="#">893.13</a> (6)(a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
<a href="#">893.13</a> (7)(a)8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
<a href="#">893.13</a> (7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
<a href="#">893.13</a> (7)(a)10.	3rd	Affix false or forged label to package of controlled substance.
<a href="#">893.13</a> (7)(a)11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
<a href="#">893.13</a> (8)(a)1.	3rd	Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.
<a href="#">893.13</a> (8)(a)2.	3rd	Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.
<a href="#">893.13</a> (8)(a)3.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
<a href="#">893.13</a> (8)(a)4.	3rd	Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.
<a href="#">918.13</a> (1)(a)	3rd	Alter, destroy, or conceal investigation evidence.
<a href="#">944.47</a> (1)(a)1.-2.	3rd	Introduce contraband to correctional facility.
<a href="#">944.47</a> (1)(c)	2nd	Possess contraband while upon the grounds of a correctional institution.
<a href="#">985.3141</a>	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
<b>LEVEL 4</b>		
<a href="#">316.1935</a> (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.
<a href="#">784.07</a> (2)(b)	3rd	Battery of law enforcement officer, firefighter, intake officer, etc.
<a href="#">784.074</a> (1)(c)	3rd	Battery of sexually violent predators facility staff.
<a href="#">784.075</a>	3rd	Battery on detention or commitment facility staff.
<a href="#">784.078</a>	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
<a href="#">784.08</a> (2)(c)	3rd	Battery on a person 65 years of age or older.
<a href="#">784.081</a> (3)	3rd	Battery on specified official or employee.
<a href="#">784.082</a> (3)	3rd	Battery by detained person on visitor or other detainee.
<a href="#">784.083</a> (3)	3rd	Battery on code inspector.
<a href="#">784.085</a>	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
<a href="#">787.03</a> (1)	3rd	Interference with custody; wrongly takes child from appointed guardian.
<a href="#">787.04</a> (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
<a href="#">787.04</a> (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
<a href="#">790.115</a> (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
<a href="#">790.115</a> (2)(b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
<a href="#">790.115</a> (2)(c)	3rd	Possessing firearm on school property.
<a href="#">800.04</a> (7)(d)	3rd	Lewd or lascivious exhibition; offender less than 18 years.

<a href="#">810.02(4)(a)</a>	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
<a href="#">810.02(4)(b)</a>	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
<a href="#">810.06</a>	3rd	Burglary; possession of tools.
<a href="#">810.08(2)(c)</a>	3rd	Trespass on property, armed with firearm or dangerous weapon.
<a href="#">812.014(2)(c)3.</a>	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
<a href="#">812.014(2)(c)4.-10.</a>	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
<a href="#">812.0195(2)</a>	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
<a href="#">817.563(1)</a>	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. <a href="#">893.03(5)</a> drugs.
<a href="#">817.568(2)(a)</a>	3rd	Fraudulent use of personal identification information.
<a href="#">817.625(2)(a)</a>	3rd	Fraudulent use of scanning device or reencoder.
<a href="#">828.125(1)</a>	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
<a href="#">837.02(1)</a>	3rd	Perjury in official proceedings.
<a href="#">837.021(1)</a>	3rd	Make contradictory statements in official proceedings.
<a href="#">839.13(2)(a)</a>	3rd	Falsifying records of an individual in the care and custody of a state agency.
<a href="#">839.13(2)(c)</a>	3rd	Falsifying records of the Department of Children and Family Services.
<a href="#">843.021</a>	3rd	Possession of a concealed handcuff key by a person in custody.
<a href="#">843.025</a>	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
<a href="#">843.15(1)(a)</a>	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
<a href="#">874.05(1)</a>	3rd	Encouraging or recruiting another to join a criminal street gang.
<a href="#">893.13(2)(a)1.</a>	2nd	Purchase of cocaine (or other s. <a href="#">893.03(1)(a)</a> , (b), or (d), (2)(a), (2)(b), or (2)(c)4. drugs).
<a href="#">914.14(2)</a>	3rd	Witnesses accepting bribes.
<a href="#">914.22(1)</a>	3rd	Force, threaten, etc., witness, victim, or informant.
<a href="#">914.23(2)</a>	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
<a href="#">918.12</a>	3rd	Tampering with jurors.
<a href="#">934.215</a>	3rd	Use of two-way communications device to facilitate commission of a crime.
<b>LEVEL 5</b>		
<a href="#">316.027(1)(a)</a>	3rd	Accidents involving personal injuries, failure to stop; leaving scene.
<a href="#">316.1935(4)</a>	2nd	Aggravated fleeing or eluding.
<a href="#">322.34(6)</a>	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
<a href="#">327.30(5)</a>	3rd	Vessel accidents involving personal injury; leaving scene.
<a href="#">381.0041(11)(b)</a>	3rd	Donate blood, plasma, or organs knowing HIV positive.
<a href="#">790.01(2)</a>	3rd	Carrying a concealed firearm.
<a href="#">790.162</a>	2nd	Threat to throw or discharge destructive device.
<a href="#">790.163(1)</a>	2nd	False report of deadly explosive or weapon of mass destruction.
<a href="#">790.221(1)</a>	2nd	Possession of short-barreled shotgun or machine gun.
<a href="#">790.23</a>	2nd	Felons in possession of firearms or electronic weapons or devices.
<a href="#">800.04(6)(c)</a>	3rd	Lewd or lascivious conduct; offender less than 18 years.
<a href="#">800.04(7)(c)</a>	2nd	Lewd or lascivious exhibition; offender 18 years or older.
<a href="#">806.111(1)</a>	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
<a href="#">812.0145(2)(b)</a>	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.

<a href="#">812.015</a> (8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
<a href="#">812.019</a> (1)	2nd	Stolen property; dealing in or trafficking in.
<a href="#">812.131</a> (2)(b)	3rd	Robbery by sudden snatching.
<a href="#">812.16</a> (2)	3rd	Owning, operating, or conducting a chop shop.
<a href="#">817.034</a> (4)(a)2.	2nd	Communications fraud, value \$20,000 to \$50,000.
<a href="#">817.234</a> (11)(b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
<a href="#">817.568</a> (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.
<a href="#">817.625</a> (2)(b)	2nd	Second or subsequent fraudulent use of scanning device or reencoder.
<a href="#">825.1025</a> (4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
<a href="#">827.071</a> (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.
<a href="#">839.13</a> (2)(b)	2nd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.
<a href="#">843.01</a>	3rd	Resist officer with violence to person; resist arrest with violence.
<a href="#">874.05</a> (2)	2nd	Encouraging or recruiting another to join a criminal street gang; second or subsequent offense.
<a href="#">893.13</a> (1)(a)1.	2nd	Sell, manufacture, or deliver cocaine (or other s. <a href="#">893.03</a> (1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
<a href="#">893.13</a> (1)(c)2.	2nd	Sell, manufacture, or deliver cannabis (or other s. <a href="#">893.03</a> (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.
<a href="#">893.13</a> (1)(d)1.	1st	Sell, manufacture, or deliver cocaine (or other s. <a href="#">893.03</a> (1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs) within 200 feet of university or public park.
<a href="#">893.13</a> (1)(e)2.	2nd	Sell, manufacture, or deliver cannabis or other drug prohibited under s. <a href="#">893.03</a> (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.
<a href="#">893.13</a> (1)(f)1.	1st	Sell, manufacture, or deliver cocaine (or other s. <a href="#">893.03</a> (1)(a), (1)(b), (1)(d), or (2)(a), (2)(b), or (2)(c)4. drugs) within 200 feet of public housing facility.
<a href="#">893.13</a> (4)(b)	2nd	Deliver to minor cannabis (or other s. <a href="#">893.03</a> (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>		
<a href="#">316.027</a> (1)(b)	2nd	Accident involving death, failure to stop; leaving scene.
<a href="#">316.193</a> (2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
<a href="#">775.0875</a> (1)	3rd	Taking firearm from law enforcement officer.
<a href="#">775.21</a> (10)	3rd	Sexual predators; failure to register; failure to renew driver's license or identification card.
<a href="#">784.021</a> (1)(a)	3rd	Aggravated assault; deadly weapon without intent to kill.
<a href="#">784.021</a> (1)(b)	3rd	Aggravated assault; intent to commit felony.
<a href="#">784.041</a>	3rd	Felony battery.
<a href="#">784.048</a> (3)	3rd	Aggravated stalking; credible threat.
<a href="#">784.048</a> (5)	3rd	Aggravated stalking of person under 16.
<a href="#">784.07</a> (2)(c)	2nd	Aggravated assault on law enforcement officer.
<a href="#">784.074</a> (1)(b)	2nd	Aggravated assault on sexually violent predators facility staff.
<a href="#">784.08</a> (2)(b)	2nd	Aggravated assault on a person 65 years of age or older.
<a href="#">784.081</a> (2)	2nd	Aggravated assault on specified official or employee.
<a href="#">784.082</a> (2)	2nd	Aggravated assault by detained person on visitor or other detainee.

<a href="#">784.083</a> (2)	2nd	Aggravated assault on code inspector.
<a href="#">787.02</a> (2)	3rd	False imprisonment; restraining with purpose other than those in s. <a href="#">787.01</a> .
<a href="#">790.115</a> (2)(d)	2nd	Discharging firearm or weapon on school property.
<a href="#">790.161</a> (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
<a href="#">790.164</a> (1)	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.
<a href="#">790.19</a>	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
<a href="#">794.011</a> (8)(a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
<a href="#">794.05</a> (1)	2nd	Unlawful sexual activity with specified minor.
<a href="#">800.04</a> (5)(d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender less than 18 years.
<a href="#">800.04</a> (6)(b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
<a href="#">806.031</a> (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
<a href="#">810.02</a> (3)(c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
<a href="#">812.014</a> (2)(b)1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
<a href="#">812.014</a> (2)(b)2.	2nd	Property stolen; cargo valued at less than \$50,000, grand theft in 2nd degree.
<a href="#">812.015</a> (9)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
<a href="#">812.13</a> (2)(c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
<a href="#">817.034</a> (4)(a)1.	1st	Communications fraud, value greater than \$50,000.
<a href="#">817.4821</a> (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
<a href="#">825.102</a> (1)	3rd	Abuse of an elderly person or disabled adult.
<a href="#">825.102</a> (3)(c)	3rd	Neglect of an elderly person or disabled adult.
<a href="#">825.1025</a> (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
<a href="#">825.103</a> (2)(c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.
<a href="#">827.03</a> (1)	3rd	Abuse of a child.
<a href="#">827.03</a> (3)(c)	3rd	Neglect of a child.
<a href="#">827.071</a> (2)&(3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
<a href="#">836.05</a>	2nd	Threats; extortion.
<a href="#">836.10</a>	2nd	Written threats to kill or do bodily injury.
<a href="#">843.12</a>	3rd	Aids or assists person to escape.
<a href="#">847.0135</a> (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
<a href="#">914.23</a>	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
<a href="#">943.0435</a> (9)	3rd	Sex offenders; failure to comply with reporting requirements.
<a href="#">944.35</a> (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.
<a href="#">944.40</a>	2nd	Escapes.
<a href="#">944.46</a>	3rd	Harboring, concealing, aiding escaped prisoners.
<a href="#">944.47</a> (1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
<a href="#">951.22</a> (1)	3rd	Intoxicating drug, firearm, or weapon introduced into county facility.
<b>LEVEL 7</b>		
<a href="#">316.193</a> (3)(c)2.	3rd	DUI resulting in serious bodily injury.
<a href="#">327.35</a> (3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.

<a href="#">402.319</a> (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
<a href="#">409.920</a> (2)	3rd	Medicaid provider fraud.
<a href="#">456.065</a> (2)	3rd	Practicing a health care profession without a license.
<a href="#">456.065</a> (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
<a href="#">458.327</a> (1)	3rd	Practicing medicine without a license.
<a href="#">459.013</a> (1)	3rd	Practicing osteopathic medicine without a license.
<a href="#">460.411</a> (1)	3rd	Practicing chiropractic medicine without a license.
<a href="#">461.012</a> (1)	3rd	Practicing podiatric medicine without a license.
<a href="#">462.17</a>	3rd	Practicing naturopathy without a license.
<a href="#">463.015</a> (1)	3rd	Practicing optometry without a license.
<a href="#">464.016</a> (1)	3rd	Practicing nursing without a license.
<a href="#">465.015</a> (2)	3rd	Practicing pharmacy without a license.
<a href="#">466.026</a> (1)	3rd	Practicing dentistry or dental hygiene without a license.
<a href="#">467.201</a>	3rd	Practicing midwifery without a license.
<a href="#">468.366</a>	3rd	Delivering respiratory care services without a license.
<a href="#">483.828</a> (1)	3rd	Practicing as clinical laboratory personnel without a license.
<a href="#">483.901</a> (9)	3rd	Practicing medical physics without a license.
<a href="#">484.013</a> (1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
<a href="#">484.053</a>	3rd	Dispensing hearing aids without a license.
<a href="#">494.0018</a> (2)	1st	Conviction of any violation of ss. <a href="#">494.001</a> -494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
<a href="#">560.123</a> (8)(b)1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.
<a href="#">560.125</a> (5)(a)	3rd	Money transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
<a href="#">655.50</a> (10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
<a href="#">782.051</a> (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
<a href="#">782.07</a> (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
<a href="#">782.071</a>	2nd	Killing of human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).
<a href="#">782.072</a>	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
<a href="#">784.045</a> (1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
<a href="#">784.045</a> (1)(a)2.	2nd	Aggravated battery; using deadly weapon.
<a href="#">784.045</a> (1)(b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
<a href="#">784.048</a> (4)	3rd	Aggravated stalking; violation of injunction or court order.
<a href="#">784.07</a> (2)(d)	1st	Aggravated battery on law enforcement officer.
<a href="#">784.074</a> (1)(a)	1st	Aggravated battery on sexually violent predators facility staff.
<a href="#">784.08</a> (2)(a)	1st	Aggravated battery on a person 65 years of age or older.
<a href="#">784.081</a> (1)	1st	Aggravated battery on specified official or employee.
<a href="#">784.082</a> (1)	1st	Aggravated battery by detained person on visitor or other detainee.
<a href="#">784.083</a> (1)	1st	Aggravated battery on code inspector.
<a href="#">790.07</a> (4)	1st	Specified weapons violation subsequent to previous conviction of s. <a href="#">790.07</a> (1) or (2).
<a href="#">790.16</a> (1)	1st	Discharge of a machine gun under specified circumstances.
<a href="#">790.165</a> (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.



<a href="#">790.165</a> (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
<a href="#">790.166</a> (3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
<a href="#">790.166</a> (4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
<a href="#">796.03</a>	2nd	Procuring any person under 16 years for prostitution.
<a href="#">800.04</a> (5)(c)1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
<a href="#">800.04</a> (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.
<a href="#">806.01</a> (2)	2nd	Maliciously damage structure by fire or explosive.
<a href="#">810.02</a> (3)(a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
<a href="#">810.02</a> (3)(b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
<a href="#">810.02</a> (3)(d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
<a href="#">812.014</a> (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.
<a href="#">812.014</a> (2)(b)3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
<a href="#">812.0145</a> (2)(a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
<a href="#">812.019</a> (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
<a href="#">812.131</a> (2)(a)	2nd	Robbery by sudden snatching.
<a href="#">812.133</a> (2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
<a href="#">817.234</a> (11)(c)	1st	Insurance fraud; property value \$100,000 or more.
<a href="#">825.102</a> (3)(b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
<a href="#">825.103</a> (2)(b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$20,000 or more, but less than \$100,000.
<a href="#">827.03</a> (3)(b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
<a href="#">827.04</a> (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
<a href="#">837.05</a> (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
<a href="#">872.06</a>	2nd	Abuse of a dead human body.
<a href="#">893.13</a> (1)(c)1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. <a href="#">893.03</a> (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.
<a href="#">893.13</a> (1)(e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. <a href="#">893.03</a> (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.
<a href="#">893.13</a> (4)(a)	1st	Deliver to minor cocaine (or other s. <a href="#">893.03</a> (1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
<a href="#">893.135</a> (1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
<a href="#">893.135</a> (1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
<a href="#">893.135</a> (1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
<a href="#">893.135</a> (1)(d)1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
<a href="#">893.135</a> (1)(e)1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
<a href="#">893.135</a> (1)(f)1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
<a href="#">893.135</a> (1)(g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
<a href="#">893.135</a> (1)(h)1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
<a href="#">893.135</a> (1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.

<a href="#">893.135</a> (1)(k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
<a href="#">896.101</a> (5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
<a href="#">896.104</a> (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>		
<a href="#">316.193</a> (3)(c)3.a.	2nd	DUI manslaughter.
<a href="#">327.35</a> (3)(c)3.	2nd	Vessel BUI manslaughter.
<a href="#">560.123</a> (8)(b)2.	2nd	Failure to report currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000 by money transmitter.
<a href="#">560.125</a> (5)(b)	2nd	Money transmitter business by unauthorized person, currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000.
<a href="#">655.50</a> (10)(b)2.	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
<a href="#">777.03</a> (2)(a)	1st	Accessory after the fact, capital felony.
<a href="#">782.04</a> (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.
<a href="#">782.051</a> (2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. <a href="#">782.04</a> (3).
<a href="#">782.071</a> (1)(b)	1st	Committing vehicular homicide and failing to render aid or give information.
<a href="#">782.072</a> (2)	1st	Committing vessel homicide and failing to render aid or give information.
<a href="#">790.161</a> (3)	1st	Discharging a destructive device which results in bodily harm or property damage.
<a href="#">794.011</a> (5)	2nd	Sexual battery, victim 12 years or over, offender does not use physical force likely to cause serious injury.
<a href="#">800.04</a> (4)	2nd	Lewd or lascivious battery.
<a href="#">806.01</a> (1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
<a href="#">810.02</a> (2)(a)	1st,PBL	Burglary with assault or battery.
<a href="#">810.02</a> (2)(b)	1st,PBL	Burglary; armed with explosives or dangerous weapon.
<a href="#">810.02</a> (2)(c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
<a href="#">812.13</a> (2)(b)	1st	Robbery with a weapon.
<a href="#">812.135</a> (2)	1st	Home-invasion robbery.
<a href="#">825.102</a> (2)	2nd	Aggravated abuse of an elderly person or disabled adult.
<a href="#">825.1025</a> (2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
<a href="#">825.103</a> (2)(a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$100,000 or more.
<a href="#">837.02</a> (2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
<a href="#">837.021</a> (2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
<a href="#">860.121</a> (2)(c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
<a href="#">860.16</a>	1st	Aircraft piracy.
<a href="#">893.13</a> (1)(b)	1st	Sell or deliver in excess of 10 grams of any substance specified in s. <a href="#">893.03</a> (1)(a) or (b).
<a href="#">893.13</a> (2)(b)	1st	Purchase in excess of 10 grams of any substance specified in s. <a href="#">893.03</a> (1)(a) or (b).
<a href="#">893.13</a> (6)(c)	1st	Possess in excess of 10 grams of any substance specified in s. <a href="#">893.03</a> (1)(a) or (b).
<a href="#">893.135</a> (1)(a)2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.



<a href="#">893.135</a> (1)(b)1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
<a href="#">893.135</a> (1)(c)1.b.	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
<a href="#">893.135</a> (1)(d)1.b.	1st	Trafficking in phencyclidine, more than 200 grams, less than 400 grams.
<a href="#">893.135</a> (1)(e)1.b.	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
<a href="#">893.135</a> (1)(f)1.b.	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
<a href="#">893.135</a> (1)(g)1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
<a href="#">893.135</a> (1)(h)1.b.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
<a href="#">893.135</a> (1)(j)1.b.	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
<a href="#">893.135</a> (1)(k)2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
<a href="#">895.03</a> (1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
<a href="#">895.03</a> (2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
<a href="#">895.03</a> (3)	1st	Conduct or participate in any enterprise through pattern of racketeering activity.
<a href="#">896.101</a> (5)(b)	2nd	Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.
<a href="#">896.104</a> (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>		
<a href="#">316.193</a> (3)(c)3.b.	1st	DUI manslaughter; failing to render aid or give information.
<a href="#">327.35</a> (3)(c)3.b.	1st	BUI manslaughter; failing to render aid or give information.
<a href="#">560.123</a> (8)(b)3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
<a href="#">560.125</a> (5)(c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
<a href="#">655.50</a> (10)(b)3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
<a href="#">775.0844</a>	1st	Aggravated white collar crime.
<a href="#">782.04</a> (1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
<a href="#">782.04</a> (3)	1st,PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, and other specified felonies.
<a href="#">782.051</a> (1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. <a href="#">782.04</a> (3).
<a href="#">782.07</a> (2)	1st	Aggravated manslaughter of an elderly person or disabled adult.
<a href="#">787.01</a> (1)(a)1.	1st,PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
<a href="#">787.01</a> (1)(a)2.	1st,PBL	Kidnapping with intent to commit or facilitate commission of any felony.
<a href="#">787.01</a> (1)(a)4.	1st,PBL	Kidnapping with intent to interfere with performance of any governmental or political function.
<a href="#">787.02</a> (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.
<a href="#">790.161</a>	1st	Attempted capital destructive device offense.
<a href="#">790.166</a> (2)	1st,PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
<a href="#">794.011</a> (2)	1st	Attempted sexual battery; victim less than 12 years of age.
<a href="#">794.011</a> (2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
<a href="#">794.011</a> (4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
<a href="#">794.011</a> (8)(b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by

		person in familial or custodial authority.
<a href="#">800.04</a> (5)(b)	1st	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
<a href="#">812.13</a> (2)(a)	1st,PBL	Robbery with firearm or other deadly weapon.
<a href="#">812.133</a> (2)(a)	1st,PBL	Carjacking; firearm or other deadly weapon.
<a href="#">827.03</a> (2)	1st	Aggravated child abuse.
<a href="#">847.0145</a> (1)	1st	Selling, or otherwise transferring custody or control, of a minor.
<a href="#">847.0145</a> (2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
<a href="#">859.01</a>	1st	Poisoning or introducing bacteria, radioactive materials, viruses, or chemical compounds into food, drink, medicine, or water with intent to kill or injure another person.
<a href="#">893.135</a>	1st	Attempted capital trafficking offense.
<a href="#">893.135</a> (1)(a)3.	1st	Trafficking in cannabis, more than 10,000 lbs.
<a href="#">893.135</a> (1)(b)1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
<a href="#">893.135</a> (1)(c)1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
<a href="#">893.135</a> (1)(d)1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
<a href="#">893.135</a> (1)(e)1.c.	1st	Trafficking in methaqualone, more than 25 kilograms.
<a href="#">893.135</a> (1)(f)1.c.	1st	Trafficking in amphetamine, more than 200 grams.
<a href="#">893.135</a> (1)(h)1.c.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.
<a href="#">893.135</a> (1)(j)1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
<a href="#">893.135</a> (1)(k)2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.
<a href="#">896.101</a> (5)(c)	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
<a href="#">896.104</a> (4)(a)3.	1st	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.
<b>LEVEL 10</b>		
<a href="#">782.04</a> (2)	1st,PBL	Unlawful killing of human; act is homicide, unpremeditated.
<a href="#">787.01</a> (1)(a)3.	1st,PBL	Kidnapping; inflict bodily harm upon or terrorize victim.
<a href="#">787.01</a> (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.
<a href="#">782.07</a> (3)	1st	Aggravated manslaughter of a child.
<a href="#">794.011</a> (3)	Life	Sexual battery; victim 12 years or older, offender uses or threatens to use deadly weapon or physical force to cause serious injury.
<a href="#">876.32</a>	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
	7. DC #	9. GENDER <input type="checkbox"/> M <input type="checkbox"/> F	11. PRIMARY DOCKET #
			12. PLEA <input type="checkbox"/> 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
_____ / _____	_____ / _____	_____ / _____	_____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____ X _____	_____	_____ = _____
Description _____							
_____ / _____	_____ / _____	_____ / _____	_____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____ X _____	_____	_____ = _____
Description _____							
_____ / _____	_____ / _____	_____ / _____	_____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____ 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
_____ / _____	_____ / _____	_____ / _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____ / _____	_____ X _____	_____	_____ = _____
_____ / _____	_____ / _____	_____ / _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____ / _____	_____ X _____	_____	_____ = _____
_____ / _____	_____ / _____	_____ / _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____ / _____	_____ X _____	_____	_____ = _____
_____ / _____	_____ / _____	_____ / _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____ / _____	_____ X _____	_____	_____ = _____
_____ / _____	_____ / _____	_____ / _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____ / _____	_____ X _____	_____	_____ = _____
_____ / _____	_____ / _____	_____ / _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____ / _____	_____ 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.  
  

$$\text{_____}$$

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
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**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 _____							

(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 _____	= _____	

(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:

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