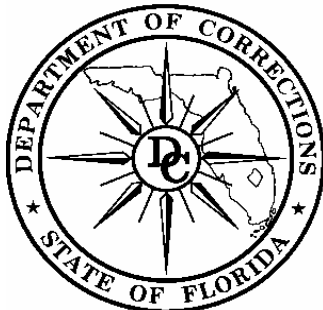


Florida's Criminal Punishment Code: A Comparative Assessment

September 2007

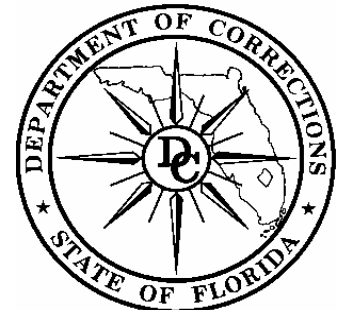


*A Report to the Florida Legislature Detailing
Florida's Criminal Punishment Code*



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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 2005-2006 and FY 2006-2007.**

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 134,847 Criminal Punishment Code scoresheets with sentence dates in FY2006-2007 received by the Florida Department of Corrections through September 1, 2007, for felony offenses committed on or after October 1, 1998. It also compares 100,737 Criminal Punishment Code scoresheets received by the Florida Department of Corrections through September 1, 2007, for felony offenses committed on or after October 1, 2004 and sentence dates in Fiscal Year 2006-2007 with 94,347 Criminal Punishment Code scoresheets with offense dates on or after October 1, 2004 and sentence dates in Fiscal Year 2005-2006.

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 2005-2006 to those received in FY 2006-2007.

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 FY2005-06.

No scoresheets were received from Lafayette County with sentence dates during FY2006-07.

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PART I

INTRODUCTION

Overview of Florida's Sentencing Policies

History of Sentencing Policy

Unstructured Sentencing

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

- Five years for a felony of the third degree;
- Fifteen years for a felony of the second degree;
- Thirty years for a felony of the first degree, 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 10 offense severity levels. Level 1 is the least severe ranking and 10 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 28 from the total sentence points to derive the total prison months.

The court has the discretion to increase or decrease the sanction by 25%. 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 st	Up to 30
2 nd	Up to 15
3 rd	Up to 5

- This has two effects that are divergent from the preceding guidelines. First, all felony offenders have the potential to receive a prison sentence, whereas many under the guidelines were by policy excluded from such a possibility. Second, the maximums of 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 71.8% for Fiscal Year 2006-2007.
- **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 134,847 Punishment Code scoresheets with offense dates on or after October 1, 1998 with sentencing dates during FY2006-07 entered into the sentencing scoresheet database, as of September 1, 2007.*

FINDINGS:

- The number of Code scoresheets received by month of sentence fluctuated from a high of 12,258 to a low of 8,734 from July 1, 2006 to June 30, 2007 (Figure 1).
- For the time period July 2006 through June 2007, Code scoresheets represent ninety-nine percent (99.6%) 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 (28.9%) of the offenders sentenced under the Code were considered “youthful offenders” at the time of sentencing (Table 3). Of the 2,707 true juveniles (under 18 at the time of their offense) transferred to adult court under the Code, 944 (34.9%) of the offenders were age sixteen or younger (Table 4).
- There were 1,063 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 forty percent (39.3%) of all offenses of juveniles (Table 4). Of the 1,063 violent juvenile offenders, 534 (50.2%) 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 57.1% were for white offenders (Table 7).

Figure 1
Scoresheets Received by Month of Sentence
Criminal Punishment Code

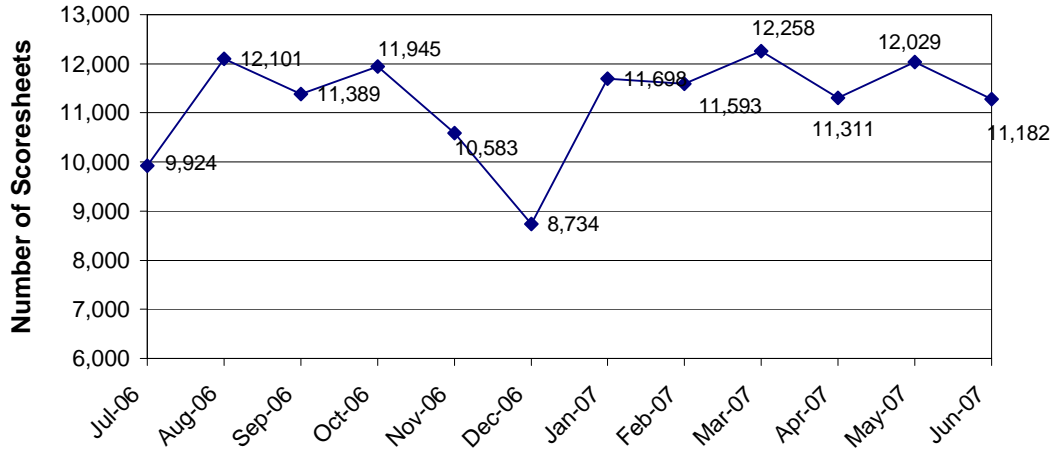


Table 1
Scoresheets Received by Circuit
Fiscal Year 2006-2007
Criminal Punishment Code

Circuit of Sentence	Total	
	Number	Percent
01 (Pensacola)	5,717	4.2%
02 (Tallahassee)	2,928	2.2%
03 (Lake City)	1,691	1.3%
04 (Jacksonville)	8,227	6.1%
05 (Tavares)	9,423	7.0%
06 (Clearwater)	17,284	12.8%
07 (Daytona Beach)	5,271	3.9%
08 (Gainesville)	2,018	1.5%
09 (Orlando)	9,410	7.0%
10 (Bartow)	5,868	4.4%
11 (Miami)	12,989	9.6%
12 (Sarasota)	5,601	4.2%
13 (Tampa)	10,840	8.0%
14 (Panama City)	2,959	2.2%
15 (West Palm Beach)	5,027	3.7%
16 (Key West)	1,120	0.8%
17 (Ft. Lauderdale)	12,049	8.9%
18 (Sanford)	3,785	2.8%
19 (Ft. Pierce)	5,726	4.2%
20 (Ft. Myers)	6,914	5.1%
Total	134,847	100.0%

Table 2
Sentencing Scoresheets Received by Month of Sentence*
Fiscal Year 2006-2007

Month of Sentence	1994 Sentencing Guidelines Scoresheet		1995 Sentencing Guidelines Scoresheet**		Criminal Punishment Code Scoresheet		Total	
July 2006	12	0.1%	29	0.3%	9,924	99.6%	9,965	7.4%
August 2006	12	0.1%	26	0.2%	12,101	99.7%	12,139	9.0%
September 2006	11	0.1%	34	0.3%	11,389	99.6%	11,434	8.4%
October 2006	10	0.1%	34	0.3%	11,945	99.6%	11,989	8.9%
November 2006	13	0.1%	28	0.3%	10,583	99.6%	10,624	7.8%
December 2006	8	0.1%	27	0.3%	8,734	99.6%	8,769	6.5%
January 2007	13	0.1%	34	0.3%	11,698	99.6%	11,745	8.7%
February 2007	11	0.1%	46	0.4%	11,593	99.5%	11,650	8.6%
March 2007	10	0.1%	33	0.3%	12,258	99.7%	12,301	9.1%
April 2007	12	0.1%	23	0.2%	11,311	99.7%	11,346	8.4%
May 2007	13	0.1%	26	0.2%	12,029	99.7%	12,068	8.9%
June 2007	8	0.1%	29	0.3%	11,282	99.7%	11,319	8.4%
Total	133	0.1%	369	0.3%	134,847	99.6%	135,349	100.0%

* 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.

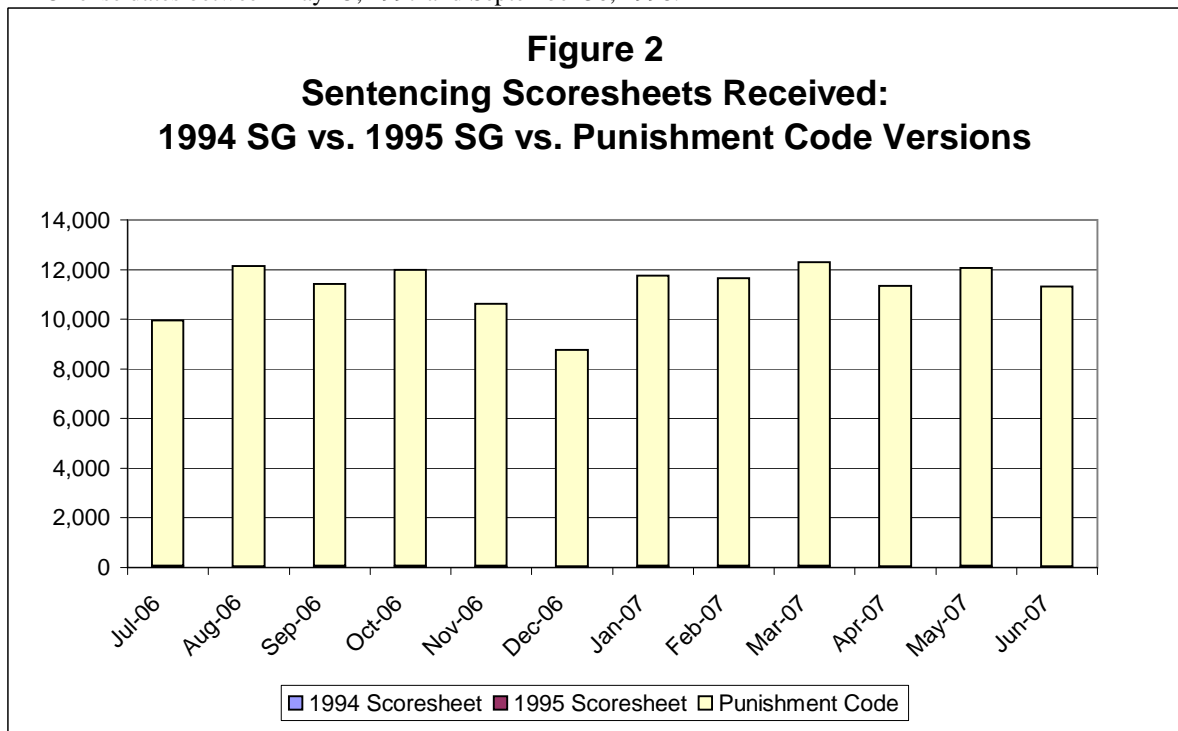


Table 3
Age at Sentencing
Criminal Punishment Code
Fiscal Year 2006-2007

Age	Number	Percent
17 and Below	947	0.7%
18 to 24	37,876	28.1%
25 to 29	24,027	17.8%
30 to 34	17,073	12.7%
35 to 39	16,212	12.0%
40 to 44	15,796	11.7%
45 to 49	12,055	8.9%
50 and Over	10,850	8.0%
Unknown	11	
Total	134,847	100.0%

Figure 3
Age at Sentencing Distribution
Criminal Punishment Code

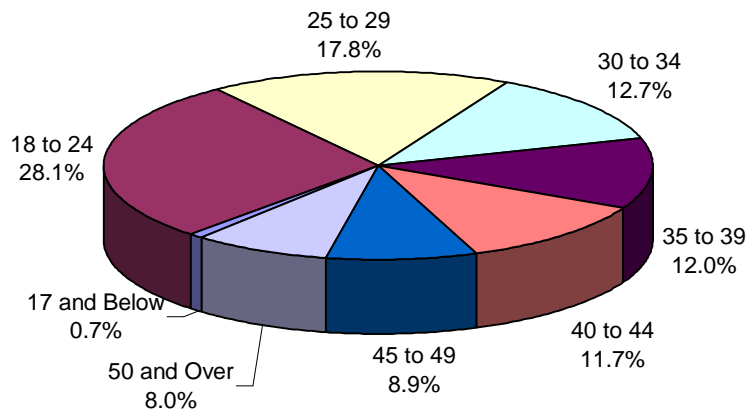


Table 4
Age at Offense for Offenders Under 18
Criminal Punishment Code
Fiscal Year 2006-2007

Primary Offense	15 & Under	16 Years Old	17 Years Old	Total
Murder/Manslaughter	13 5.4%	14 2.0%	32 1.8%	59 2.2%
Sexual Offenses	10 4.2%	21 3.0%	34 1.9%	65 2.4%
Robbery	65 27.1%	136 19.3%	256 14.5%	457 16.9%
Violent Personal Offenses	49 20.4%	133 18.9%	300 17.0%	482 17.8%
Burglary	47 19.6%	177 25.1%	399 22.6%	623 23.0%
Theft, Forgery, Fraud	18 7.5%	67 9.5%	198 11.2%	283 10.5%
Drugs	15 6.3%	99 14.1%	383 21.7%	497 18.4%
Weapons	8 3.3%	34 4.8%	82 4.7%	124 4.6%
Other Offenses	15 6.3%	23 3.3%	79 4.5%	117 4.3%
Total	240 100.0%	704 100.0%	1,763 100.0%	2,707 100.0%

Figure 4
Age at Offense Distribution
Offenders Under 18

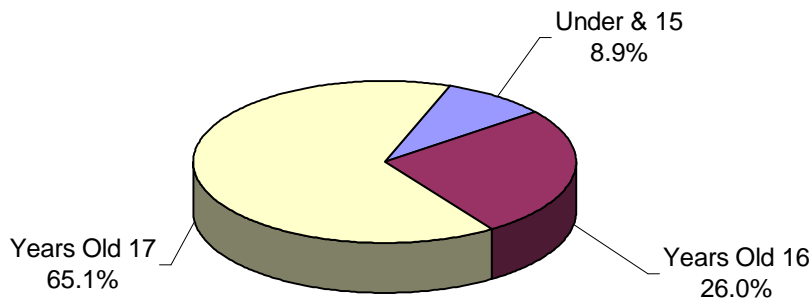


Table 5
Sanction Imposed by Primary Offense For All 11 - 17 Year Olds
Criminal Punishment Code
Fiscal Year 2006-2007

Primary Offense	State Prison	Comm. Control	Probation	County Jail	Other	Total
Murder/Manslaughter	52 2.5%	4 1.2%	3 0.2%	0 0.0%	0 0.0%	59 2.2%
Sexual Offenses	35 2.0%	7 3.0%	18 2.0%	1 0.3%	4 0.0%	65 2.4%
Robbery	239 25.0%	41 18.0%	128 8.7%	40 5.6%	9 0.0%	457 16.9%
Violent Personal Offenses	208 19.2%	44 16.6%	154 14.5%	61 11.7%	15 6.3%	482 17.8%
Burglary	223 25.9%	69 26.0%	257 23.7%	59 12.3%	15 43.8%	623 23.0%
Theft, Forgery, Fraud	44 7.2%	19 11.5%	155 16.5%	51 17.8%	14 12.5%	283 10.5%
Drugs	110 13.0%	34 16.3%	226 25.5%	116 44.8%	11 25.0%	497 18.4%
Weapons	38 2.6%	11 2.1%	56 3.9%	17 4.2%	2 12.5%	124 4.6%
Other Offenses	29 2.6%	2 5.3%	56 4.9%	27 3.3%	3 0.0%	117 4.3%
Total	978 100.0%	231 100.0%	1,053 100.0%	372 100.0%	73 100.0%	2,707 100.0%

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

Figure 5
Sanction Imposed Distribution
Offenders Under 18

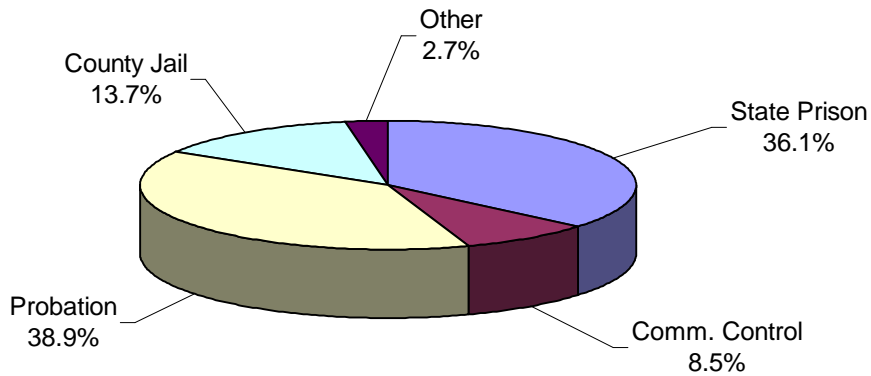


Table 6
Gender by Judicial Circuit
Criminal Punishment Code
Fiscal Year 2006-2007

Judicial Circuit	Gender				Total	
	Male		Female			
01 (Pensacola)	4,477	3.3%	1,240	0.9%	5,717	4.2%
02 (Tallahassee)	2,282	1.7%	646	0.5%	2,928	2.2%
03 (Lake City)	1,334	1.0%	357	0.3%	1,691	1.3%
04 (Jacksonville)	6,599	4.9%	1,628	1.2%	8,227	6.1%
05 (Tavares)	7,442	5.5%	1,981	1.5%	9,423	7.0%
06 (Clearwater)	12,989	9.6%	4,295	3.2%	17,284	12.8%
07 (Daytona Beach)	4,268	3.2%	1,003	0.7%	5,271	3.9%
08 (Gainesville)	1,649	1.2%	369	0.3%	2,018	1.5%
09 (Orlando)	7,718	5.7%	1,692	1.3%	9,410	7.0%
10 (Bartow)	4,604	3.4%	1,264	0.9%	5,868	4.4%
11 (Miami)	11,267	8.4%	1,722	1.3%	12,989	9.6%
12 (Sarasota)	4,444	3.3%	1,157	0.9%	5,601	4.2%
13 (Tampa)	8,636	6.4%	2,204	1.6%	10,840	8.0%
14 (Panama City)	2,338	1.7%	621	0.5%	2,959	2.2%
15 (West Palm Beach)	4,222	3.1%	805	0.6%	5,027	3.7%
16 (Key West)	941	0.7%	179	0.1%	1,120	0.8%
17 (Ft. Lauderdale)	9,706	7.2%	2,343	1.7%	12,049	8.9%
18 (Sanford)	3,004	2.2%	781	0.6%	3,785	2.8%
19 (Ft. Pierce)	4,522	3.4%	1,204	0.9%	5,726	4.2%
20 (Ft. Myers)	5,563	4.1%	1,351	1.0%	6,914	5.1%
Total	108,005	80.1%	26,842	19.9%	134,847	100.0%

Table 7
Race by Judicial Circuit
Criminal Punishment Code
Fiscal Year 2006-2007

Judicial Circuit	Race						Total	
	Black		White		Other*			
01 (Pensacola)	2,321	1.7%	3,333	2.5%	63	0.0%	5,717	4.2%
02 (Tallahassee)	1,967	1.5%	930	0.7%	31	0.0%	2,928	2.2%
03 (Lake City)	657	0.5%	1,010	0.7%	24	0.0%	1,691	1.3%
04 (Jacksonville)	4,518	3.4%	3,632	2.7%	77	0.1%	8,227	6.1%
05 (Tavares)	2,655	2.0%	6,305	4.7%	463	0.3%	9,423	7.0%
06 (Clearwater)	4,915	3.6%	12,106	9.0%	263	0.2%	17,284	12.8%
07 (Daytona Beach)	1,958	1.5%	3,213	2.4%	100	0.1%	5,271	3.9%
08 (Gainesville)	1,055	0.8%	955	0.7%	8	0.0%	2,018	1.5%
09 (Orlando)	4,003	3.0%	5,220	3.9%	187	0.1%	9,410	7.0%
10 (Bartow)	1,960	1.5%	3,707	2.7%	201	0.1%	5,868	4.4%
11 (Miami)	7,400	5.5%	5,561	4.1%	28	0.0%	12,989	9.6%
12 (Sarasota)	1,728	1.3%	3,648	2.7%	225	0.2%	5,601	4.2%
13 (Tampa)	4,744	3.5%	5,456	4.0%	640	0.5%	10,840	8.0%
14 (Panama City)	913	0.7%	2,039	1.5%	7	0.0%	2,959	2.2%
15 (W. Palm Beach)	2,422	1.8%	2,595	1.9%	10	0.0%	5,027	3.7%
16 (Key West)	244	0.2%	832	0.6%	44	0.0%	1,120	0.8%
17 (Ft. Lauderdale)	6,311	4.7%	5,299	3.9%	439	0.3%	12,049	8.9%
18 (Sanford)	1,333	1.0%	2,370	1.8%	82	0.1%	3,785	2.8%
19 (Ft. Pierce)	2,010	1.5%	3,488	2.6%	228	0.2%	5,726	4.2%
20 (Ft. Myers)	1,517	1.1%	5,335	4.0%	62	0.0%	6,914	5.1%
Total	54,631	40.5%	77,034	57.1%	3,182	2.4%	134,847	100.0%

*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 100,737 scoresheets submitted to the Department of Corrections with sentence dates in FY2006-2007 and offense dates on or after October 1, 2005. The number of scoresheets submitted to the Department of Corrections with sentence dates in FY2005-2006 and offense dates on or after October 1, 2004 was 94,347.
- **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 FY2006-2007 (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 1,043,701 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 FY2005-2006 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 10.3 months for sentencing events during FY2005-2006. In FY2006-2007, the average lag time for level 10 offenses was 9.8 months. Also, for murder/manslaughter, the average lag time from offense to sentence is 10.6 months for sentencing dates in FY2005-2006 and 10.5 months for FY2006-2007 (Table 2).

- Drug offenses comprised the largest group of scoresheets received in both FY2005-2006 (39.5%) and FY2006-2007 (39.4%) (Table 3).
- The more violent, serious offenses represented 14.9% of the scoresheets in FY2005-2006 and 14.3% in FY2006-2007 (Figure 1).

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

Offense Severity Level	FY2005-2006 Sentence Dates¹	FY2006-2007 Sentence Dates²
1	5.4	5.2
2	6.2	6.1
3	5.1	5.1
4	5.8	5.7
5	6.1	6.2
6	6.9	6.8
7	7.4	7.5
8	8.7	8.9
9	9.4	9.3
10	10.3	9.8
Overall Average	5.8	5.8

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

Primary Offense	FY2005-2006 Sentence Dates¹	FY2006-2007 Sentence Dates²
Murder/Manslaughter	10.6	10.5
Sexual/Lewd Behavior	9.8	9.6
Robbery	7.1	7.3
Violent, Other	6.6	6.6
Burglary	6.3	6.1
Property Theft/Fraud/Damage	6.4	6.3
Drugs	5.3	5.3
Weapons	6.0	6.1
Other	5.4	5.3
Overall Average	5.8	5.8

¹ Offense dates on or after October 1, 2004.

² Offense dates on or after October 1, 2005.

Figure 1
Distribution of Offense Group
Sentence Dates in FY2005-2006 vs. FY2006-2007

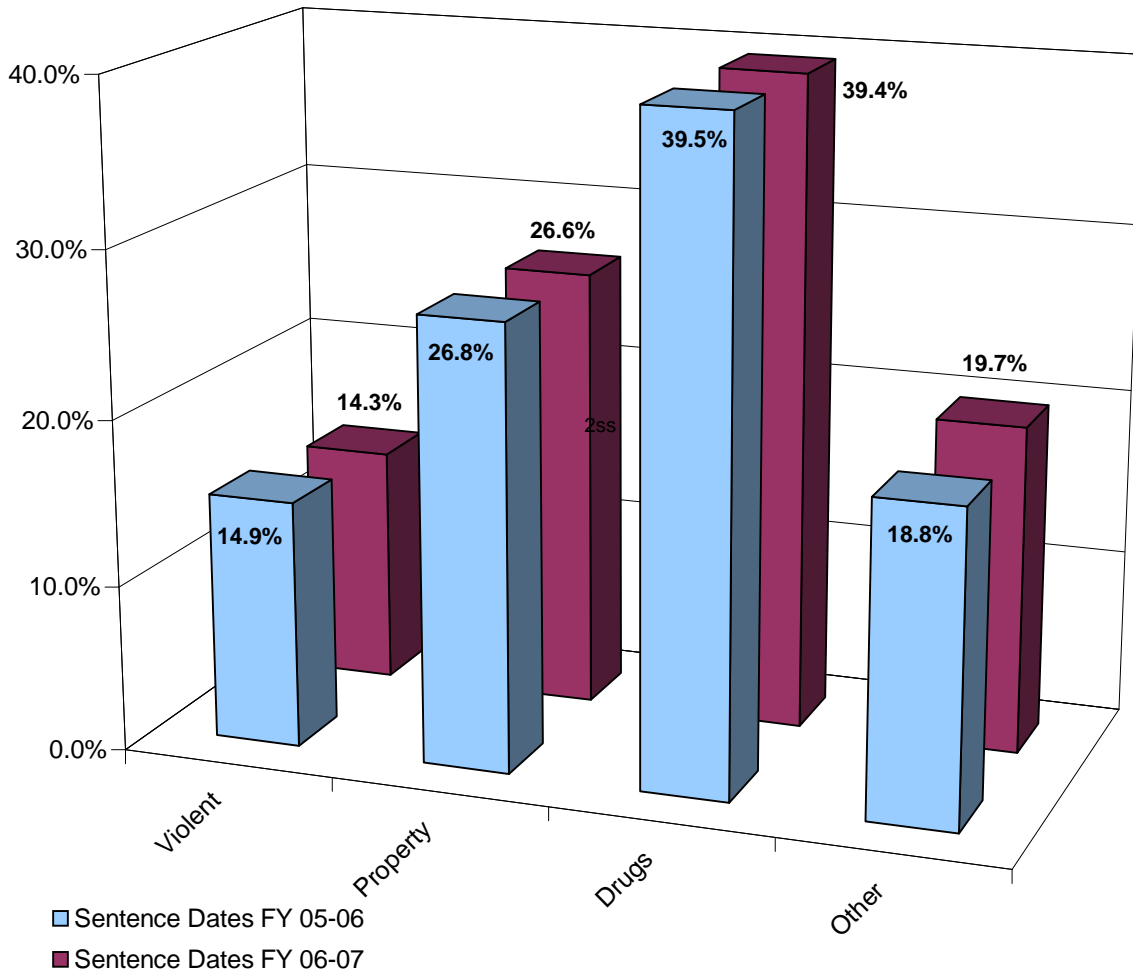


Table 3
Distribution of Offense
Sentence Dates in FY2005-2006 vs. FY2006-2007

Primary Offense	FY2005-2006 Sentence Dates ¹	FY2006-2007 Sentence Dates ²
Murder/Manslaughter	222 0.2%	272 0.3%
Sexual Offenses	670 0.7%	634 0.6%
Robbery	1,775 1.9%	2,004 2.0%
Violent Personal Offenses	10,891 11.5%	10,955 10.9%
Burglary	7,754 8.2%	8,507 8.4%
Theft/Forgery/Fraud	17,738 18.8%	18,469 18.3%
Drugs	37,288 39.5%	39,677 39.4%
Weapons	1,957 2.1%	2,545 2.5%
Other	16,052 17.0%	17,674 17.5%
Total	94,347 100.0%	100,737 100.0%

¹ Offense dates on or after October 1, 2004.

² Offense dates on or after October 1, 2005.

**Table 4
Distribution of Offense**

Primary Offense	FY2005-2006 Sentence Dates¹		FY2006-2007 Sentence Dates²	
Murder/Manslaughter	222	0.2%	272	0.3%
1st Degree Murder	44	0.0%	69	0.1%
2nd Degree Murder	93	0.1%	114	0.1%
3rd Degree Murder	2	0.0%	1	0.0%
Homicide, Other	4	0.0%	2	0.0%
Manslaughter	40	0.0%	38	0.0%
DUI Manslaughter	39	0.0%	48	0.0%
Sexual Offenses	670	0.7%	634	0.6%
Capital Sexual Battery	34	0.0%	29	0.0%
Life Sexual Battery	18	0.0%	20	0.0%
1st Degree Sexual Battery	36	0.0%	39	0.0%
2nd Degree Sexual Battery	106	0.1%	108	0.1%
Sexual Assault, Other	8	0.0%	7	0.0%
Lewd/Lascivious Behavior	468	0.5%	431	0.4%
Robbery	1,775	1.9%	2,004	2.0%
Robbery with Weapon	546	0.6%	682	0.7%
Robbery without Weapon	1,159	1.2%	1,245	1.2%
Home Invasion, Robbery	70	0.1%	77	0.1%
Violent Personal Offenses	10,891	11.5%	10,955	10.9%
Home Invasion, Other	1	0.0%	1	0.0%
Carjacking	93	0.1%	128	0.1%
Aggravated Assault	1,692	1.8%	1,689	1.7%
Aggravated Battery	1,230	1.3%	1,181	1.2%
Assault/Battery on L.E.O.	1,343	1.4%	1,368	1.4%
Assault/Battery, Other	555	0.6%	623	0.6%
Aggravated Stalking	238	0.3%	200	0.2%
Resisting Arrest with Violence	1,718	1.8%	1,734	1.7%
Kidnapping	370	0.4%	364	0.4%
Arson	168	0.2%	166	0.2%
Abuse of Children	1,043	1.1%	1,057	1.0%
Leaving Accident, Injury/Death	400	0.4%	446	0.4%
DUI, Injury	73	0.1%	95	0.1%
Violent, Other	1,967	2.1%	1,903	1.9%
Burglary	7,754	8.2%	8,507	8.4%
Burglary, Structure	4,622	4.9%	5,149	5.1%
Burglary, Dwelling	2,183	2.3%	2,288	2.3%
Burglary, Armed	171	0.2%	186	0.2%
Burglary with Assault	223	0.2%	181	0.2%
Burglary/Trespass, Other	555	0.6%	703	0.7%

**Table 4
Distribution of Offense**

Primary Offense	FY2005-2006 Sentence Dates¹		FY2006-2007 Sentence Dates²	
Theft/Forgery/Fraud	17,739	18.8%	18,470	18.3%
Grand Theft, Other	6,579	7.0%	7,266	7.2%
Grand Theft, Automobile	2,509	2.7%	2,481	2.5%
Stolen Property	2,083	2.2%	2,133	2.1%
Forgery/Counterfeiting	3,029	3.2%	2,983	3.0%
Worthless Checks	437	0.5%	387	0.4%
Fraudulent Practices	1,964	2.1%	1,902	1.9%
Theft/Property Damage, Other	1,138	1.2%	1,318	1.3%
Drugs	37,288	39.5%	39,677	39.4%
Drugs, Manufacture/Sale/Purchase	10,721	11.4%	11,064	11.0%
Drugs, Trafficking	848	0.9%	914	0.9%
Drugs, Possession/Other	25,719	27.3%	27,699	27.5%
Weapons	1,957	2.1%	2,545	2.5%
Weapons, Discharging	237	0.3%	308	0.3%
Weapons, Possession	1,716	1.8%	2,235	2.2%
Weapons, Other	4	0.0%	2	0.0%
Other	16,051	17.0%	17,673	17.5%
Escape	2,987	3.2%	2,947	2.9%
DUI, No Injury	1,070	1.1%	1,015	1.0%
Traffic, Other	9,107	9.7%	10,396	10.3%
Racketeering	12	0.0%	26	0.0%
Pollution/Hazardous Materials	115	0.1%	117	0.1%
Criminal Justice System	2,365		2,711	
Other	395	0.4%	461	0.5%
Total	94,347	100.0%	100,737	100.0%

¹ Offense dates on or after October 1, 2004.

² Offense dates on or after October 1, 2005.

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, 18.5% of offenders were sentenced to state prison as the most severe sanction in FY2006-2007. An additional 28.2% were sentenced to incarceration in county jail, or to time already served in jail. Four percent (4.0%) were sentenced to community control, and nearly half to probation (47.9%), 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 FY2005-2006, 17.6% of offenders were sentenced to state prison and 27.3% were sentenced to county jail or time served. Less than five percent (4.8%) were sentenced to community control, and 48.9% to probation. Only 1.4% of the offenders were sentenced to “other” sanctions (Table 1).

- More than three-quarters of the 100,737 Code scoresheets with sentence date in FY2006-2007 examined (78,924 scoresheets or 78.4%) 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 FY2005-2006, there were 74,072 (78.5%) offenders scoring 44 points or less (Table 1).
- For FY2006-2007, of the offenders scoring in the recommended state prison category, 55.9% were sentenced to state prison, with another 15.1% sentenced to county jail or time served. Of those scoring less than 44 points, 8.2% were sentenced to state prison, and 31.8% to county jail/time served. For FY2005-2006, a little over fifty-five percent (55.3%) of the offenders scoring above 44 points were sentenced to state prison and another 14.5% of these offenders were sentenced to county jail or time served. Of those scoring less than 44 points, 7.3% were sentenced to state prison, and 30.9% to county jail/time served. (Table 1).
- Scoresheets with a state prison sanction increased almost one percent from 17.6% in FY2005-2006 to 18.5% in FY2006-2007. County jail sanctions also went up from 27.3% in FY2005-2006 to 28.2% FY2006-2007. Community supervision sanctions decreased from 4.8% in FY2005-2006 to 4.0% in FY2006-2007 (Table 1).
- Statewide, 65.3% of offenders (12,193 out of 18,669) receiving a prison sanction scored out to a prison sanction. Table 2 presents the scoring distribution of offenders under the Code for FY2005-2006 and FY2006-2007 by circuit and sanction imposed. In FY2006-2007, Circuit 11 (Miami) had the highest percentage (90.6%) of prison sanctioned scoresheets with more than 44 points while Circuit 19 (Ft. Pierce) has the lowest (43.8%).
- 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).

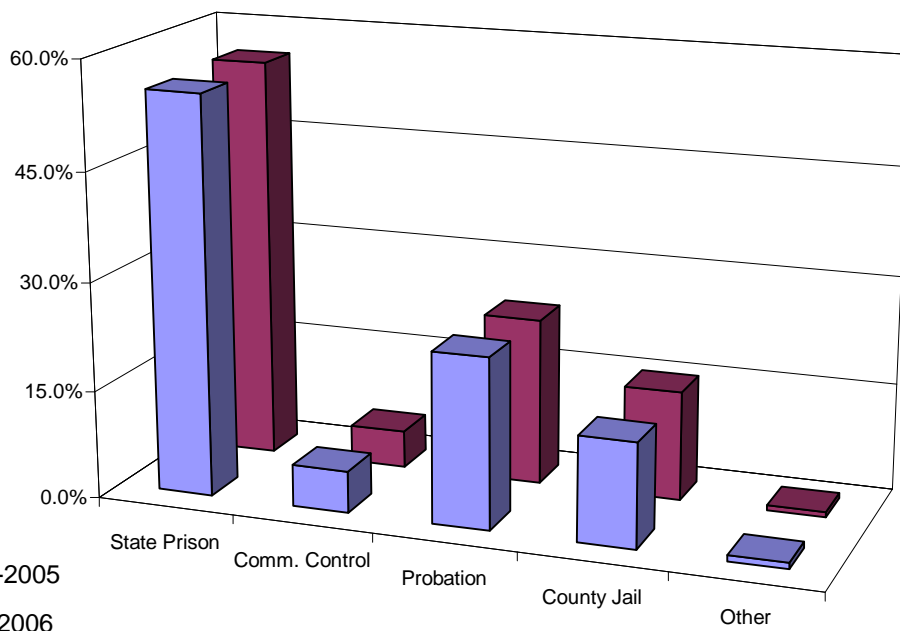
- In both FY2005-2006 and FY2006-2007 the majority of violent offenders received a state prison sanction (Table 4).
- As would be expected, scoresheets with the highest offense severity levels received a state prison sanction, those with the lowest received probation and community control fell in the middle with the majority having levels 3 through 6 (Table 5).
- Consistently in FY2005-2006 and FY2006-2007, for offenders sentenced to state prison, the majority with offense severity levels of 1 through 6 received less than two years and those with offense level 10 received more than ten years (Table 6).
- From FY2005-2006 to FY2006-2007 the percentage of scoresheets with no prior record decreased, with prior misdemeanors decreased, and with four or six or more felonies increased (Table 7).
- From FY2005-2006 to FY2006-2007 the percentage of scoresheets with no additional offenses increased and those with misdemeanors decreased. 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 58.6% for FY2005-2006 and 59.2% for FY2006-2007. The sanction mitigation rate (cases that scored to state prison but received a non-state prison sanction) was 43.3% for FY2005-2006 and 42.7% for FY2006-2007 (Table 11).

- For the offenders that received a mitigated prison sentence length, the average reduction in sentence was 22.8 months during FY2005-2006 and 22.8 months during FY2006-2007 as well (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 2005-2006 Sentence Dates ¹			FY 2006-2007 Sentence Dates ²		
	44.0 Points or Less	More than 44.0 Points	Total	44.0 Points or Less	More than 44.0 Points	Total
State Prison	5,384 7.3%	11,215 55.3%	16,599 17.6%	6,476 8.2%	12,193 55.9%	18,669 18.5%
Community Control	3,358 4.5%	1,166 5.8%	4,524 4.8%	2,949 3.7%	1,114 5.1%	4,063 4.0%
Probation	41,315 55.8%	4,784 23.6%	46,099 48.9%	43,176 54.7%	5,053 23.2%	48,229 47.9%
County Jail	22,862 30.9%	2,936 14.5%	25,798 27.3%	25,102 31.8%	3,295 15.1%	28,397 28.2%
Other	1,153 1.6%	174 0.9%	1,327 1.4%	1,226 1.6%	153 0.7%	1,379 1.4%
Total	74,072 100.0%	20,275 100.0%	94,347 100.0%	78,929 100.0%	21,808 100.0%	100,737 100.0%

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



*Total points greater than 44.

¹ Offense dates on or after October 1, 2004.

² Offense dates on or after October 1, 2005.

Table 2
Recommended Sanction Category by Sanction Imposed

Judicial Circuit / Sanction Imposed	Recommended Sanction Category							
	FY 2005-2006 Sentence Dates ¹				FY 2006-2007 Sentence Dates ²			
	44.0 Points or Less		More than 44.0 Points		44.0 Points or Less		More than 44.0 Points	
01 (Pensacola)	3,832	81.3%	881	18.7%	3,123	80.4%	759	19.6%
Prison	295	32.8%	604	67.2%	306	38.9%	481	61.1%
Community Control	362	84.0%	69	16.0%	244	80.3%	60	19.7%
Probation	2,225	94.1%	140	5.9%	1,729	92.2%	147	7.8%
County Jail	847	93.9%	55	6.1%	788	92.7%	62	7.3%
Other	103	88.8%	13	11.2%	56	86.2%	9	13.8%
02 (Tallahassee)	1,473	69.4%	648	30.6%	1,448	68.6%	663	31.4%
Prison	147	27.5%	387	72.5%	173	30.2%	399	69.8%
Community Control	60	65.9%	31	34.1%	37	58.7%	26	41.3%
Probation	1,032	83.6%	203	16.4%	990	82.1%	216	17.9%
County Jail	230	90.2%	25	9.8%	240	92.0%	21	8.0%
Other	4	0.0%	2	0.0%	8	0.0%	1	0.0%
03 (Lake City)	446	64.5%	245	35.5%	748	69.0%	336	31.0%
Prison	73	35.1%	135	64.9%	97	38.2%	157	61.8%
Community Control	41	63.1%	24	36.9%	60	71.4%	24	28.6%
Probation	304	81.9%	67	18.1%	537	79.1%	142	20.9%
County Jail	11	61.1%	7	38.9%	25	78.1%	7	21.9%
Other	17	58.6%	12	41.4%	29	82.9%	6	17.1%
04 (Jacksonville)	5,357	82.2%	1,162	17.8%	5,999	84.7%	1,084	15.3%
Prison	796	48.1%	858	51.9%	838	52.9%	747	47.1%
Community Control	132	90.4%	14	9.6%	97	89.0%	12	11.0%
Probation	849	89.2%	103	10.8%	1,095	91.1%	107	8.9%
County Jail	3,568	95.0%	187	5.0%	3,946	94.8%	218	5.2%
Other	12	100.0%	0	0.0%	23	100.0%	0	0.0%
05 (Tavares)	4,523	81.0%	1,060	19.0%	5,660	81.3%	1,306	18.7%
Prison	507	40.4%	748	59.6%	599	39.5%	918	60.5%
Community Control	213	81.0%	50	19.0%	287	84.4%	53	15.6%
Probation	2,753	93.8%	181	6.2%	3,231	92.9%	247	7.1%
County Jail	831	92.6%	66	7.4%	1,294	94.5%	76	5.5%
Other	219	93.6%	15	6.4%	249	95.4%	12	4.6%
06 (Clearwater)	8,856	82.9%	1,829	17.1%	9,687	81.8%	2,151	18.2%
Prison	268	20.1%	1,064	79.9%	447	25.1%	1,335	74.9%
Community Control	258	78.2%	72	21.8%	260	73.2%	95	26.8%
Probation	5,633	91.3%	540	8.7%	5,945	91.9%	526	8.1%
County Jail	2,533	95.2%	128	4.8%	2,679	95.4%	130	4.6%
Other	164	86.8%	25	13.2%	356	84.6%	65	15.4%

Table 2
Recommended Sanction Category by Sanction Imposed

Judicial Circuit / Sanction Imposed	Recommended Sanction Category							
	FY 2005-2006 Sentence Dates ¹				FY 2006-2007 Sentence Dates ²			
	44.0 Points or Less		More than 44.0 Points		44.0 Points or Less		More than 44.0 Points	
07 (Daytona)	2,951	78.6%	804	21.4%	3,141	76.7%	954	23.3%
Prison	314	38.3%	505	61.7%	425	39.2%	658	60.8%
Community Control	198	79.2%	52	20.8%	177	84.3%	33	15.7%
Probation	1,871	92.1%	160	7.9%	1,801	91.9%	158	8.1%
County Jail	521	89.2%	63	10.8%	666	88.3%	88	11.7%
Other	47	66.2%	24	33.8%	72	80.9%	17	19.1%
08 (Gainesville)	935	75.3%	306	24.7%	1,080	72.3%	414	27.7%
Prison	102	36.6%	177	63.4%	93	26.6%	256	73.4%
Community Control	10	58.8%	7	41.2%	16	61.5%	10	38.5%
Probation	549	86.9%	83	13.1%	564	86.8%	86	13.2%
County Jail	237	88.4%	31	11.6%	344	85.8%	57	14.2%
Other	37	82.2%	8	17.8%	63	92.6%	5	7.4%
09 (Orlando)	5,098	85.8%	844	14.2%	5,981	86.5%	935	13.5%
Prison	277	34.5%	525	65.5%	268	32.1%	566	67.9%
Community Control	168	82.8%	35	17.2%	152	78.4%	42	21.6%
Probation	2,944	93.6%	200	6.4%	3,065	94.0%	197	6.0%
County Jail	1,692	95.5%	80	4.5%	2,443	95.1%	126	4.9%
Other	17	81.0%	4	19.0%	53	93.0%	4	7.0%
10 (Bartow)	3,548	79.0%	944	21.0%	3,466	79.7%	884	20.3%
Prison	636	46.0%	747	54.0%	608	47.2%	679	52.8%
Community Control	263	84.6%	48	15.4%	197	82.1%	43	17.9%
Probation	2,329	94.8%	128	5.2%	2,367	94.4%	140	5.6%
County Jail	305	93.6%	21	6.4%	287	92.9%	22	7.1%
Other	15	100.0%	0	0.0%	7	100.0%	0	0.0%
11 (Miami)	6,495	62.7%	3,870	37.3%	6,471	59.4%	4,420	40.6%
Prison	103	10.2%	903	89.8%	106	9.4%	1,022	90.6%
Community Control	68	24.7%	207	75.3%	77	24.6%	236	75.4%
Probation	2,921	71.0%	1,194	29.0%	2,914	69.5%	1,277	30.5%
County Jail	3,403	68.5%	1,566	31.5%	3,373	64.2%	1,884	35.8%
Other	0		0		1	50.0%	1	50.0%
12 (Sarasota)	3,319	89.1%	407	10.9%	4,085	88.0%	557	12.0%
Prison	64	18.5%	282	81.5%	168	27.7%	438	72.3%
Community Control	211	88.3%	28	11.7%	228	91.9%	20	8.1%
Probation	1,710	95.8%	75	4.2%	2,029	96.3%	78	3.7%
County Jail	1,329	98.4%	22	1.6%	1,651	98.7%	21	1.3%
Other	5	100.0%	0	0.0%	9	100.0%	0	0.0%

Table 2
Recommended Sanction Category by Sanction Imposed

Judicial Circuit / Sanction Imposed	Recommended Sanction Category							
	FY 2005-2006 Sentence Dates ¹				FY 2006-2007 Sentence Dates ²			
	44.0 Points or Less		More than 44.0 Points		44.0 Points or Less		More than 44.0 Points	
13 (Tampa)	5,476	71.7%	2,158	28.3%	5,936	72.5%	2,248	27.5%
Prison	321	22.3%	1,119	77.7%	685	34.3%	1,315	65.8%
Community Control	308	56.1%	241	43.9%	154	47.7%	169	52.3%
Probation	3,341	86.8%	510	13.2%	3,650	86.8%	556	13.2%
County Jail	1,311	83.8%	253	16.2%	1,336	87.0%	200	13.0%
Other	195	84.8%	35	15.2%	111	93.3%	8	6.7%
14 (Panama City)	1,594	73.6%	573	26.4%	1,511	74.5%	516	25.5%
Prison	267	41.8%	372	58.2%	273	43.7%	352	56.3%
Community Control	170	79.4%	44	20.6%	167	79.1%	44	20.9%
Probation	1,071	88.3%	142	11.7%	979	91.4%	92	8.6%
County Jail	19	76.0%	6	24.0%	44	75.9%	14	24.1%
Other	67	88.2%	9	11.8%	48	77.4%	14	22.6%
15 (West Palm Beach)	3,950	82.0%	869	18.0%	3,378	78.3%	935	21.7%
Prison	126	19.2%	531	80.8%	100	15.8%	534	84.2%
Community Control	21	72.4%	8	27.6%	24	63.2%	14	36.8%
Probation	1,293	87.1%	191	12.9%	1,027	82.2%	223	17.8%
County Jail	2,509	94.8%	139	5.2%	2,227	93.2%	163	6.8%
Other	1	0.0%	0	0.0%	0	0.0%	1	100.0%
16 (Key West)	554	80.8%	132	19.2%	614	84.7%	111	15.3%
Prison	24	27.0%	65	73.0%	28	27.2%	75	72.8%
Community Control	6	75.0%	2	25.0%	11	91.7%	1	8.3%
Probation	416	90.0%	46	10.0%	458	93.9%	30	6.1%
County Jail	93	86.1%	15	13.9%	111	97.4%	3	2.6%
Other	15	78.9%	4	21.1%	6	75.0%	2	25.0%
17 (Ft. Lauderdale)	6,130	79.3%	1,605	20.7%	6,803	79.4%	1,768	20.6%
Prison	305	25.5%	893	74.5%	418	30.1%	972	69.9%
Community Control	256	64.0%	144	36.0%	208	59.4%	142	40.6%
Probation	4,386	90.1%	483	9.9%	4,796	89.3%	573	10.7%
County Jail	1,146	93.7%	77	6.3%	1,325	94.5%	77	5.5%
Other	37	82.2%	8	17.8%	56	93.3%	4	6.7%
18 (Sanford)	2,240	84.5%	411	15.5%	2,342	86.4%	369	13.6%
Prison	124	27.8%	322	72.2%	141	32.1%	298	67.9%
Community Control	245	89.4%	29	10.6%	185	86.9%	28	13.1%
Probation	1,727	96.6%	60	3.4%	1,760	97.6%	43	2.4%
County Jail	144	100.0%	0	0.0%	256	100.0%	0	0.0%
Other	0		0		0		0	

Table 2
Recommended Sanction Category by Sanction Imposed

Judicial Circuit / Sanction Imposed	Recommended Sanction Category							
	FY 2005-2006 Sentence Dates ¹				FY 2006-2007 Sentence Dates ²			
	44.0 Points or Less		More than 44.0 Points		44.0 Points or Less		More than 44.0 Points	
19 (Ft. Pierce)	3,139	85.0%	552	15.0%	3,449	86.2%	550	13.8%
Prison	542	55.1%	441	44.9%	547	56.2%	427	43.8%
Community Control	177	93.7%	12	6.3%	166	90.7%	17	9.3%
Probation	1,579	95.9%	68	4.1%	1,730	96.3%	67	3.7%
County Jail	786	96.8%	26	3.2%	951	96.3%	37	3.7%
Other	55	91.7%	5	8.3%	55	96.5%	2	3.5%
20 (Ft. Myers)	4,156	81.0%	975	19.0%	4,007	82.5%	848	17.5%
Prison	93	14.8%	537	85.2%	156	21.7%	564	78.3%
Community Control	191	79.6%	49	20.4%	202	81.8%	45	18.2%
Probation	2,382	91.9%	210	8.1%	2,509	94.4%	148	5.6%
County Jail	1,347	88.9%	169	11.1%	1,116	92.6%	89	7.4%
Other	143	93.5%	10	6.5%	24	92.3%	2	7.7%
Statewide	74,072	100.0%	20,275	100.0%	78,929	100.0%	21,808	100.0%

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

¹ Offense dates on or after October 1, 2004.

² Offense dates on or after October 1, 2005.

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

Circuit/County	FY2005-2006 Sentence Dates ¹						FY2006-2007 Sentence Dates ²					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
01 (Pensacola)	899	431	2,365	902	116	4,713	787	304	1,876	850	65	3,882
	19.1%	9.1%	50.2%	19.1%	2.5%	100.0%	20.3%	7.8%	48.3%	21.9%	1.7%	100.0%
Escambia	672	224	1,353	691	59	2,999	636	171	1,218	736	35	2,796
	22.4%	7.5%	45.1%	23.0%	2.0%	100.0%	22.7%	6.1%	43.6%	26.3%	1.3%	100.0%
Okaloosa	154	167	654	139	48	1,162	120	85	246	51	20	522
	13.3%	14.4%	56.3%	12.0%	4.1%	100.0%	23.0%	16.3%	47.1%	9.8%	3.8%	100.0%
Santa Rosa	69	34	323	72	9	507	31	48	391	63	10	543
	13.6%	6.7%	63.7%	14.2%	1.8%	100.0%	5.7%	8.8%	72.0%	11.6%	1.8%	100.0%
Walton	4	6	35	0	0	45	0	0	21	0	0	21
	8.9%	13.3%	77.8%	0.0%	0.0%	100.0%	0.0%	0.0%	100.0%	0.0%	0.0%	100.0%
02 (Tallahassee)	534	91	1,235	255	6	2,121	572	63	1,206	261	9	2,111
	25.2%	4.3%	58.2%	12.0%	0.3%	100.0%	27.1%	3.0%	57.1%	12.4%	0.4%	100.0%
Franklin	13	4	127	5	0	149	29	5	140	9	0	183
	8.7%	2.7%	85.2%	3.4%	0.0%	100.0%	15.8%	2.7%	76.5%	4.9%	0.0%	100.0%
Gadsden	118	14	224	19	0	375	158	13	271	30	0	472
	31.5%	3.7%	59.7%	5.1%	0.0%	100.0%	33.5%	2.8%	57.4%	6.4%	0.0%	100.0%
Jefferson	0	0	0	0	0	0	0	0	0	0	0	0
Leon	380	70	861	230	6	1,547	365	45	749	220	9	1,388
	24.6%	4.5%	55.7%	14.9%	0.4%	100.0%	26.3%	3.2%	54.0%	15.9%	0.6%	100.0%
Liberty	17	1	23	1	0	42	19	0	46	1	0	66
	40.5%	2.4%	54.8%	2.4%	0.0%	100.0%	28.8%	0.0%	69.7%	1.5%	0.0%	100.0%
Wakulla	6	2	0	0	0	8	1	0	0	1	0	2
	75.0%	25.0%	0.0%	0.0%	0.0%	100.0%	50.0%	0.0%	0.0%	50.0%	0.0%	100.0%
03 (Lake City)	208	65	371	18	29	691	254	84	679	32	35	1,084
	30.1%	9.4%	53.7%	2.6%	4.2%	100.0%	23.4%	7.7%	62.6%	3.0%	3.2%	100.0%
Columbia	138	40	147	8	23	356	144	59	344	16	30	593
	38.8%	11.2%	41.3%	2.2%	6.5%	100.0%	24.3%	9.9%	58.0%	2.7%	5.1%	100.0%
Dixie	8	3	40	0	1	52	7	2	56	1	0	66
	15.4%	5.8%	76.9%	0.0%	1.9%	100.0%	10.6%	3.0%	84.8%	1.5%	0.0%	100.0%

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

Circuit/County	FY2005-2006 Sentence Dates ¹						FY2006-2007 Sentence Dates ²					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
Hamilton	11 28.9%	3 7.9%	20 52.6%	1 2.6%	3 7.9%	38 100.0%	16 29.1%	4 7.3%	31 56.4%	4 7.3%	0 0.0%	55 100.0%
Lafayette	0 0.0%	0 0.0%	3 100.0%	0 0.0%	0 0.0%	3 100.0%	7 43.8%	1 6.3%	8 50.0%	0 0.0%	0 0.0%	16 100.0%
Madison	8 57.1%	2 14.3%	1 7.1%	2 14.3%	1 7.1%	14 100.0%	28 68.3%	1 2.4%	10 24.4%	1 2.4%	1 2.4%	41 100.0%
Suwannee	15 25.9%	10 17.2%	30 51.7%	2 3.4%	1 1.7%	58 100.0%	37 20.6%	16 8.9%	118 65.6%	5 2.8%	4 2.2%	180 100.0%
Taylor	28 16.5%	7 4.1%	130 76.5%	5 2.9%	0 0.0%	170 100.0%	15 11.3%	1 0.8%	112 84.2%	5 3.8%	0 0.0%	133 100.0%
04 (Jacksonville)	1,654 25.4%	146 2.2%	952 14.6%	3,755 57.6%	12 0.2%	6,519 100.0%	1,585 22.4%	109 1.5%	1,202 17.0%	4,164 58.8%	23 0.3%	7,083 100.0%
Clay	223 23.2%	45 4.7%	291 30.2%	402 41.8%	1 0.1%	962 100.0%	152 18.1%	28 3.3%	300 35.6%	362 43.0%	0 0.0%	842 100.0%
Duval	1,320 26.2%	83 1.6%	445 8.8%	3,184 63.1%	11 0.2%	5,043 100.0%	1,308 23.0%	68 1.2%	649 11.4%	3,630 63.9%	23 0.4%	5,678 100.0%
Nassau	111 21.6%	18 3.5%	216 42.0%	169 32.9%	0 0.0%	514 100.0%	125 22.2%	13 2.3%	253 44.9%	172 30.6%	0 0.0%	563 100.0%
05 (Tavares)	1,255 22.5%	263 4.7%	2,934 52.6%	897 16.1%	234 4.2%	5,583 100.0%	1,517 21.8%	340 4.9%	3,478 49.9%	1,370 19.7%	261 3.7%	6,966 100.0%
Citrus	151 26.2%	38 6.6%	304 52.7%	60 10.4%	24 4.2%	577 100.0%	149 24.1%	42 6.8%	340 54.9%	70 11.3%	18 2.9%	619 100.0%
Hernando	102 14.0%	63 8.7%	453 62.2%	106 14.6%	4 0.5%	728 100.0%	157 13.7%	102 8.9%	667 58.0%	221 19.2%	3 0.3%	1,150 100.0%
Lake	289 15.8%	62 3.4%	922 50.3%	406 22.1%	155 8.5%	1,834 100.0%	381 17.0%	65 2.9%	1,106 49.3%	497 22.1%	196 8.7%	2,245 100.0%
Marion	598 28.8%	73 3.5%	1,067 51.4%	285 13.7%	51 2.5%	2,074 100.0%	701 27.1%	114 4.4%	1,221 47.1%	518 20.0%	36 1.4%	2,590 100.0%
Sumter	115 31.1%	27 7.3%	188 50.8%	40 10.8%	0 0.0%	370 100.0%	129 35.6%	17 4.7%	144 39.8%	64 17.7%	8 2.2%	362 100.0%

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

Circuit/County	FY2005-2006 Sentence Dates ¹						FY2006-2007 Sentence Dates ²					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
06 (Clearwater)	1,332	330	6,173	2,661	189	10,685	1,782	355	6,471	2,809	421	11,838
	12.5%	3.1%	57.8%	24.9%	1.8%	100.0%	15.1%	3.0%	54.7%	23.7%	3.6%	100.0%
Pasco	303	204	1,480	380	17	2,384	411	196	1,385	311	16	2,319
	12.7%	8.6%	62.1%	15.9%	0.7%	100.0%	17.7%	8.5%	59.7%	13.4%	0.7%	100.0%
Pinellas	1,029	126	4,693	2,281	172	8,301	1,371	159	5,086	2,498	405	9,519
	12.4%	1.5%	56.5%	27.5%	2.1%	100.0%	14.4%	1.7%	53.4%	26.2%	4.3%	100.0%
07 (Daytona)	819	250	2,031	584	71	3,755	1,083	210	1,959	754	89	4,095
	21.8%	6.7%	54.1%	15.6%	1.9%	100.0%	26.4%	5.1%	47.8%	18.4%	2.2%	100.0%
Flagler	54	15	178	69	2	318	27	5	118	41	0	191
	17.0%	4.7%	56.0%	21.7%	0.6%	100.0%	14.1%	2.6%	61.8%	21.5%	0.0%	100.0%
Putnam	60	9	301	41	44	455	85	8	273	68	69	503
	13.2%	2.0%	66.2%	9.0%	9.7%	100.0%	16.9%	1.6%	54.3%	13.5%	13.7%	100.0%
St. Johns	190	34	556	99	0	879	215	21	502	107	0	845
	21.6%	3.9%	63.3%	11.3%	0.0%	100.0%	25.4%	2.5%	59.4%	12.7%	0.0%	100.0%
Volusia	515	192	996	375	25	2,103	756	176	1,066	538	20	2,556
	24.5%	9.1%	47.4%	17.8%	1.2%	100.0%	29.6%	6.9%	41.7%	21.0%	0.8%	100.0%
08 (Gainesville)	279	17	632	268	45	1,241	349	26	650	401	68	1,494
	22.5%	1.4%	50.9%	21.6%	3.6%	100.0%	23.4%	1.7%	43.5%	26.8%	4.6%	100.0%
Alachua	205	10	435	232	38	920	244	21	463	301	60	1,089
	22.3%	1.1%	47.3%	25.2%	4.1%	100.0%	22.4%	1.9%	42.5%	27.6%	5.5%	100.0%
Baker	0	1	2	0	0	3	3	0	5	2	1	11
	0.0%	33.3%	66.7%	0.0%	0.0%	100.0%	27.3%	0.0%	45.5%	18.2%	9.1%	100.0%
Bradford	28	2	81	14	1	126	23	1	62	25	1	112
	22.2%	1.6%	64.3%	11.1%	0.8%	100.0%	20.5%	0.9%	55.4%	22.3%	0.9%	100.0%
Gilchrist	1	0	8	2	0	11	1	0	13	4	2	20
	9.1%	0.0%	72.7%	18.2%	0.0%	100.0%	5.0%	0.0%	65.0%	20.0%	10.0%	100.0%
Levy	42	3	70	16	6	137	66	1	74	64	4	209
	30.7%	2.2%	51.1%	11.7%	4.4%	100.0%	31.6%	0.5%	35.4%	30.6%	1.9%	100.0%
Union	3	1	36	4	0	44	12	3	33	5	0	53
	6.8%	2.3%	81.8%	9.1%	0.0%	100.0%	22.6%	5.7%	62.3%	9.4%	0.0%	100.0%

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

Circuit/County	FY2005-2006 Sentence Dates ¹						FY2006-2007 Sentence Dates ²					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
09 (Orlando)	802	203	3,144	1,772	21	5,942	834	194	3,262	2,569	57	6,916
	13.5%	3.4%	52.9%	29.8%	0.4%	100.0%	12.1%	2.8%	47.2%	37.1%	0.8%	100.0%
Orange	525	144	2,378	1,294	15	4,356	707	141	2,534	1,991	40	5,413
	12.1%	3.3%	54.6%	29.7%	0.3%	100.0%	13.1%	2.6%	46.8%	36.8%	0.7%	100.0%
Osceola	277	59	766	478	6	1,586	127	53	728	578	17	1,503
	17.5%	3.7%	48.3%	30.1%	0.4%	100.0%	8.4%	3.5%	48.4%	38.5%	1.1%	100.0%
10 (Bartow)	1,383	311	2,457	326	15	4,492	1,287	240	2,507	309	7	4,350
	30.8%	6.9%	54.7%	7.3%	0.3%	100.0%	29.6%	5.5%	57.6%	7.1%	0.2%	100.0%
Hardee	26	3	81	17	0	127	17	3	94	16	0	130
	20.5%	2.4%	63.8%	13.4%	0.0%	100.0%	13.1%	2.3%	72.3%	12.3%	0.0%	100.0%
Highlands	57	20	153	14	4	248	46	15	169	10	3	243
	23.0%	8.1%	61.7%	5.6%	1.6%	100.0%	18.9%	6.2%	69.5%	4.1%	1.2%	100.0%
Polk	1,300	288	2,223	295	11	4,117	1,224	222	2,244	283	4	3,977
	31.6%	7.0%	54.0%	7.2%	0.3%	100.0%	30.8%	5.6%	56.4%	7.1%	0.1%	100.0%
11 (Miami)	1,006	275	4,115	4,969	0	10,365	1,128	313	4,191	5,257	2	10,891
	9.7%	2.7%	39.7%	47.9%	0.0%	100.0%	10.4%	2.9%	38.5%	48.3%	0.0%	100.0%
Miami-Dade	1,006	275	4,115	4,969	0	10,365	1,128	313	4,191	5,257	2	10,891
	9.7%	2.7%	39.7%	47.9%	0.0%	100.0%	10.4%	2.9%	38.5%	48.3%	0.0%	100.0%
12 (Sarasota)	346	239	1,785	1,351	5	3,726	606	248	2,107	1,672	9	4,642
	9.3%	6.4%	47.9%	36.3%	0.1%	100.0%	13.1%	5.3%	45.4%	36.0%	0.2%	100.0%
Desoto	53	17	43	30	1	144	55	31	104	75	1	266
	36.8%	11.8%	29.9%	20.8%	0.7%	100.0%	20.7%	11.7%	39.1%	28.2%	0.4%	100.0%
Manatee	96	159	752	307	0	1,314	316	146	908	592	1	1,963
	7.3%	12.1%	57.2%	23.4%	0.0%	100.0%	16.1%	7.4%	46.3%	30.2%	0.1%	100.0%
Sarasota	197	63	990	1,014	4	2,268	235	71	1,095	1,005	7	2,413
	8.7%	2.8%	43.7%	44.7%	0.2%	100.0%	9.7%	2.9%	45.4%	41.6%	0.3%	100.0%
13 (Tampa)	1,440	549	3,851	1,564	230	7,634	2,000	323	4,206	1,536	119	8,184
	18.9%	7.2%	50.4%	20.5%	3.0%	100.0%	24.4%	3.9%	51.4%	18.8%	1.5%	100.0%
Hillsborough	1,440	549	3,851	1,564	230	7,634	2,000	323	4,206	1,536	119	8,184
	18.9%	7.2%	50.4%	20.5%	3.0%	100.0%	24.4%	3.9%	51.4%	18.8%	1.5%	100.0%

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

Circuit/County	FY2005-2006 Sentence Dates ¹						FY2006-2007 Sentence Dates ²					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
14 (Panama City)	639	214	1,213	25	76	2,167	625	211	1,071	58	62	2,027
	29.5%	9.9%	56.0%	1.2%	3.5%	100.0%	30.8%	10.4%	52.8%	2.9%	3.1%	100.0%
Bay	489	169	959	6	76	1,699	462	153	764	33	59	1,471
	28.8%	9.9%	56.4%	0.4%	4.5%	100.0%	31.4%	10.4%	51.9%	2.2%	4.0%	100.0%
Calhoun	13	14	32	1	0	60	34	28	63	4	2	131
	21.7%	23.3%	53.3%	1.7%	0.0%	100.0%	26.0%	21.4%	48.1%	3.1%	1.5%	100.0%
Gulf	27	8	21	2	0	58	31	4	13	4	0	52
	46.6%	13.8%	36.2%	3.4%	0.0%	100.0%	59.6%	7.7%	25.0%	7.7%	0.0%	100.0%
Holmes	1	5	39	0	0	45	3	5	35	0	0	43
	2.2%	11.1%	86.7%	0.0%	0.0%	100.0%	7.0%	11.6%	81.4%	0.0%	0.0%	100.0%
Jackson	99	4	117	16	0	236	88	7	154	17	1	267
	41.9%	1.7%	49.6%	6.8%	0.0%	100.0%	33.0%	2.6%	57.7%	6.4%	0.4%	100.0%
Washington	10	14	45	0	0	69	7	14	42	0	0	63
	14.5%	20.3%	65.2%	0.0%	0.0%	100.0%	11.1%	22.2%	66.7%	0.0%	0.0%	100.0%
15 (West Palm Beach)	657	29	1,484	2,648	1	4,819	634	38	1,250	2,390	1	4,313
	13.6%	0.6%	30.8%	54.9%	0.0%	100.0%	14.7%	0.9%	29.0%	55.4%	0.0%	100.0%
Palm Beach	657	29	1,484	2,648	1	4,819	634	38	1,250	2,390	1	4,313
	8.5%	0.4%	19.2%	34.2%	0.0%	62.3%	14.7%	0.9%	29.0%	55.4%	0.0%	100.0%
16 (Key West)	89	8	462	108	19	686	103	12	488	114	8	725
	13.0%	1.2%	67.3%	15.7%	2.8%	100.0%	14.2%	1.7%	67.3%	15.7%	1.1%	100.0%
Monroe	89	8	462	108	19	686	103	12	488	114	8	725
	13.0%	1.2%	67.3%	15.7%	2.8%	100.0%	14.2%	1.7%	67.3%	15.7%	1.1%	100.0%
17 (Ft. Lauderdale)	1,198	400	4,869	1,223	45	7,735	1,390	350	5,369	1,402	60	8,571
	15.5%	5.2%	62.9%	15.8%	0.6%	100.0%	16.2%	4.1%	62.6%	16.4%	0.7%	100.0%
Broward	1,198	400	4,869	1,223	45	7,735	1,390	350	5,369	1,402	60	8,571
	15.5%	5.2%	62.9%	15.8%	0.6%	100.0%	16.2%	4.1%	62.6%	16.4%	0.7%	100.0%
18 (Sanford)	446	274	1,787	144	0	2,651	439	213	1,803	256	0	2,711
	16.8%	10.3%	67.4%	5.4%	0.0%	100.0%	16.2%	7.9%	66.5%	9.4%	0.0%	100.0%
Brevard	281	227	1,052	28	0	1,588	273	161	923	34	0	1,391
	17.7%	14.3%	66.2%	1.8%	0.0%	100.0%	19.6%	11.6%	66.4%	2.4%	0.0%	100.0%

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

Circuit/County	FY2005-2006 Sentence Dates ¹						FY2006-2007 Sentence Dates ²					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
Seminole	165 15.5%	47 4.4%	735 69.1%	116 10.9%	0 0.0%	1,063 100.0%	166 12.6%	52 3.9%	880 66.7%	222 16.8%	0 0.0%	1,320 100.0%
19 (Ft. Pierce)	983 26.6%	189 5.1%	1,647 44.6%	812 22.0%	60 1.6%	3,691 100.0%	974 24.4%	183 4.6%	1,797 44.9%	988 24.7%	57 1.4%	3,999 100.0%
Indian River	234 27.3%	30 3.5%	295 34.5%	297 34.7%	0 0.0%	856 100.0%	217 25.3%	20 2.3%	280 32.7%	338 39.4%	2 0.2%	857 100.0%
Martin	246 33.1%	36 4.8%	308 41.4%	150 20.2%	4 0.5%	744 100.0%	268 34.4%	28 3.6%	334 42.9%	143 18.4%	5 0.6%	778 100.0%
Okeechobee	87 24.5%	10 2.8%	161 45.4%	92 25.9%	5 1.4%	355 100.0%	104 26.1%	11 2.8%	204 51.1%	75 18.8%	5 1.3%	399 100.0%
St. Lucie	416 24.0%	113 6.5%	883 50.9%	273 15.7%	51 2.9%	1,736 100.0%	385 19.6%	124 6.3%	979 49.8%	432 22.0%	45 2.3%	1,965 100.0%
20 (Ft. Myers)	630 12.3%	240 4.7%	2,592 50.5%	1,516 29.5%	153 3.0%	5,131 100.0%	720 14.8%	247 5.1%	2,657 54.7%	1,205 24.8%	26 0.5%	4,855 100.0%
Charlotte	97 14.2%	75 11.0%	333 48.7%	179 26.2%	0 0.0%	684 100.0%	179 21.6%	139 16.8%	419 50.6%	91 11.0%	0 0.0%	828 100.0%
Collier	169 9.4%	92 5.1%	881 49.1%	626 34.9%	25 1.4%	1,793 100.0%	149 10.7%	75 5.4%	726 52.0%	433 31.0%	14 1.0%	1,397 100.0%
Glades	4 8.9%	3 6.7%	28 62.2%	7 15.6%	3 6.7%	45 100.0%	11 24.4%	0 0.0%	32 71.1%	0 0.0%	2 4.4%	45 100.0%
Hendry	28 14.0%	4 2.0%	121 60.5%	47 23.5%	0 0.0%	200 100.0%	41 16.0%	1 0.4%	181 70.4%	30 11.7%	4 1.6%	257 100.0%
Lee	332 13.8%	66 2.7%	1,229 51.0%	657 27.3%	125 5.2%	2,409 100.0%	340 14.6%	32 1.4%	1,299 55.8%	651 28.0%	6 0.3%	2,328 100.0%
Statewide	16,599 17.6%	4,524 4.8%	46,099 48.9%	25,798 27.3%	1,327 1.4%	94,347 100.0%	18,669 18.5%	4,063 4.0%	48,229 47.9%	28,397 28.2%	1,379 1.4%	100,737 100.0%

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

¹ Offense dates on or after October 1, 2004.

² Offense dates on or after October 1, 2005.

**Table 4
Offense Types by Sanction Imposed**

Offense Type	FY2005-2006 Sentence Dates ¹						FY2006-2007 Sentence Dates ²					
	State Prison	Comm. Control	Probation	County Jail	Other	Total	State Prison	Comm. Control	Probation	County Jail	Other	Total
Murder/Manslaughter												
First Degree Murder												
Attempt	37	1	4	1	0	43	60	6	2	1	0	69
	86.0%	2.3%	9.3%	2.3%	0.0%	100.0%	87.0%	8.7%	2.9%	1.4%	0.0%	100.0%
Complete	1	0	0	0	0	1	0	0	0	0	0	0
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%						
Second Degree Murder												
Attempt	31	1	2	1	0	35	44	7	5	0	0	56
	88.6%	2.9%	5.7%	2.9%	0.0%	100.0%	78.6%	12.5%	8.9%	0.0%	0.0%	100.0%
Complete	56	1	0	1	0	58	57	0	0	0	0	57
	96.6%	1.7%	0.0%	1.7%	0.0%	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Third Degree Murder												
Attempt	0	0	0	0	0	0	0	0	0	0	0	0
Complete	2	0	0	0	0	2	1	0	0	0	0	1
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Homicide, Other												
Complete	4	0	0	0	0	4	1	0	1	0	0	2
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%	50.0%	0.0%	50.0%	0.0%	0.0%	100.0%
Manslaughter												
Attempt	1	1	0	0	0	2	0	0	0	0	0	0
	50.0%	50.0%	0.0%	0.0%	0.0%	100.0%						
Complete	26	2	9	1	0	38	22	5	11	0	0	38
	68.4%	5.3%	23.7%	2.6%	0.0%	100.0%	57.9%	13.2%	28.9%	0.0%	0.0%	100.0%
DUI Manslaughter												
Complete	29	2	7	1	0	39	41	4	3	0	0	48
	74.4%	5.1%	17.9%	2.6%	0.0%	100.0%	85.4%	8.3%	6.3%	0.0%	0.0%	100.0%
Sexual/Lewd Behavior												
Capital Sexual Battery												
Attempt	29	1	3	1	0	34	28	1	0	0	0	29
	85.3%	2.9%	8.8%	2.9%	0.0%	100.0%	96.6%	3.4%	0.0%	0.0%	0.0%	100.0%

**Table 4
Offense Types by Sanction Imposed**

Offense Type	FY2005-2006 Sentence Dates ¹						FY2006-2007 Sentence Dates ²						
	State Prison	Comm. Control	Probation	County Jail	Other	Total	State Prison	Comm. Control	Probation	County Jail	Other	Total	
Life Sexual Battery	Attempt	4	0	0	0	0	4	2	0	0	0	0	2
		100.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
	Complete	12	0	1	1	0	14	18	0	0	0	0	18
		85.7%	0.0%	7.1%	7.1%	0.0%	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
1st Degree Sexual Battery	Attempt	4	0	0	0	0	4	4	0	1	0	0	5
		100.0%	0.0%	0.0%	0.0%	0.0%	100.0%	80.0%	0.0%	20.0%	0.0%	0.0%	100.0%
	Complete	25	2	5	0	0	32	30	2	2	0	0	34
		78.1%	6.3%	15.6%	0.0%	0.0%	100.0%	88.2%	5.9%	5.9%	0.0%	0.0%	100.0%
2nd Degree Sexual Battery	Attempt	5	0	4	0	0	9	7	0	4	0	0	11
		55.6%	0.0%	44.4%	0.0%	0.0%	100.0%	63.6%	0.0%	36.4%	0.0%	0.0%	100.0%
	Complete	59	10	24	4	0	97	53	9	30	5	0	97
		60.8%	10.3%	24.7%	4.1%	0.0%	100.0%	54.6%	9.3%	30.9%	5.2%	0.0%	100.0%
Sexual Assault, Other	Complete	1	0	6	1	0	8	2	1	4	0	0	7
		12.5%	0.0%	75.0%	12.5%	0.0%	100.0%	28.6%	14.3%	57.1%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior	Attempt	12	2	4	0	0	18	18	1	7	0	0	26
		66.7%	11.1%	22.2%	0.0%	0.0%	100.0%	69.2%	3.8%	26.9%	0.0%	0.0%	100.0%
	Complete	222	32	171	19	6	450	219	26	143	14	3	405
		49.3%	7.1%	38.0%	4.2%	1.3%	100.0%	54.1%	6.4%	35.3%	3.5%	0.7%	100.0%
Robbery													
Robbery with Weapon	Attempt	43	6	19	3	1	72	45	7	17	5	0	74
		59.7%	8.3%	26.4%	4.2%	1.4%	100.0%	60.8%	9.5%	23.0%	6.8%	0.0%	100.0%
	Complete	338	41	71	23	1	474	427	55	108	17	1	608
		71.3%	8.6%	15.0%	4.9%	0.2%	100.0%	70.2%	9.0%	17.8%	2.8%	0.2%	100.0%

**Table 4
Offense Types by Sanction Imposed**

Offense Type	FY2005-2006 Sentence Dates ¹						FY2006-2007 Sentence Dates ²						
	State Prison	Comm. Control	Probation	County Jail	Other	Total	State Prison	Comm. Control	Probation	County Jail	Other	Total	
Robbery without Weapon	Attempt	54	10	68	42	0	174	47	7	62	42	3	161
		31.0%	5.7%	39.1%	24.1%	0.0%	100.0%	29.2%	4.3%	38.5%	26.1%	1.9%	100.0%
	Complete	417	69	353	142	4	985	455	62	383	176	8	1,084
		42.3%	7.0%	35.8%	14.4%	0.4%	100.0%	42.0%	5.7%	35.3%	16.2%	0.7%	100.0%
Home Invasion, Robbery	Attempt	6	1	3	0	0	10	3	0	2	0	0	5
		60.0%	10.0%	30.0%	0.0%	0.0%	100.0%	60.0%	0.0%	40.0%	0.0%	0.0%	100.0%
	Complete	51	2	7	0	0	60	59	3	8	1	1	72
		85.0%	3.3%	11.7%	0.0%	0.0%	100.0%	81.9%	4.2%	11.1%	1.4%	1.4%	100.0%
Violent Personal Offenses	Attempt	30	10	43	16	0	99	27	8	43	4	2	84
		30.3%	10.1%	43.4%	16.2%	0.0%	100.0%	32.1%	9.5%	51.2%	4.8%	2.4%	100.0%
	Complete	2,350	668	5,997	1,639	138	10,792	2,534	587	5,928	1,683	129	10,861
		21.8%	6.2%	55.6%	15.2%	1.3%	100.0%	23.3%	5.4%	54.6%	15.5%	1.2%	100.0%
Burglary	Attempt	77	8	115	55	3	258	80	13	139	64	4	300
		29.8%	3.1%	44.6%	21.3%	1.2%	100.0%	26.7%	4.3%	46.3%	21.3%	1.3%	100.0%
	Complete	2,159	469	3,473	1,304	91	7,496	2,415	438	3,699	1,578	77	8,207
		28.8%	6.3%	46.3%	17.4%	1.2%	100.0%	29.4%	5.3%	45.1%	19.2%	0.9%	100.0%
Property Theft/Fraud/Damage	Attempt	2	1	8	3	0	14	6	1	11	3	0	21
		14.3%	7.1%	57.1%	21.4%	0.0%	100.0%	28.6%	4.8%	52.4%	14.3%	0.0%	100.0%
	Complete	2,338	761	10,167	4,192	266	17,724	2,644	626	10,535	4,354	300	18,459
		13.2%	4.3%	57.4%	23.7%	1.5%	100.0%	14.3%	3.4%	57.1%	23.6%	1.6%	100.0%
Drugs Manufacture/Sale/Purchase	Attempt	46	25	256	513	7	847	53	14	329	568	3	967
		5.4%	3.0%	30.2%	60.6%	0.8%	100.0%	5.5%	1.4%	34.0%	58.7%	0.3%	100.0%
	Complete	2,530	530	3,958	2,733	123	9,874	2,847	467	3,900	2,782	101	10,097
		25.6%	5.4%	40.1%	27.7%	1.2%	100.0%	28.2%	4.6%	38.6%	27.6%	1.0%	100.0%

**Table 4
Offense Types by Sanction Imposed**

Offense Type	FY2005-2006 Sentence Dates ¹						FY2006-2007 Sentence Dates ²						
	State Prison	Comm. Control	Probation	County Jail	Other	Total	State Prison	Comm. Control	Probation	County Jail	Other	Total	
Drugs, Trafficking	Attempt	16	7	26	0	1	50	23	5	36	6	0	70
		32.0%	14.0%	52.0%	0.0%	2.0%	100.0%	32.9%	7.1%	51.4%	8.6%	0.0%	100.0%
	Complete	576	64	141	16	1	798	633	51	134	22	4	844
		72.2%	8.0%	17.7%	2.0%	0.1%	100.0%	75.0%	6.0%	15.9%	2.6%	0.5%	100.0%
Drugs, Possession/Other	Attempt	4	2	27	25	0	58	6	3	33	50	2	94
		6.9%	3.4%	46.6%	43.1%	0.0%	100.0%	6.4%	3.2%	35.1%	53.2%	2.1%	100.0%
	Complete	2,153	913	12,276	9,965	354	25,661	2,483	758	12,969	11,056	339	27,605
		8.4%	3.6%	47.8%	38.8%	1.4%	100.0%	9.0%	2.7%	47.0%	40.1%	1.2%	100.0%
Weapons	Attempt	3	0	8	0	1	12	1	0	6	2	0	9
		25.0%	0.0%	66.7%	0.0%	8.3%	100.0%	11.1%	0.0%	66.7%	22.2%	0.0%	100.0%
	Complete	533	103	944	350	15	1,945	705	124	1,178	497	32	2,536
		27.4%	5.3%	48.5%	18.0%	0.8%	100.0%	27.8%	4.9%	46.5%	19.6%	1.3%	100.0%
Other	Attempt	15	3	38	18	1	75	22	6	43	26	1	98
		20.0%	4.0%	50.7%	24.0%	1.3%	100.0%	22.4%	6.1%	43.9%	26.5%	1.0%	100.0%
	Complete	2,298	776	7,861	4,728	314	15,977	2,547	756	8,464	5,441	368	17,576
		14.4%	4.9%	49.2%	29.6%	2.0%	100.0%	14.5%	4.3%	48.2%	31.0%	2.1%	100.0%
Total	16,599	4,524	46,099	25,798	1,327	94,347	18,669	4,053	48,240	28,397	1,378	100,737	

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

¹ Offense dates on or after October 1, 2004.

² Offense dates on or after October 1, 2005.

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

Offense Severity Level	FY2005-2006 Sentence Dates ¹						FY2006-2007 Sentence Dates ²					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
1	1,123 7.7%	645 4.4%	7,735 53.3%	4,664 32.2%	333 2.3%	14,500 100.0%	1,375 8.6%	602 3.8%	8,291 51.8%	5,333 33.3%	407 2.5%	16,008 100.0%
2	800 8.8%	357 3.9%	5,739 63.1%	2,055 22.6%	137 1.5%	9,088 100.0%	929 9.3%	326 3.3%	6,239 62.8%	2,278 22.9%	170 1.7%	9,942 100.0%
3	2,702 8.8%	1,139 3.7%	14,800 48.4%	11,511 37.6%	428 1.4%	30,580 100.0%	3,105 9.6%	965 3.0%	15,365 47.4%	12,590 38.9%	379 1.2%	32,404 100.0%
4	2,266 18.7%	581 4.8%	6,046 49.9%	3,054 25.2%	163 1.3%	12,110 100.0%	2,640 20.3%	496 3.8%	6,175 47.4%	3,553 27.3%	170 1.3%	13,034 100.0%
5	3,484 26.8%	680 5.2%	5,615 43.2%	3,107 23.9%	123 0.9%	13,009 100.0%	3,969 28.9%	633 4.6%	5,801 42.3%	3,174 23.1%	141 1.0%	13,718 100.0%
6	2,257 28.9%	516 6.6%	3,915 50.1%	1,027 13.2%	92 1.2%	7,807 100.0%	2,248 29.2%	448 5.8%	3,913 50.9%	1,007 13.1%	70 0.9%	7,686 100.0%
7	2,620 49.8%	449 8.5%	1,829 34.8%	314 6.0%	45 0.9%	5,257 100.0%	2,892 50.1%	412 7.1%	2,028 35.1%	406 7.0%	36 0.6%	5,774 100.0%
8	646 59.8%	90 8.3%	295 27.3%	45 4.2%	5 0.5%	1,081 100.0%	697 62.9%	88 7.9%	287 25.9%	32 2.9%	4 0.4%	1,108 100.0%
9	577 74.5%	64 8.3%	116 15.0%	17 2.2%	1 0.1%	775 100.0%	670 74.3%	88 9.8%	125 13.9%	19 2.1%	0 0.0%	902 100.0%
10	124 88.6%	3 2.1%	9 6.4%	4 2.9%	0 0.0%	140 100.0%	144 89.4%	5 3.1%	5 3.1%	5 3.1%	2 1.2%	161 100.0%
Total	16,599 17.6%	4,524 4.8%	46,099 48.9%	25,798 27.3%	1,327 1.4%	94,347 100.0%	18,669 18.5%	4,063 4.0%	48,229 47.9%	28,397 28.2%	1,379 1.4%	100,737 100.0%

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

¹ Offense dates on or after October 1, 2004.

² Offense dates on or after October 1, 2005.

Table 6
State Prison Sentence Length by Offense Severity Level

Offense Severity Level	FY2005-2006 Sentence Dates ¹					FY2006-2007 Sentence Dates ²				
	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
1	942 83.9%	121 10.8%	54 4.8%	6 0.5%	1,123 100.0%	1,146 83.3%	159 11.6%	66 4.8%	4 0.3%	1,375 100.0%
2	617 77.1%	135 16.9%	47 5.9%	1 0.1%	800 100.0%	737 79.3%	141 15.2%	49 5.3%	2 0.2%	929 100.0%
3	2,154 79.7%	412 15.2%	122 4.5%	14 0.5%	2,702 100.0%	2,528 81.4%	433 13.9%	135 4.3%	9 0.3%	3,105 100.0%
4	1,516 66.9%	481 21.2%	238 10.5%	31 1.4%	2,266 100.0%	1,911 72.4%	496 18.8%	212 8.0%	21 0.8%	2,640 100.0%
5	2,048 58.8%	924 26.5%	428 12.3%	84 2.4%	3,484 100.0%	2,436 61.4%	1,028 25.9%	424 10.7%	81 2.0%	3,969 100.0%
6	1,170 51.8%	645 28.6%	336 14.9%	106 4.7%	2,257 100.0%	1,182 52.6%	627 27.9%	334 14.9%	105 4.7%	2,248 100.0%
7	671 25.6%	1,105 42.2%	625 23.9%	219 8.4%	2,620 100.0%	807 27.9%	1,224 42.3%	656 22.7%	205 7.1%	2,892 100.0%
8	105 16.3%	166 25.7%	277 42.9%	98 15.2%	646 100.0%	97 13.9%	188 27.0%	293 42.0%	119 17.1%	697 100.0%
9	86 14.9%	90 15.6%	222 38.5%	179 31.0%	577 100.0%	101 15.1%	109 16.3%	277 41.3%	183 27.3%	670 100.0%
10	22 17.7%	5 4.0%	24 19.4%	73 58.9%	124 100.0%	30 20.8%	10 6.9%	25 17.4%	79 54.9%	144 100.0%
Total	9,331 56.2%	4,084 24.6%	2,373 14.3%	811 4.9%	16,599 100.0%	10,975 58.8%	4,415 23.6%	2,471 13.2%	808 4.3%	18,669 100.0%

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

¹ Offense dates on or after October 1, 2004.

² Offense dates on or after October 1, 2005.

**Table 7
Number of Prior Offenses***

Prior Offenses	FY2005-2006 Sentence Dates ¹		FY2006-2007 Sentence Dates ²	
	Number	Percent	Number	Percent
None	23,296	24.7%	24,148	24.0%
Misdemeanor Only	24,871	26.4%	26,527	26.3%
One Felony	18,519	19.6%	19,728	19.6%
Two Felonies	12,029	12.7%	12,985	12.9%
Three Felonies	7,424	7.9%	8,081	8.0%
Four Felonies	4,103	4.3%	4,646	4.6%
Five Felonies	2,266	2.4%	2,462	2.4%
Six Felonies	1,058	1.1%	1,213	1.2%
Seven or More Felonies	781	0.8%	947	0.9%
Total	94,347	100.0%	100,737	100.0%

* As indicated on the scoresheet.

**Table 8
Number of Additional Offenses***

Additional Offenses	FY2005-2006 Sentence Dates ¹		FY2006-2007 Sentence Dates ²	
	Number	Percent	Number	Percent
None	51,037	54.1%	55,000	54.6%
Misdemeanor Only	23,400	24.8%	24,440	24.3%
One Felony	13,986	14.8%	14,753	14.6%
Two Felonies	3,810	4.0%	4,191	4.2%
Three Felonies	1,259	1.3%	1,386	1.4%
Four Felonies	461	0.5%	510	0.5%
Five Felonies	200	0.2%	247	0.2%
Six Felonies	94	0.1%	100	0.1%
Seven or More Felonies	100	0.1%	110	0.1%
Total	94,347	100.0%	100,737	100.0%

* As indicated on the scoresheet.

¹ Offense dates on or after October 1, 2004.

² Offense dates on or after October 1, 2005.

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

Number of Prior Felonies	FY2005-2006 Sentence Dates ¹						FY2006-2007 Sentence Dates ²					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
None	4,229 8.8%	2,461 5.1%	30,643 63.6%	9,930 20.6%	904 1.9%	48,167 100.0%	4,929 9.7%	2,210 4.4%	31,981 63.1%	10,582 20.9%	973 1.9%	50,675 100.0%
One	3,212 17.3%	950 5.1%	7,796 42.1%	6,348 34.3%	213 1.2%	18,519 100.0%	3,615 18.3%	834 4.2%	8,177 41.4%	6,889 34.9%	213 1.1%	19,728 100.0%
Two	3,035 25.2%	577 4.8%	4,074 33.9%	4,247 35.3%	96 0.8%	12,029 100.0%	3,382 26.0%	497 3.8%	4,253 32.8%	4,740 36.5%	113 0.9%	12,985 100.0%
Three	2,495 33.6%	300 4.0%	2,000 26.9%	2,559 34.5%	70 0.9%	7,424 100.0%	2,780 34.4%	280 3.5%	2,101 26.0%	2,866 35.5%	54 0.7%	8,081 100.0%
Four	1,682 41.0%	127 3.1%	915 22.3%	1,352 33.0%	27 0.7%	4,103 100.0%	1,870 40.2%	143 3.1%	984 21.2%	1,631 35.1%	18 0.4%	4,646 100.0%
Five	1,065 47.0%	69 3.0%	399 17.6%	725 32.0%	8 0.4%	2,266 100.0%	1,133 46.0%	55 2.2%	428 17.4%	840 34.1%	6 0.2%	2,462 100.0%
Six	493 46.6%	29 2.7%	161 15.2%	369 34.9%	6 0.6%	1,058 100.0%	534 44.0%	32 2.6%	189 15.6%	457 37.7%	1 0.1%	1,213 100.0%
Seven or More	388 49.7%	11 1.4%	111 14.2%	268 34.3%	3 0.4%	781 100.0%	426 45.0%	12 1.3%	116 12.2%	392 41.4%	1 0.1%	947 100.0%
Total	16,599 17.6%	4,524 4.8%	46,099 48.9%	25,798 27.3%	1,327 1.4%	94,347 100.0%	18,669 18.5%	4,063 4.0%	48,229 47.9%	28,397 28.2%	1,379 1.4%	100,737 100.0%

* As indicated on the scoresheet

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

¹ Offense dates on or after October 1, 2004.

² Offense dates on or after October 1, 2005.

Table 10
Additional Offenses* and Sanction Imposed

Number of Additional Felonies	FY2005-2006 Sentence Dates ¹						FY2006-2007 Sentence Dates ²					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
None	9,866 13.3%	3,219 4.3%	38,042 51.1%	22,181 29.8%	1,129 1.5%	74,437 100.0%	10,874 13.7%	2,864 3.6%	39,852 50.2%	24,649 31.0%	1,201 1.5%	79,440 100.0%
One	3,818 27.3%	896 6.4%	6,224 44.5%	2,900 20.7%	148 1.1%	13,986 100.0%	4,390 29.8%	804 5.4%	6,418 43.5%	3,012 20.4%	129 0.9%	14,753 100.0%
Two	1,644 43.1%	257 6.7%	1,330 34.9%	542 14.2%	37 1.0%	3,810 100.0%	1,880 44.9%	270 6.4%	1,428 34.1%	572 13.6%	41 1.0%	4,191 100.0%
Three	700 55.6%	88 7.0%	325 25.8%	137 10.9%	9 0.7%	1,259 100.0%	831 60.0%	75 5.4%	357 25.8%	118 8.5%	5 0.4%	1,386 100.0%
Four	289 62.7%	35 7.6%	109 23.6%	26 5.6%	2 0.4%	461 100.0%	332 65.1%	33 6.5%	108 21.2%	36 7.1%	1 0.2%	510 100.0%
Five	128 64.0%	16 8.0%	45 22.5%	9 4.5%	2 1.0%	200 100.0%	184 74.5%	10 4.0%	43 17.4%	8 3.2%	2 0.8%	247 100.0%
Six	76 80.9%	7 7.4%	11 11.7%	0 0.0%	0 0.0%	94 100.0%	84 84.0%	3 3.0%	13 13.0%	0 0.0%	0 0.0%	100 100.0%
Seven or More	78 78.0%	6 6.0%	13 13.0%	3 3.0%	0 0.0%	100 100.0%	94 85.5%	4 3.6%	10 9.1%	2 1.8%	0 0.0%	110 100.0%
Total	16,599 17.6%	4,524 4.8%	46,099 48.9%	25,798 27.3%	1,327 1.4%	94,347 100.0%	18,669 18.5%	4,063 4.0%	48,229 47.9%	28,397 28.2%	1,379 1.4%	100,737 100.0%

* As indicated on the scoresheet.

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

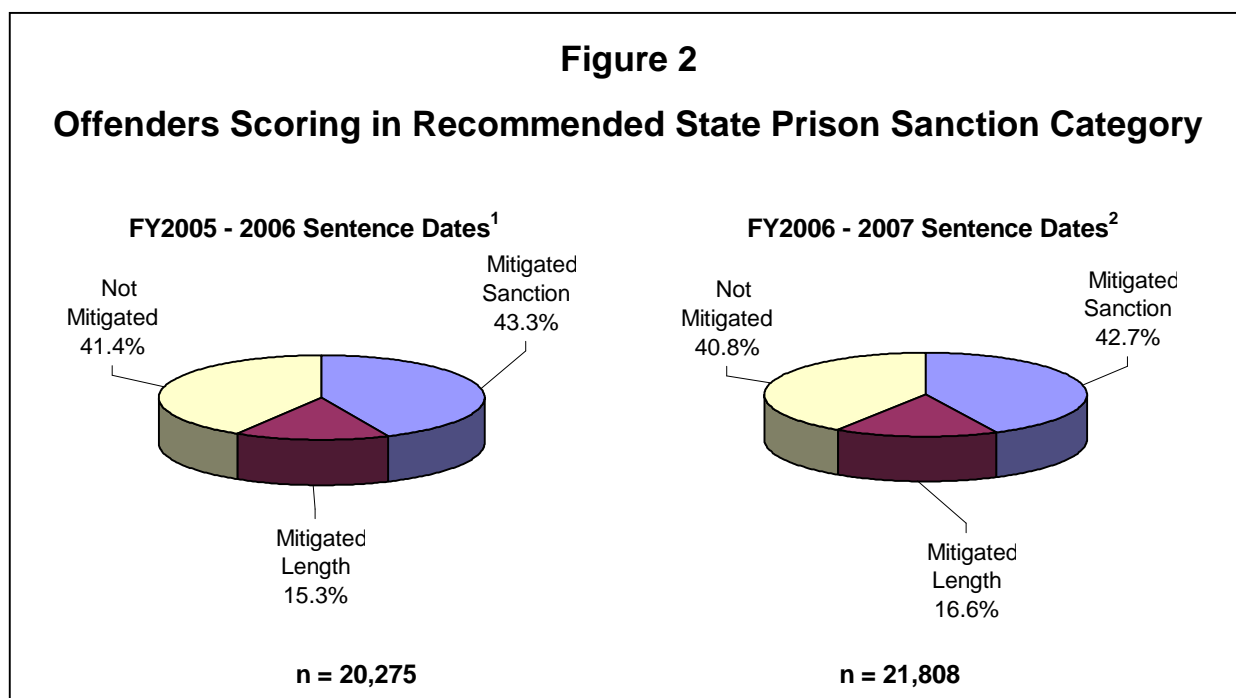
¹ Offense dates on or after October 1, 2004.

² Offense dates on or after October 1, 2005.

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

Category	FY2005-2006 Sentence Dates ¹		FY2006-2007 Sentence Dates ²	
	Number / Percent	Average Mitigated Length in Months	Number / Percent	Average Mitigated Length in Months
Mitigated Total	11,873 58.6%		12,919 59.2%	
Mitigated Sanction	8,773 43.3%		9,305 42.7%	
Mitigated Length	3,100 15.3%	22.8	3,614 16.6%	22.8
Not Mitigated	8,402 41.4%		8,889 40.8%	
Total	20,275 100.0%		21,808 100.0%	

* 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

¹ Offense dates on or after October 1, 2004.

² Offense dates on or after October 1, 2005.

Figure 3

Deviation Rates Below Permitted Sentences Among All Offenders Sentenced

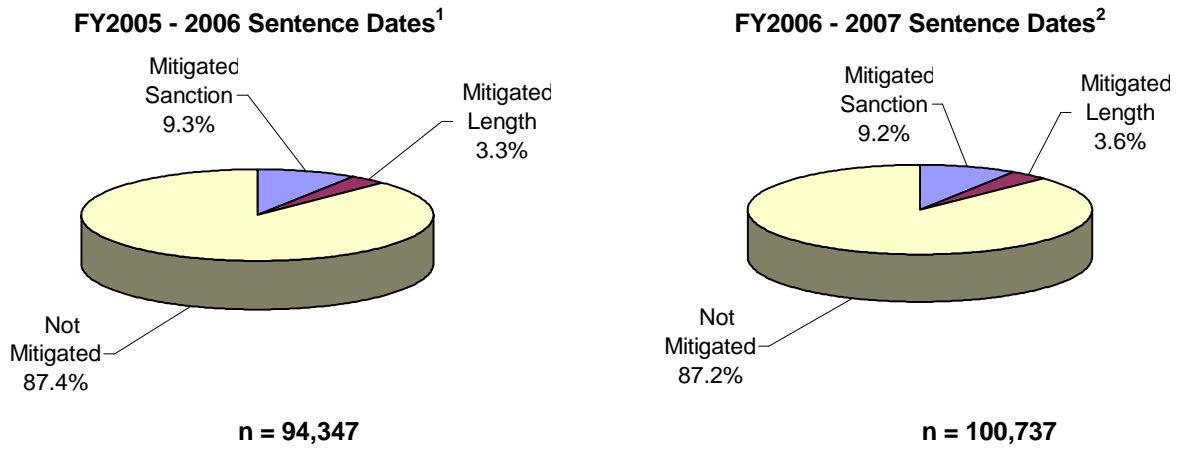


Table 12
Mitigated Sanction Rates* By Judicial Circuit

Judicial Circuit	FY2005-2006 Sentence Dates ¹			FY2006-2007 Sentence Dates ²		
	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate
01- Pensacola	881	277	31.4%	759	277	36.5%
02- Tallahassee	648	253	39.0%	663	251	37.9%
03- Lake City	245	109	44.5%	336	176	52.4%
04- Jacksonville	1,162	304	26.2%	1,084	337	31.1%
05- Tavares	1,060	298	28.1%	1,306	377	28.9%
06- Clearwater	1,829	669	36.6%	2,151	695	32.3%
07- Daytona	804	293	36.4%	954	292	30.6%
08- Gainesville	306	125	40.8%	414	156	37.7%
09- Orlando	844	317	37.6%	935	366	39.1%
10- Bartow	944	190	20.1%	884	204	23.1%
11- Miami	3,870	2,922	75.5%	4,420	3,352	75.8%
12- Sarasota	407	116	28.5%	557	115	20.6%
13- Tampa	2,158	1,025	47.5%	2,248	912	40.6%
14- Panama City	573	193	33.7%	516	162	31.4%
15- West Palm Beach	869	338	38.9%	935	399	42.7%
16- Key West	132	63	47.7%	111	29	26.1%
17- Ft. Lauderdale	1,605	653	40.7%	1,768	747	42.3%
18- Sanford	411	89	21.7%	369	69	18.7%
19- Ft. Pierce	552	111	20.1%	550	120	21.8%
20- Ft. Myers	975	428	43.9%	848	269	31.7%
Statewide	20,275	8,773	43.3%	21,808	9,305	42.7%

* 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.

¹ Offense dates on or after October 1, 2004.

² Offense dates on or after October 1, 2005.

Table 13

Mitigated Sanction Rates and Mitigated Length Rates* By Judicial Circuit

Judicial Circuit	FY2005-2006 Sentence Dates ¹			FY2006-2007 Sentence Dates ²		
	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate
01- Pensacola	881	355	40.3%	759	334	44.0%
02- Tallahassee	648	442	68.2%	663	472	71.2%
03- Lake City	245	158	64.5%	336	243	72.3%
04- Jacksonville	1,162	549	47.2%	1,084	541	49.9%
05- Tavares	1,060	449	42.4%	1,306	553	42.3%
06- Clearwater	1,829	825	45.1%	2,151	953	44.3%
07- Daytona	804	474	59.0%	954	501	52.5%
08- Gainesville	306	209	68.3%	414	306	73.9%
09- Orlando	844	416	49.3%	935	482	51.6%
10- Bartow	944	310	32.8%	884	353	39.9%
11- Miami	3,870	3,480	89.9%	4,420	4,011	90.7%
12- Sarasota	407	150	36.9%	557	161	28.9%
13- Tampa	2,158	1,586	73.5%	2,248	1,546	68.8%
14- Panama City	573	290	50.6%	516	257	49.8%
15- West Palm Beach	869	454	52.2%	935	520	55.6%
16- Key West	132	82	62.1%	111	42	37.8%
17- Ft. Lauderdale	1,605	784	48.8%	1,768	946	53.5%
18- Sanford	411	126	30.7%	369	112	30.4%
19- Ft. Pierce	552	165	29.9%	550	185	33.6%
20- Ft. Myers	975	569	58.4%	848	401	47.3%
Statewide	20,275	11,873	58.6%	21,808	12,919	59.2%

* 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.

¹ Offense dates on or after October 1, 2004.

² Offense dates on or after October 1, 2005.

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

Offense Type	FY2005-2006 Sentence Dates ¹					FY2006-2007 Sentence Dates ²				
	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter										
First Degree Murder										
Attempt	13	6	7	30	43	23	9	14	46	69
	30.2%	14.0%	16.3%	69.8%	100.0%	33.3%	13.0%	20.3%	66.7%	100.0%
Complete	1	0	1	0	1	0	0	0	0	0
	100.0%	0.0%	100.0%	0.0%	100.0%					
2nd Degree Murder										
Attempt	10	4	6	25	35	22	13	9	35	57
	28.6%	11.4%	17.1%	71.4%	100.0%	38.6%	22.8%	15.8%	61.4%	100.0%
Complete	11	2	9	47	58	12	0	12	45	57
	19.0%	3.4%	15.5%	81.0%	100.0%	21.1%	0.0%	21.1%	78.9%	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	1	0	1	1	2	1	0	1	0	1
	50.0%	0.0%	50.0%	50.0%	100.0%	100.0%	0.0%	100.0%	0.0%	100.0%
Homicide, Other										
Attempt	0	0	0	0	0	0	0	0	0	0
Complete	2	0	2	2	4	2	1	1	0	2
	50.0%	0.0%	50.0%	50.0%	100.0%	100.0%	50.0%	50.0%	0.0%	100.0%
Manslaughter										
Attempt	0	0	0	1	1	0	0	0	0	0
	0.0%	0.0%	0.0%	100.0%	100.0%					
Complete	20	12	8	18	38	23	16	7	15	38
	52.6%	31.6%	21.1%	47.4%	100.0%	60.5%	42.1%	18.4%	39.5%	100.0%
DUI Manslaughter										
Complete	28	10	18	11	39	34	7	27	14	48
	71.8%	25.6%	46.2%	28.2%	100.0%	70.8%	14.6%	56.3%	29.2%	100.0%

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

Offense Type	FY2005-2006 Sentence Dates ¹					FY2006-2007 Sentence Dates ²				
	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Sexual/Lewd Behavior										
Capital Sexual Battery										
Attempt	13	5	8	21	34	6	1	5	23	29
	38.2%	14.7%	23.5%	61.8%	100.0%	20.7%	3.4%	17.2%	79.3%	100.0%
Life Sexual Battery										
Attempt	0	0	0	4	4	0	0	0	2	2
	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%	0.0%	0.0%	100.0%	100.0%
Complete	5	2	3	9	14	7	0	7	11	18
	35.7%	14.3%	21.4%	64.3%	100.0%	38.9%	0.0%	38.9%	61.1%	100.0%
1st Degree Sexual Battery										
Attempt	0	0	0	4	4	1	1	0	4	5
	0.0%	0.0%	0.0%	0.0%	0.0%	35.3%	11.8%	23.5%	64.7%	100.0%
Complete	12	6	6	19	31	12	4	8	22	34
	38.7%	19.4%	19.4%	61.3%	100.0%	35.3%	11.8%	23.5%	64.7%	100.0%
2nd Degree Sexual Battery										
Attempt	5	4	1	4	9	4	3	1	6	10
	55.6%	44.4%	11.1%	44.4%	100.0%	40.0%	30.0%	10.0%	60.0%	100.0%
Complete	50	31	19	36	86	58	36	22	29	87
	58.1%	36.0%	22.1%	41.9%	100.0%	66.7%	41.4%	25.3%	33.3%	100.0%
Sexual Assault, Other										
Complete	4	4	0	1	5	6	5	1	1	7
	80.0%	80.0%	0.0%	20.0%	100.0%	85.7%	71.4%	14.3%	14.3%	100.0%
Lewd/Lascivious Behavior										
Attempt	6	4	2	9	15	7	2	5	11	18
	40.0%	26.7%	13.3%	60.0%	100.0%	38.9%	11.1%	27.8%	61.1%	100.0%
Complete	262	163	99	112	374	224	130	94	109	333
	70.1%	43.6%	26.5%	29.9%	100.0%	67.3%	39.0%	28.2%	32.7%	100.0%

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

Offense Type	FY2005-2006 Sentence Dates ¹					FY2006-2007 Sentence Dates ²				
	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Robbery										
Robbery with Weapon										
Attempt	38	27	11	31	69	35	24	11	33	68
	55.1%	39.1%	15.9%	44.9%	100.0%	51.5%	35.3%	16.2%	48.5%	100.0%
Complete	253	129	124	216	469	336	173	163	266	602
	53.9%	27.5%	26.4%	46.1%	100.0%	55.8%	28.7%	27.1%	44.2%	100.0%
Robbery without Weapon										
Attempt	15	11	4	28	43	24	18	6	29	53
	34.9%	25.6%	9.3%	65.1%	100.0%	45.3%	34.0%	11.3%	54.7%	100.0%
Complete	173	124	49	278	451	183	136	47	287	470
	38.4%	27.5%	10.9%	61.6%	100.0%	38.9%	28.9%	10.0%	61.1%	100.0%
Home Invasion, Robbery										
Attempt	5	4	1	5	10	1	1	0	4	5
	50.0%	40.0%	10.0%	50.0%	100.0%	20.0%	20.0%	0.0%	80.0%	100.0%
Complete	27	9	18	33	60	31	13	18	41	72
	45.0%	15.0%	30.0%	55.0%	100.0%	43.1%	18.1%	25.0%	56.9%	100.0%
Violent Personal Offenses										
	2,830	2,275	555	1,416	4,246	2,817	2,244	573	1,460	4,277
	66.7%	53.6%	13.1%	33.3%	100.0%	65.9%	52.5%	13.4%	34.1%	100.0%
Burglary										
	2,005	1,449	556	1,330	3,335	2,172	1,556	616	1,378	3,550
	60.1%	43.4%	16.7%	39.9%	100.0%	61.2%	43.8%	17.4%	38.8%	100.0%
Property Theft/Fraud/Damage										
	978	709	269	850	1,828	1,013	674	339	909	1,922
	53.5%	38.8%	14.7%	46.5%	100.0%	52.7%	35.1%	17.6%	47.3%	100.0%

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

Offense Type	FY2005-2006 Sentence Dates ¹					FY2006-2007 Sentence Dates ²				
	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Drugs										
Manufacture/Sale/Purchase	1,653 53.9%	1,144 37.3%	509 16.6%	1,411 46.1%	3,064 100.0%	1,765 54.2%	1,170 35.9%	595 18.3%	1,492 45.8%	3,257 100.0%
Drugs, Trafficking	393 47.5%	220 26.6%	173 20.9%	434 52.5%	827 100.0%	397 45.7%	205 23.6%	192 22.1%	472 54.3%	869 100.0%
Drugs, Possession/Other	1,653 67.4%	1,419 57.8%	234 9.5%	801 32.6%	2,454 100.0%	1,921 69.0%	1,620 58.2%	301 10.8%	864 31.0%	2,785 100.0%
Weapons										
	240 45.1%	172 32.3%	68 12.8%	292 54.9%	532 100.0%	292 42.6%	201 29.3%	91 13.3%	393 57.4%	685 100.0%
Other										
	1,167 55.8%	828 39.6%	339 16.2%	923 44.2%	2,090 100.0%	1,490 62.7%	1,042 43.8%	448 18.8%	888 37.3%	2,378 100.0%
Total	11,873	8,773	3,100	8,402	20,275	12,919	9,305	3,614	8,889	21,808

* 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.

¹ Offense dates on or after October 1, 2004.

² Offense dates on or after October 1, 2005.

APPENDICES

**OFFENSE SEVERITY RANKING CHART
AS OF JULY 1, 2007**

Florida Statute	Felony Degree	Description
		(a) LEVEL 1
24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.
212.054(2)(b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
212.15(2)(b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
316.1935(1)	3rd	Fleeing or attempting to elude law enforcement officer.
319.30(5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
319.35(1)(a)	3rd	Tamper, adjust, change, etc., an odometer.
320.26(1)(a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
322.212(1)(a)-(c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver's license; possession of simulated identification.
322.212(4)	3rd	Supply or aid in supplying unauthorized driver's license or identification card.
322.212(5)(a)	3rd	False application for driver's license or identification card.
414.39(2)	3rd	Unauthorized use, possession, forgery, or alteration of food stamps, Medicaid ID, value greater than \$200.
414.39(3)(a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
443.071(1)	3rd	False statement or representation to obtain or increase unemployment compensation benefits.
509.151(1)	3rd	Defraud an innkeeper, food or lodging value greater than \$300.
517.302(1)	3rd	Violation of the Florida Securities and Investor Protection Act.
562.27(1)	3rd	Possess still or still apparatus.
713.69	3rd	Tenant removes property upon which lien has accrued, value more than \$50.
812.014(3)(c)	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
812.081(2)	3rd	Unlawfully makes or causes to be made a reproduction of a trade secret.
815.04(4)(a)	3rd	Offense against intellectual property (i.e., computer programs, data).
817.52(2)	3rd	Hiring with intent to defraud, motor vehicle services.
817.569(2)	3rd	Use of public record or public records information to facilitate commission of a felony.

826.01	3rd	Bigamy.
828.122(3)	3rd	Fighting or baiting animals.
831.04(1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28 .
831.31(1)(a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.
832.041(1)	3rd	Stopping payment with intent to defraud \$150 or more.
832.05(2)(b)&(4)(c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
838.15(2)	3rd	Commercial bribe receiving.
838.16	3rd	Commercial bribery.
843.18	3rd	Fleeing by boat to elude a law enforcement officer.
847.011(1)(a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
849.01	3rd	Keeping gambling house.
849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
849.23	3rd	Gambling-related machines; "common offender" as to property rights.
849.25(2)	3rd	Engaging in bookmaking.
860.08	3rd	Interfere with a railroad signal.
860.13(1)(a)	3rd	Operate aircraft while under the influence.
893.13(2)(a)2.	3rd	Purchase of cannabis.
893.13(6)(a)	3rd	Possession of cannabis (more than 20 grams).
934.03(1)(a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
		(b) LEVEL 2
370.12(1)(e)3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
370.12(1)(e)4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
403.413(5)(c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
517.07	3rd	Registration of securities and furnishing of prospectus required.
¹ 590.28(1)	3rd	Willful, malicious, or intentional burning.
784.05(3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
787.04(1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
806.13(1)(b)3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
810.061(2)	3rd	Impairing or impeding telephone or power to a

		dwelling; facilitating or furthering burglary.
810.09(2)(e)	3rd	Trespassing on posted commercial horticulture property.
812.014(2)(c)1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
812.014(2)(d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
812.015(7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
817.234(1)(a)2.	3rd	False statement in support of insurance claim.
817.481(3)(a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
817.52(3)	3rd	Failure to redeliver hired vehicle.
817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
817.60(5)	3rd	Dealing in credit cards of another.
817.60(6)(a)	3rd	Forgery; purchase goods, services with false card.
817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
831.01	3rd	Forgery.
831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
832.05(3)(a)	3rd	Cashing or depositing item with intent to defraud.
843.08	3rd	Falsely impersonating an officer.
893.13(2)(a)2.	3rd	Purchase of any s. 893.03(1)(c) , (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs other than cannabis.
893.147(2)	3rd	Manufacture or delivery of drug paraphernalia.
		(c) LEVEL 3
119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
316.066(6)(b)-(d)	3rd	Unlawfully obtaining or using confidential crash reports.
316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights

		activated.
319.30(4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
319.33(1)(a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
327.35(2)(b)	3rd	Felony BUI.
328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
370.12(1)(e)5.	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.
370.12(1)(e)6.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
² 400.903(3)	3rd	Operating a clinic without a license or filing false license application or other required information.
440.1051(3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
501.001(2)(b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
624.401(4)(a)	3rd	Transacting insurance without a certificate of authority.
624.401(4)(b)1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
626.902(1)(a) & (b)	3rd	Representing an unauthorized insurer.
697.08	3rd	Equity skimming.
790.15(3)	3rd	Person directs another to discharge firearm from a vehicle.
796.05(1)	3rd	Live on earnings of a prostitute.
806.10(1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
806.10(2)	3rd	Interferes with or assaults firefighter in performance of duty.
810.09(2)(c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
812.0145(2)(c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
815.04(4)(b)	2nd	Computer offense devised to defraud or obtain property.

817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
817.233	3rd	Burning to defraud insurer.
817.234(8)(b)-(c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
817.234(11)(a)	3rd	Insurance fraud; property value less than \$20,000.
817.236	3rd	Filing a false motor vehicle insurance application.
817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
817.413(2)	3rd	Sale of used goods as new.
817.505(4)	3rd	Patient brokering.
828.12(2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
831.28(2)(a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
831.29	2nd	Possession of instruments for counterfeiting drivers' licenses or identification cards.
838.021(3)(b)	3rd	Threatens unlawful harm to public servant.
843.19	3rd	Injure, disable, or kill police dog or horse.
860.15(3)	3rd	Overcharging for repairs and parts.
870.01(2)	3rd	Riot; inciting or encouraging.
893.13(1)(a)2.	3rd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c) , (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs).
893.13(1)(d)2.	2nd	Sell, manufacture, or deliver s. 893.03(1)(c) , (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs within 1,000 feet of university.
893.13(1)(f)2.	2nd	Sell, manufacture, or deliver s. 893.03(1)(c) , (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs within 1,000 feet of public housing facility.
893.13(6)(a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
893.13(7)(a)8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
893.13(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
893.13(7)(a)10.	3rd	Affix false or forged label to package of controlled substance.
893.13(7)(a)11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
893.13(8)(a)1.	3rd	Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.

893.13(8)(a)2.	3rd	Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.
893.13(8)(a)3.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
893.13(8)(a)4.	3rd	Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.
918.13(1)(a)	3rd	Alter, destroy, or conceal investigation evidence.
944.47(1)(a)1.-2.	3rd	Introduce contraband to correctional facility.
944.47(1)(c)	2nd	Possess contraband while upon the grounds of a correctional institution.
985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
		(b) LEVEL 4
316.1935(3)(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.
499.0051(1)	3rd	Failure to maintain or deliver pedigree papers.
499.0051(2)	3rd	Failure to authenticate pedigree papers.
499.0051(6)	2nd	Sale or delivery, or possession with intent to sell, contraband legend drugs.
784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, intake officer, etc.
784.074(1)(c)	3rd	Battery of sexually violent predators facility staff.
784.075	3rd	Battery on detention or commitment facility staff.
784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
784.08(2)(c)	3rd	Battery on a person 65 years of age or older.
784.081(3)	3rd	Battery on specified official or employee.
784.082(3)	3rd	Battery by detained person on visitor or other detainee.
784.083(3)	3rd	Battery on code inspector.
784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
787.03(1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
787.04(3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
790.115(2)(b)	3rd	Possessing electric weapon or device, destructive

		device, or other weapon on school property.
790.115(2)(c)	3rd	Possessing firearm on school property.
800.04(7)(d)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
810.02(4)(a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
810.02(4)(b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
810.06	3rd	Burglary; possession of tools.
810.08(2)(c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
812.014(2)(c)4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
812.0195(2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
817.563(1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
817.568(2)(a)	3rd	Fraudulent use of personal identification information.
817.625(2)(a)	3rd	Fraudulent use of scanning device or reencoder.
828.125(1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
837.02(1)	3rd	Perjury in official proceedings.
837.021(1)	3rd	Make contradictory statements in official proceedings.
838.022	3rd	Official misconduct.
839.13(2)(a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
839.13(2)(c)	3rd	Falsifying records of the Department of Children and Family Services.
843.021	3rd	Possession of a concealed handcuff key by a person in custody.
843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreatment or bond jumping).
874.05(1)	3rd	Encouraging or recruiting another to join a criminal street gang.
893.13(2)(a)1.	2nd	Purchase of cocaine (or other s. 893.03(1)(a) , (b), or (d), (2)(a), (2)(b), or (2)(c)4. drugs).
914.14(2)	3rd	Witnesses accepting bribes.
914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
918.12	3rd	Tampering with jurors.
934.215	3rd	Use of two-way communications device to facilitate

commission of a crime.

(e) LEVEL 5

316.027(1)(a)	3rd	Accidents involving personal injuries, failure to stop; leaving scene.
316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
327.30(5)	3rd	Vessel accidents involving personal injury; leaving scene.
381.0041(11)(b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
440.10(1)(g)	2nd	Failure to obtain workers' compensation coverage.
440.105(5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
440.381(2)	2nd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
624.401(4)(b)2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
626.902(1)(c)	2nd	Representing an unauthorized insurer; repeat offender.
790.01(2)	3rd	Carrying a concealed firearm.
790.162	2nd	Threat to throw or discharge destructive device.
790.163(1)	2nd	False report of deadly explosive or weapon of mass destruction.
790.221(1)	2nd	Possession of short-barreled shotgun or machine gun.
790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
800.04(6)(c)	3rd	Lewd or lascivious conduct; offender less than 18 years.
800.04(7)(c)	2nd	Lewd or lascivious exhibition; offender 18 years or older.
806.111(1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
812.0145(2)(b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
812.015(8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
812.019(1)	2nd	Stolen property; dealing in or trafficking in.
812.131(2)(b)	3rd	Robbery by sudden snatching.
812.16(2)	3rd	Owning, operating, or conducting a chop shop.
817.034(4)(a)2.	2nd	Communications fraud, value \$20,000 to \$50,000.
817.234(11)(b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.

817.2341(1),(2)(a)&(3)(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.
817.568(2)(b)	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.
817.625(2)(b)	2nd	Second or subsequent fraudulent use of scanning device or reencoder.
825.1025(4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
827.071(4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.
827.071(5)	3rd	Possess any photographic material, motion picture, etc., which includes sexual conduct by a child.
839.13(2)(b)	2nd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.
843.01	3rd	Resist officer with violence to person; resist arrest with violence.
847.0137(2)&(3)	3rd	Transmission of pornography by electronic device or equipment.
847.0138(2)&(3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
874.05(2)	2nd	Encouraging or recruiting another to join a criminal street gang; second or subsequent offense.
893.13(1)(a)1.	2nd	Sell, manufacture, or deliver cocaine (or other s. 893.03 (1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
893.13(1)(c)2.	2nd	Sell, manufacture, or deliver cannabis (or other s. 893.03 (1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
893.13(1)(d)1.	1st	Sell, manufacture, or deliver cocaine (or other s. 893.03 (1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs) within 1,000 feet of university.
893.13(1)(e)2.	2nd	Sell, manufacture, or deliver cannabis or other drug prohibited under s. 893.03 (1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) within 1,000 feet of property used for religious services or a specified business site.
893.13(1)(f)1.	1st	Sell, manufacture, or deliver cocaine (or other s. 893.03 (1)(a), (1)(b), (1)(d), or (2)(a), (2)(b), or (2)(c)4. drugs) within 1,000 feet of public housing

		facility.
893.13(4)(b)	2nd	Deliver to minor cannabis (or other s. 893.03(1)(c) , (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs).
		(f) LEVEL 6
316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
499.0051(3)	2nd	Forgery of pedigree papers.
499.0051(4)	2nd	Purchase or receipt of legend drug from unauthorized person.
499.0051(5)	2nd	Sale of legend drug to unauthorized person.
775.0875(1)	3rd	Taking firearm from law enforcement officer.
784.021(1)(a)	3rd	Aggravated assault; deadly weapon without intent to kill.
784.021(1)(b)	3rd	Aggravated assault; intent to commit felony.
784.041	3rd	Felony battery; domestic battery by strangulation.
784.048(3)	3rd	Aggravated stalking; credible threat.
784.048(5)	3rd	Aggravated stalking of person under 16.
784.07(2)(c)	2nd	Aggravated assault on law enforcement officer.
784.074(1)(b)	2nd	Aggravated assault on sexually violent predators facility staff.
784.08(2)(b)	2nd	Aggravated assault on a person 65 years of age or older.
784.081(2)	2nd	Aggravated assault on specified official or employee.
784.082(2)	2nd	Aggravated assault by detained person on visitor or other detainee.
784.083(2)	2nd	Aggravated assault on code inspector.
787.02(2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01 .
790.115(2)(d)	2nd	Discharging firearm or weapon on school property.
790.161(2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
790.164(1)	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.
790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
794.011(8)(a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
794.05(1)	2nd	Unlawful sexual activity with specified minor.
800.04(5)(d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender less than 18 years.
800.04(6)(b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
806.031(2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
810.02(3)(c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.

812.014(2)(b)1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
812.014(6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
812.015(9)(a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
812.015(9)(b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.
812.13(2)(c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
817.034(4)(a)1.	1st	Communications fraud, value greater than \$50,000.
817.4821(5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
825.102(1)	3rd	Abuse of an elderly person or disabled adult.
825.102(3)(c)	3rd	Neglect of an elderly person or disabled adult.
825.1025(3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
825.103(2)(c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.
827.03(1)	3rd	Abuse of a child.
827.03(3)(c)	3rd	Neglect of a child.
827.071(2)&(3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
836.05	2nd	Threats; extortion.
836.10	2nd	Written threats to kill or do bodily injury.
843.12	3rd	Aids or assists person to escape.
847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
944.35(3)(a)2.	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.
944.40	2nd	Escapes.
944.46	3rd	Harboring, concealing, aiding escaped prisoners.
944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
951.22(1)	3rd	Intoxicating drug, firearm, or weapon introduced into county facility.
		(g) LEVEL 7
316.027(1)(b)	1st	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
316.1935(3)(b)	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.

327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.
402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfigurement, permanent disability, or death.
409.920(2)	3rd	Medicaid provider fraud.
456.065(2)	3rd	Practicing a health care profession without a license.
456.065(2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
458.327(1)	3rd	Practicing medicine without a license.
459.013(1)	3rd	Practicing osteopathic medicine without a license.
460.411(1)	3rd	Practicing chiropractic medicine without a license.
461.012(1)	3rd	Practicing podiatric medicine without a license.
462.17	3rd	Practicing naturopathy without a license.
463.015(1)	3rd	Practicing optometry without a license.
464.016(1)	3rd	Practicing nursing without a license.
465.015(2)	3rd	Practicing pharmacy without a license.
466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
467.201	3rd	Practicing midwifery without a license.
468.366	3rd	Delivering respiratory care services without a license.
483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
483.901(9)	3rd	Practicing medical physics without a license.
484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
484.053	3rd	Dispensing hearing aids without a license.
494.0018(2)	1st	Conviction of any violation of ss. 494.001 -494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
560.123(8)(b)1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.
560.125(5)(a)	3rd	Money transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
775.21(10)(a)	3rd	Sexual predator; failure to register; failure to renew driver's license or identification card; other registration violations.
775.21(10)(b)	3rd	Sexual predator working where children regularly congregate.
775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).

782.071	2nd	Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).
782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
784.045(1)(a)2.	2nd	Aggravated battery; using deadly weapon.
784.045(1)(b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
784.048(4)	3rd	Aggravated stalking; violation of injunction or court order.
784.048(7)	3rd	Aggravated stalking; violation of court order.
784.07(2)(d)	1st	Aggravated battery on law enforcement officer.
784.074(1)(a)	1st	Aggravated battery on sexually violent predators facility staff.
784.08(2)(a)	1st	Aggravated battery on a person 65 years of age or older.
784.081(1)	1st	Aggravated battery on specified official or employee.
784.082(1)	1st	Aggravated battery by detained person on visitor or other detainee.
784.083(1)	1st	Aggravated battery on code inspector.
790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
790.16(1)	1st	Discharge of a machine gun under specified circumstances.
790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
794.08(4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
796.03	2nd	Procuring any person under 16 years for prostitution.
800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
800.04(5)(c)2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender 18 years or older.
806.01(2)	2nd	Maliciously damage structure by fire or explosive.
810.02(3)(a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
810.02(3)(b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
810.02(3)(d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.

810.02(3)(e)	2nd	Burglary of authorized emergency vehicle.
812.014(2)(a)1.	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.
812.014(2)(b)2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
812.014(2)(b)3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
812.014(2)(b)4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
812.0145(2)(a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
812.131(2)(a)	2nd	Robbery by sudden snatching.
812.133(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
817.234(8)(a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
817.234(9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
817.234(11)(c)	1st	Insurance fraud; property value \$100,000 or more.
817.2341(2)(b)&(3)(b)	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.
825.102(3)(b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
825.103(2)(b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$20,000 or more, but less than \$100,000.
827.03(3)(b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
827.04(3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
837.05(2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
838.015	2nd	Bribery.
838.016	2nd	Unlawful compensation or reward for official behavior.
838.021(3)(a)	2nd	Unlawful harm to a public servant.
838.22	2nd	Bid tampering.
847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
847.0135(4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
872.06	2nd	Abuse of a dead human body.
893.13(1)(c)1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1)(a) , (1)(b) , (1)(d) , (2)(a) , (2)(b) , or (2)(c)4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or

		publicly owned recreational facility or community center.
893.13(1)(e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a) , (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4., within 1,000 feet of property used for religious services or a specified business site.
893.13(4)(a)	1st	Deliver to minor cocaine (or other s. 893.03(1)(a) , (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
893.135(1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
893.135(1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
893.135(1)(d)1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
893.135(1)(e)1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
893.135(1)(f)1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
893.135(1)(g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
893.135(1)(h)1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
893.135(1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
893.135(1)(k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
896.101(5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
943.0435(4)(c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
943.0435(8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
943.0435(9)(a)	3rd	Sexual offender; failure to comply with reporting requirements.
943.0435(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
944.607(13)	3rd	Sexual offender; failure to report and reregister; failure

		to respond to address verification.
985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
		(h) LEVEL 8
316.193(3)(c)3.a.	2nd	DUI manslaughter.
316.1935(4)(b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
327.35(3)(c)3.	2nd	Vessel BUI manslaughter.
499.0051(7)	1st	Forgery of prescription or legend drug labels.
499.0052	1st	Trafficking in contraband legend drugs.
560.123(8)(b)2.	2nd	Failure to report currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000 by money transmitter.
560.125(5)(b)	2nd	Money transmitter business by unauthorized person, currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000.
655.50(10)(b)2.	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
777.03(2)(a)	1st	Accessory after the fact, capital felony.
782.04(4)	2nd	Killing of human without design when engaged in act or attempt of any felony other than arson, sexual battery, robbery, burglary, kidnapping, aircraft piracy, or unlawfully discharging bomb.
782.051(2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04(3) .
782.071(1)(b)	1st	Committing vehicular homicide and failing to render aid or give information.
782.072(2)	1st	Committing vessel homicide and failing to render aid or give information.
790.161(3)	1st	Discharging a destructive device which results in bodily harm or property damage.
794.011(5)	2nd	Sexual battery, victim 12 years or over, offender does not use physical force likely to cause serious injury.
794.08(3)	2nd	Female genital mutilation, removal of a victim younger than 18 years of age from this state.
800.04(4)	2nd	Lewd or lascivious battery.
806.01(1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
810.02(2)(a)	1st,PBL	Burglary with assault or battery.
810.02(2)(b)	1st,PBL	Burglary; armed with explosives or dangerous weapon.
810.02(2)(c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.

812.014(2)(a)2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
812.13(2)(b)	1st	Robbery with a weapon.
812.135(2)(c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
817.568(6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
825.102(2)	2nd	Aggravated abuse of an elderly person or disabled adult.
825.1025(2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
825.103(2)(a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$100,000 or more.
837.02(2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
837.021(2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
860.121(2)(c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
860.16	1st	Aircraft piracy.
893.13(1)(b)	1st	Sell or deliver in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
893.13(2)(b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
893.13(6)(c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
893.135(1)(a)2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
893.135(1)(b)1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
893.135(1)(c)1.b.	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
893.135(1)(d)1.b.	1st	Trafficking in phencyclidine, more than 200 grams, less than 400 grams.
893.135(1)(e)1.b.	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
893.135(1)(f)1.b.	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
893.135(1)(g)1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
893.135(1)(h)1.b.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
893.135(1)(j)1.b.	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
893.135(1)(k)2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
895.03(1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
895.03(2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.

895.03(3)	1st	Conduct or participate in any enterprise through pattern of racketeering activity.
896.101(5)(b)	2nd	Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.
896.104(4)(a)2.	2nd	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$20,000 but less than \$100,000.
		(i) LEVEL 9
316.193(3)(c)3.b.	1st	DUI manslaughter; failing to render aid or give information.
327.35(3)(c)3.b.	1st	BUI manslaughter; failing to render aid or give information.
499.00535	1st	Sale or purchase of contraband legend drugs resulting in great bodily harm.
560.123(8)(b)3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
560.125(5)(c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
655.50(10)(b)3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
775.0844	1st	Aggravated white collar crime.
782.04(1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
782.04(3)	1st,PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, and other specified felonies.
782.051(1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3) .
782.07(2)	1st	Aggravated manslaughter of an elderly person or disabled adult.
787.01(1)(a)1.	1st,PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
787.01(1)(a)2.	1st,PBL	Kidnapping with intent to commit or facilitate commission of any felony.
787.01(1)(a)4.	1st,PBL	Kidnapping with intent to interfere with performance of any governmental or political function.
787.02(3)(a)	1st	False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
790.161	1st	Attempted capital destructive device offense.
790.166(2)	1st,PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
794.011(2)	1st	Attempted sexual battery; victim less than 12 years of age.
794.011(2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
794.011(4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
794.011(8)(b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.

794.08(2)	1st	Female genital mutilation; victim younger than 18 years of age.
800.04(5)(b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
812.13(2)(a)	1st,PBL	Robbery with firearm or other deadly weapon.
812.133(2)(a)	1st,PBL	Carjacking; firearm or other deadly weapon.
812.135(2)(b)	1st	Home-invasion robbery with weapon.
817.568(7)	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.
827.03(2)	1st	Aggravated child abuse.
847.0145(1)	1st	Selling, or otherwise transferring custody or control, of a minor.
847.0145(2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
859.01	1st	Poisoning or introducing bacteria, radioactive materials, viruses, or chemical compounds into food, drink, medicine, or water with intent to kill or injure another person.
893.135	1st	Attempted capital trafficking offense.
893.135(1)(a)3.	1st	Trafficking in cannabis, more than 10,000 lbs.
893.135(1)(b)1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
893.135(1)(c)1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
893.135(1)(d)1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
893.135(1)(e)1.c.	1st	Trafficking in methaqualone, more than 25 kilograms.
893.135(1)(f)1.c.	1st	Trafficking in amphetamine, more than 200 grams.
893.135(1)(h)1.c.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.
893.135(1)(j)1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
893.135(1)(k)2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.
896.101(5)(c)	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
896.104(4)(a)3.	1st	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.
		(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 <input type="checkbox"/>				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 <input type="checkbox"/>						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: _____

V. Legal Status violation = 4 Points

V. _____

VI. Community Sanction violation before the court for sentencing

VI. _____

- 6 points x each successive violation OR
- New felony conviction = 12 points x each successive violation OR
- 12 points x each successive violation for a violent felony offender of special concern OR
- New felony conviction = 24 points x each successive violation for a violent felony offender of special concern

VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 Points

VII. _____

VIII. Prior Serious Felony - 30 Points

VIII. _____

Subtotal Sentence Points _____

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

Law Enforcement Protection

Drug Trafficking

Grand Theft Motor Vehicle

Street Gang

Domestic Violence

(offenses committed on or after 10-1-97)

____ x 1.5 ____ x 2.0 ____ x 2.5

____ x 1.5

____ x 1.5

____ x 1.5

____ x 1.5

Enhanced Subtotal Sentence Points

IX. _____

TOTAL SENTENCE POINTS

SENTENCE COMPUTATION

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

If total sentence points are greater than 44:

_____ minus 28 = _____ x .75 = _____

total sentence points lowest permissible prison sentence in months

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

maximum sentence
in years

TOTAL SENTENCE IMPOSED

Years Months Days

- | | | | | |
|--|--------------------------------------|-------|-------|-------|
| <input type="checkbox"/> State Prison | <input type="checkbox"/> Life | _____ | _____ | _____ |
| <input type="checkbox"/> County Jail | <input type="checkbox"/> Time Served | _____ | _____ | _____ |
| <input type="checkbox"/> Community Control | | _____ | _____ | _____ |
| <input type="checkbox"/> Probation | | _____ | _____ | _____ |

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

Mitigated Departure Plea Bargain

Other Reason _____

JUDGE'S SIGNATURE	
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RULE 3.992(b) SUPPLEMENTAL CRIMINAL PUNISHMENT CODE SCORESHEET

NAME (LAST, FIRST, MI.)	DOCKET #	DATE OF SENTENCE
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II. ADDITIONAL OFFENSES(S):

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 _____							
_____ / _____ / _____	_____ / _____ / _____	_____ / _____ / _____	_____	<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 _____	_____ = _____	

(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.

Effective Date: For offenses committed under the Criminal Punishment Code effective for offenses committed on or after October 1, 1998 and subsequent revisions.

For additional copies or more information contact:

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