

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

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*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 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 Statute 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 2004-2005 and FY 2005-2006.**

Since January 1, 1994, the Florida Department of Corrections has collected almost 1.4 million scoresheets on felony offenders sentenced in Florida courts under the state's Sentencing Guidelines and Criminal Punishment Code. This report describes the 126,975 Criminal Punishment Code scoresheets with sentence dates in FY2005-2006 received by the Florida Department of Corrections through September 1, 2006, for felony offenses committed on or after October 1, 1998. It also compares 93,946 Criminal Punishment Code scoresheets received by the Florida Department of Corrections through September 1, 2006, for felony offenses committed on or after October 1, 2004 and sentence dates in Fiscal Year 2005-2006 with 85,934 Criminal Punishment Code scoresheets with offense dates on or after October 1, 2003 and sentence dates in Fiscal Year 2004-2005.

## *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 commonly referred 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 had a significant effect on 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 2004-2005 to those received in FY 2005-2006.**

**Notes:**

**The sentencing scoresheet database is dynamic in that it is constantly being updated. Every effort is made to include scoresheets that are received, however, there is a lag in data entry. While this lag time is generally less than 45 days it may exceed this in some of the larger circuits. As such, as more time is allowed for the data to mature, a more accurate and complete picture of the data may be presented.**

**No scoresheets were received from Lafayette County with sentence dates during FY2004-05.**

**No scoresheets were received from Jefferson County with sentence dates during FY2005-06.**

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- Offense Level Ranking Chart
- Criminal Punishment Code Scoresheet

# 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, and;
- 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 represent the state's structured policy with respect to the sentencing of non-capital felony offenders. There are three distinct versions of the guidelines currently in operation in Florida. They 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, and;
- 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 percentage of time served was 34 percent. This lack of system integrity was the impetus for the creation of a new sentencing guideline structure.



## **The 1994 Sentencing Guidelines**

The 1994 sentencing guidelines were enacted through the passage of the “Safe Streets Act.” These guidelines were created with the recognition that prison resources are finite and that the use of state incarceration should be focused upon offenders who commit serious or violent offenses, or who offend repetitively. The 1994 guidelines repealed the grant of basic gain time, evidencing the legislature’s re-commitment to “truth in sentencing.” These sentencing guidelines are in effect for all non-capital felony offenses committed on or after January 1, 1994 and before October 1, 1995.

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

- Ranks all non-capital felonies in one of ten offense severity levels. Level one is the least severe ranking and ten reflects the most serious felonies.
- Each of the rankings has an associated point value in each of three elements subject to scoring: primary offense, additional offense(s), and prior record. Point values escalate as the rank increases. Every offense scored is provided its corresponding point value in these areas, with the emphasis of points lying in the area of the primary offense.
- Includes other policy levels through an assessment of points for a variety of other factors such as: victim injury, legal status, supervision violations, and others.

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

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

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

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

### **The 1995 Sentencing Guidelines**

The 1994 Sentencing Guidelines were significantly amended in 1995 through the passage of the Crime Control Act of 1995. The basic structure of the 1994 sentencing guidelines remained; however, point values were increased in a variety of areas and additional policy levers were created to provide for greater sanctions. The 1995 guidelines are in effect for offenses committed on or after October 1, 1995 through September 30, 1998.

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

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

### **The Criminal Punishment Code**

The Criminal Punishment Code became effective for offenses committed on or after October 1, 1998. The guidelines are repealed for all offenses committed on or after October 1, 1998 but remain in effect for offenses committed prior to this date. The Code contains features of both structured and unstructured sentencing policies. It maintains many of the goals of guidelines sentencing. Compared to the guidelines however, the Code allows for greater upward discretion in sentencing, provides for increased penalties, and lowers mandatory prison thresholds.

- The Code significantly alters the sentencing policy in a variety of respects. One of the most notable changes is the significant broadening of upward discretion in the sentencing policy. Under the sentencing guidelines, the upward discretion was 25 percent above the state prison months determined by the

calculation. Under the Code, the maximum sentence for any felony offense is determined by the statutory maximums as provided in Florida Statute (F.S) 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 F. S. 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 fewer 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; and,
- 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 efficient scoresheet preparation.

**This report is derived primarily from the information on 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 2005-2006 and offenses on or after October 1, 1998, entered as of September 1, 2006.
- 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 statewide compliance rate is 70.5% for Fiscal Year 2005-2006.
- **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.

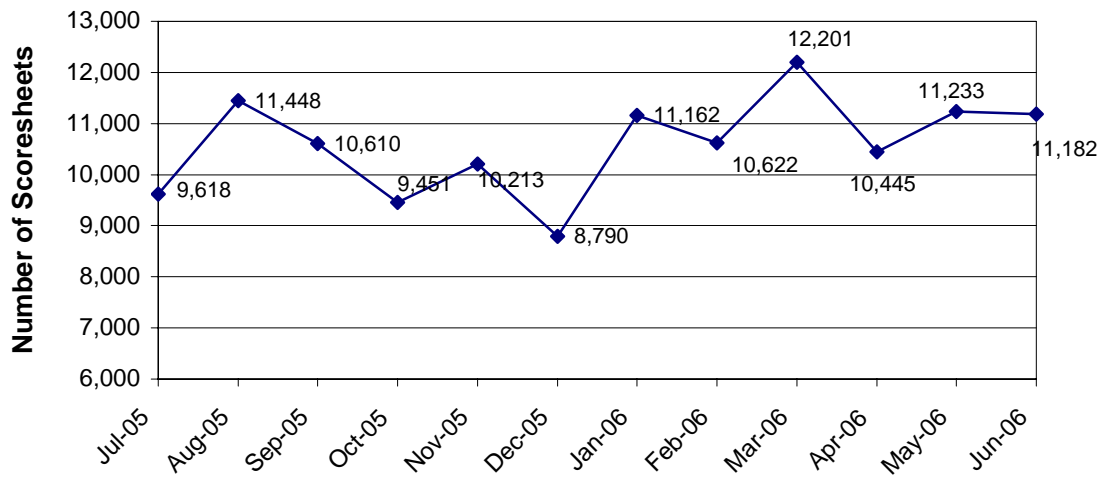
## **Introductory Statistics**

**FACT:** *There were 118,019 Punishment Code scoresheets with offense dates on or after October 1, 1998 with sentencing dates during FY2004-05 entered into the sentencing scoresheet database, as of September 1, 2005.*

### **FINDINGS:**

- The number of Code scoresheets received by month of sentence fluctuated from a high of 12,201 to a low of 8,790 from July 1, 2005 to June 30, 2006 (Figure 1).
- For the time period July 2005 through June 2006, Code scoresheets represent ninety-nine percent (99.4%) of the total scoresheet submissions. Throughout the fiscal year, more than ninety-nine percent of the scoresheets represented sentencing events under the Florida Criminal Punishment Code (Table 2).
- Nearly thirty percent (29.1%) of the offenders sentenced under the Code were considered “youthful offenders” at the time of sentencing (Table 3). Of the 2,389 true juveniles (under 18 at the time of their offense) transferred to adult court under the Code, 843 (36.6%) of the offenders were age sixteen or younger (Table 4).
- There were 876 juveniles sentenced under the Code for violent offenses, including, murder/manslaughter, sex offenses, robbery, and other violent personal offenses. These violent offenses represent just under thirty-seven percent (36.7%) of all offenses of juveniles (Table 4). Of the 876 violent juvenile offenders, 449 (51.3%) 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. Over eighty percent (80.1%) of all scoresheets were for male offenders (Table 6), and 57.8% were for white offenders (Table 7).

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



**Table 1**  
**Scoresheets Received by Circuit**  
**Fiscal Year 2005-2006**  
**Criminal Punishment Code**

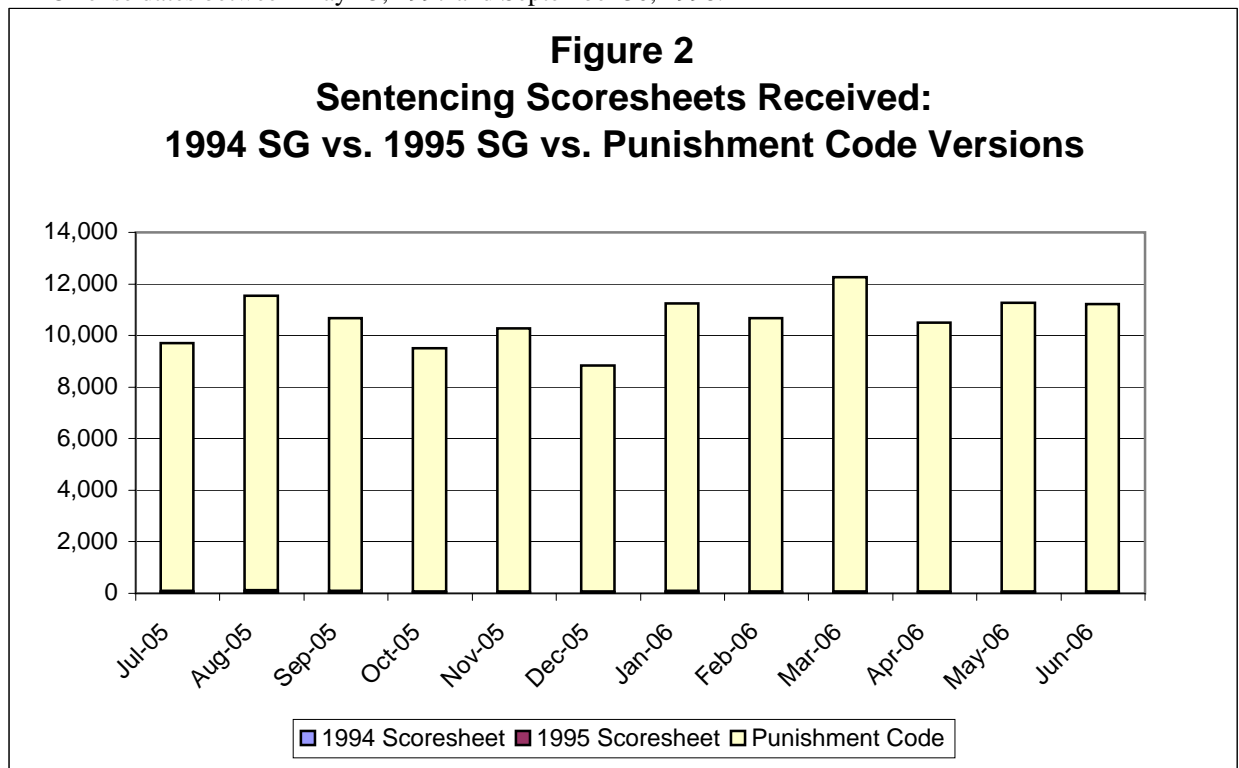
Circuit of Sentence	Total	
	Number	Percent
01 (Pensacola)	6,532	5.1%
02 (Tallahassee)	2,933	2.3%
03 (Lake City)	1,164	0.9%
04 (Jacksonville)	7,795	6.1%
05 (Tavares)	7,721	6.1%
06 (Clearwater)	15,843	12.5%
07 (Daytona Beach)	4,856	3.8%
08 (Gainesville)	1,795	1.4%
09 (Orlando)	7,924	6.2%
10 (Bartow)	6,005	4.7%
11 (Miami)	12,256	9.7%
12 (Sarasota)	4,533	3.6%
13 (Tampa)	11,079	8.7%
14 (Panama City)	2,947	2.3%
15 (West Palm Beach)	5,660	4.5%
16 (Key West)	1,024	0.8%
17 (Ft. Lauderdale)	10,570	8.3%
18 (Sanford)	3,924	3.1%
19 (Ft. Pierce)	5,351	4.2%
20 (Ft. Myers)	7,063	5.6%
<b>Total</b>	<b>126,975</b>	<b>100.0%</b>

**Table 2**  
**Sentencing Scoresheets Received by Month of Sentence\***  
**Fiscal Year 2005-2006**

Month of Sentence	1994 Sentencing Guidelines Scoresheet		1995 Sentencing Guidelines Scoresheet**		Criminal Punishment Code Scoresheet		Total	
July 2005	20	0.2%	57	0.6%	9,618	99.2%	9,695	7.6%
August 2005	16	0.1%	76	0.7%	11,448	99.2%	11,540	9.0%
September 2005	14	0.1%	54	0.5%	10,610	99.4%	10,678	8.4%
October 2005	10	0.1%	52	0.5%	9,451	99.3%	9,513	7.4%
November 2005	16	0.2%	44	0.4%	10,213	99.4%	10,273	8.0%
December 2005	10	0.1%	33	0.4%	8,790	99.5%	8,833	6.9%
January 2006	18	0.2%	68	0.6%	11,162	99.2%	11,248	8.8%
February 2006	14	0.1%	42	0.4%	10,622	99.5%	10,678	8.4%
March 2006	8	0.1%	48	0.4%	12,201	99.5%	12,257	9.6%
April 2006	12	0.1%	45	0.4%	10,445	99.5%	10,502	8.2%
May 2006	8	0.1%	33	0.3%	11,233	99.6%	11,274	8.8%
June 2006	9	0.1%	41	0.4%	11,182	99.6%	11,232	8.8%
<b>Total</b>	<b>155</b>	<b>0.1%</b>	<b>593</b>	<b>0.5%</b>	<b>126,975</b>	<b>99.4%</b>	<b>127,723</b>	<b>100.0%</b>

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

\*\* Offense dates between May 25, 1997 and September 30, 1998.

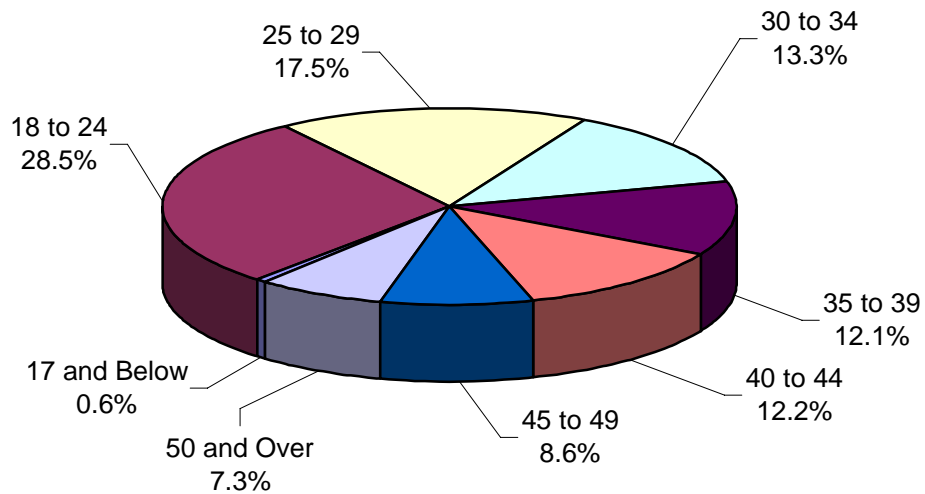




**Table 3**  
**Age at Sentencing**  
**Criminal Punishment Code**  
**Fiscal Year 2005-2006**

Age	Number	Percent
17 and Below	785	0.6%
18 to 24	36,124	28.4%
25 to 29	22,264	17.5%
30 to 34	16,734	13.2%
35 to 39	15,319	12.1%
40 to 44	15,509	12.2%
45 to 49	10,953	8.6%
50 and Over	9,282	7.3%
Unknown	5	
<b>Total</b>	<b>126,975</b>	<b>100.0%</b>

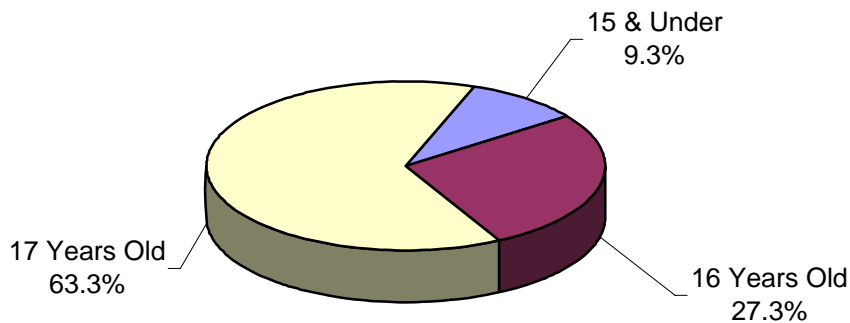
**Figure 3**  
**Age at Sentencing Distribution**  
**Criminal Punishment Code**



**Table 4**  
**Age at Offense for Offenders Under 18**  
**Criminal Punishment Code**  
**Fiscal Year 2005-2006**

Primary Offense	15 & Under	16 Years Old	17 Years Old	Total
Murder/Manslaughter	20 9.0%	17 2.6%	27 1.8%	<b>64</b> <b>2.7%</b>
Sexual Offenses	7 3.1%	26 4.0%	37 2.4%	<b>70</b> <b>2.9%</b>
Robbery	46 20.6%	113 17.3%	171 11.3%	<b>330</b> <b>13.8%</b>
Violent Personal Offenses	53 23.8%	104 15.9%	255 16.9%	<b>412</b> <b>17.2%</b>
Burglary	48 21.5%	184 28.2%	358 23.7%	<b>590</b> <b>24.7%</b>
Theft, Forgery, Fraud	14 6.3%	73 11.2%	209 13.8%	<b>296</b> <b>12.4%</b>
Drugs	25 11.2%	95 14.5%	343 22.7%	<b>463</b> <b>19.4%</b>
Weapons	5 2.2%	16 2.5%	45 3.0%	<b>66</b> <b>2.8%</b>
Other Offenses	5 2.2%	25 3.8%	68 4.5%	<b>98</b> <b>4.1%</b>
<b>Total</b>	<b>223</b> <b>100.0%</b>	<b>653</b> <b>100.0%</b>	<b>1,513</b> <b>100.0%</b>	<b>2,389</b> <b>100.0%</b>

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

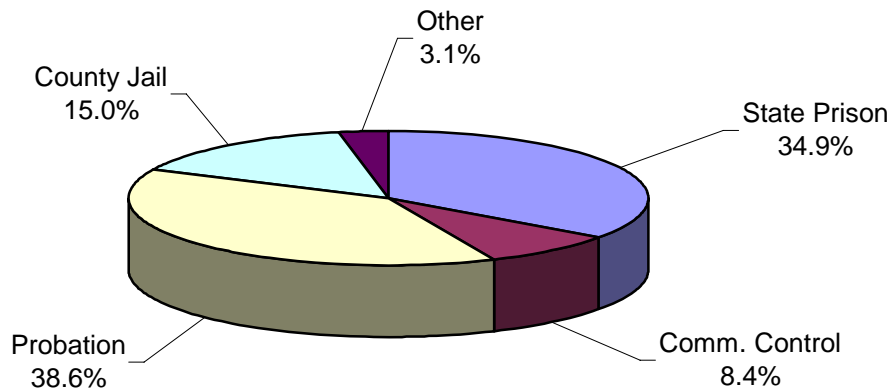


**Table 5**  
**Sanction Imposed by Primary Offense For All 11 - 17 Year Olds**  
**Criminal Punishment Code**  
**Fiscal Year 2005-2006**

Primary Offense	State Prison	Comm. Control	Probation	County Jail	Other	Total
Murder/Manslaughter	57 2.5%	2 1.2%	5 0.2%	0 0.0%	0 0.0%	<b>64</b> <b>2.7%</b>
Sexual Offenses	48 2.0%	5 3.0%	7 2.0%	6 0.3%	4 0.0%	<b>70</b> <b>2.9%</b>
Robbery	188 25.0%	26 18.0%	83 8.7%	30 5.6%	3 0.0%	<b>330</b> <b>13.8%</b>
Violent Personal Offenses	156 19.2%	38 16.6%	150 14.5%	54 11.7%	14 6.3%	<b>412</b> <b>17.2%</b>
Burglary	201 25.9%	60 26.0%	241 23.7%	70 12.3%	18 43.8%	<b>590</b> <b>24.7%</b>
Theft, Forgery, Fraud	55 7.2%	21 11.5%	141 16.5%	67 17.8%	12 12.5%	<b>296</b> <b>12.4%</b>
Drugs	90 13.0%	37 16.3%	224 25.5%	94 44.8%	18 25.0%	<b>463</b> <b>19.4%</b>
Weapons	16 2.6%	4 2.1%	31 3.9%	14 4.2%	1 12.5%	<b>66</b> <b>2.8%</b>
Other Offenses	22 2.6%	7 5.3%	41 4.9%	23 3.3%	5 0.0%	<b>98</b> <b>4.1%</b>
<b>Total</b>	<b>833</b> <b>100.0%</b>	<b>200</b> <b>100.0%</b>	<b>923</b> <b>100.0%</b>	<b>358</b> <b>100.0%</b>	<b>75</b> <b>100.0%</b>	<b>2,389</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**  
**Fiscal Year 2005-2006**

Judicial Circuit	Gender				Total	
	Male		Female			
01 (Pensacola)	5,101	4.0%	1,431	1.1%	6,532	5.1%
02 (Tallahassee)	2,337	1.8%	596	0.5%	2,933	2.3%
03 (Lake City)	923	0.7%	241	0.2%	1,164	0.9%
04 (Jacksonville)	6,235	4.9%	1,560	1.2%	7,795	6.1%
05 (Tavares)	6,023	4.7%	1,698	1.3%	7,721	6.1%
06 (Clearwater)	11,862	9.3%	3,981	3.1%	15,843	12.5%
07 (Daytona Beach)	3,911	3.1%	945	0.7%	4,856	3.8%
08 (Gainesville)	1,432	1.1%	363	0.3%	1,795	1.4%
09 (Orlando)	6,474	5.1%	1,450	1.1%	7,924	6.2%
10 (Bartow)	4,677	3.7%	1,328	1.0%	6,005	4.7%
11 (Miami)	10,632	8.4%	1,624	1.3%	12,256	9.7%
12 (Sarasota)	3,515	2.8%	1,018	0.8%	4,533	3.6%
13 (Tampa)	8,999	7.1%	2,080	1.6%	11,079	8.7%
14 (Panama City)	2,304	1.8%	643	0.5%	2,947	2.3%
15 (West Palm Beach)	4,698	3.7%	962	0.8%	5,660	4.5%
16 (Key West)	858	0.7%	166	0.1%	1,024	0.8%
17 (Ft. Lauderdale)	8,615	6.8%	1,955	1.5%	10,570	8.3%
18 (Sanford)	3,141	2.5%	783	0.6%	3,924	3.1%
19 (Ft. Pierce)	4,193	3.3%	1,158	0.9%	5,351	4.2%
20 (Ft. Myers)	5,744	4.5%	1,319	1.0%	7,063	5.6%
<b>Total</b>	<b>101,674</b>	<b>80.1%</b>	<b>25,301</b>	<b>19.9%</b>	<b>126,975</b>	<b>100.0%</b>

**Table 7**  
**Race by Judicial Circuit**  
**Criminal Punishment Code**  
**Fiscal Year 2005-2006**

Judicial Circuit	Race						Total	
	Black		White		Other*			
01 (Pensacola)	2,509	2.0%	3,943	3.1%	80	0.1%	6,532	5.1%
02 (Tallahassee)	1,951	1.5%	943	0.7%	39	0.0%	2,933	2.3%
03 (Lake City)	471	0.4%	689	0.5%	4	0.0%	1,164	0.9%
04 (Jacksonville)	4,167	3.3%	3,554	2.8%	74	0.1%	7,795	6.1%
05 (Tavares)	2,213	1.7%	5,208	4.1%	300	0.2%	7,721	6.1%
06 (Clearwater)	4,490	3.5%	11,185	8.8%	168	0.1%	15,843	12.5%
07 (Daytona Beach)	1,687	1.3%	3,082	2.4%	87	0.1%	4,856	3.8%
08 (Gainesville)	988	0.8%	807	0.6%	0	0.0%	1,795	1.4%
09 (Orlando)	3,215	2.5%	4,535	3.6%	174	0.1%	7,924	6.2%
10 (Bartow)	2,002	1.6%	3,635	2.9%	368	0.3%	6,005	4.7%
11 (Miami)	6,879	5.4%	5,354	4.2%	23	0.0%	12,256	9.7%
12 (Sarasota)	1,283	1.0%	3,114	2.5%	136	0.1%	4,533	3.6%
13 (Tampa)	5,001	3.9%	5,402	4.3%	676	0.5%	11,079	8.7%
14 (Panama City)	852	0.7%	2,092	1.6%	3	0.0%	2,947	2.3%
15 (W. Palm Beach)	2,606	2.1%	3,044	2.4%	10	0.0%	5,660	4.5%
16 (Key West)	251	0.2%	748	0.6%	25	0.0%	1,024	0.8%
17 (Ft. Lauderdale)	5,449	4.3%	4,717	3.7%	404	0.3%	10,570	8.3%
18 (Sanford)	1,299	1.0%	2,531	2.0%	94	0.1%	3,924	3.1%
19 (Ft. Pierce)	1,807	1.4%	3,385	2.7%	159	0.1%	5,351	4.2%
20 (Ft. Myers)	1,603	1.3%	5,406	4.3%	54	0.0%	7,063	5.6%
<b>Total</b>	<b>50,723</b>	<b>39.9%</b>	<b>73,374</b>	<b>57.8%</b>	<b>2,878</b>	<b>2.3%</b>	<b>126,975</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 93,946 scoresheets submitted to the Department of Corrections with sentence dates in FY2005-2006 and offense dates on or after October 1, 2004. The number of scoresheets submitted to the Department of Corrections with sentence dates in FY2004-2005 and offense dates on or after October 1, 2003 was 85,934.
- **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 5.8 months for sentencing events in FY2005-2006 (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 1, 2006, the Department of Corrections had received 921,049 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 FY2004-2005 sentencing events is 5.8 months. 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 10.2 months for sentencing events during FY2004-2005. In FY2005-2006, the average lag time for level 10 offenses was 10.4 months. Also, for murder/manslaughter, the average lag time from offense to sentence is 10.6 months for sentencing dates in FY2004-2005 and 10.8 months for FY2005-2006 (Table 2).
- Drug offenses comprised the largest group of scoresheets received in both FY2004-2005 (39.3%) and FY2005-2006 (39.5%) (Table 3).

- The more violent, serious offenses represented 15.6% of the scoresheets in FY2004-2005 and 14.9% in FY2005-2006.



**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>FY2004-2005 Sentence Dates<sup>1</sup></b>	<b>FY2005-2006 Sentence Dates<sup>2</sup></b>
1	5.3	5.4
2	6.1	6.2
3	5.0	5.1
4	5.8	5.8
5	6.1	6.1
6	6.7	6.9
7	7.6	7.4
8	8.6	8.7
9	9.4	9.5
10	10.2	10.4
<b>Overall Average</b>	<b>5.8</b>	<b>5.8</b>

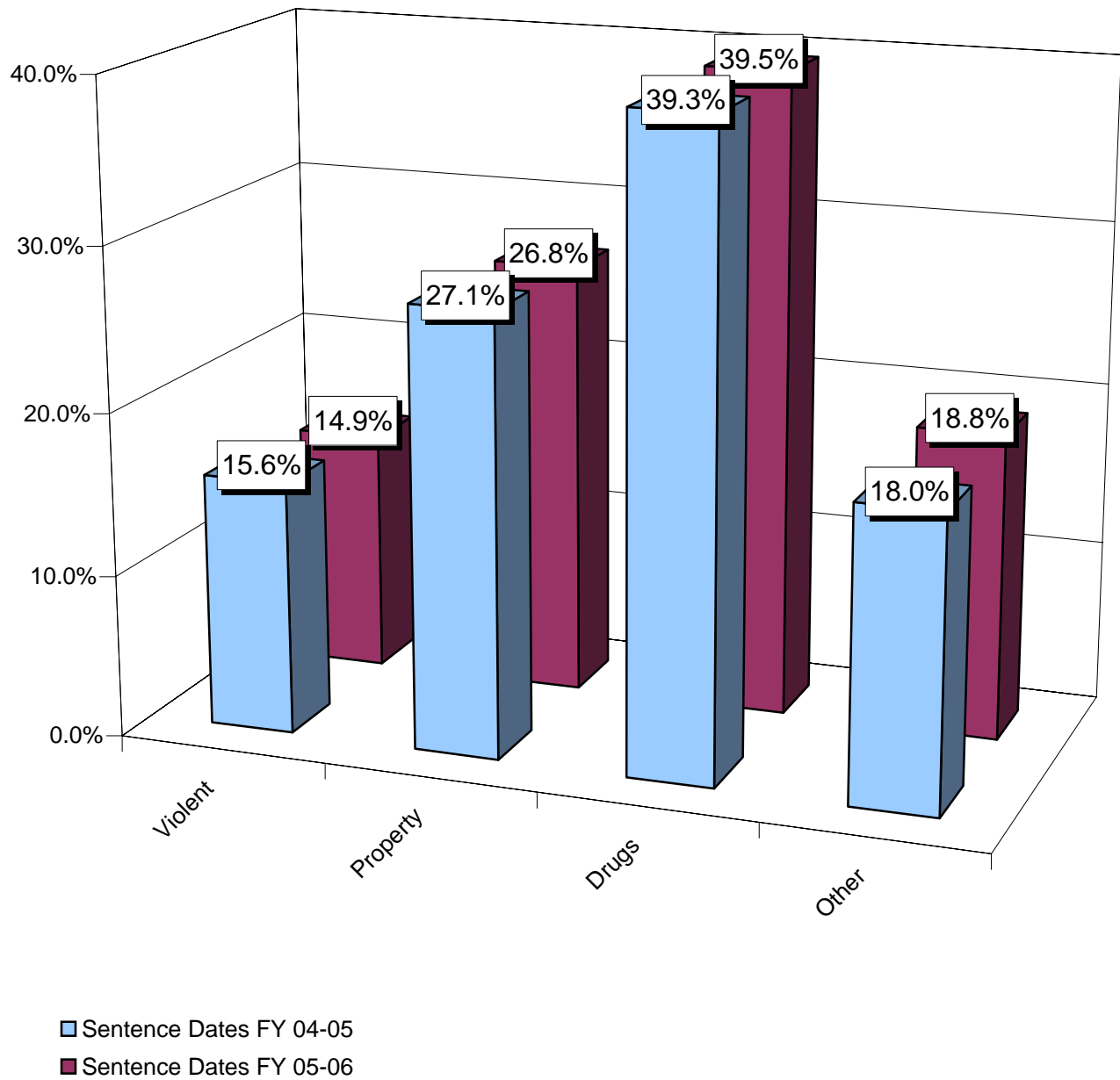
**Table 2**  
**Comparison of Average "Lag" Time from Offense Date to Sentence**  
**Date by Primary Offense, in Months**

<b>Primary Offense</b>	<b>FY2004-2005 Sentence Dates<sup>1</sup></b>	<b>FY2005-2006 Sentence Dates<sup>2</sup></b>
Murder/Manslaughter	10.6	10.8
Sexual/Lewd Behavior	9.4	9.9
Robbery	7.5	7.1
Violent, Other	6.6	6.6
Burglary	6.3	6.2
Property Theft/Fraud/Damage	6.3	6.4
Drugs	5.2	5.3
Weapons	6.1	6.0
Other	5.2	5.4
<b>Overall Average</b>	<b>5.8</b>	<b>5.8</b>

<sup>1</sup> Offense dates on or after October 1, 2003.

<sup>2</sup> Offense dates on or after October 1, 2004.

**Figure 1**  
**Distribution of Offense Group**  
**Sentence Dates in FY2004-2005 vs. FY2005-2006**



**Table 3**  
**Distribution of Offense**  
**Sentence Dates in FY2004-2005 vs. FY2005-2006**

Primary Offense	FY2004-2005 Sentence Dates <sup>1</sup>	FY2005-2006 Sentence Dates <sup>2</sup>
Murder/Manslaughter	204 0.2%	215 0.2%
Sexual Offenses	714 0.8%	667 0.7%
Robbery	1,722 2.0%	1,754 1.9%
Violent Personal Offenses	10,211 11.9%	10,836 11.5%
Burglary	7,564 8.8%	7,708 8.2%
Theft/Forgery/Fraud	15,964 18.6%	17,687 18.8%
Drugs	33,793 39.3%	37,129 39.5%
Weapons	1,691 2.0%	1,946 2.1%
Other	14,071 16.4%	16,004 17.0%
<b>Total</b>	<b>85,934</b> <b>100.0%</b>	<b>93,946</b> <b>100.0%</b>

<sup>1</sup> Offense dates on or after October 1, 2003.

<sup>2</sup> Offense dates on or after October 1, 2004.

**Table 4  
Distribution of Offense**

Primary Offense	FY2004-2005		FY2005-2006	
	Sentence Dates <sup>1</sup>		Sentence Dates <sup>2</sup>	
<b>Murder/Manslaughter</b>	<b>204</b>	<b>0.2%</b>	<b>215</b>	<b>0.2%</b>
1st Degree Murder	41	0.0%	41	0.0%
2nd Degree Murder	70	0.1%	92	0.1%
3rd Degree Murder	1	0.0%	2	0.0%
Homicide, Other	3	0.0%	4	0.0%
Manslaughter	51	0.1%	38	0.0%
DUI Manslaughter	38	0.0%	38	0.0%
<b>Sexual Offenses</b>	<b>714</b>	<b>0.8%</b>	<b>667</b>	<b>0.7%</b>
Capital Sexual Battery	21	0.0%	34	0.0%
Life Sexual Battery	33	0.0%	18	0.0%
1st Degree Sexual Battery	36	0.0%	35	0.0%
2nd Degree Sexual Battery	104	0.1%	106	0.1%
Sexual Assault, Other	4	0.0%	8	0.0%
Lewd/Lascivious Behavior	516	0.6%	466	0.5%
<b>Robbery</b>	<b>1,722</b>	<b>2.0%</b>	<b>1,754</b>	<b>1.9%</b>
Robbery with Weapon	552	0.6%	536	0.6%
Robbery without Weapon	1,120	1.3%	1,148	1.2%
Home Invasion, Robbery	50	0.1%	70	0.1%
<b>Violent Personal Offenses</b>	<b>10,211</b>	<b>11.9%</b>	<b>10,836</b>	<b>11.5%</b>
Home Invasion, Other	0	0.0%	1	0.0%
Carjacking	83	0.1%	92	0.1%
Aggravated Assault	1,521	1.8%	1,682	1.8%
Aggravated Battery	1,158	1.3%	1,219	1.3%
Assault/Battery on L.E.O.	1,252	1.5%	1,342	1.4%
Assault/Battery, Other	517	0.6%	552	0.6%
Aggravated Stalking	250	0.3%	238	0.3%
Resisting Arrest with Violence	1,632	1.9%	1,711	1.8%
Kidnapping	337	0.4%	366	0.4%
Arson	159	0.2%	166	0.2%
Abuse of Children	997	1.2%	1,037	1.1%
Leaving Accident, Injury/Death	481	0.6%	399	0.4%
DUI, Injury	83	0.1%	73	0.1%
Violent, Other	1,741	2.0%	1,958	2.1%
<b>Burglary</b>	<b>7,564</b>	<b>8.8%</b>	<b>7,708</b>	<b>8.2%</b>
Burglary, Structure	4,501	5.2%	4,598	4.9%
Burglary, Dwelling	2,145	2.5%	2,168	2.3%
Burglary, Armed	167	0.2%	170	0.2%
Burglary with Assault	237	0.3%	222	0.2%
Burglary/Trespass, Other	514	0.6%	550	0.6%

**Table 4**  
**Distribution of Offense**

Primary Offense	FY2004-2005		FY2005-2006	
	Sentence Dates <sup>1</sup>		Sentence Dates <sup>2</sup>	
<b>Theft/Forgery/Fraud</b>	<b>15,964</b>	<b>18.6%</b>	<b>17,688</b>	<b>18.8%</b>
Grand Theft, Other	5,856	6.8%	6,563	7.0%
Grand Theft, Automobile	2,353	2.7%	2,505	2.7%
Stolen Property	1,884	2.2%	2,071	2.2%
Forgery/Counterfeiting	2,766	3.2%	3,016	3.2%
Worthless Checks	476	0.6%	434	0.5%
Fraudulent Practices	1,607	1.9%	1,960	2.1%
Theft/Property Damage, Other	1,022	1.2%	1,139	1.2%
<b>Drugs</b>	<b>33,793</b>	<b>39.3%</b>	<b>37,129</b>	<b>39.5%</b>
Drugs, Manufacture/Sale/Purchase	10,527	12.3%	10,663	11.4%
Drugs, Trafficking	788	0.9%	835	0.9%
Drugs, Possession/Other	22,478	26.2%	25,631	27.3%
<b>Weapons</b>	<b>1,691</b>	<b>2.0%</b>	<b>1,946</b>	<b>2.1%</b>
Weapons, Discharging	270	0.3%	236	0.3%
Weapons, Possession	1,418	1.7%	1,706	1.8%
Weapons, Other	3	0.0%	4	0.0%
<b>Other</b>	<b>14,071</b>	<b>14.1%</b>	<b>16,003</b>	<b>14.5%</b>
Escape	2,424	2.8%	2,970	3.2%
DUI, No Injury	910	1.1%	1,066	1.1%
Traffic, Other	8,292	9.6%	9,091	9.7%
Racketeering	16	0.0%	12	0.0%
Pollution/Hazardous Materials	91	0.1%	115	0.1%
Criminal Justice System	1,960		2,355	
Other	378	0.4%	394	0.4%
<b>Total</b>	<b>85,934</b>	<b>97.7%</b>	<b>93,946</b>	<b>97.5%</b>

<sup>1</sup> Offense dates on or after October 1, 2003.

<sup>2</sup> Offense dates on or after October 1, 2004.

## 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 921.0026 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, 17.5% of offenders were sentenced to state prison as the most severe sanction in FY2005-2006. An additional 27.4% were sentenced to incarceration in county jail, or to time already served in jail. Nearly five percent (4.8%) were sentenced to community control, and nearly half to probation (48.9%), including drug offender probation, administrative probation, and regular probation. A little over one percent (1.4%) of offenders were sentenced to “other” sanctions. For sentencing dates in FY2004-2005, 17.2% of offenders were sentenced to state prison and 27.4% were sentenced to county jail or time served. Less than six percent (5.7%) were sentenced to community control, and 48.3% to probation. Only 1.4% of the offenders were sentenced to “other” sanctions (Table 1).

- More than three-quarters of the 93,946 Code scoresheets with sentence date in FY2005-2006 examined (73,823 scoresheets or 78.69%) scored 44 points or less (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 FY2004-2005, there were 66,920 (77.9%) offenders scoring 44 points or less (Table 1).
- For FY2005-2006, of the offenders scoring in the recommended state prison category, 55.2% were sentenced to state prison, with another 14.5% sentenced to county jail or time served. Of those scoring less than 44 points, 7.2% were sentenced to state prison, and 30.9% to county jail/time served. For FY2004-2005, a little over fifty-three percent (53.5%) of the offenders scoring above 44 points were sentenced to state prison and another 14.8% of these offenders were sentenced to county jail or time served. Of those scoring less than 44 points, 6.9% were sentenced to state prison, and 31.0% to county jail/time served. (Table 1).
- Scoresheets with a state prison sanction increased slightly from 17.2% in FY2004-2005 to 17.5% in FY2005-2006. County jail sanctions remained relatively constant at 27.4% in between FY2004-2005 and FY2005-2006. Community supervision sanctions decreased from 5.7% in FY2004-2005 to 4.8% in FY2005-2006 (Table 1).
- Statewide, 67.5% of offenders receiving a prison sanction scored out to a prison sanction. Table 2 presents the scoring distribution of offenders under the Code for FY2004-2005 and FY2005-2006 by circuit and sanction imposed. In FY2005-2006, Circuit 11 (Miami) had the highest percentage (89.8%) of prison sanctioned scoresheets with more than 44 points while Circuit 19 (Ft. Pierce) has the lowest (44.8%).
- 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 (Table 3).

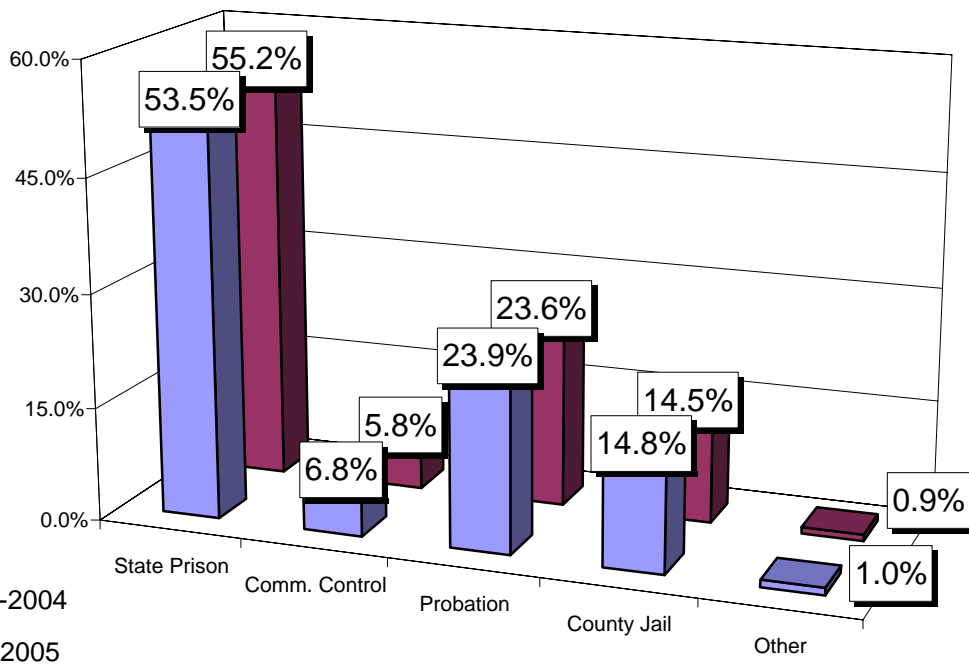
- In both FY2004-2005 and FY2005-06 the majority of violent offenders received a state prison sanction (Table 4).
- The percentage of burglary offenders receiving a state prison sanction increased slightly from FY2004-2005 to FY2005-2006 (Table 4).
- The percentage of drug offenders receiving a state prison sanction increased slightly from FY2004-2005 to FY2005-2006 (Table 4).
- As would be expected, scoresheets with the highest offense severity levels received a state prison sanction, those with the lowest received probation and community control fell in the middle with the majority having levels 3 through 6 (Table 5).
- Consistently in FY2004-2005 and FY2005-2006, for offenders sentenced to state prison, the majority with offense severity levels of 1 through 5 received less than two years and those with offense level 10 received more than ten years (Table 6).
- From FY2004-2005 to FY2005-2006 the percentage of scoresheets with no prior record decreased, with prior misdemeanors increased, and with four or more felonies increased (Table 7).
- From FY2004-2005 to FY2005-2006 the percentage of scoresheets with no additional offenses decreased and those with misdemeanors increased. The percentage with four or more felonies remained relatively constant (Table 8).
- Within the Code policy, a true mitigation occurs when an offenders 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. 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 59.8% for FY2004-2005 and 58.6% for FY2005-2006. The sanction mitigation rate (cases that scored to state prison but received a non-state prison sanction) was 45.3% for FY2004-2005 and 43.4% for FY2005-2006 (Table 11).
- For the offenders that received a mitigated prison sentence length, the average reduction in sentence was 22.4 months during FY2004-2005 and 22.7 months during FY2005-2006 (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 F. S. 921.0026. 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 2004-2005 Sentence Dates <sup>1</sup>			FY 2005-2006 Sentence Dates <sup>2</sup>		
	44.0 Points or Less	More than 44.0 Points	Total	44.0 Points or Less	More than 44.0 Points	Total
State Prison	4,635 6.9%	10,170 53.5%	<b>14,805</b> <b>17.2%</b>	5,345 7.2%	11,115 55.2%	<b>16,460</b> <b>17.5%</b>
Community Control	3,600 5.4%	1,295 6.8%	<b>4,895</b> <b>5.7%</b>	3,343 4.5%	1,163 5.8%	<b>4,506</b> <b>4.8%</b>
Probation	36,930 55.2%	4,552 23.9%	<b>41,482</b> <b>48.3%</b>	41,203 55.8%	4,751 23.6%	<b>45,954</b> <b>48.9%</b>
County Jail	20,717 31.0%	2,815 14.8%	<b>23,532</b> <b>27.4%</b>	22,786 30.9%	2,921 14.5%	<b>25,707</b> <b>27.4%</b>
Other	1,038 1.6%	182 1.0%	<b>1,220</b> <b>1.4%</b>	1,146 1.6%	173 0.9%	<b>1,319</b> <b>1.4%</b>
<b>Total</b>	<b>66,920</b> <b>100.0%</b>	<b>19,014</b> <b>100.0%</b>	<b>85,934</b> <b>100.0%</b>	<b>73,823</b> <b>100.0%</b>	<b>20,123</b> <b>100.0%</b>	<b>93,946</b> <b>100.0%</b>

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



\*Total points greater than 44.

<sup>1</sup> Offense dates on or after October 1, 2003.

<sup>2</sup> Offense dates on or after October 1, 2004.

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

Judicial Circuit / Sanction Imposed	Recommended Sanction Category							
	FY 2004-2005 Sentence Dates <sup>1</sup>				FY 2005-2006 Sentence Dates <sup>2</sup>			
	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>3,360</b>	<b>84.1%</b>	<b>634</b>	<b>15.9%</b>	<b>3,804</b>	<b>81.4%</b>	<b>867</b>	<b>18.6%</b>
Prison	231	37.1%	392	62.9%	291	32.9%	593	67.1%
Community Control	413	85.9%	68	14.1%	360	83.9%	69	16.1%
Probation	1,987	94.8%	108	5.2%	2,217	94.2%	137	5.8%
County Jail	657	93.3%	47	6.7%	834	93.8%	55	6.2%
Other	72	79.1%	19	20.9%	102	88.7%	13	11.3%
<b>02 (Tallahassee)</b>	<b>1,328</b>	<b>65.4%</b>	<b>704</b>	<b>34.6%</b>	<b>1,473</b>	<b>69.4%</b>	<b>648</b>	<b>30.6%</b>
Prison	177	31.0%	394	69.0%	147	27.5%	387	72.5%
Community Control	63	53.8%	54	46.2%	60	65.9%	31	34.1%
Probation	895	79.6%	230	20.4%	1,032	83.6%	203	16.4%
County Jail	189	88.3%	25	11.7%	230	90.2%	25	9.8%
Other	4	0.0%	1	0.0%	4	0.0%	2	0.0%
<b>03 (Lake City)</b>	<b>504</b>	<b>67.4%</b>	<b>244</b>	<b>32.6%</b>	<b>444</b>	<b>64.4%</b>	<b>245</b>	<b>35.6%</b>
Prison	52	29.9%	122	70.1%	72	34.8%	135	65.2%
Community Control	62	72.1%	24	27.9%	41	63.1%	24	36.9%
Probation	312	80.0%	78	20.0%	303	81.9%	67	18.1%
County Jail	36	72.0%	14	28.0%	11	61.1%	7	38.9%
Other	42	87.5%	6	12.5%	17	58.6%	12	41.4%
<b>04 (Jacksonville)</b>	<b>5,149</b>	<b>82.1%</b>	<b>1,119</b>	<b>17.9%</b>	<b>5,354</b>	<b>82.2%</b>	<b>1,161</b>	<b>17.8%</b>
Prison	713	47.0%	803	53.0%	795	48.1%	857	51.9%
Community Control	89	88.1%	12	11.9%	132	90.4%	14	9.6%
Probation	833	89.2%	101	10.8%	849	89.2%	103	10.8%
County Jail	3,507	94.5%	203	5.5%	3,566	95.0%	187	5.0%
Other	7	100.0%	0	0.0%	12	100.0%	0	0.0%
<b>05 (Tavares)</b>	<b>3,203</b>	<b>80.2%</b>	<b>792</b>	<b>19.8%</b>	<b>4,513</b>	<b>81.0%</b>	<b>1,059</b>	<b>19.0%</b>
Prison	246	33.3%	493	66.7%	507	40.4%	748	59.6%
Community Control	163	79.5%	42	20.5%	212	80.9%	50	19.1%
Probation	2,031	91.9%	179	8.1%	2,747	93.8%	181	6.2%
County Jail	626	92.3%	52	7.7%	829	92.7%	65	7.3%
Other	137	84.0%	26	16.0%	218	93.6%	15	6.4%
<b>06 (Clearwater)</b>	<b>8,220</b>	<b>81.0%</b>	<b>1,930</b>	<b>19.0%</b>	<b>8,838</b>	<b>82.9%</b>	<b>1,824</b>	<b>17.1%</b>
Prison	272	18.5%	1,195	81.5%	267	20.1%	1,062	79.9%
Community Control	333	81.8%	74	18.2%	257	78.1%	72	21.9%
Probation	5,274	91.8%	468	8.2%	5,618	91.3%	537	8.7%
County Jail	2,136	93.4%	150	6.6%	2,532	95.2%	128	4.8%
Other	205	82.7%	43	17.3%	164	86.8%	25	13.2%

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

Judicial Circuit / Sanction Imposed	Recommended Sanction Category							
	FY 2004-2005 Sentence Dates <sup>1</sup>				FY 2005-2006 Sentence Dates <sup>2</sup>			
	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>2,955</b>	<b>79.0%</b>	<b>784</b>	<b>21.0%</b>	<b>2,949</b>	<b>78.6%</b>	<b>803</b>	<b>21.4%</b>
Prison	483	47.7%	530	52.3%	314	38.3%	505	61.7%
Community Control	272	82.4%	58	17.6%	198	79.2%	52	20.8%
Probation	1,627	91.1%	158	8.9%	1,873	92.2%	159	7.8%
County Jail	519	93.7%	35	6.3%	520	89.2%	63	10.8%
Other	54	94.7%	3	5.3%	44	64.7%	24	35.3%
<b>08 (Gainesville)</b>	<b>1,093</b>	<b>71.4%</b>	<b>438</b>	<b>28.6%</b>	<b>933</b>	<b>75.4%</b>	<b>305</b>	<b>24.6%</b>
Prison	69	21.2%	257	78.8%	102	36.7%	176	63.3%
Community Control	32	69.6%	14	30.4%	10	58.8%	7	41.2%
Probation	727	85.6%	122	14.4%	548	86.8%	83	13.2%
County Jail	227	85.7%	38	14.3%	237	88.4%	31	11.6%
Other	38	84.4%	7	15.6%	36	81.8%	8	18.2%
<b>09 (Orlando)</b>	<b>914</b>	<b>79.9%</b>	<b>230</b>	<b>20.1%</b>	<b>5,078</b>	<b>85.8%</b>	<b>839</b>	<b>14.2%</b>
Prison	48	24.2%	150	75.8%	276	34.6%	522	65.4%
Community Control	31	72.1%	12	27.9%	168	82.8%	35	17.2%
Probation	534	90.7%	55	9.3%	2,941	93.6%	200	6.4%
County Jail	293	96.1%	12	3.9%	1,677	95.6%	78	4.4%
Other	8	88.9%	1	11.1%	16	80.0%	4	20.0%
<b>10 (Bartow)</b>	<b>2,291</b>	<b>78.6%</b>	<b>625</b>	<b>21.4%</b>	<b>3,543</b>	<b>79.0%</b>	<b>943</b>	<b>21.0%</b>
Prison	453	48.1%	489	51.9%	634	45.9%	747	54.1%
Community Control	174	82.5%	37	17.5%	263	84.6%	48	15.4%
Probation	1,405	94.3%	85	5.7%	2,326	94.8%	127	5.2%
County Jail	254	94.8%	14	5.2%	305	93.6%	21	6.4%
Other	5	100.0%	0	0.0%	15	100.0%	0	0.0%
<b>11 (Miami)</b>	<b>7,663</b>	<b>66.6%</b>	<b>3,847</b>	<b>33.4%</b>	<b>6,497</b>	<b>62.8%</b>	<b>3,853</b>	<b>37.2%</b>
Prison	124	12.9%	836	87.1%	102	10.2%	894	89.8%
Community Control	85	29.2%	206	70.8%	68	24.7%	207	75.3%
Probation	3,311	73.1%	1,218	26.9%	2,925	71.1%	1,189	28.9%
County Jail	4,143	72.3%	1,587	27.7%	3,402	68.5%	1,563	31.5%
Other	0		0		0		0	
<b>12 (Sarasota)</b>	<b>2,907</b>	<b>87.7%</b>	<b>408</b>	<b>12.3%</b>	<b>3,311</b>	<b>89.1%</b>	<b>407</b>	<b>10.9%</b>
Prison	92	22.9%	310	77.1%	64	18.5%	282	81.5%
Community Control	167	92.3%	14	7.7%	209	88.2%	28	11.8%
Probation	1,481	96.1%	60	3.9%	1,708	95.8%	75	4.2%
County Jail	1,153	98.0%	23	2.0%	1,325	98.4%	22	1.6%
Other	14	93.3%	1	6.7%	5	100.0%	0	0.0%

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

Judicial Circuit / Sanction Imposed	Recommended Sanction Category							
	FY 2004-2005 Sentence Dates <sup>1</sup>				FY 2005-2006 Sentence Dates <sup>2</sup>			
	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>7,013</b>	<b>74.3%</b>	<b>2,426</b>	<b>25.7%</b>	<b>5,477</b>	<b>71.7%</b>	<b>2,159</b>	<b>28.3%</b>
Prison	387	24.1%	1,217	75.9%	320	22.2%	1,119	77.8%
Community Control	589	65.6%	309	34.4%	308	56.1%	241	43.9%
Probation	4,143	87.5%	593	12.5%	3,343	86.7%	511	13.3%
County Jail	1,690	86.2%	271	13.8%	1,311	83.8%	253	16.2%
Other	204	85.0%	36	15.0%	195	84.8%	35	15.2%
<b>14 (Panama City)</b>	<b>1,156</b>	<b>74.4%</b>	<b>397</b>	<b>25.6%</b>	<b>1,523</b>	<b>74.1%</b>	<b>531</b>	<b>25.9%</b>
Prison	170	42.1%	234	57.9%	253	42.6%	341	57.4%
Community Control	158	77.1%	47	22.9%	166	79.8%	42	20.2%
Probation	761	88.3%	101	11.7%	1,021	88.5%	133	11.5%
County Jail	17	73.9%	6	26.1%	16	72.7%	6	27.3%
Other	50	84.7%	9	15.3%	67	88.2%	9	11.8%
<b>15 (West Palm Beach)</b>	<b>3,940</b>	<b>84.1%</b>	<b>745</b>	<b>15.9%</b>	<b>3,944</b>	<b>82.0%</b>	<b>865</b>	<b>18.0%</b>
Prison	101	17.4%	480	82.6%	126	19.3%	527	80.7%
Community Control	34	82.9%	7	17.1%	21	72.4%	8	27.6%
Probation	1,542	90.5%	162	9.5%	1,292	87.1%	191	12.9%
County Jail	2,263	96.0%	95	4.0%	2,504	94.7%	139	5.3%
Other	0	0.0%	1	0.0%	1	100.0%	0	0.0%
<b>16 (Key West)</b>	<b>429</b>	<b>82.7%</b>	<b>90</b>	<b>17.3%</b>	<b>555</b>	<b>80.8%</b>	<b>132</b>	<b>19.2%</b>
Prison	14	21.2%	52	78.8%	24	27.0%	65	73.0%
Community Control	17	73.9%	6	26.1%	6	75.0%	2	25.0%
Probation	316	92.4%	26	7.6%	417	90.1%	46	9.9%
County Jail	69	94.5%	4	5.5%	93	86.1%	15	13.9%
Other	13	86.7%	2	13.3%	15	78.9%	4	21.1%
<b>17 (Ft. Lauderdale)</b>	<b>6,097</b>	<b>77.1%</b>	<b>1,812</b>	<b>22.9%</b>	<b>6,121</b>	<b>79.5%</b>	<b>1,581</b>	<b>20.5%</b>
Prison	328	23.7%	1,055	76.3%	299	25.4%	877	74.6%
Community Control	271	60.1%	180	39.9%	253	63.7%	144	36.3%
Probation	4,344	89.8%	495	10.2%	4,388	90.2%	478	9.8%
County Jail	1,096	93.6%	75	6.4%	1,144	93.8%	75	6.2%
Other	58	89.2%	7	10.8%	37	84.1%	7	15.9%
<b>18 (Sanford)</b>	<b>2,683</b>	<b>85.3%</b>	<b>463</b>	<b>14.7%</b>	<b>2,239</b>	<b>84.5%</b>	<b>411</b>	<b>15.5%</b>
Prison	200	35.8%	359	64.2%	124	27.8%	322	72.2%
Community Control	291	85.6%	49	14.4%	245	89.4%	29	10.6%
Probation	2,041	97.4%	54	2.6%	1,726	96.6%	60	3.4%
County Jail	151	100.0%	0	0.0%	144	100.0%	0	0.0%
Other	0		1		0		0	

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

Judicial Circuit / Sanction Imposed	Recommended Sanction Category							
	FY 2004-2005 Sentence Dates <sup>1</sup>				FY 2005-2006 Sentence Dates <sup>2</sup>			
	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>2,671</b>	<b>84.0%</b>	<b>507</b>	<b>16.0%</b>	<b>3,140</b>	<b>85.1%</b>	<b>549</b>	<b>14.9%</b>
Prison	423	52.4%	384	47.6%	541	55.2%	439	44.8%
Community Control	173	90.6%	18	9.4%	177	93.7%	12	6.3%
Probation	1,399	95.4%	67	4.6%	1,581	95.9%	67	4.1%
County Jail	629	95.3%	31	4.7%	786	96.8%	26	3.2%
Other	47	87.0%	7	13.0%	55	91.7%	5	8.3%
<b>20 (Ft. Myers)</b>	<b>3,344</b>	<b>80.3%</b>	<b>819</b>	<b>19.7%</b>	<b>4,087</b>	<b>81.3%</b>	<b>941</b>	<b>18.7%</b>
Prison	52	11.1%	418	88.9%	87	14.4%	517	85.6%
Community Control	183	74.1%	64	25.9%	189	79.7%	48	20.3%
Probation	1,967	91.1%	192	8.9%	2,348	92.0%	204	8.0%
County Jail	1,062	88.9%	133	11.1%	1,320	89.1%	162	10.9%
Other	80	87.0%	12	13.0%	143	93.5%	10	6.5%
<b>Statewide</b>	<b>66,920</b>	<b>100.0%</b>	<b>19,014</b>	<b>100.0%</b>	<b>73,823</b>	<b>100.0%</b>	<b>20,123</b>	<b>100.0%</b>

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

<sup>1</sup> Offense dates on or after October 1, 2003.

<sup>2</sup> Offense dates on or after October 1, 2004.

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

Circuit/County	FY2004-2005 Sentence Dates <sup>1</sup>						FY2005-2006 Sentence Dates <sup>2</sup>					
	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>623</b> <b>15.6%</b>	<b>481</b> <b>12.0%</b>	<b>2,095</b> <b>52.5%</b>	<b>704</b> <b>17.6%</b>	<b>91</b> <b>2.3%</b>	<b>3,994</b> <b>100.0%</b>	<b>884</b> <b>18.9%</b>	<b>429</b> <b>9.2%</b>	<b>2,354</b> <b>50.4%</b>	<b>889</b> <b>19.0%</b>	<b>115</b> <b>2.5%</b>	<b>4,671</b> <b>100.0%</b>
Escambia	511 20.6%	244 9.8%	1,182 47.6%	491 19.8%	57 2.3%	<b>2,485</b> <b>100.0%</b>	660 22.2%	222 7.5%	1,348 45.4%	684 23.0%	58 2.0%	<b>2,972</b> <b>100.0%</b>
Okaloosa	38 4.2%	166 18.4%	543 60.2%	126 14.0%	29 3.2%	<b>902</b> <b>100.0%</b>	151 13.1%	167 14.5%	648 56.2%	139 12.1%	48 4.2%	<b>1,153</b> <b>100.0%</b>
Santa Rosa	66 13.5%	64 13.1%	275 56.1%	84 17.1%	1 0.2%	<b>490</b> <b>100.0%</b>	69 13.8%	34 6.8%	323 64.5%	66 13.2%	9 1.8%	<b>501</b> <b>100.0%</b>
Walton	8 6.8%	7 6.0%	95 81.2%	3 2.6%	4 3.4%	<b>117</b> <b>100.0%</b>	4 8.9%	6 13.3%	35 77.8%	0 0.0%	0 0.0%	<b>45</b> <b>100.0%</b>
<b>02 (Tallahassee)</b>	<b>571</b> <b>28.1%</b>	<b>117</b> <b>5.8%</b>	<b>1,125</b> <b>55.4%</b>	<b>214</b> <b>10.5%</b>	<b>5</b> <b>0.2%</b>	<b>2,032</b> <b>100.0%</b>	<b>534</b> <b>25.2%</b>	<b>91</b> <b>4.3%</b>	<b>1,235</b> <b>58.2%</b>	<b>255</b> <b>12.0%</b>	<b>6</b> <b>0.3%</b>	<b>2,121</b> <b>100.0%</b>
Franklin	4 14.8%	3 11.1%	20 74.1%	0 0.0%	0 0.0%	<b>27</b> <b>100.0%</b>	13 8.7%	4 2.7%	127 85.2%	5 3.4%	0 0.0%	<b>149</b> <b>100.0%</b>
Gadsden	119 30.1%	15 3.8%	250 63.3%	11 2.8%	0 0.0%	<b>395</b> <b>100.0%</b>	118 31.5%	14 3.7%	224 59.7%	19 5.1%	0 0.0%	<b>375</b> <b>100.0%</b>
Jefferson	3 14.3%	2 9.5%	16 76.2%	0 0.0%	0 0.0%	<b>21</b> <b>100.0%</b>	0	0	0	0	0	<b>0</b>
Leon	420 27.4%	93 6.1%	816 53.2%	201 13.1%	5 0.3%	<b>1,535</b> <b>100.0%</b>	380 24.6%	70 4.5%	861 55.7%	230 14.9%	6 0.4%	<b>1,547</b> <b>100.0%</b>
Liberty	12 33.3%	2 5.6%	20 55.6%	2 5.6%	0 0.0%	<b>36</b> <b>100.0%</b>	17 40.5%	1 2.4%	23 54.8%	1 2.4%	0 0.0%	<b>42</b> <b>100.0%</b>
Wakulla	13 72.2%	2 11.1%	3 16.7%	0 0.0%	0 0.0%	<b>18</b> <b>100.0%</b>	6 75.0%	2 25.0%	0 0.0%	0 0.0%	0 0.0%	<b>8</b> <b>100.0%</b>
<b>03 (Lake City)</b>	<b>174</b> <b>23.3%</b>	<b>86</b> <b>11.5%</b>	<b>390</b> <b>52.1%</b>	<b>50</b> <b>6.7%</b>	<b>48</b> <b>6.4%</b>	<b>748</b> <b>100.0%</b>	<b>207</b> <b>30.0%</b>	<b>65</b> <b>9.4%</b>	<b>370</b> <b>53.7%</b>	<b>18</b> <b>2.6%</b>	<b>29</b> <b>4.2%</b>	<b>689</b> <b>100.0%</b>
Columbia	111 21.2%	71 13.5%	252 48.1%	43 8.2%	47 9.0%	<b>524</b> <b>100.0%</b>	137 38.6%	40 11.3%	147 41.4%	8 2.3%	23 6.5%	<b>355</b> <b>100.0%</b>
Dixie	6 17.6%	4 11.8%	23 67.6%	1 2.9%	0 0.0%	<b>34</b> <b>100.0%</b>	8 15.4%	3 5.8%	40 76.9%	0 0.0%	1 1.9%	<b>52</b> <b>100.0%</b>



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

Circuit/County	FY2004-2005 Sentence Dates <sup>1</sup>						FY2005-2006 Sentence Dates <sup>2</sup>					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
Hamilton	10 50.0%	2 10.0%	7 35.0%	1 5.0%	0 0.0%	<b>20</b> <b>100.0%</b>	11 28.9%	3 7.9%	20 52.6%	1 2.6%	3 7.9%	<b>38</b> <b>100.0%</b>
Lafayette	0	0	0	0	0	<b>0</b>	0 0.0%	0 0.0%	3 100.0%	0 0.0%	0 0.0%	<b>3</b> <b>100.0%</b>
Madison	8 66.7%	0 0.0%	4 33.3%	0 0.0%	0 0.0%	<b>12</b> <b>100.0%</b>	8 57.1%	2 14.3%	1 7.1%	2 14.3%	1 7.1%	<b>14</b> <b>100.0%</b>
Suwannee	0	0	0	0	0	<b>0</b>	15 25.9%	10 17.2%	30 51.7%	2 3.4%	1 1.7%	<b>58</b> <b>100.0%</b>
Taylor	39 24.7%	9 5.7%	104 65.8%	5 3.2%	1 0.6%	<b>158</b> <b>100.0%</b>	28 16.6%	7 4.1%	129 76.3%	5 3.0%	0 0.0%	<b>169</b> <b>100.0%</b>
<b>04 (Jacksonville)</b>	<b>1,516</b> <b>24.2%</b>	<b>101</b> <b>1.6%</b>	<b>934</b> <b>14.9%</b>	<b>3,710</b> <b>59.2%</b>	<b>7</b> <b>0.1%</b>	<b>6,268</b> <b>100.0%</b>	<b>1,652</b> <b>25.4%</b>	<b>146</b> <b>2.2%</b>	<b>952</b> <b>14.6%</b>	<b>3,753</b> <b>57.6%</b>	<b>12</b> <b>0.2%</b>	<b>6,515</b> <b>100.0%</b>
Clay	172 24.2%	18 2.5%	285 40.1%	233 32.8%	2 0.3%	<b>710</b> <b>100.0%</b>	222 23.2%	45 4.7%	291 30.4%	399 41.6%	1 0.1%	<b>958</b> <b>100.0%</b>
Duval	1,211 23.8%	66 1.3%	493 9.7%	3,305 65.1%	4 0.1%	<b>5,079</b> <b>100.0%</b>	1,319 26.2%	83 1.6%	445 8.8%	3,185 63.2%	11 0.2%	<b>5,043</b> <b>100.0%</b>
Nassau	133 27.8%	17 3.5%	156 32.6%	172 35.9%	1 0.2%	<b>479</b> <b>100.0%</b>	111 21.6%	18 3.5%	216 42.0%	169 32.9%	0 0.0%	<b>514</b> <b>100.0%</b>
<b>05 (Tavares)</b>	<b>739</b> <b>18.5%</b>	<b>205</b> <b>5.1%</b>	<b>2,210</b> <b>55.3%</b>	<b>678</b> <b>17.0%</b>	<b>163</b> <b>4.1%</b>	<b>3,995</b> <b>100.0%</b>	<b>1,255</b> <b>22.5%</b>	<b>262</b> <b>4.7%</b>	<b>2,928</b> <b>52.5%</b>	<b>894</b> <b>16.0%</b>	<b>233</b> <b>4.2%</b>	<b>5,572</b> <b>100.0%</b>
Citrus	125 25.1%	23 4.6%	281 56.3%	53 10.6%	17 3.4%	<b>499</b> <b>100.0%</b>	151 26.2%	38 6.6%	304 52.7%	60 10.4%	24 4.2%	<b>577</b> <b>100.0%</b>
Hernando	2 7.4%	5 18.5%	19 70.4%	1 3.7%	0 0.0%	<b>27</b> <b>100.0%</b>	102 14.0%	63 8.7%	452 62.2%	106 14.6%	4 0.6%	<b>727</b> <b>100.0%</b>
Lake	241 15.8%	78 5.1%	805 52.8%	350 22.9%	52 3.4%	<b>1,526</b> <b>100.0%</b>	289 15.8%	62 3.4%	922 50.3%	406 22.1%	154 8.4%	<b>1,833</b> <b>100.0%</b>
Marion	310 18.4%	83 4.9%	954 56.7%	249 14.8%	88 5.2%	<b>1,684</b> <b>100.0%</b>	598 29.0%	72 3.5%	1,062 51.4%	282 13.7%	51 2.5%	<b>2,065</b> <b>100.0%</b>
Sumter	61 23.6%	16 6.2%	151 58.3%	25 9.7%	6 2.3%	<b>259</b> <b>100.0%</b>	115 31.1%	27 7.3%	188 50.8%	40 10.8%	0 0.0%	<b>370</b> <b>100.0%</b>

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

Circuit/County	FY2004-2005 Sentence Dates <sup>1</sup>						FY2005-2006 Sentence Dates <sup>2</sup>					
	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>1,467</b>	<b>407</b>	<b>5,742</b>	<b>2,286</b>	<b>248</b>	<b>10,150</b>	<b>1,329</b>	<b>329</b>	<b>6,155</b>	<b>2,660</b>	<b>189</b>	<b>10,662</b>
	<b>14.5%</b>	<b>4.0%</b>	<b>56.6%</b>	<b>22.5%</b>	<b>2.4%</b>	<b>100.0%</b>	<b>12.5%</b>	<b>3.1%</b>	<b>57.7%</b>	<b>24.9%</b>	<b>1.8%</b>	<b>100.0%</b>
Pasco	325	179	1,289	240	17	<b>2,050</b>	300	203	1,460	379	17	<b>2,359</b>
	15.9%	8.7%	62.9%	11.7%	0.8%	<b>100.0%</b>	12.7%	8.6%	61.9%	16.1%	0.7%	<b>100.0%</b>
Pinellas	1,142	228	4,453	2,046	231	<b>8,100</b>	1,029	126	4,695	2,281	172	<b>8,303</b>
	14.1%	2.8%	55.0%	25.3%	2.9%	<b>100.0%</b>	12.4%	1.5%	56.5%	27.5%	2.1%	<b>100.0%</b>
<b>07 (Daytona)</b>	<b>1,013</b>	<b>330</b>	<b>1,785</b>	<b>554</b>	<b>57</b>	<b>3,739</b>	<b>819</b>	<b>250</b>	<b>2,032</b>	<b>583</b>	<b>68</b>	<b>3,752</b>
	<b>27.1%</b>	<b>8.8%</b>	<b>47.7%</b>	<b>14.8%</b>	<b>1.5%</b>	<b>100.0%</b>	<b>21.8%</b>	<b>6.7%</b>	<b>54.2%</b>	<b>15.5%</b>	<b>1.8%</b>	<b>100.0%</b>
Flagler	69	28	207	64	0	<b>368</b>	54	15	178	69	2	<b>318</b>
	18.8%	7.6%	56.3%	17.4%	0.0%	<b>100.0%</b>	17.0%	4.7%	56.0%	21.7%	0.6%	<b>100.0%</b>
Putnam	65	16	267	67	41	<b>456</b>	60	9	301	41	41	<b>452</b>
	14.3%	3.5%	58.6%	14.7%	9.0%	<b>100.0%</b>	13.3%	2.0%	66.6%	9.1%	9.1%	<b>100.0%</b>
St. Johns	61	15	214	29	0	<b>319</b>	191	34	557	99	0	<b>881</b>
	19.1%	4.7%	67.1%	9.1%	0.0%	<b>100.0%</b>	21.7%	3.9%	63.2%	11.2%	0.0%	<b>100.0%</b>
Volusia	818	271	1,097	394	16	<b>2,596</b>	514	192	996	374	25	<b>2,101</b>
	31.5%	10.4%	42.3%	15.2%	0.6%	<b>100.0%</b>	24.5%	9.1%	47.4%	17.8%	1.2%	<b>100.0%</b>
<b>08 (Gainesville)</b>	<b>326</b>	<b>46</b>	<b>849</b>	<b>265</b>	<b>45</b>	<b>1,531</b>	<b>278</b>	<b>17</b>	<b>631</b>	<b>268</b>	<b>44</b>	<b>1,238</b>
	<b>21.3%</b>	<b>3.0%</b>	<b>55.5%</b>	<b>17.3%</b>	<b>2.9%</b>	<b>100.0%</b>	<b>22.5%</b>	<b>1.4%</b>	<b>51.0%</b>	<b>21.6%</b>	<b>3.6%</b>	<b>100.0%</b>
Alachua	244	20	582	223	35	<b>1,104</b>	204	10	434	232	37	<b>917</b>
	22.1%	1.8%	52.7%	20.2%	3.2%	<b>100.0%</b>	22.2%	1.1%	47.3%	25.3%	4.0%	<b>100.0%</b>
Baker	7	2	46	0	0	<b>55</b>	0	1	2	0	0	<b>3</b>
	12.7%	3.6%	83.6%	0.0%	0.0%	<b>100.0%</b>	0.0%	33.3%	66.7%	0.0%	0.0%	<b>100.0%</b>
Bradford	32	11	102	25	5	<b>175</b>	28	2	81	14	1	<b>126</b>
	18.3%	6.3%	58.3%	14.3%	2.9%	<b>100.0%</b>	22.2%	1.6%	64.3%	11.1%	0.8%	<b>100.0%</b>
Gilchrist	0	0	0	0	0	<b>0</b>	1	0	8	2	0	<b>11</b>
							9.1%	0.0%	72.7%	18.2%	0.0%	<b>100.0%</b>
Levy	37	5	82	7	5	<b>136</b>	42	3	70	16	6	<b>137</b>
	27.2%	3.7%	60.3%	5.1%	3.7%	<b>100.0%</b>	30.7%	2.2%	51.1%	11.7%	4.4%	<b>100.0%</b>
Union	6	8	37	10	0	<b>61</b>	3	1	36	4	0	<b>44</b>
	9.8%	13.1%	60.7%	16.4%	0.0%	<b>100.0%</b>	6.8%	2.3%	81.8%	9.1%	0.0%	<b>100.0%</b>

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

Circuit/County	FY2004-2005 Sentence Dates <sup>1</sup>						FY2005-2006 Sentence Dates <sup>2</sup>					
	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>198</b>	<b>43</b>	<b>589</b>	<b>305</b>	<b>9</b>	<b>1,144</b>	<b>798</b>	<b>203</b>	<b>3,141</b>	<b>1,755</b>	<b>20</b>	<b>5,917</b>
	<b>17.3%</b>	<b>3.8%</b>	<b>51.5%</b>	<b>26.7%</b>	<b>0.8%</b>	<b>100.0%</b>	<b>13.5%</b>	<b>3.4%</b>	<b>53.1%</b>	<b>29.7%</b>	<b>0.3%</b>	<b>100.0%</b>
Orange	149	25	426	233	4	<b>837</b>	523	144	2,377	1,291	15	<b>4,350</b>
	17.8%	3.0%	50.9%	27.8%	0.5%	<b>100.0%</b>	12.0%	3.3%	54.6%	29.7%	0.3%	<b>100.0%</b>
Osceola	49	18	163	72	5	<b>307</b>	275	59	764	464	5	<b>1,567</b>
	16.0%	5.9%	53.1%	23.5%	1.6%	<b>100.0%</b>	17.5%	3.8%	48.8%	29.6%	0.3%	<b>100.0%</b>
<b>10 (Bartow)</b>	<b>942</b>	<b>211</b>	<b>1,490</b>	<b>268</b>	<b>5</b>	<b>2,916</b>	<b>1,381</b>	<b>311</b>	<b>2,453</b>	<b>326</b>	<b>15</b>	<b>4,486</b>
	<b>32.3%</b>	<b>7.2%</b>	<b>51.1%</b>	<b>9.2%</b>	<b>0.2%</b>	<b>100.0%</b>	<b>30.8%</b>	<b>6.9%</b>	<b>54.7%</b>	<b>7.3%</b>	<b>0.3%</b>	<b>100.0%</b>
Hardee	8	13	102	3	0	<b>126</b>	26	3	80	17	0	<b>126</b>
	6.3%	10.3%	81.0%	2.4%	0.0%	<b>100.0%</b>	20.6%	2.4%	63.5%	13.5%	0.0%	<b>100.0%</b>
Highlands	52	16	89	14	0	<b>171</b>	57	20	153	14	4	<b>248</b>
	30.4%	9.4%	52.0%	8.2%	0.0%	<b>100.0%</b>	23.0%	8.1%	61.7%	5.6%	1.6%	<b>100.0%</b>
Polk	882	182	1,299	251	5	<b>2,619</b>	1,298	288	2,220	295	11	<b>4,112</b>
	33.7%	6.9%	49.6%	9.6%	0.2%	<b>100.0%</b>	31.6%	7.0%	54.0%	7.2%	0.3%	<b>100.0%</b>
<b>11 (Miami)</b>	<b>960</b>	<b>291</b>	<b>4,529</b>	<b>5,730</b>	<b>0</b>	<b>11,510</b>	<b>996</b>	<b>275</b>	<b>4,114</b>	<b>4,965</b>	<b>0</b>	<b>10,350</b>
	<b>8.3%</b>	<b>2.5%</b>	<b>39.3%</b>	<b>49.8%</b>	<b>0.0%</b>	<b>100.0%</b>	<b>9.6%</b>	<b>2.7%</b>	<b>39.7%</b>	<b>48.0%</b>	<b>0.0%</b>	<b>100.0%</b>
Miami-Dade	960	291	4,529	5,730	0	<b>11,510</b>	996	275	4,114	4,965	0	<b>10,350</b>
	8.3%	2.5%	39.3%	49.8%	0.0%	<b>100.0%</b>	9.6%	2.7%	39.7%	48.0%	0.0%	<b>100.0%</b>
<b>12 (Sarasota)</b>	<b>402</b>	<b>181</b>	<b>1,541</b>	<b>1,176</b>	<b>15</b>	<b>3,315</b>	<b>346</b>	<b>237</b>	<b>1,783</b>	<b>1,347</b>	<b>5</b>	<b>3,718</b>
	<b>12.1%</b>	<b>5.5%</b>	<b>46.5%</b>	<b>35.5%</b>	<b>0.5%</b>	<b>100.0%</b>	<b>9.3%</b>	<b>6.4%</b>	<b>48.0%</b>	<b>36.2%</b>	<b>0.1%</b>	<b>100.0%</b>
Desoto	23	18	48	40	2	<b>131</b>	53	15	40	27	1	<b>136</b>
	17.6%	13.7%	36.6%	30.5%	1.5%	<b>100.0%</b>	39.0%	11.0%	29.4%	19.9%	0.7%	<b>100.0%</b>
Manatee	178	130	683	351	5	<b>1,347</b>	96	159	752	307	0	<b>1,314</b>
	13.2%	9.7%	50.7%	26.1%	0.4%	<b>100.0%</b>	7.3%	12.1%	57.2%	23.4%	0.0%	<b>100.0%</b>
Sarasota	201	33	810	785	8	<b>1,837</b>	197	63	991	1,013	4	<b>2,268</b>
	10.9%	1.8%	44.1%	42.7%	0.4%	<b>100.0%</b>	8.7%	2.8%	43.7%	44.7%	0.2%	<b>100.0%</b>
<b>13 (Tampa)</b>	<b>1,604</b>	<b>898</b>	<b>4,736</b>	<b>1,961</b>	<b>240</b>	<b>9,439</b>	<b>1,439</b>	<b>549</b>	<b>3,854</b>	<b>1,564</b>	<b>230</b>	<b>7,636</b>
	<b>17.0%</b>	<b>9.5%</b>	<b>50.2%</b>	<b>20.8%</b>	<b>2.5%</b>	<b>100.0%</b>	<b>18.8%</b>	<b>7.2%</b>	<b>50.5%</b>	<b>20.5%</b>	<b>3.0%</b>	<b>100.0%</b>
Hillsborough	1,604	898	4,736	1,961	240	<b>9,439</b>	1,439	549	3,854	1,564	230	<b>7,636</b>
	17.0%	9.5%	50.2%	20.8%	2.5%	<b>100.0%</b>	18.8%	7.2%	50.5%	20.5%	3.0%	<b>100.0%</b>

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

Circuit/County	FY2004-2005 Sentence Dates <sup>1</sup>						FY2005-2006 Sentence Dates <sup>2</sup>					
	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>404</b>	<b>205</b>	<b>862</b>	<b>23</b>	<b>59</b>	<b>1,553</b>	<b>594</b>	<b>208</b>	<b>1,154</b>	<b>22</b>	<b>76</b>	<b>2,054</b>
	<b>26.0%</b>	<b>13.2%</b>	<b>55.5%</b>	<b>1.5%</b>	<b>3.8%</b>	<b>100.0%</b>	<b>28.9%</b>	<b>10.1%</b>	<b>56.2%</b>	<b>1.1%</b>	<b>3.7%</b>	<b>100.0%</b>
Bay	341	168	646	12	59	<b>1,226</b>	451	164	905	4	76	<b>1,600</b>
	27.8%	13.7%	52.7%	1.0%	4.8%	<b>100.0%</b>	28.2%	10.3%	56.6%	0.3%	4.8%	<b>100.0%</b>
Calhoun	8	13	17	3	0	<b>41</b>	13	14	31	1	0	<b>59</b>
	19.5%	31.7%	41.5%	7.3%	0.0%	<b>100.0%</b>	22.0%	23.7%	52.5%	1.7%	0.0%	<b>100.0%</b>
Gulf	11	5	21	3	0	<b>40</b>	25	8	19	2	0	<b>54</b>
	27.5%	12.5%	52.5%	7.5%	0.0%	<b>100.0%</b>	46.3%	14.8%	35.2%	3.7%	0.0%	<b>100.0%</b>
Holmes	0	2	47	0	0	<b>49</b>	1	5	39	0	0	<b>45</b>
	0.0%	4.1%	95.9%	0.0%	0.0%	<b>100.0%</b>	2.2%	11.1%	86.7%	0.0%	0.0%	<b>100.0%</b>
Jackson	38	11	75	5	0	<b>129</b>	97	4	117	15	0	<b>233</b>
	29.5%	8.5%	58.1%	3.9%	0.0%	<b>100.0%</b>	41.6%	1.7%	50.2%	6.4%	0.0%	<b>100.0%</b>
Washington	6	6	56	0	0	<b>68</b>	7	13	43	0	0	<b>63</b>
	8.8%	8.8%	82.4%	0.0%	0.0%	<b>100.0%</b>	11.1%	20.6%	68.3%	0.0%	0.0%	<b>100.0%</b>
<b>15 (West Palm Beach)</b>	<b>581</b>	<b>41</b>	<b>1,704</b>	<b>2,358</b>	<b>1</b>	<b>4,685</b>	<b>653</b>	<b>29</b>	<b>1,483</b>	<b>2,643</b>	<b>1</b>	<b>4,809</b>
	<b>12.4%</b>	<b>0.9%</b>	<b>36.4%</b>	<b>50.3%</b>	<b>0.0%</b>	<b>100.0%</b>	<b>13.6%</b>	<b>0.6%</b>	<b>30.8%</b>	<b>55.0%</b>	<b>0.0%</b>	<b>100.0%</b>
Palm Beach	581	41	1,704	2,358	1	<b>4,685</b>	653	29	1,483	2,643	1	<b>4,809</b>
	<b>7.3%</b>	<b>0.5%</b>	<b>21.5%</b>	<b>29.8%</b>	<b>0.0%</b>	<b>59.2%</b>	13.6%	0.6%	30.8%	55.0%	0.0%	<b>100.0%</b>
<b>16 (Key West)</b>	<b>66</b>	<b>23</b>	<b>342</b>	<b>73</b>	<b>15</b>	<b>519</b>	<b>89</b>	<b>8</b>	<b>463</b>	<b>108</b>	<b>19</b>	<b>687</b>
	<b>12.7%</b>	<b>4.4%</b>	<b>65.9%</b>	<b>14.1%</b>	<b>2.9%</b>	<b>100.0%</b>	<b>13.0%</b>	<b>1.2%</b>	<b>67.4%</b>	<b>15.7%</b>	<b>2.8%</b>	<b>100.0%</b>
Monroe	66	23	342	73	15	<b>519</b>	89	8	463	108	19	<b>687</b>
	12.7%	4.4%	65.9%	14.1%	2.9%	<b>100.0%</b>	13.0%	1.2%	67.4%	15.7%	2.8%	<b>100.0%</b>
<b>17 (Ft. Lauderdale)</b>	<b>1,383</b>	<b>451</b>	<b>4,839</b>	<b>1,171</b>	<b>65</b>	<b>7,909</b>	<b>1,176</b>	<b>397</b>	<b>4,866</b>	<b>1,219</b>	<b>44</b>	<b>7,702</b>
	<b>17.5%</b>	<b>5.7%</b>	<b>61.2%</b>	<b>14.8%</b>	<b>0.8%</b>	<b>100.0%</b>	<b>15.3%</b>	<b>5.2%</b>	<b>63.2%</b>	<b>15.8%</b>	<b>0.6%</b>	<b>100.0%</b>
Broward	1,383	451	4,839	1,171	65	<b>7,909</b>	1,176	397	4,866	1,219	44	<b>7,702</b>
	17.5%	5.7%	61.2%	14.8%	0.8%	<b>100.0%</b>	15.3%	5.2%	63.2%	15.8%	0.6%	<b>100.0%</b>
<b>18 (Sanford)</b>	<b>559</b>	<b>340</b>	<b>2,095</b>	<b>151</b>	<b>1</b>	<b>3,146</b>	<b>446</b>	<b>274</b>	<b>1,786</b>	<b>144</b>	<b>0</b>	<b>2,650</b>
	<b>17.8%</b>	<b>10.8%</b>	<b>66.6%</b>	<b>4.8%</b>	<b>0.0%</b>	<b>100.0%</b>	<b>16.8%</b>	<b>10.3%</b>	<b>67.4%</b>	<b>5.4%</b>	<b>0.0%</b>	<b>100.0%</b>
Brevard	358	270	1,260	20	1	<b>1,909</b>	281	227	1,051	28	0	<b>1,587</b>
	18.8%	14.1%	66.0%	1.0%	0.1%	<b>100.0%</b>	17.7%	14.3%	66.2%	1.8%	0.0%	<b>100.0%</b>

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

Circuit/County	FY2004-2005 Sentence Dates <sup>1</sup>						FY2005-2006 Sentence Dates <sup>2</sup>					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
Seminole	201 16.2%	70 5.7%	835 67.5%	131 10.6%	0 0.0%	<b>1,237</b> <b>100.0%</b>	165 15.5%	47 4.4%	735 69.1%	116 10.9%	0 0.0%	<b>1,063</b> <b>100.0%</b>
<b>19 (Ft. Pierce)</b>	<b>807</b> <b>25.4%</b>	<b>191</b> <b>6.0%</b>	<b>1,466</b> <b>46.1%</b>	<b>660</b> <b>20.8%</b>	<b>54</b> <b>1.7%</b>	<b>3,178</b> <b>100.0%</b>	<b>980</b> <b>26.6%</b>	<b>189</b> <b>5.1%</b>	<b>1,648</b> <b>44.7%</b>	<b>812</b> <b>22.0%</b>	<b>60</b> <b>1.6%</b>	<b>3,689</b> <b>100.0%</b>
Indian River	194 25.9%	16 2.1%	301 40.2%	235 31.4%	2 0.3%	<b>748</b> <b>100.0%</b>	234 27.3%	30 3.5%	295 34.5%	297 34.7%	0 0.0%	<b>856</b> <b>100.0%</b>
Martin	165 22.1%	46 6.1%	335 44.8%	189 25.3%	13 1.7%	<b>748</b> <b>100.0%</b>	247 33.2%	36 4.8%	308 41.3%	150 20.1%	4 0.5%	<b>745</b> <b>100.0%</b>
Okeechobee	56 21.2%	12 4.5%	135 51.1%	60 22.7%	1 0.4%	<b>264</b> <b>100.0%</b>	87 24.5%	10 2.8%	161 45.4%	92 25.9%	5 1.4%	<b>355</b> <b>100.0%</b>
St. Lucie	392 27.6%	117 8.3%	695 49.0%	176 12.4%	38 2.7%	<b>1,418</b> <b>100.0%</b>	412 23.8%	113 6.5%	884 51.0%	273 15.8%	51 2.9%	<b>1,733</b> <b>100.0%</b>
<b>20 (Ft. Myers)</b>	<b>470</b> <b>11.3%</b>	<b>247</b> <b>5.9%</b>	<b>2,159</b> <b>51.9%</b>	<b>1,195</b> <b>28.7%</b>	<b>92</b> <b>2.2%</b>	<b>4,163</b> <b>100.0%</b>	<b>604</b> <b>12.0%</b>	<b>237</b> <b>4.7%</b>	<b>2,552</b> <b>50.8%</b>	<b>1,482</b> <b>29.5%</b>	<b>153</b> <b>3.0%</b>	<b>5,028</b> <b>100.0%</b>
Charlotte	101 14.6%	78 11.3%	350 50.7%	157 22.8%	4 0.6%	<b>690</b> <b>100.0%</b>	94 13.8%	74 10.9%	333 49.0%	179 26.3%	0 0.0%	<b>680</b> <b>100.0%</b>
Collier	117 7.9%	108 7.3%	726 49.1%	510 34.5%	18 1.2%	<b>1,479</b> <b>100.0%</b>	169 9.4%	92 5.1%	881 49.2%	625 34.9%	25 1.4%	<b>1,792</b> <b>100.0%</b>
Glades	1 6.7%	1 6.7%	11 73.3%	1 6.7%	1 6.7%	<b>15</b> <b>100.0%</b>	4 9.1%	3 6.8%	27 61.4%	7 15.9%	3 6.8%	<b>44</b> <b>100.0%</b>
Hendry	20 13.0%	4 2.6%	99 64.3%	31 20.1%	0 0.0%	<b>154</b> <b>100.0%</b>	27 13.8%	4 2.1%	117 60.0%	47 24.1%	0 0.0%	<b>195</b> <b>100.0%</b>
Lee	231 12.7%	56 3.1%	973 53.3%	496 27.2%	69 3.8%	<b>1,825</b> <b>100.0%</b>	310 13.4%	64 2.8%	1,194 51.5%	624 26.9%	125 5.4%	<b>2,317</b> <b>100.0%</b>
<b>Statewide</b>	<b>14,805</b> <b>17.2%</b>	<b>4,895</b> <b>5.7%</b>	<b>41,482</b> <b>48.3%</b>	<b>23,532</b> <b>27.4%</b>	<b>1,220</b> <b>1.4%</b>	<b>85,934</b> <b>100.0%</b>	<b>16,460</b> <b>17.5%</b>	<b>4,506</b> <b>4.8%</b>	<b>45,954</b> <b>48.9%</b>	<b>25,707</b> <b>27.4%</b>	<b>1,319</b> <b>1.4%</b>	<b>93,946</b> <b>100.0%</b>

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

<sup>1</sup> Offense dates on or after October 1, 2003.

<sup>2</sup> Offense dates on or after October 1, 2004.

**Table 4  
Offense Types by Sanction Imposed**

Offense Type	FY2004 - 2005 Sentence Dates <sup>1</sup>						FY2005 - 2006 Sentence Dates <sup>2</sup>					
	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	38	0	1	1	0	<b>40</b>	34	1	4	1	0	<b>40</b>
	95.0%	0.0%	2.5%	2.5%	0.0%	<b>100.0%</b>	85.0%	2.5%	10.0%	2.5%	0.0%	<b>100.0%</b>
Complete	1	0	0	0	0	<b>1</b>	1	0	0	0	0	<b>1</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>
Second Degree Murder												
Attempt	16	1	4	0	0	<b>21</b>	31	1	2	1	0	<b>35</b>
	76.2%	4.8%	19.0%	0.0%	0.0%	<b>100.0%</b>	88.6%	2.9%	5.7%	2.9%	0.0%	<b>100.0%</b>
Complete	49	0	0	0	0	<b>49</b>	55	1	0	1	0	<b>57</b>
	100.0%	0.0%	0.0%	0.0%	0.0%	<b>100.0%</b>	96.5%	1.8%	0.0%	1.8%	0.0%	<b>100.0%</b>
Third Degree Murder												
Attempt	0	0	0	0	0	<b>0</b>	0	0	0	0	0	<b>0</b>
Complete	1	0	0	0	0	<b>1</b>	2	0	0	0	0	<b>2</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>
Homicide, Other												
Complete	1	1	1	0	0	<b>3</b>	4	0	0	0	0	<b>4</b>
	33.3%	33.3%	33.3%	0.0%	0.0%	<b>100.0%</b>	100.0%	0.0%	0.0%	0.0%	0.0%	<b>100.0%</b>
Manslaughter												
Attempt	3	0	2	0	0	<b>5</b>	1	1	0	0	0	<b>2</b>
	60.0%	0.0%	40.0%	0.0%	0.0%	<b>100.0%</b>	50.0%	50.0%	0.0%	0.0%	0.0%	<b>100.0%</b>
Complete	31	3	10	2	0	<b>46</b>	24	2	9	1	0	<b>36</b>
	67.4%	6.5%	21.7%	4.3%	0.0%	<b>100.0%</b>	66.7%	5.6%	25.0%	2.8%	0.0%	<b>100.0%</b>
DUI Manslaughter												
Complete	31	2	5	0	0	<b>38</b>	28	2	7	1	0	<b>38</b>
	81.6%	5.3%	13.2%	0.0%	0.0%	<b>100.0%</b>	73.7%	5.3%	18.4%	2.6%	0.0%	<b>100.0%</b>
<b>Sexual/Lewd Behavior</b>												
Capital Sexual Battery												
Attempt	19	1	1	0	0	<b>21</b>	29	1	3	1	0	<b>34</b>
	90.5%	4.8%	4.8%	0.0%	0.0%	<b>100.0%</b>	85.3%	2.9%	8.8%	2.9%	0.0%	<b>100.0%</b>

**Table 4  
Offense Types by Sanction Imposed**

Offense Type	FY2004 - 2005 Sentence Dates <sup>1</sup>						FY2005 - 2006 Sentence Dates <sup>2</sup>						
	State Prison	Comm. Control	Probation	County Jail	Other	Total	State Prison	Comm. Control	Probation	County Jail	Other	Total	
Life Sexual Battery	Attempt	8	1	0	0	0	9	4	0	0	0	0	4
		88.9%	11.1%	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
	Complete	19	3	2	0	0	24	12	0	1	1	0	14
		79.2%	12.5%	8.3%	0.0%	0.0%	100.0%	85.7%	0.0%	7.1%	7.1%	0.0%	100.0%
1st Degree Sexual Battery	Attempt	0	0	0	0	0	0	4	0	0	0	0	4
	Complete	26	2	8	0	0	36	24	2	5	0	0	31
		72.2%	5.6%	22.2%	0.0%	0.0%	100.0%	77.4%	6.5%	16.1%	0.0%	0.0%	100.0%
2nd Degree Sexual Battery	Attempt	11	0	6	0	0	17	5	0	4	0	0	9
		64.7%	0.0%	35.3%	0.0%	0.0%	100.0%	55.6%	0.0%	44.4%	0.0%	0.0%	100.0%
	Complete	50	8	27	2	0	87	59	10	24	4	0	97
		57.5%	9.2%	31.0%	2.3%	0.0%	100.0%	60.8%	10.3%	24.7%	4.1%	0.0%	100.0%
Sexual Assault, Other	Complete	0	0	4	0	0	4	1	0	6	1	0	8
		0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	12.5%	0.0%	75.0%	12.5%	0.0%	100.0%
Lewd/Lascivious Behavior	Attempt	16	5	7	0	0	28	12	2	4	0	0	18
		57.1%	17.9%	25.0%	0.0%	0.0%	100.0%	66.7%	11.1%	22.2%	0.0%	0.0%	100.0%
	Complete	240	51	187	10	0	488	222	32	170	18	6	448
		49.2%	10.5%	38.3%	2.0%	0.0%	100.0%	49.6%	7.1%	37.9%	4.0%	1.3%	100.0%
<b>Robbery</b>													
Robbery with Weapon	Attempt	39	12	21	3	0	75	41	5	19	3	1	69
		52.0%	16.0%	28.0%	4.0%	0.0%	100.0%	59.4%	7.2%	27.5%	4.3%	1.4%	100.0%
	Complete	358	50	61	7	1	477	332	41	70	23	1	467
		75.1%	10.5%	12.8%	1.5%	0.2%	100.0%	71.1%	8.8%	15.0%	4.9%	0.2%	100.0%

**Table 4  
Offense Types by Sanction Imposed**

Offense Type	FY2004 - 2005 Sentence Dates <sup>1</sup>						FY2005 - 2006 Sentence Dates <sup>2</sup>					
	State Prison	Comm. Control	Probation	County Jail	Other	Total	State Prison	Comm. Control	Probation	County Jail	Other	Total
Robbery without Weapon												
Attempt	59	13	56	31	1	<b>160</b>	53	10	67	42	0	<b>172</b>
	36.9%	8.1%	35.0%	19.4%	0.6%	<b>100.0%</b>	30.8%	5.8%	39.0%	24.4%	0.0%	<b>100.0%</b>
Complete	411	76	338	124	11	<b>960</b>	410	68	354	140	4	<b>976</b>
	42.8%	7.9%	35.2%	12.9%	1.1%	<b>100.0%</b>	42.0%	7.0%	36.3%	14.3%	0.4%	<b>100.0%</b>
Home Invasion, Robbery												
Attempt	0	0	1	1	0	<b>2</b>	6	1	3	0	0	<b>10</b>
	0.0%	0.0%	50.0%	50.0%	0.0%	<b>100.0%</b>	60.0%	10.0%	30.0%	0.0%	0.0%	<b>100.0%</b>
Complete	38	5	5	0	0	<b>48</b>	51	2	7	0	0	<b>60</b>
	79.2%	10.4%	10.4%	0.0%	0.0%	<b>100.0%</b>	85.0%	3.3%	11.7%	0.0%	0.0%	<b>100.0%</b>
<b>Violent Personal Offenses</b>												
Attempt	26	11	36	7	0	<b>80</b>	30	10	42	16	0	<b>98</b>
	32.5%	13.8%	45.0%	8.8%	0.0%	<b>100.0%</b>	30.6%	10.2%	42.9%	16.3%	0.0%	<b>100.0%</b>
Complete	2,032	722	5,695	1,534	148	<b>10,131</b>	2,325	665	5,982	1,628	138	<b>10,738</b>
	20.1%	7.1%	56.2%	15.1%	1.5%	<b>100.0%</b>	21.7%	6.2%	55.7%	15.2%	1.3%	<b>100.0%</b>
<b>Burglary</b>												
Attempt	109	12	113	51	4	<b>289</b>	76	8	116	56	3	<b>259</b>
	37.7%	4.2%	39.1%	17.6%	1.4%	<b>100.0%</b>	29.3%	3.1%	44.8%	21.6%	1.2%	<b>100.0%</b>
Complete	2,135	518	3,334	1,183	105	<b>7,275</b>	2,143	465	3,456	1,295	90	<b>7,449</b>
	29.3%	7.1%	45.8%	16.3%	1.4%	<b>100.0%</b>	28.8%	6.2%	46.4%	17.4%	1.2%	<b>100.0%</b>
<b>Property Theft/Fraud/Damage</b>												
Attempt	4	2	9	5	0	<b>20</b>	2	1	8	3	0	<b>14</b>
	20.0%	10.0%	45.0%	25.0%	0.0%	<b>100.0%</b>	14.3%	7.1%	57.1%	21.4%	0.0%	<b>100.0%</b>
Complete	2,077	763	9,088	3,778	238	<b>15,944</b>	2,318	762	10,147	4,182	264	<b>17,673</b>
	13.0%	4.8%	57.0%	23.7%	1.5%	<b>100.0%</b>	13.1%	4.3%	57.4%	23.7%	1.5%	<b>100.0%</b>
<b>Drugs</b>												
Manufacture/Sale/Purchase												
Attempt	63	33	284	383	18	<b>781</b>	46	25	253	510	6	<b>840</b>
	8.1%	4.2%	36.4%	49.0%	2.3%	<b>100.0%</b>	5.5%	3.0%	30.1%	60.7%	0.7%	<b>100.0%</b>
Complete	2,345	621	3,798	2,878	104	<b>9,746</b>	2,508	527	3,938	2,727	123	<b>9,823</b>
	24.1%	6.4%	39.0%	29.5%	1.1%	<b>100.0%</b>	25.5%	5.4%	40.1%	27.8%	1.3%	<b>100.0%</b>



**Table 4  
Offense Types by Sanction Imposed**

Offense Type	FY2004 - 2005 Sentence Dates <sup>1</sup>						FY2005 - 2006 Sentence Dates <sup>2</sup>						
	State Prison	Comm. Control	Probation	County Jail	Other	Total	State Prison	Comm. Control	Probation	County Jail	Other	Total	
Drugs, Trafficking	Attempt	27	8	31	2	0	68	16	7	26	0	1	50
		39.7%	11.8%	45.6%	2.9%	0.0%	100.0%	32.0%	14.0%	52.0%	0.0%	2.0%	100.0%
	Complete	507	69	125	16	3	720	565	64	139	16	1	785
		70.4%	9.6%	17.4%	2.2%	0.4%	100.0%	72.0%	8.2%	17.7%	2.0%	0.1%	100.0%
Drugs, Possession/Other	Attempt	4	4	24	16	0	48	4	2	27	25	0	58
		8.3%	8.3%	50.0%	33.3%	0.0%	100.0%	6.9%	3.4%	46.6%	43.1%	0.0%	100.0%
	Complete	1,765	988	10,404	8,908	365	22,430	2,145	908	12,235	9,933	352	25,573
		7.9%	4.4%	46.4%	39.7%	1.6%	100.0%	8.4%	3.6%	47.8%	38.8%	1.4%	100.0%
Weapons	Attempt	2	1	5	4	1	13	3	0	8	0	1	12
		15.4%	7.7%	38.5%	30.8%	7.7%	100.0%	25.0%	0.0%	66.7%	0.0%	8.3%	100.0%
	Complete	431	91	795	341	20	1,678	533	102	938	346	15	1,934
		25.7%	5.4%	47.4%	20.3%	1.2%	100.0%	27.6%	5.3%	48.5%	17.9%	0.8%	100.0%
Other	Attempt	21	4	42	22	0	89	15	3	37	18	1	74
		23.6%	4.5%	47.2%	24.7%	0.0%	100.0%	20.3%	4.1%	50.0%	24.3%	1.4%	100.0%
	Complete	1,792	814	6,952	4,223	201	13,982	2,286	775	7,843	4,714	312	15,930
		12.8%	5.8%	49.7%	30.2%	1.4%	100.0%	14.4%	4.9%	49.2%	29.6%	2.0%	100.0%
<b>Total</b>		<b>14,805</b>	<b>4,895</b>	<b>41,482</b>	<b>23,532</b>	<b>1,220</b>	<b>85,934</b>	<b>16,460</b>	<b>4,506</b>	<b>45,954</b>	<b>25,707</b>	<b>1,319</b>	<b>93,946</b>

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

<sup>1</sup> Offense dates on or after October 1, 2003.

<sup>2</sup> Offense dates on or after October 1, 2004.

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

Offense Severity Level	FY2004 - 2005 Sentence Dates <sup>1</sup>						FY2005 - 2006 Sentence Dates <sup>2</sup>					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
1	965 7.5%	684 5.3%	6,826 53.2%	4,150 32.3%	212 1.7%	<b>12,837</b> <b>100.0%</b>	1,114 7.7%	643 4.4%	7,720 53.4%	4,657 32.2%	330 2.3%	<b>14,464</b> <b>100.0%</b>
2	741 9.0%	385 4.7%	5,127 62.0%	1,879 22.7%	136 1.6%	<b>8,268</b> <b>100.0%</b>	791 8.7%	357 3.9%	5,729 63.2%	2,048 22.6%	136 1.5%	<b>9,061</b> <b>100.0%</b>
3	2,272 8.5%	1,230 4.6%	12,711 47.4%	10,209 38.0%	414 1.5%	<b>26,836</b> <b>100.0%</b>	2,696 8.8%	1,135 3.7%	14,750 48.4%	11,470 37.6%	425 1.4%	<b>30,476</b> <b>100.0%</b>
4	2,182 18.7%	621 5.3%	5,713 48.9%	2,985 25.6%	174 1.5%	<b>11,675</b> <b>100.0%</b>	2,248 18.6%	577 4.8%	6,027 50.0%	3,045 25.2%	163 1.4%	<b>12,060</b> <b>100.0%</b>
5	3,133 25.6%	760 6.2%	5,158 42.2%	3,035 24.8%	138 1.1%	<b>12,224</b> <b>100.0%</b>	3,454 26.7%	678 5.2%	5,586 43.2%	3,092 23.9%	123 1.0%	<b>12,933</b> <b>100.0%</b>
6	1,893 26.4%	549 7.7%	3,706 51.7%	926 12.9%	101 1.4%	<b>7,175</b> <b>100.0%</b>	2,242 28.8%	513 6.6%	3,909 50.3%	1,021 13.1%	92 1.2%	<b>7,777</b> <b>100.0%</b>
7	2,312 46.7%	466 9.4%	1,816 36.7%	315 6.4%	42 0.8%	<b>4,951</b> <b>100.0%</b>	2,592 49.8%	448 8.6%	1,816 34.9%	310 6.0%	44 0.8%	<b>5,210</b> <b>100.0%</b>
8	671 59.8%	123 11.0%	307 27.4%	19 1.7%	2 0.2%	<b>1,122</b> <b>100.0%</b>	639 59.8%	88 8.2%	293 27.4%	43 4.0%	5 0.5%	<b>1,068</b> <b>100.0%</b>
9	532 73.9%	74 10.3%	103 14.3%	10 1.4%	1 0.1%	<b>720</b> <b>100.0%</b>	562 74.0%	64 8.4%	115 15.2%	17 2.2%	1 0.1%	<b>759</b> <b>100.0%</b>
10	104 82.5%	3 2.4%	15 11.9%	4 3.2%	0 0.0%	<b>126</b> <b>100.0%</b>	122 88.4%	3 2.2%	9 6.5%	4 2.9%	0 0.0%	<b>138</b> <b>100.0%</b>
<b>Total</b>	<b>14,805</b> <b>17.2%</b>	<b>4,895</b> <b>5.7%</b>	<b>41,482</b> <b>48.3%</b>	<b>23,532</b> <b>27.4%</b>	<b>1,220</b> <b>1.4%</b>	<b>85,934</b> <b>100.0%</b>	<b>16,460</b> <b>17.5%</b>	<b>4,506</b> <b>4.8%</b>	<b>45,954</b> <b>48.9%</b>	<b>25,707</b> <b>27.4%</b>	<b>1,319</b> <b>1.4%</b>	<b>93,946</b> <b>100.0%</b>

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

<sup>1</sup> Offense dates on or after October 1, 2003.

<sup>2</sup> Offense dates on or after October 1, 2004.

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

Offense Severity Level	FY2004 - 2005 Sentence Dates <sup>1</sup>					FY2005 - 2006 Sentence Dates <sup>2</sup>				
	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>	787 81.6%	124 12.8%	53 5.5%	1 0.1%	<b>965</b> <b>100.0%</b>	935 83.9%	119 10.7%	54 4.8%	6 0.5%	<b>1,114</b> <b>100.0%</b>
<b>2</b>	573 77.3%	122 16.5%	42 5.7%	4 0.5%	<b>741</b> <b>100.0%</b>	611 77.2%	134 16.9%	45 5.7%	1 0.1%	<b>791</b> <b>100.0%</b>
<b>3</b>	1,815 79.9%	332 14.6%	106 4.7%	19 0.8%	<b>2,272</b> <b>100.0%</b>	2,151 79.8%	409 15.2%	122 4.5%	14 0.5%	<b>2,696</b> <b>100.0%</b>
<b>4</b>	1,477 67.7%	448 20.5%	228 10.4%	29 1.3%	<b>2,182</b> <b>100.0%</b>	1,502 66.8%	476 21.2%	239 10.6%	31 1.4%	<b>2,248</b> <b>100.0%</b>
<b>5</b>	1,844 58.9%	832 26.6%	378 12.1%	79 2.5%	<b>3,133</b> <b>100.0%</b>	2,034 58.9%	912 26.4%	423 12.2%	85 2.5%	<b>3,454</b> <b>100.0%</b>
<b>6</b>	950 50.2%	530 28.0%	324 17.1%	89 4.7%	<b>1,893</b> <b>100.0%</b>	1,165 52.0%	642 28.6%	331 14.8%	104 4.6%	<b>2,242</b> <b>100.0%</b>
<b>7</b>	554 24.0%	957 41.4%	608 26.3%	193 8.3%	<b>2,312</b> <b>100.0%</b>	665 25.7%	1,092 42.1%	618 23.8%	217 8.4%	<b>2,592</b> <b>100.0%</b>
<b>8</b>	98 14.6%	207 30.8%	258 38.5%	108 16.1%	<b>671</b> <b>100.0%</b>	105 16.4%	164 25.7%	274 42.9%	96 15.0%	<b>639</b> <b>100.0%</b>
<b>9</b>	80 15.0%	62 11.7%	239 44.9%	151 28.4%	<b>532</b> <b>100.0%</b>	86 15.3%	85 15.1%	217 38.6%	174 31.0%	<b>562</b> <b>100.0%</b>
<b>10</b>	26 25.0%	2 1.9%	18 17.3%	58 55.8%	<b>104</b> <b>100.0%</b>	22 18.0%	5 4.1%	24 19.7%	71 58.2%	<b>122</b> <b>100.0%</b>
<b>Total</b>	<b>8,204</b> 55.4%	<b>3,616</b> 24.4%	<b>2,254</b> 15.2%	<b>731</b> 4.9%	<b>14,805</b> <b>100.0%</b>	<b>9,276</b> 56.4%	<b>4,038</b> 24.5%	<b>2,347</b> 14.3%	<b>799</b> 4.9%	<b>16,460</b> <b>100.0%</b>

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

<sup>1</sup> Offense dates on or after October 1, 2003.

<sup>2</sup> Offense dates on or after October 1, 2004.

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

Prior Offenses	FY2004 - 2005 Sentence Dates <sup>1</sup>		FY2005 - 2006 Sentence Dates <sup>2</sup>	
	Number	Percent	Number	Percent
None	22,102	25.7%	23,214	24.7%
Misdemeanor Only	21,666	25.2%	24,750	26.3%
One Felony	16,763	19.5%	18,446	19.6%
Two Felonies	11,135	13.0%	11,979	12.8%
Three Felonies	6,755	7.9%	7,386	7.9%
Four Felonies	3,865	4.5%	4,083	4.3%
Five Felonies	1,968	2.3%	2,256	2.4%
Six Felonies	975	1.1%	1,057	1.1%
Seven or More Felonies	705	0.8%	775	0.8%
<b>Total</b>	<b>85,934</b>	<b>100.0%</b>	<b>93,946</b>	<b>100.0%</b>

\* As indicated on the scoresheet.

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

Additional Offenses	FY2004 - 2005 Sentence Dates <sup>1</sup>		FY2005 - 2006 Sentence Dates <sup>2</sup>	
	Number	Percent	Number	Percent
None	46,758	54.4%	50,854	54.1%
Misdemeanor Only	20,654	24.0%	23,322	24.8%
One Felony	13,011	15.1%	13,891	14.8%
Two Felonies	3,526	4.1%	3,783	4.0%
Three Felonies	1,156	1.3%	1,249	1.3%
Four Felonies	424	0.5%	459	0.5%
Five Felonies	210	0.2%	197	0.2%
Six Felonies	94	0.1%	92	0.1%
Seven or More Felonies	101	0.1%	99	0.1%
<b>Total</b>	<b>85,934</b>	<b>100.0%</b>	<b>93,946</b>	<b>100.0%</b>

\* As indicated on the scoresheet.

<sup>1</sup> Offense dates on or after October 1, 2003.

<sup>2</sup> Offense dates on or after October 1, 2004.

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

Number of Prior Felonies	FY2004 - 2005 Sentence Dates <sup>1</sup>						FY2005 - 2006 Sentence Dates <sup>2</sup>					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
None	3,771 8.6%	2,636 6.0%	27,467 62.8%	9,085 20.8%	809 1.8%	<b>43,768</b> <b>100.0%</b>	4,177 8.7%	2,447 5.1%	30,551 63.7%	9,890 20.6%	899 1.9%	<b>47,964</b> <b>100.0%</b>
One	2,782 16.6%	1,050 6.3%	7,031 41.9%	5,684 33.9%	216 1.3%	<b>16,763</b> <b>100.0%</b>	3,186 17.3%	949 5.1%	7,772 42.1%	6,328 34.3%	211 1.1%	<b>18,446</b> <b>100.0%</b>
Two	2,757 24.8%	604 5.4%	3,744 33.6%	3,927 35.3%	103 0.9%	<b>11,135</b> <b>100.0%</b>	3,012 25.1%	575 4.8%	4,062 33.9%	4,235 35.4%	95 0.8%	<b>11,979</b> <b>100.0%</b>
Three	2,242 33.2%	350 5.2%	1,760 26.1%	2,343 34.7%	60 0.9%	<b>6,755</b> <b>100.0%</b>	2,478 33.5%	300 4.1%	1,989 26.9%	2,549 34.5%	70 0.9%	<b>7,386</b> <b>100.0%</b>
Four	1,539 39.8%	155 4.0%	859 22.2%	1,293 33.5%	19 0.5%	<b>3,865</b> <b>100.0%</b>	1,671 40.9%	126 3.1%	911 22.3%	1,348 33.0%	27 0.7%	<b>4,083</b> <b>100.0%</b>
Five	895 45.5%	59 3.0%	355 18.0%	653 33.2%	6 0.3%	<b>1,968</b> <b>100.0%</b>	1,058 46.9%	69 3.1%	397 17.6%	724 32.1%	8 0.4%	<b>2,256</b> <b>100.0%</b>
Six	485 49.7%	25 2.6%	162 16.6%	300 30.8%	3 0.3%	<b>975</b> <b>100.0%</b>	493 46.6%	29 2.7%	161 15.2%	368 34.8%	6 0.6%	<b>1,057</b> <b>100.0%</b>
Seven or More	334 47.4%	16 2.3%	104 14.8%	247 35.0%	4 0.6%	<b>705</b> <b>100.0%</b>	385 49.7%	11 1.4%	111 14.3%	265 34.2%	3 0.4%	<b>775</b> <b>100.0%</b>
<b>Total</b>	<b>14,805</b> <b>17.2%</b>	<b>4,895</b> <b>5.7%</b>	<b>41,482</b> <b>48.3%</b>	<b>23,532</b> <b>27.4%</b>	<b>1,220</b> <b>1.4%</b>	<b>85,934</b> <b>100.0%</b>	<b>16,460</b> <b>17.5%</b>	<b>4,506</b> <b>4.8%</b>	<b>45,954</b> <b>48.9%</b>	<b>25,707</b> <b>27.4%</b>	<b>1,319</b> <b>1.4%</b>	<b>93,946</b> <b>100.0%</b>

\* As indicated on the scoresheet

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

<sup>1</sup> Offense dates on or after October 1, 2003.

<sup>2</sup> Offense dates on or after October 1, 2004.

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

Number of Additional Felonies	FY2004 - 2005 Sentence Dates <sup>1</sup>						FY2005 - 2006 Sentence Dates <sup>2</sup>					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
None	8,537 12.7%	3,436 5.1%	34,201 50.7%	20,228 30.0%	1,010 1.5%	<b>67,412</b> <b>100.0%</b>	9,796 13.2%	3,206 4.3%	37,942 51.2%	22,110 29.8%	1,122 1.5%	<b>74,176</b> <b>100.0%</b>
One	3,626 27.9%	990 7.6%	5,615 43.2%	2,633 20.2%	147 1.1%	<b>13,011</b> <b>100.0%</b>	3,777 27.2%	893 6.4%	6,190 44.6%	2,883 20.8%	148 1.1%	<b>13,891</b> <b>100.0%</b>
Two	1,451 41.2%	298 8.5%	1,200 34.0%	527 14.9%	50 1.4%	<b>3,526</b> <b>100.0%</b>	1,629 43.1%	257 6.8%	1,320 34.9%	540 14.3%	37 1.0%	<b>3,783</b> <b>100.0%</b>
Three	618 53.5%	96 8.3%	329 28.5%	104 9.0%	9 0.8%	<b>1,156</b> <b>100.0%</b>	694 55.6%	87 7.0%	324 25.9%	136 10.9%	8 0.6%	<b>1,249</b> <b>100.0%</b>
Four	281 66.3%	44 10.4%	68 16.0%	28 6.6%	3 0.7%	<b>424</b> <b>100.0%</b>	288 62.7%	34 7.4%	109 23.7%	26 5.7%	2 0.4%	<b>459</b> <b>100.0%</b>
Five	148 70.5%	16 7.6%	40 19.0%	5 2.4%	1 0.5%	<b>210</b> <b>100.0%</b>	125 63.5%	16 8.1%	45 22.8%	9 4.6%	2 1.0%	<b>197</b> <b>100.0%</b>
Six	62 66.0%	11 11.7%	16 17.0%	5 5.3%	0 0.0%	<b>94</b> <b>100.0%</b>	74 80.4%	7 7.6%	11 12.0%	0 0.0%	0 0.0%	<b>92</b> <b>100.0%</b>
Seven or More	82 81.2%	4 4.0%	13 12.9%	2 2.0%	0 0.0%	<b>101</b> <b>100.0%</b>	77 77.8%	6 6.1%	13 13.1%	3 3.0%	0 0.0%	<b>99</b> <b>100.0%</b>
<b>Total</b>	<b>14,805</b> <b>17.2%</b>	<b>4,895</b> <b>5.7%</b>	<b>41,482</b> <b>48.3%</b>	<b>23,532</b> <b>27.4%</b>	<b>1,220</b> <b>1.4%</b>	<b>85,934</b> <b>100.0%</b>	<b>16,460</b> <b>17.5%</b>	<b>4,506</b> <b>4.8%</b>	<b>45,954</b> <b>48.9%</b>	<b>25,707</b> <b>27.4%</b>	<b>1,319</b> <b>1.4%</b>	<b>93,946</b> <b>100.0%</b>

\* As indicated on the scoresheet.

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

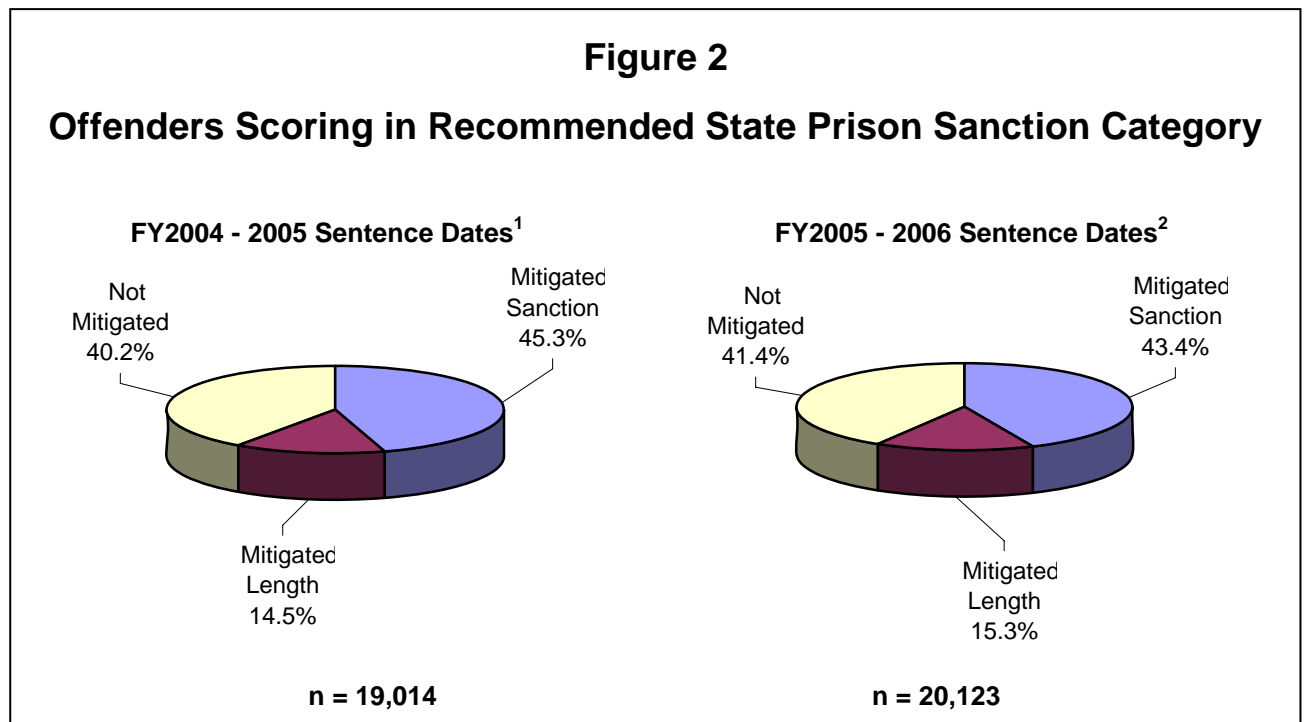
<sup>1</sup> Offense dates on or after October 1, 2003.

<sup>2</sup> Offense dates on or after October 1, 2004.

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

Category	FY2004 - 2005 Sentence Dates <sup>1</sup>		FY2005 - 2006 Sentence Dates <sup>2</sup>	
	Number / Percent	Average Mitigated Length in Months	Number / Percent	Average Mitigated Length in Months
Mitigated Total	11,362 59.8%		11,797 58.6%	
Mitigated Sanction	8,605 45.3%		8,725 43.4%	
Mitigated Length	2,757 14.5%	22.4	3,072 15.3%	22.7
Not Mitigated	7,652 40.2%		8,326 41.4%	
<b>Total</b>	<b>19,014</b> <b>100.0%</b>		<b>20,123</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. Offenders scoring to state prison who receive a Drug Offender Probation sentence are not counted as mitigated.



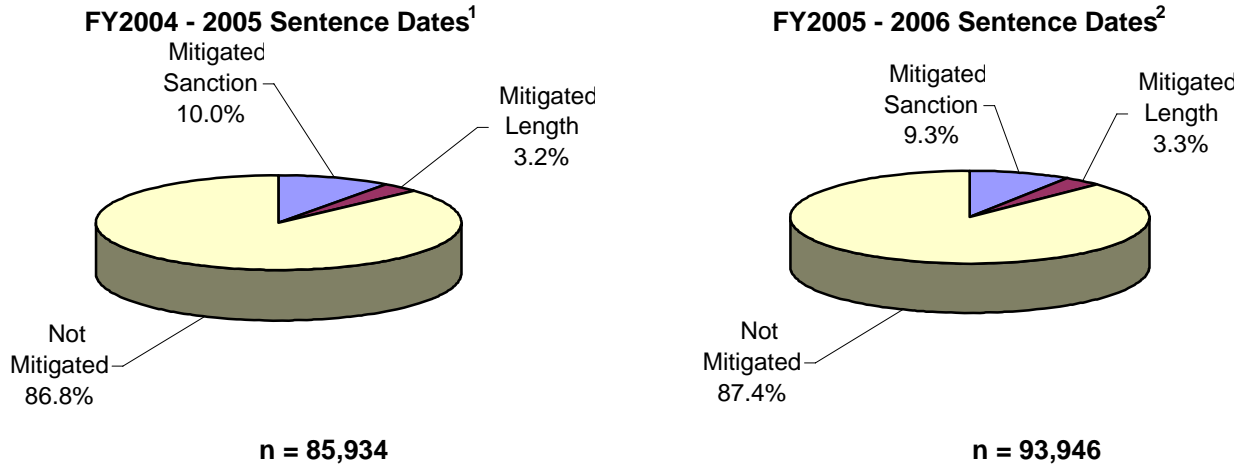
\* Total points exceeding 44.0

<sup>1</sup> Offense dates on or after October 1, 2003.

<sup>2</sup> Offense dates on or after October 1, 2004.

**Figure 3**

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



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

Judicial Circuit	FY2004 - 2005 Sentence Dates <sup>1</sup>			FY2005 - 2006 Sentence Dates <sup>2</sup>		
	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate
01- Pensacola	634	238	37.5%	867	274	31.6%
02- Tallahassee	704	305	43.3%	648	253	39.0%
03- Lake City	244	121	49.6%	245	109	44.5%
04- Jacksonville	1,119	316	28.2%	1,161	304	26.2%
05- Tavares	792	265	33.5%	1,059	297	28.0%
06- Clearwater	1,930	695	36.0%	1,824	667	36.6%
07- Daytona	784	250	31.9%	803	292	36.4%
08- Gainesville	438	175	40.0%	305	125	41.0%
09- Orlando	230	79	34.3%	839	315	37.5%
10- Bartow	625	132	21.1%	943	189	20.0%
11- Miami	3,847	2,977	77.4%	3,853	2,914	75.6%
12- Sarasota	408	93	22.8%	407	116	28.5%
13- Tampa	2,426	1,186	48.9%	2,159	1,026	47.5%
14- Panama City	397	158	39.8%	531	183	34.5%
15- West Palm Beach	745	262	35.2%	865	338	39.1%
16- Key West	90	38	42.2%	132	63	47.7%
17- Ft. Lauderdale	1,812	702	38.7%	1,581	647	40.9%
18- Sanford	463	104	22.5%	411	89	21.7%
19- Ft. Pierce	507	122	24.1%	549	110	20.0%
20- Ft. Myers	819	387	47.3%	941	414	44.0%
<b>Statewide</b>	<b>19,014</b>	<b>8,605</b>	<b>45.3%</b>	<b>20,123</b>	<b>8,725</b>	<b>43.4%</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. Those receiving Drug Offender Probation are not included.

<sup>1</sup> Offense dates on or after October 1, 2003.

<sup>2</sup> Offense dates on or after October 1, 2004.



**Table 13**

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

Judicial Circuit	FY2004 - 2005 Sentence Dates <sup>1</sup>			FY2005 - 2006 Sentence Dates <sup>2</sup>		
	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate
01- Pensacola	634	274	43.2%	867	350	40.4%
02- Tallahassee	704	489	69.5%	648	442	68.2%
03- Lake City	244	165	67.6%	245	158	64.5%
04- Jacksonville	1,119	561	50.1%	1,161	549	47.3%
05- Tavares	792	358	45.2%	1,059	448	42.3%
06- Clearwater	1,930	899	46.6%	1,824	821	45.0%
07- Daytona	784	424	54.1%	803	473	58.9%
08- Gainesville	438	317	72.4%	305	209	68.5%
09- Orlando	230	107	46.5%	839	414	49.3%
10- Bartow	625	230	36.8%	943	309	32.8%
11- Miami	3,847	3,506	91.1%	3,853	3,469	90.0%
12- Sarasota	408	136	33.3%	407	150	36.9%
13- Tampa	2,426	1,619	66.7%	2,159	1,587	73.5%
14- Panama City	397	208	52.4%	531	269	50.7%
15- West Palm Beach	745	346	46.4%	865	453	52.4%
16- Key West	90	47	52.2%	132	82	62.1%
17- Ft. Lauderdale	1,812	859	47.4%	1,581	777	49.1%
18- Sanford	463	140	30.2%	411	126	30.7%
19- Ft. Pierce	507	171	33.7%	549	163	29.7%
20- Ft. Myers	819	506	61.8%	941	548	58.2%
<b>Statewide</b>	<b>19,014</b>	<b>11,362</b>	<b>59.8%</b>	<b>20,123</b>	<b>11,797</b>	<b>58.6%</b>

\* Mitigation of sanction occurs when an offender does not receive a prison sanction although a prison sanction is mandated by the Criminal Punishment Code. Those receiving Drug Offender Probation are not included. 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.

<sup>1</sup> Offense dates on or after October 1, 2003.

<sup>2</sup> Offense dates on or after October 1, 2004.

**Table 14**

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

Offense Type	FY2004-2005 Sentence Dates <sup>1</sup>					FY2005 - 2006 Sentence Dates <sup>2</sup>				
	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	12	2	10	28	40	11	6	5	29	40
	30.0%	5.0%	25.0%	70.0%	100.0%	27.5%	15.0%	12.5%	72.5%	100.0%
Complete	0	0	0	1	1	0	0	1	0	1
						100.0%	0.0%	100.0%	0.0%	100.0%
2nd Degree Murder										
Attempt	6	5	1	15	21	10	4	6	25	35
	28.6%	23.8%	4.8%	71.4%	100.0%	28.6%	11.4%	17.1%	71.4%	100.0%
Complete	12	0	12	37	49	11	2	9	46	57
	24.5%	0.0%	24.5%	75.5%	100.0%	19.3%	3.5%	15.8%	80.7%	100.0%
3rd Degree Murder										
Attempt	0	0	0	0	0	0	0	0	0	0
	0.0%	0.0%	0.0%	0.0%	0.0%					
Complete	0	0	0	1	1	1	0	1	1	2
	0.0%	0.0%	0.0%	100.0%	100.0%	50.0%	0.0%	50.0%	50.0%	100.0%
Homicide, Other										
Attempt	0	0	0	0	0	0	0	0	0	0
Complete	3	2	1	0	3	2	0	2	2	4
	100.0%	66.7%	33.3%	0.0%	100.0%	50.0%	0.0%	50.0%	50.0%	100.0%
Manslaughter										
Attempt	1	1	0	3	4	0	0	0	1	1
	25.0%	25.0%	0.0%	75.0%	100.0%	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	29	15	14	17	46	20	12	8	16	36
	63.0%	32.6%	30.4%	37.0%	100.0%	55.6%	33.3%	22.2%	44.4%	100.0%
DUI Manslaughter										
Complete	29	7	22	9	38	28	10	18	10	38
	76.3%	18.4%	57.9%	23.7%	100.0%	73.7%	26.3%	47.4%	26.3%	100.0%

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

Offense Type	FY2004-2005 Sentence Dates <sup>1</sup>					FY2005 - 2006 Sentence Dates <sup>2</sup>				
	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	9	2	7	12	21	13	5	8	21	34
	42.9%	9.5%	33.3%	57.1%	100.0%	38.2%	14.7%	23.5%	61.8%	100.0%
Life Sexual Battery										
Attempt	4	1	3	4	8	0	0	0	4	4
	50.0%	12.5%	37.5%	50.0%	100.0%	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	9	5	4	15	24	5	2	3	9	14
	37.5%	20.8%	16.7%	62.5%	100.0%	35.7%	14.3%	21.4%	64.3%	100.0%
1st Degree Sexual Battery										
Attempt	0	0	0	0	0	0	0	0	4	4
	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	18	7	11	15	33	11	6	5	19	30
	54.5%	21.2%	33.3%	45.5%	100.0%	36.7%	20.0%	16.7%	63.3%	100.0%
2nd Degree Sexual Battery										
Attempt	7	5	2	8	15	5	4	1	4	9
	46.7%	33.3%	13.3%	53.3%	100.0%	55.6%	44.4%	11.1%	44.4%	100.0%
Complete	52	32	20	29	81	50	31	19	36	86
	64.2%	39.5%	24.7%	35.8%	100.0%	58.1%	36.0%	22.1%	41.9%	100.0%
Sexual Assault, Other										
Complete	1	1	0	0	1	4	4	0	1	5
	100.0%	100.0%	0.0%	0.0%	100.0%	80.0%	80.0%	0.0%	20.0%	100.0%
Lewd/Lascivious Behavior										
Attempt	7	5	2	13	20	6	4	2	9	15
	35.0%	25.0%	10.0%	65.0%	100.0%	40.0%	26.7%	13.3%	60.0%	100.0%
Complete	309	188	121	108	417	260	161	99	112	372
	74.1%	45.1%	29.0%	25.9%	100.0%	69.9%	43.3%	26.6%	30.1%	100.0%

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

Offense Type	FY2004-2005 Sentence Dates <sup>1</sup>					FY2005 - 2006 Sentence Dates <sup>2</sup>				
	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	29	11	29	69	37	26	11	29	66
	58.0%	42.0%	15.9%	42.0%	100.0%	56.1%	39.4%	16.7%	43.9%	100.0%
Complete	226	115	111	248	474	250	128	122	212	462
	47.7%	24.3%	23.4%	52.3%	100.0%	54.1%	27.7%	26.4%	45.9%	100.0%
Robbery without Weapon										
Attempt	20	14	6	33	53	14	10	4	27	41
	37.7%	26.4%	11.3%	62.3%	100.0%	34.1%	24.4%	9.8%	65.9%	100.0%
Complete	175	131	44	294	469	171	123	48	274	445
	37.3%	27.9%	9.4%	62.7%	100.0%	38.4%	27.6%	10.8%	61.6%	100.0%
Home Invasion, Robbery										
Attempt	2	2	0	0	2	5	4	1	5	10
	100.0%	100.0%	0.0%	0.0%	100.0%	50.0%	40.0%	10.0%	50.0%	100.0%
Complete	21	10	11	27	48	27	9	18	33	60
	43.8%	20.8%	22.9%	56.3%	100.0%	45.0%	15.0%	30.0%	55.0%	100.0%
<b>Violent Personal Offenses</b>										
	2,728	2,244	484	1,201	3,929	2,811	2,263	548	1,404	4,215
	69.4%	57.1%	12.3%	30.6%	100.0%	66.7%	53.7%	13.0%	33.3%	100.0%
<b>Burglary</b>										
	2,071	1,546	525	1,334	3,405	1,993	1,441	552	1,318	3,311
	60.8%	45.4%	15.4%	39.2%	100.0%	60.2%	43.5%	16.7%	39.8%	100.0%
<b>Property Theft/Fraud/Damage</b>										
	889	647	242	793	1,682	971	702	269	843	1,814
	52.9%	38.5%	14.4%	47.1%	100.0%	53.5%	38.7%	14.8%	46.5%	100.0%

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

Offense Type	FY2004-2005 Sentence Dates <sup>1</sup>					FY2005 - 2006 Sentence Dates <sup>2</sup>				
	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
<b>Drugs</b>										
Manufacture/Sale/Purchase	1,610 54.3%	1,177 39.7%	433 14.6%	1,355 45.7%	2,965 100.0%	1,647 54.1%	1,140 37.5%	507 16.7%	1,397 45.9%	3,044 100.0%
Drugs, Trafficking	381 50.3%	215 28.4%	166 21.9%	377 49.7%	758 100.0%	387 47.5%	219 26.9%	168 20.6%	427 52.5%	814 100.0%
Drugs, Possession/Other	1,457 68.8%	1,248 58.9%	209 9.9%	661 31.2%	2,118 100.0%	1,648 67.4%	1,415 57.8%	233 9.5%	798 32.6%	2,446 100.0%
<b>Weapons</b>										
	198 44.7%	157 35.4%	41 9.3%	245 55.3%	443 100.0%	236 44.6%	168 31.8%	68 12.9%	293 55.4%	529 100.0%
<b>Other</b>										
	1,036 58.3%	792 44.6%	244 13.7%	740 41.7%	1,776 100.0%	1,162 55.9%	826 39.7%	336 16.2%	917 44.1%	2,079 100.0%
<b>Total</b>	<b>11,362</b>	<b>8,605</b>	<b>2,757</b>	<b>7,652</b>	<b>19,014</b>	<b>11,796</b>	<b>8,725</b>	<b>3,072</b>	<b>8,326</b>	<b>20,123</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. Those receiving Drug Offender Probation are not included. 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.

<sup>1</sup> Offense dates on or after October 1, 2003.

<sup>2</sup> Offense dates on or after October 1, 2004.

# APPENDICES

**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2006**

Florida Statute	Felony Degree	Description
		(a) LEVEL 1
<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="#">316.1935(1)</a>	3rd	Fleeing or attempting to elude law enforcement officer.
<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="#">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="#">838.15(2)</a>	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(1)(a)</a>	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
<a href="#">849.01</a>	3rd	Keeping gambling house.
<a href="#">849.09(1)(a)-(d)</a>	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(2)</a>	3rd	Engaging in bookmaking.
<a href="#">860.08</a>	3rd	Interfere with a railroad signal.
<a href="#">860.13(1)(a)</a>	3rd	Operate aircraft while under the influence.
<a href="#">893.13(2)(a)2.</a>	3rd	Purchase of cannabis.
<a href="#">893.13(6)(a)</a>	3rd	Possession of cannabis (more than 20 grams).
<a href="#">934.03(1)(a)</a>	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
		(b) LEVEL 2
<a href="#">370.12(1)(e)3.</a>	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
<a href="#">370.12(1)(e)4.</a>	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
<a href="#">403.413(5)(c)</a>	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.
<a href="#"><sup>1</sup>590.28(1)</a>	3rd	Willful, malicious, or intentional burning.
<a href="#">784.05(3)</a>	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
<a href="#">787.04(1)</a>	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
<a href="#">806.13(1)(b)3.</a>	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
<a href="#">810.061(2)</a>	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
<a href="#">810.09(2)(e)</a>	3rd	Trespassing on posted commercial horticulture property.
<a href="#">812.014(2)(c)1.</a>	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
<a href="#">812.014(2)(d)</a>	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
<a href="#">812.015(7)</a>	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
<a href="#">817.234(1)(a)2.</a>	3rd	False statement in support of insurance claim.
<a href="#">817.481(3)(a)</a>	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
<a href="#">817.52(3)</a>	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(5)</a>	3rd	Dealing in credit cards of another.
<a href="#">817.60(6)(a)</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(3)(a)</a>	3rd	Cashing or depositing item with intent to defraud.
<a href="#">843.08</a>	3rd	Falsely impersonating an officer.
<a href="#">893.13(2)(a)2.</a>	3rd	Purchase of any s. <a href="#">893.03(1)(c)</a> , (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(2)</a>	3rd	Manufacture or delivery of drug paraphernalia. (c) LEVEL 3
<a href="#">119.10(2)(b)</a>	3rd	Unlawful use of confidential information from police reports.
<a href="#">316.066(6)(b)-(d)</a>	3rd	Unlawfully obtaining or using confidential crash reports.
<a href="#">316.193(2)(b)</a>	3rd	Felony DUI, 3rd conviction.
<a href="#">316.1935(2)</a>	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
<a href="#">319.30(4)</a>	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
<a href="#">319.33(1)(a)</a>	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
<a href="#">319.33(1)(c)</a>	3rd	Procure or pass title on stolen vehicle.
<a href="#">319.33(4)</a>	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
<a href="#">327.35(2)(b)</a>	3rd	Felony BUI.
<a href="#">328.05(2)</a>	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
<a href="#">328.07(4)</a>	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
<a href="#">370.12(1)(e)5.</a>	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
<a href="#">370.12(1)(e)6.</a>	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
<a href="#">376.302(5)</a>	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
<sup>2</sup> <a href="#">400.903(3)</a>	3rd	Operating a clinic without a license or filing false license application or other required information.
<a href="#">440.105(3)(b)</a>	3rd	Receipt of fee or consideration without approval by judge of compensation claims.
<a href="#">440.1051(3)</a>	3rd	False report of workers' compensation fraud or retaliation for making such a report.
<a href="#">501.001(2)(b)</a>	2nd	Tampers with a consumer product or the container using materially false/misleading information.

<a href="#">624.401(4)(a)</a>	3rd	Transacting insurance without a certificate of authority.
<a href="#">624.401(4)(b)1.</a>	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
<a href="#">626.902(1)(a) &amp; (b)</a>	3rd	Representing an unauthorized insurer.
<a href="#">697.08</a>	3rd	Equity skimming.
<a href="#">790.15(3)</a>	3rd	Person directs another to discharge firearm from a vehicle.
<a href="#">796.05(1)</a>	3rd	Live on earnings of a prostitute.
<a href="#">806.10(1)</a>	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
<a href="#">806.10(2)</a>	3rd	Interferes with or assaults firefighter in performance of duty.
<a href="#">810.09(2)(c)</a>	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
<a href="#">812.014(2)(c)2.</a>	3rd	Grand theft; \$5,000 or more but less than \$10,000.
<a href="#">812.0145(2)(c)</a>	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
<a href="#">815.04(4)(b)</a>	2nd	Computer offense devised to defraud or obtain property.
<a href="#">817.034(4)(a)3.</a>	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(8)(b)-(c)</a>	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
<a href="#">817.234(11)(a)</a>	3rd	Insurance fraud; property value less than \$20,000.
<a href="#">817.236</a>	3rd	Filing a false motor vehicle insurance application.
<a href="#">817.2361</a>	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
<a href="#">817.413(2)</a>	3rd	Sale of used goods as new.
<a href="#">817.505(4)</a>	3rd	Patient brokering.
<a href="#">828.12(2)</a>	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
<a href="#">831.28(2)(a)</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(3)(b)</a>	3rd	Threatens unlawful harm to public servant.
<a href="#">843.19</a>	3rd	Injure, disable, or kill police dog or horse.
<a href="#">860.15(3)</a>	3rd	Overcharging for repairs and parts.
<a href="#">870.01(2)</a>	3rd	Riot; inciting or encouraging.
<a href="#">893.13(1)(a)2.</a>	3rd	Sell, manufacture, or deliver cannabis (or other s. <a href="#">893.03(1)(c)</a> , (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(1)(d)2.</a>	2nd	Sell, manufacture, or deliver s. <a href="#">893.03(1)(c)</a> , (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 university.
<a href="#">893.13(1)(f)2.</a>	2nd	Sell, manufacture, or deliver s. <a href="#">893.03(1)(c)</a> , (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 public housing facility.
<a href="#">893.13(6)(a)</a>	3rd	Possession of any controlled substance other than felony possession of cannabis.

<a href="#">893.13(7)(a)8.</a>	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
<a href="#">893.13(7)(a)9.</a>	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
<a href="#">893.13(7)(a)10.</a>	3rd	Affix false or forged label to package of controlled substance.
<a href="#">893.13(7)(a)11.</a>	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
<a href="#">893.13(8)(a)1.</a>	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(8)(a)2.</a>	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(8)(a)3.</a>	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
<a href="#">893.13(8)(a)4.</a>	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(1)(a)</a>	3rd	Alter, destroy, or conceal investigation evidence.
<a href="#">944.47(1)(a)1.-2.</a>	3rd	Introduce contraband to correctional facility.
<a href="#">944.47(1)(c)</a>	2nd	Possess contraband while upon the grounds of a correctional institution.
<a href="#">985.721</a>	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility). (d) LEVEL 4
<a href="#">316.1935(3)(a)</a>	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
<a href="#">499.0051(1)</a>	3rd	Failure to maintain or deliver pedigree papers.
<a href="#">499.0051(2)</a>	3rd	Failure to authenticate pedigree papers.
<a href="#">499.0051(6)</a>	2nd	Sale or delivery, or possession with intent to sell, contraband legend drugs.
<a href="#">784.07(2)(b)</a>	3rd	Battery of law enforcement officer, firefighter, intake officer, etc.
<a href="#">784.074(1)(c)</a>	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(2)(c)</a>	3rd	Battery on a person 65 years of age or older.
<a href="#">784.081(3)</a>	3rd	Battery on specified official or employee.
<a href="#">784.082(3)</a>	3rd	Battery by detained person on visitor or other detainee.
<a href="#">784.083(3)</a>	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(1)</a>	3rd	Interference with custody; wrongly takes minor from appointed guardian.
<a href="#">787.04(2)</a>	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
<a href="#">787.04(3)</a>	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(1)</a>	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.

<a href="#">790.115(2)(b)</a>	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
<a href="#">790.115(2)(c)</a>	3rd	Possessing firearm on school property.
<a href="#">800.04(7)(d)</a>	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="#">838.022</a>	3rd	Official misconduct.
<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 estreatment 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. (e) LEVEL 5
<a href="#">316.027(1)(a)</a>	3rd	Accidents involving personal injuries, failure to stop; leaving scene.
<a href="#">316.1935(4)(a)</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="#">440.10(1)(g)</a>	2nd	Failure to obtain workers' compensation coverage.
<a href="#">440.105(5)</a>	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
<a href="#">440.381(2)</a>	2nd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
<a href="#">624.401(4)(b)2.</a>	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
<a href="#">626.902(1)(c)</a>	2nd	Representing an unauthorized insurer; repeat offender.
<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, ammunition, 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(8)</a>	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
<a href="#">812.019(1)</a>	2nd	Stolen property; dealing in or trafficking in.
<a href="#">812.131(2)(b)</a>	3rd	Robbery by sudden snatching.
<a href="#">812.16(2)</a>	3rd	Owning, operating, or conducting a chop shop.
<a href="#">817.034(4)(a)2.</a>	2nd	Communications fraud, value \$20,000 to \$50,000.
<a href="#">817.234(11)(b)</a>	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
<a href="#">817.2341(1), (2)(a) &amp; (3)(a)</a>	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
<a href="#">817.568(2)(b)</a>	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more individuals.
<a href="#">817.625(2)(b)</a>	2nd	Second or subsequent fraudulent use of scanning device or reencoder.
<a href="#">825.1025(4)</a>	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
<a href="#">827.071(4)</a>	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.
<a href="#">827.071(5)</a>	3rd	Possess any photographic material, motion picture, etc., which includes sexual conduct by a child.
<a href="#">839.13(2)(b)</a>	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="#">847.0137(2) &amp; (3)</a>	3rd	Transmission of pornography by electronic device or equipment.
<a href="#">847.0138(2) &amp; (3)</a>	3rd	Transmission of material harmful to minors to a minor by electronic

		device or equipment.
<a href="#">874.05(2)</a>	2nd	Encouraging or recruiting another to join a criminal street gang; second or subsequent offense.
<a href="#">893.13(1)(a)1.</a>	2nd	Sell, manufacture, or deliver cocaine (or other s. <a href="#">893.03(1)(a)</a> , (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
<a href="#">893.13(1)(c)2.</a>	2nd	Sell, manufacture, or deliver cannabis (or other s. <a href="#">893.03(1)(c)</a> , (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, school, or state, county, or municipal park or publicly owned recreational facility or community center.
<a href="#">893.13(1)(d)1.</a>	1st	Sell, manufacture, or deliver cocaine (or other s. <a href="#">893.03(1)(a)</a> , (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs) within 1,000 feet of university.
<a href="#">893.13(1)(e)2.</a>	2nd	Sell, manufacture, or deliver cannabis or other drug prohibited under s. <a href="#">893.03(1)(c)</a> , (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(1)(f)1.</a>	1st	Sell, manufacture, or deliver cocaine (or other s. <a href="#">893.03(1)(a)</a> , (1)(b), (1)(d), or (2)(a), (2)(b), or (2)(c)4. drugs) within 1,000 feet of public housing facility.
<a href="#">893.13(4)(b)</a>	2nd	Deliver to minor cannabis (or other s. <a href="#">893.03(1)(c)</a> , (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). (f) LEVEL 6
<a href="#">316.193(2)(b)</a>	3rd	Felony DUI, 4th or subsequent conviction.
<a href="#">499.0051(3)</a>	2nd	Forgery of pedigree papers.
<a href="#">499.0051(4)</a>	2nd	Purchase or receipt of legend drug from unauthorized person.
<a href="#">499.0051(5)</a>	2nd	Sale of legend drug to unauthorized person.
<a href="#">775.0875(1)</a>	3rd	Taking firearm from law enforcement officer.
<a href="#">784.021(1)(a)</a>	3rd	Aggravated assault; deadly weapon without intent to kill.
<a href="#">784.021(1)(b)</a>	3rd	Aggravated assault; intent to commit felony.
<a href="#">784.041</a>	3rd	Felony battery.
<a href="#">784.048(3)</a>	3rd	Aggravated stalking; credible threat.
<a href="#">784.048(5)</a>	3rd	Aggravated stalking of person under 16.
<a href="#">784.07(2)(c)</a>	2nd	Aggravated assault on law enforcement officer.
<a href="#">784.074(1)(b)</a>	2nd	Aggravated assault on sexually violent predators facility staff.
<a href="#">784.08(2)(b)</a>	2nd	Aggravated assault on a person 65 years of age or older.
<a href="#">784.081(2)</a>	2nd	Aggravated assault on specified official or employee.
<a href="#">784.082(2)</a>	2nd	Aggravated assault by detained person on visitor or other detainee.
<a href="#">784.083(2)</a>	2nd	Aggravated assault on code inspector.
<a href="#">787.02(2)</a>	3rd	False imprisonment; restraining with purpose other than those in s. <a href="#">787.01.</a>
<a href="#">790.115(2)(d)</a>	2nd	Discharging firearm or weapon on school property.
<a href="#">790.161(2)</a>	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
<a href="#">790.164(1)</a>	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(8)(a)</a>	3rd	Solicitation of minor to participate in sexual activity by custodial adult.

<a href="#">794.05(1)</a>	2nd	Unlawful sexual activity with specified minor.
<a href="#">800.04(5)(d)</a>	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(6)(b)</a>	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
<a href="#">806.031(2)</a>	2nd	Arson resulting in great bodily harm to firefighter or any other person.
<a href="#">810.02(3)(c)</a>	2nd	Burglary of occupied structure; unarmed; no assault or battery.
<a href="#">812.014(2)(b)1.</a>	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
<a href="#">812.015(9)</a>	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
<a href="#">812.13(2)(c)</a>	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
<a href="#">817.034(4)(a)1.</a>	1st	Communications fraud, value greater than \$50,000.
<a href="#">817.4821(5)</a>	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
<a href="#">825.102(1)</a>	3rd	Abuse of an elderly person or disabled adult.
<a href="#">825.102(3)(c)</a>	3rd	Neglect of an elderly person or disabled adult.
<a href="#">825.1025(3)</a>	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
<a href="#">825.103(2)(c)</a>	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.
<a href="#">827.03(1)</a>	3rd	Abuse of a child.
<a href="#">827.03(3)(c)</a>	3rd	Neglect of a child.
<a href="#">827.071(2) &amp; (3)</a>	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(2)</a>	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
<a href="#">914.23</a>	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
<a href="#">944.35(3)(a)2.</a>	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(1)(a)5.</a>	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
<a href="#">951.22(1)</a>	3rd	Intoxicating drug, firearm, or weapon introduced into county facility. (g) LEVEL 7
<a href="#">316.027(1)(b)</a>	1st	Accident involving death, failure to stop; leaving scene.
<a href="#">316.193(3)(c)2.</a>	3rd	DUI resulting in serious bodily injury.
<a href="#">316.1935(3)(b)</a>	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
<a href="#">327.35(3)(c)2.</a>	3rd	Vessel BUI resulting in serious bodily injury.
<a href="#">402.319(2)</a>	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfigurement, permanent disability, or death.

<a href="#">409.920(2)</a>	3rd	Medicaid provider fraud.
<a href="#">456.065(2)</a>	3rd	Practicing a health care profession without a license.
<a href="#">456.065(2)</a>	2nd	Practicing a health care profession without a license which results in serious bodily injury.
<a href="#">458.327(1)</a>	3rd	Practicing medicine without a license.
<a href="#">459.013(1)</a>	3rd	Practicing osteopathic medicine without a license.
<a href="#">460.411(1)</a>	3rd	Practicing chiropractic medicine without a license.
<a href="#">461.012(1)</a>	3rd	Practicing podiatric medicine without a license.
<a href="#">462.17</a>	3rd	Practicing naturopathy without a license.
<a href="#">463.015(1)</a>	3rd	Practicing optometry without a license.
<a href="#">464.016(1)</a>	3rd	Practicing nursing without a license.
<a href="#">465.015(2)</a>	3rd	Practicing pharmacy without a license.
<a href="#">466.026(1)</a>	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(1)</a>	3rd	Practicing as clinical laboratory personnel without a license.
<a href="#">483.901(9)</a>	3rd	Practicing medical physics without a license.
<a href="#">484.013(1)(c)</a>	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(2)</a>	1st	Conviction of any violation of ss. <a href="#">494.001-494.0077</a> in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
<a href="#">560.123(8)(b)1.</a>	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.
<a href="#">560.125(5)(a)</a>	3rd	Money transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
<a href="#">655.50(10)(b)1.</a>	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
<a href="#">775.21(10)(a)</a>	3rd	Sexual predator; failure to register; failure to renew driver's license or identification card; other registration violations.
<a href="#">775.21(10)(b)</a>	3rd	Sexual predator working where children regularly congregate.
<a href="#">775.21(10)(g)</a>	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
<a href="#">782.051(3)</a>	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(1)</a>	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(1)(a)1.</a>	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
<a href="#">784.045(1)(a)2.</a>	2nd	Aggravated battery; using deadly weapon.
<a href="#">784.045(1)(b)</a>	2nd	Aggravated battery; perpetrator aware victim pregnant.
<a href="#">784.048(4)</a>	3rd	Aggravated stalking; violation of injunction or court order.
<a href="#">784.048(7)</a>	3rd	Aggravated stalking; violation of court order.



<a href="#">784.07(2)(d)</a>	1st	Aggravated battery on law enforcement officer.
<a href="#">784.074(1)(a)</a>	1st	Aggravated battery on sexually violent predators facility staff.
<a href="#">784.08(2)(a)</a>	1st	Aggravated battery on a person 65 years of age or older.
<a href="#">784.081(1)</a>	1st	Aggravated battery on specified official or employee.
<a href="#">784.082(1)</a>	1st	Aggravated battery by detained person on visitor or other detainee.
<a href="#">784.083(1)</a>	1st	Aggravated battery on code inspector.
<a href="#">790.07(4)</a>	1st	Specified weapons violation subsequent to previous conviction of s. <a href="#">790.07(1)</a> or (2).
<a href="#">790.16(1)</a>	1st	Discharge of a machine gun under specified circumstances.
<a href="#">790.165(2)</a>	2nd	Manufacture, sell, possess, or deliver hoax bomb.
<a href="#">790.165(3)</a>	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
<a href="#">790.166(3)</a>	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
<a href="#">790.166(4)</a>	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(5)(c)1.</a>	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
<a href="#">800.04(5)(c)2.</a>	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(2)</a>	2nd	Maliciously damage structure by fire or explosive.
<a href="#">810.02(3)(a)</a>	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
<a href="#">810.02(3)(b)</a>	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
<a href="#">810.02(3)(d)</a>	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
<a href="#">812.014(2)(a)1.</a>	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
<a href="#">812.014(2)(b)2.</a>	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
<a href="#">812.014(2)(b)3.</a>	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
<a href="#">812.0145(2)(a)</a>	1st	Theft from person 65 years of age or older; \$50,000 or more.
<a href="#">812.019(2)</a>	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
<a href="#">812.131(2)(a)</a>	2nd	Robbery by sudden snatching.
<a href="#">812.133(2)(b)</a>	1st	Carjacking; no firearm, deadly weapon, or other weapon.
<a href="#">817.234(8)(a)</a>	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
<a href="#">817.234(9)</a>	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
<a href="#">817.234(11)(c)</a>	1st	Insurance fraud; property value \$100,000 or more.
<a href="#">817.2341(2)(b) &amp; (3)(b)</a>	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
<a href="#">825.102(3)(b)</a>	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
<a href="#">825.103(2)(b)</a>	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(3)(b)</a>	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
<a href="#">827.04(3)</a>	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
<a href="#">837.05(2)</a>	3rd	Giving false information about alleged capital felony to a law enforcement officer.
<a href="#">838.015</a>	2nd	Bribery.
<a href="#">838.016</a>	2nd	Unlawful compensation or reward for official behavior.
<a href="#">838.021(3)(a)</a>	2nd	Unlawful harm to a public servant.
<a href="#">838.22</a>	2nd	Bid tampering.
<a href="#">847.0135(3)</a>	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
<a href="#">872.06</a>	2nd	Abuse of a dead human body.
<a href="#">893.13(1)(c)1.</a>	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. <a href="#">893.03(1)(a)</a> , (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
<a href="#">893.13(1)(e)1.</a>	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. <a href="#">893.03(1)(a)</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(4)(a)</a>	1st	Deliver to minor cocaine (or other s. <a href="#">893.03(1)(a)</a> , (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
<a href="#">893.135(1)(a)1.</a>	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
<a href="#">893.135(1)(b)1.a.</a>	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
<a href="#">893.135(1)(c)1.a.</a>	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
<a href="#">893.135(1)(d)1.</a>	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
<a href="#">893.135(1)(e)1.</a>	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
<a href="#">893.135(1)(f)1.</a>	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
<a href="#">893.135(1)(g)1.a.</a>	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
<a href="#">893.135(1)(h)1.a.</a>	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
<a href="#">893.135(1)(j)1.a.</a>	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
<a href="#">893.135(1)(k)2.a.</a>	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
<a href="#">896.101(5)(a)</a>	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
<a href="#">896.104(4)(a)1.</a>	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
<a href="#">943.0435(4)(c)</a>	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
<a href="#">943.0435(8)</a>	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
<a href="#">943.0435(9)(a)</a>	3rd	Sexual offender; failure to comply with reporting requirements.
<a href="#">943.0435(13)</a>	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
<a href="#">943.0435(14)</a>	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
<a href="#">944.607(9)</a>	3rd	Sexual offender; failure to comply with reporting requirements.
<a href="#">944.607(10)(a)</a>	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.

<a href="#">944.607(12)</a>	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
<a href="#">944.607(13)</a>	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification. (h) LEVEL 8
<a href="#">316.193(3)(c)3.a.</a>	2nd	DUI manslaughter.
<a href="#">316.1935(4)(b)</a>	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
<a href="#">327.35(3)(c)3.</a>	2nd	Vessel BUI manslaughter.
<a href="#">499.0051(7)</a>	1st	Forgery of prescription or legend drug labels.
<a href="#">499.0052</a>	1st	Trafficking in contraband legend drugs.
<a href="#">560.123(8)(b)2.</a>	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(5)(b)</a>	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(10)(b)2.</a>	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
<a href="#">777.03(2)(a)</a>	1st	Accessory after the fact, capital felony.
<a href="#">782.04(4)</a>	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(2)</a>	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. <a href="#">782.04(3)</a> .
<a href="#">782.071(1)(b)</a>	1st	Committing vehicular homicide and failing to render aid or give information.
<a href="#">782.072(2)</a>	1st	Committing vessel homicide and failing to render aid or give information.
<a href="#">790.161(3)</a>	1st	Discharging a destructive device which results in bodily harm or property damage.
<a href="#">794.011(5)</a>	2nd	Sexual battery, victim 12 years or over, offender does not use physical force likely to cause serious injury.
<a href="#">800.04(4)</a>	2nd	Lewd or lascivious battery.
<a href="#">806.01(1)</a>	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
<a href="#">810.02(2)(a)</a>	1st,PBL	Burglary with assault or battery.
<a href="#">810.02(2)(b)</a>	1st,PBL	Burglary; armed with explosives or dangerous weapon.
<a href="#">810.02(2)(c)</a>	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
<a href="#">812.014(2)(a)2.</a>	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
<a href="#">812.13(2)(b)</a>	1st	Robbery with a weapon.
<a href="#">812.135(2)(c)</a>	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
<a href="#">817.568(6)</a>	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
<a href="#">825.102(2)</a>	2nd	Aggravated abuse of an elderly person or disabled adult.
<a href="#">825.1025(2)</a>	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
<a href="#">825.103(2)(a)</a>	1st	Exploiting an elderly person or disabled adult and property is valued at \$100,000 or more.

<a href="#">837.02(2)</a>	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
<a href="#">837.021(2)</a>	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
<a href="#">860.121(2)(c)</a>	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(1)(b)</a>	1st	Sell or deliver in excess of 10 grams of any substance specified in s. <a href="#">893.03(1)(a)</a> or (b).
<a href="#">893.13(2)(b)</a>	1st	Purchase in excess of 10 grams of any substance specified in s. <a href="#">893.03(1)(a)</a> or (b).
<a href="#">893.13(6)(c)</a>	1st	Possess in excess of 10 grams of any substance specified in s. <a href="#">893.03(1)(a)</a> or (b).
<a href="#">893.135(1)(a)2.</a>	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
<a href="#">893.135(1)(b)1.b.</a>	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
<a href="#">893.135(1)(c)1.b.</a>	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
<a href="#">893.135(1)(d)1.b.</a>	1st	Trafficking in phencyclidine, more than 200 grams, less than 400 grams.
<a href="#">893.135(1)(e)1.b.</a>	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
<a href="#">893.135(1)(f)1.b.</a>	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
<a href="#">893.135(1)(g)1.b.</a>	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
<a href="#">893.135(1)(h)1.b.</a>	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
<a href="#">893.135(1)(j)1.b.</a>	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
<a href="#">893.135(1)(k)2.b.</a>	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
<a href="#">895.03(1)</a>	1st	Use or invest proceeds derived from pattern of racketeering activity.
<a href="#">895.03(2)</a>	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
<a href="#">895.03(3)</a>	1st	Conduct or participate in any enterprise through pattern of racketeering activity.
<a href="#">896.101(5)(b)</a>	2nd	Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.
<a href="#">896.104(4)(a)2.</a>	2nd	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$20,000 but less than \$100,000. (i) LEVEL 9
<a href="#">316.193(3)(c)3.b.</a>	1st	DUI manslaughter; failing to render aid or give information.
<a href="#">327.35(3)(c)3.b.</a>	1st	BUI manslaughter; failing to render aid or give information.
<a href="#">499.00535</a>	1st	Sale or purchase of contraband legend drugs resulting in great bodily harm.
<a href="#">560.123(8)(b)3.</a>	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
<a href="#">560.125(5)(c)</a>	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
<a href="#">655.50(10)(b)3.</a>	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(1)</a>	1st	Attempt, conspire, or solicit to commit premeditated murder.

<a href="#">782.04(3)</a>	1st,PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, and other specified felonies.
<a href="#">782.051(1)</a>	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. <a href="#">782.04(3)</a> .
<a href="#">782.07(2)</a>	1st	Aggravated manslaughter of an elderly person or disabled adult.
<a href="#">787.01(1)(a)1.</a>	1st,PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
<a href="#">787.01(1)(a)2.</a>	1st,PBL	Kidnapping with intent to commit or facilitate commission of any felony.
<a href="#">787.01(1)(a)4.</a>	1st,PBL	Kidnapping with intent to interfere with performance of any governmental or political function.
<a href="#">787.02(3)(a)</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(2)</a>	1st,PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
<a href="#">794.011(2)</a>	1st	Attempted sexual battery; victim less than 12 years of age.
<a href="#">794.011(2)</a>	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
<a href="#">794.011(4)</a>	1st	Sexual battery; victim 12 years or older, certain circumstances.
<a href="#">794.011(8)(b)</a>	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
<a href="#">800.04(5)(b)</a>	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
<a href="#">812.13(2)(a)</a>	1st,PBL	Robbery with firearm or other deadly weapon.
<a href="#">812.133(2)(a)</a>	1st,PBL	Carjacking; firearm or other deadly weapon.
<a href="#">812.135(2)(b)</a>	1st	Home-invasion robbery with weapon.
<a href="#">817.568(7)</a>	2nd,PBL	Fraudulent use of personal identification information of an individual under the age of 18 by his or her parent, legal guardian, or person exercising custodial authority.
<a href="#">827.03(2)</a>	1st	Aggravated child abuse.
<a href="#">847.0145(1)</a>	1st	Selling, or otherwise transferring custody or control, of a minor.
<a href="#">847.0145(2)</a>	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(1)(a)3.</a>	1st	Trafficking in cannabis, more than 10,000 lbs.
<a href="#">893.135(1)(b)1.c.</a>	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
<a href="#">893.135(1)(c)1.c.</a>	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
<a href="#">893.135(1)(d)1.c.</a>	1st	Trafficking in phencyclidine, more than 400 grams.
<a href="#">893.135(1)(e)1.c.</a>	1st	Trafficking in methaqualone, more than 25 kilograms.
<a href="#">893.135(1)(f)1.c.</a>	1st	Trafficking in amphetamine, more than 200 grams.
<a href="#">893.135(1)(h)1.c.</a>	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.
<a href="#">893.135(1)(j)1.c.</a>	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
<a href="#">893.135(1)(k)2.c.</a>	1st	Trafficking in Phenethylamines, 400 grams or more.
<a href="#">896.101(5)(c)</a>	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
<a href="#">896.104(4)(a)3.</a>	1st	Structuring transactions to evade reporting or registration requirements,

financial transactions totaling or exceeding \$100,000.

(j) LEVEL 10

- [499.00545](#) 1st Sale or purchase of contraband legend drugs resulting in death.
- [782.04\(2\)](#) 1st,PBL Unlawful killing of human; act is homicide, unpremeditated.
- [787.01\(1\)\(a\)3.](#) 1st,PBL Kidnapping; inflict bodily harm upon or terrorize victim.
- [787.01\(3\)\(a\)](#) Life Kidnapping; child under age 13, perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
  
- [782.07\(3\)](#) 1st Aggravated manslaughter of a child.
- [794.011\(3\)](#) Life Sexual battery; victim 12 years or older, offender uses or threatens to use deadly weapon or physical force to cause serious injury.
  
- [812.135\(2\)\(a\)](#) 1st,PBL Home-invasion robbery with firearm or other deadly weapon.
- [876.32](#) 1st Treason against the state.

**APPENDIX B - For Offenses committed under the Criminal Punishment Code (on or after 10-1-98)  
 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, M.I.)	6. DOB	8. RACE <input type="checkbox"/> B <input type="checkbox"/> W <input type="checkbox"/> OTHER	10. PRIMARY OFF. DATE	12. PLEA <input type="checkbox"/>
	7. DC #	9. GENDER <input type="checkbox"/> M <input type="checkbox"/> F	11. PRIMARY DOCKET #	TRIAL <input type="checkbox"/>

**I. PRIMARY OFFENSE:** If Qualifier, please check \_\_\_A\_\_\_S\_\_\_C\_\_\_R (A=Attempt, S=Solicitation, C=Conspiracy, R=Reclassification)

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
____/____/____	____/____/____	____/____/____	____/____/____	____/____/____
(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)				

Prior capital felony triples Primary Offense points

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

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

DOCKET#	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY A S C R	COUNTS	POINTS	TOTAL
____/____/____	____/____/____	____/____/____	____	<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
2nd 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 _____	_____ = _____	
____/____/____	____/____/____	____	<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:** \_\_\_\_\_





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

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

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

DOCKET#	FEL/MM DEGREE	F.S#	OFFENSE LEVEL	QUALIFY COUNTS A S C R	POINTS	POINTS
_____ / _____ / _____	_____ / _____ / _____	_____ / _____ / _____	_____	<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 _____						
_____ / _____ / _____	_____ / _____ / _____	_____ / _____ / _____	_____	<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)

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

**IV. PRIOR RECORD**

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 _____ = _____		

(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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