

# 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 2006-2007 and FY 2007-2008.**

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 131,019 Criminal Punishment Code scoresheets with sentence dates in FY2007-2008 received by the Florida Department of Corrections through September 1, 2008, for felony offenses committed on or after October 1, 1998. It also compares 100,945 Criminal Punishment Code scoresheets received by the Florida Department of Corrections through September 1, 2008, for felony offenses committed on or after October 1, 2006 and sentence dates in Fiscal Year 2007-2008 with 96,773 Criminal Punishment Code scoresheets with offense dates on or after October 1, 2005 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 2006-2007 to those received in FY 2007-2008.**

**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 Jefferson County with sentence dates during FY2006-07.**

**No scoresheets were received from Jefferson and Walton Counties with sentence dates during FY2007-08.**



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

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

### **The Criminal Punishment Code**

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 The guidelines are repealed for all offenses committed on or after October 1, 1998 but remain in effect for offenses committed prior to this date.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

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

Under the Code, the maximum sentence for any felony offense is determined by the statutory maximums as provided in Florida Statute (F.S) 775.082.

<u>Felony Degree</u>	<u>Years in Prison</u>
Life Felony	Up to Life
1 <sup>st</sup>	Up to 30
2 <sup>nd</sup>	Up to 15
3 <sup>rd</sup>	Up to 5

- This has two effects that are divergent from the preceding guidelines. First, all felony offenders have the potential to receive a prison sentence, whereas many under the guidelines were by policy excluded from such a possibility. Second, the maximums of F. S. 775.082 usually will provide for far greater sentence lengths than were permissible under the guidelines.
- Another significant change is the determination when a prison sentence becomes mandatory under the new sentencing policy. The basic structure of the sentencing policy has not changed with respect to point determinations. Sentencing point thresholds for sentence calculations have, however, undergone significant revisions.
  1. If total points are equal to or less than 44, the lowest permissible sentence is a non-state prison sanction. (However, state prison up to the statutory maximum can be imposed.)
  2. If total points exceed 44, the minimum sentence is established by taking the total point value subtracting 28 and decreasing the remaining value by 25%. This end result value is the lowest permissible prison sentence in months.

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

### Department of Corrections Responsibilities

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

- Develop the scoresheet and any revisions of the scoresheet for approval by the Supreme Court and supply Sentencing Guidelines and Criminal Punishment Code scoresheets to the appropriate criminal justice entities in the state;
- Prior to July 1, 2001, the Department had a coequal responsibility to prepare scoresheets with the state attorneys. However, the Department of Corrections continued to complete scoresheets which had been ordered by the courts prior to July 1, 2001. In addition there were transitional issues involved in transferring this responsibility to the state attorneys. This resulted in 9.7% of scoresheets received during FY2001-02 having been prepared by the Department of Corrections;
- Assist the Criminal Justice Estimating Conference in estimating correctional impact of proposed changes to the code;
- Provide the legislature by October 1 of each year a report detailing the rate of compliance of each judicial circuit in providing scoresheets to the department; and,
- Provide the legislature an annual report detailing trends in sentencing and an analysis thereof by October 1 of each year.

### **The SAGES (Sentencing Analysis and Guidelines Entry Systems) database**

The department developed a database in 1994 to be used as a mechanism to allow for the storage of completed scoresheets and allow for more accurate, legible and efficient scoresheet preparation.

**This report is derived primarily from the information on sentencing scoresheets received by the department from the clerks of the courts and entered into SAGES.**

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

- The information is compiled from a database containing sentencing scoresheets received by the Department of Corrections for offenses with dates of commission on or after January 1, 1994. The information is based on the scoresheets in the database with dates of sentence in Fiscal Year 2007-2008 and offenses on or after October 1, 1998, entered as of September 1, 2008.
- 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 69.4% for Fiscal Year 2007-2008.
- **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**

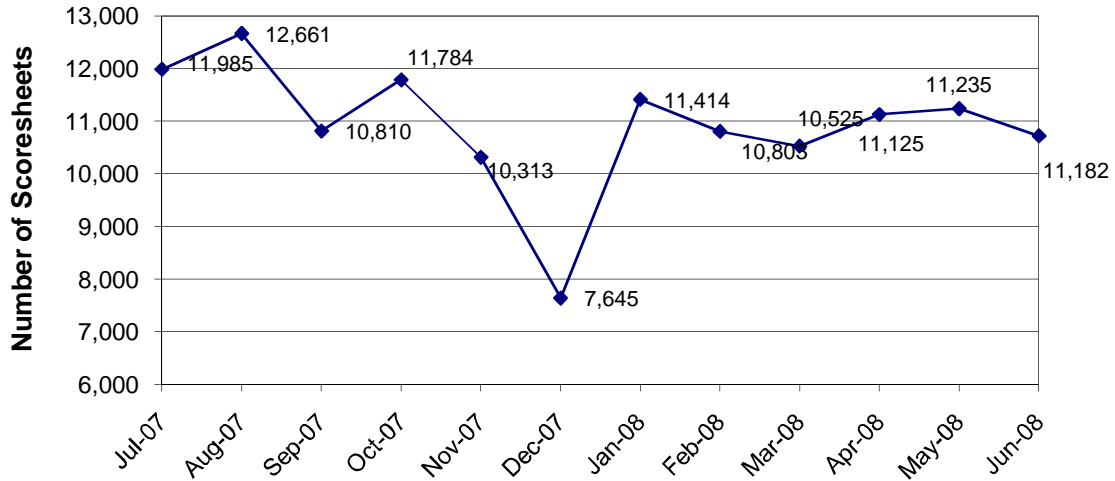
**FACT:** *There were 131,478 Punishment Code scoresheets with offense dates on or after October 1, 1998 with sentencing dates during FY2007-08 entered into the sentencing scoresheet database, as of September 1, 2008.*

### **FINDINGS:**

- The number of Code scoresheets received by month of sentence fluctuated from a high of 12,661 to a low of 7,645 from July 1, 2007 to June 30, 2008 (Figure 1).
- For the time period July 2007 through June 2008, Code scoresheets represent ninety-nine percent (99.7%) 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 (28.7%) of the offenders sentenced under the Code were considered “youthful offenders” at the time of sentencing (Table 3). Of the 3,170 true juveniles (under 18 at the time of their offense) transferred to adult court under the Code, 1,073 (33.8%) of the offenders were age sixteen or younger (Table 4).
- There were 1,247 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 1,247 violent juvenile offenders, 644 (51.6%) 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 (79.9%) of all scoresheets were for male offenders (Table 6), and 58.2% 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 2007-2008  
 Criminal Punishment Code**

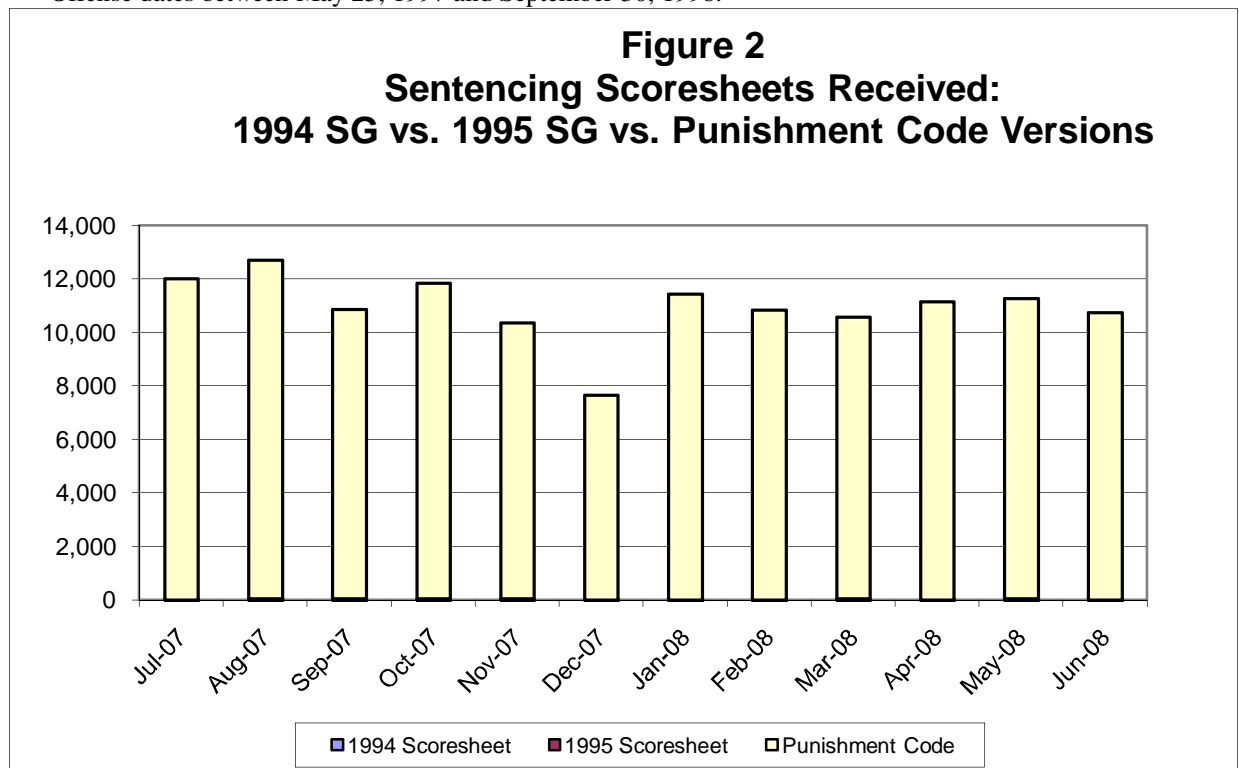
Circuit of Sentence	Total	
	Number	Percent
01 (Pensacola)	4,596	3.5%
02 (Tallahassee)	2,443	1.9%
03 (Lake City)	1,914	1.5%
04 (Jacksonville)	6,915	5.3%
05 (Tavares)	7,881	6.0%
06 (Clearwater)	17,468	13.3%
07 (Daytona Beach)	5,580	4.3%
08 (Gainesville)	1,563	1.2%
09 (Orlando)	12,399	9.5%
10 (Bartow)	6,587	5.0%
11 (Miami)	9,530	7.3%
12 (Sarasota)	4,906	3.7%
13 (Tampa)	10,948	8.4%
14 (Panama City)	2,984	2.3%
15 (West Palm Beach)	5,485	4.2%
16 (Key West)	776	0.6%
17 (Ft. Lauderdale)	9,956	7.6%
18 (Sanford)	4,965	3.8%
19 (Ft. Pierce)	5,765	4.4%
20 (Ft. Myers)	8,358	6.4%
<b>Total</b>	<b>131,019</b>	<b>100.0%</b>

**Table 2**  
**Sentencing Scoresheets Received by Month of Sentence\***  
**Fiscal Year 2007-2008**

Month of Sentence	1994 Sentencing Guidelines Scoresheet		1995 Sentencing Guidelines Scoresheet**		Criminal Punishment Code Scoresheet		Total	
July 2007	7	0.1%	26	0.2%	11,985	99.7%	12,018	9.1%
August 2007	11	0.1%	47	0.4%	12,661	99.5%	12,719	9.7%
September 2007	14	0.1%	31	0.3%	10,810	99.6%	10,855	8.3%
October 2007	21	0.2%	32	0.3%	11,784	99.6%	11,837	9.0%
November 2007	10	0.1%	30	0.3%	10,313	99.6%	10,353	7.9%
December 2007	7	0.1%	17	0.2%	7,645	99.7%	7,669	5.8%
January 2008	8	0.1%	24	0.2%	11,414	99.7%	11,446	8.7%
February 2008	5	0.0%	29	0.3%	10,803	99.7%	10,837	8.2%
March 2008	4	0.0%	38	0.4%	10,525	99.6%	10,567	8.0%
April 2008	5	0.0%	22	0.2%	11,125	99.8%	11,152	8.5%
May 2008	9	0.1%	31	0.3%	11,235	99.6%	11,275	8.6%
June 2008	5	0.0%	26	0.2%	10,719	99.7%	10,750	8.2%
<b>Total</b>	<b>106</b>	<b>0.1%</b>	<b>353</b>	<b>0.3%</b>	<b>131,019</b>	<b>99.7%</b>	<b>131,478</b>	<b>100.0%</b>

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

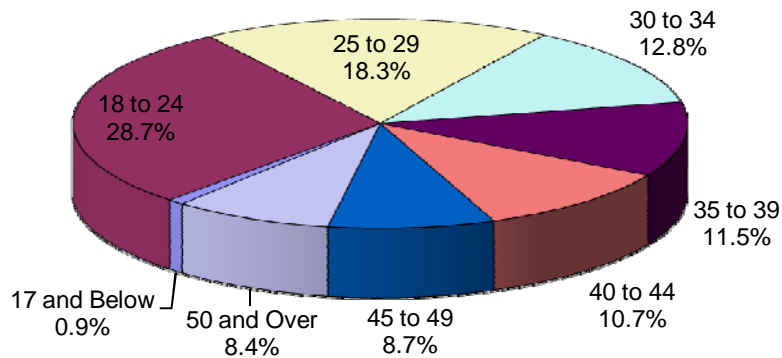
\*\* Offense dates between May 25, 1997 and September 30, 1998.



**Table 3**  
**Age at Sentencing**  
**Criminal Punishment Code**  
**Fiscal Year 2007-2008**

Age	Number	Percent
17 and Below	1,134	0.9%
18 to 24	37,547	28.7%
25 to 29	23,990	18.3%
30 to 34	16,745	12.8%
35 to 39	15,074	11.5%
40 to 44	14,071	10.7%
45 to 49	11,454	8.7%
50 and Over	10,991	8.4%
Unknown	13	
<b>Total</b>	<b>131,019</b>	<b>100.0%</b>

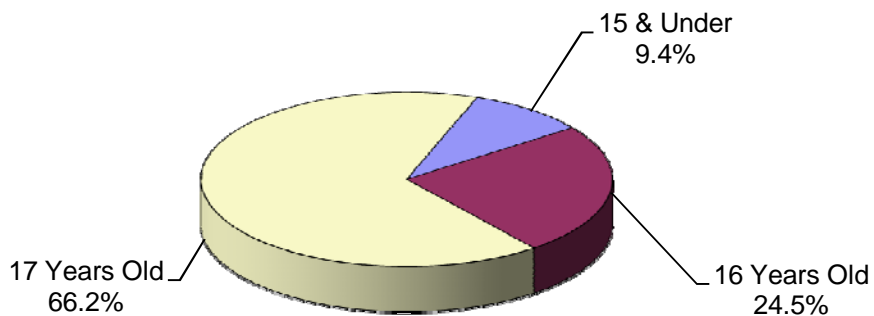
**Figure 3**  
**Age at Sentencing Distribution**  
**Criminal Punishment Code**



**Table 4**  
**Age at Offense for Offenders Under 18**  
**Criminal Punishment Code**  
**Fiscal Year 2007-2008**

Primary Offense	15 & Under	16 Years Old	17 Years Old	Total
Murder/Manslaughter	13 4.4%	28 3.6%	41 2.0%	<b>82</b> <b>2.6%</b>
Sexual Offenses	13 4.4%	26 3.4%	40 1.9%	<b>79</b> <b>2.5%</b>
Robbery	91 30.6%	167 21.5%	306 14.6%	<b>564</b> <b>17.8%</b>
Violent Personal Offenses	65 21.9%	125 16.1%	332 15.8%	<b>522</b> <b>16.5%</b>
Burglary	50 16.8%	195 25.1%	538 25.7%	<b>783</b> <b>24.7%</b>
Theft, Forgery, Fraud	26 8.8%	70 9.0%	230 11.0%	<b>326</b> <b>10.3%</b>
Drugs	17 5.7%	93 12.0%	403 19.2%	<b>513</b> <b>16.2%</b>
Weapons	8 2.7%	43 5.5%	116 5.5%	<b>167</b> <b>5.3%</b>
Other Offenses	14 4.7%	29 3.7%	91 4.3%	<b>134</b> <b>4.2%</b>
<b>Total</b>	<b>297</b> <b>100.0%</b>	<b>776</b> <b>100.0%</b>	<b>2,097</b> <b>100.0%</b>	<b>3,170</b> <b>100.0%</b>

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

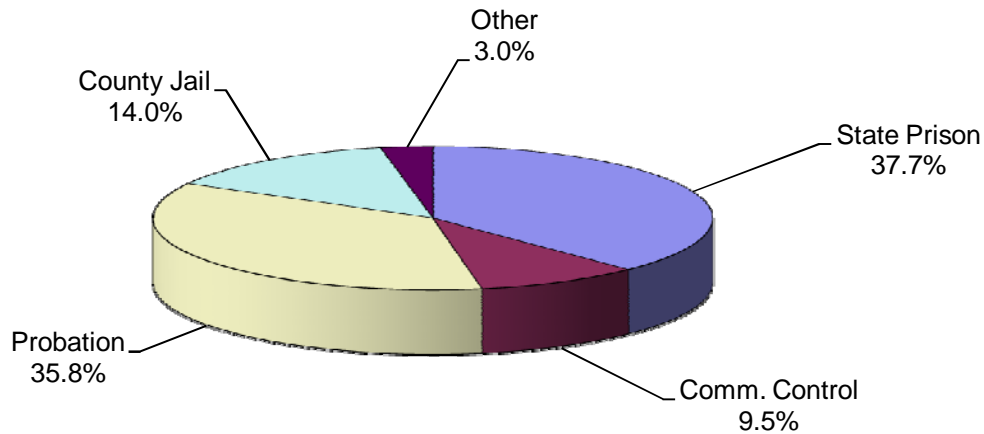


**Table 5**  
**Sanction Imposed by Primary Offense For All 11 - 17 Year Olds**  
**Criminal Punishment Code**  
**Fiscal Year 2007-2008**

Primary Offense	State Prison	Comm. Control	Probation	County Jail	Other	Total
Murder/Manslaughter	67 5.6%	7 2.3%	7 0.6%	0 0.0%	1 1.1%	<b>82</b> <b>2.6%</b>
Sexual Offenses	59 4.9%	8 2.7%	11 1.0%	0 0.0%	1 1.1%	<b>79</b> <b>2.5%</b>
Robbery	297 24.8%	78 26.0%	137 12.1%	40 9.0%	12 12.6%	<b>564</b> <b>17.8%</b>
Violent Personal Offenses	221 18.5%	51 17.0%	185 16.3%	46 10.4%	19 20.0%	<b>522</b> <b>16.5%</b>
Burglary	282 23.6%	84 28.0%	302 26.6%	94 21.2%	21 22.1%	<b>783</b> <b>24.7%</b>
Theft, Forgery, Fraud	61 5.1%	19 6.3%	159 14.0%	75 16.9%	12 12.6%	<b>326</b> <b>10.3%</b>
Drugs	120 10.0%	34 11.3%	205 18.1%	131 29.5%	23 24.2%	<b>513</b> <b>16.2%</b>
Weapons	39 3.3%	15 5.0%	77 6.8%	34 7.7%	2 2.1%	<b>167</b> <b>5.3%</b>
Other Offenses	50 4.2%	4 1.3%	52 4.6%	24 5.4%	4 4.2%	<b>134</b> <b>4.2%</b>
<b>Total</b>	<b>1,196</b> <b>100.0%</b>	<b>300</b> <b>100.0%</b>	<b>1,135</b> <b>100.0%</b>	<b>444</b> <b>100.0%</b>	<b>95</b> <b>100.0%</b>	<b>3,170</b> <b>100.0%</b>

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

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



**Table 6**  
**Gender by Judicial Circuit**  
**Criminal Punishment Code**  
**Fiscal Year 2007-2008**

Judicial Circuit	Gender				Total	
	Male		Female			
01 (Pensacola)	3,522	2.7%	1,074	0.8%	4,596	3.5%
02 (Tallahassee)	1,857	1.4%	586	0.4%	2,443	1.9%
03 (Lake City)	1,524	1.2%	390	0.3%	1,914	1.5%
04 (Jacksonville)	5,565	4.2%	1,350	1.0%	6,915	5.3%
05 (Tavares)	6,148	4.7%	1,733	1.3%	7,881	6.0%
06 (Clearwater)	13,158	10.0%	4,310	3.3%	17,468	13.3%
07 (Daytona Beach)	4,526	3.5%	1,054	0.8%	5,580	4.3%
08 (Gainesville)	1,272	1.0%	291	0.2%	1,563	1.2%
09 (Orlando)	10,196	7.8%	2,203	1.7%	12,399	9.5%
10 (Bartow)	5,201	4.0%	1,386	1.1%	6,587	5.0%
11 (Miami)	8,334	6.4%	1,196	0.9%	9,530	7.3%
12 (Sarasota)	3,810	2.9%	1,096	0.8%	4,906	3.7%
13 (Tampa)	8,846	6.8%	2,102	1.6%	10,948	8.4%
14 (Panama City)	2,377	1.8%	607	0.5%	2,984	2.3%
15 (West Palm Beach)	4,502	3.4%	983	0.8%	5,485	4.2%
16 (Key West)	650	0.5%	126	0.1%	776	0.6%
17 (Ft. Lauderdale)	8,192	6.3%	1,764	1.3%	9,956	7.6%
18 (Sanford)	3,870	3.0%	1,095	0.8%	4,965	3.8%
19 (Ft. Pierce)	4,472	3.4%	1,293	1.0%	5,765	4.4%
20 (Ft. Myers)	6,674	5.1%	1,684	1.3%	8,358	6.4%
<b>Total</b>	<b>104,696</b>	<b>79.9%</b>	<b>26,323</b>	<b>20.1%</b>	<b>131,019</b>	<b>100.0%</b>

**Table 7**  
**Race by Judicial Circuit**  
**Criminal Punishment Code**  
**Fiscal Year 2007-2008**

Judicial Circuit	Race						Total	
	Black		White		Other*			
01 (Pensacola)	1,836	1.4%	2,683	2.0%	77	0.1%	4,596	3.5%
02 (Tallahassee)	1,540	1.2%	874	0.7%	29	0.0%	2,443	1.9%
03 (Lake City)	717	0.5%	1,164	0.9%	33	0.0%	1,914	1.5%
04 (Jacksonville)	3,673	2.8%	3,199	2.4%	43	0.0%	6,915	5.3%
05 (Tavares)	2,286	1.7%	5,222	4.0%	373	0.3%	7,881	6.0%
06 (Clearwater)	5,202	4.0%	11,970	9.1%	296	0.2%	17,468	13.3%
07 (Daytona Beach)	1,928	1.5%	3,571	2.7%	81	0.1%	5,580	4.3%
08 (Gainesville)	802	0.6%	745	0.6%	16	0.0%	1,563	1.2%
09 (Orlando)	5,418	4.1%	6,806	5.2%	175	0.1%	12,399	9.5%
10 (Bartow)	2,257	1.7%	4,085	3.1%	245	0.2%	6,587	5.0%
11 (Miami)	5,231	4.0%	4,284	3.3%	15	0.0%	9,530	7.3%
12 (Sarasota)	1,598	1.2%	3,152	2.4%	156	0.1%	4,906	3.7%
13 (Tampa)	4,886	3.7%	5,439	4.2%	623	0.5%	10,948	8.4%
14 (Panama City)	894	0.7%	2,084	1.6%	6	0.0%	2,984	2.3%
15 (W. Palm Beach)	2,568	2.0%	2,897	2.2%	20	0.0%	5,485	4.2%
16 (Key West)	188	0.1%	536	0.4%	52	0.0%	776	0.6%
17 (Ft. Lauderdale)	5,179	4.0%	4,450	3.4%	327	0.2%	9,956	7.6%
18 (Sanford)	1,767	1.3%	3,095	2.4%	103	0.1%	4,965	3.8%
19 (Ft. Pierce)	1,924	1.5%	3,612	2.8%	229	0.2%	5,765	4.4%
20 (Ft. Myers)	1,962	1.5%	6,346	4.8%	50	0.0%	8,358	6.4%
<b>Total</b>	<b>51,856</b>	<b>39.6%</b>	<b>76,214</b>	<b>58.2%</b>	<b>2,949</b>	<b>2.3%</b>	<b>131,019</b>	<b>100.0%</b>

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





## PART II

# OFFENSE TO SENTENCE DATE LAG TIME COMPARISON



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

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

### **FINDINGS:**

- There were 96,773 scoresheets submitted to the Department of Corrections with sentence dates in FY2007-2008 and offense dates on or after October 1, 2006. The number of scoresheets submitted to the Department of Corrections with sentence dates in FY2006-2007 and offense dates on or after October 1, 2005 was 100,945.
- **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 5.9 months for sentencing events in FY2007-2008 (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, 2008, the Department of Corrections had received 1,188,564 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 FY2006-2007 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 9.8 months for sentencing events during FY2006-2007. In FY2007-2008, the average lag time for level 10 offenses was 10.3 months. Also, for murder/manslaughter, the average lag time from offense to sentence is 10.5 months for sentencing dates in FY2006-2007 and 10.7 months for FY2007-2008 (Table 2).
- Drug offenses comprised the largest group of scoresheets received in both FY2006-2007 (39.4%) and FY2007-2008 (36.3%) (Table 3).

- The more violent, serious offenses represented 14.3% of the scoresheets in FY2006-2007 and 14.9% in FY2007-2008 (Figure 1).

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

<b>Offense Severity Level</b>	<b>FY2006-2007 Sentence Dates<sup>1</sup></b>	<b>FY2007-2008 Sentence Dates<sup>2</sup></b>
1	5.2	5.1
2	6.1	6.2
3	5.1	5.3
4	5.7	5.8
5	6.2	6.3
6	6.8	6.8
7	7.5	7.6
8	8.9	8.8
9	9.3	9.3
10	9.8	10.3
<b>Overall Average</b>	<b>5.8</b>	<b>5.9</b>

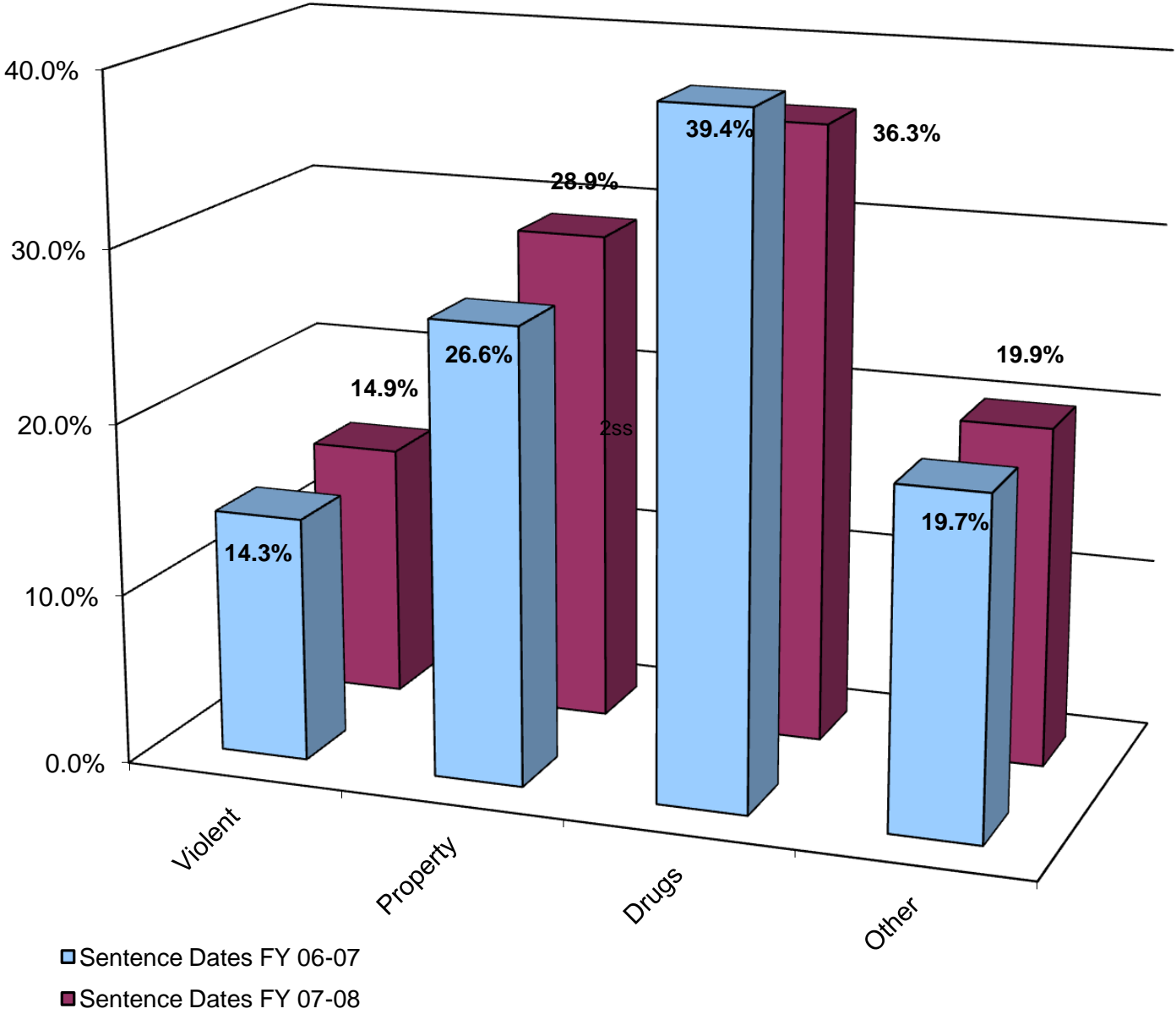
**Table 2**  
**Comparison of Average "Lag" Time from Offense Date to Sentence**  
**Date by Primary Offense, in Months**

<b>Primary Offense</b>	<b>FY2006-2007 Sentence Dates<sup>1</sup></b>	<b>FY2007-2008 Sentence Dates<sup>2</sup></b>
Murder/Manslaughter	10.5	10.7
Sexual/Lewd Behavior	9.6	9.5
Robbery	7.3	7.3
Violent, Other	6.6	6.6
Burglary	6.1	6.2
Property Theft/Fraud/Damage	6.3	6.2
Drugs	5.3	5.6
Weapons	6.1	6.1
Other	5.3	5.2
<b>Overall Average</b>	<b>5.8</b>	<b>5.9</b>

<sup>1</sup> Offense dates on or after October 1, 2005.

<sup>2</sup> Offense dates on or after October 1, 2006.

**Figure 1**  
**Distribution of Offense Group**  
**Sentence Dates in FY2006-2007 vs. FY2007-2008**



**Table 3**  
**Distribution of Offense**  
**Sentence Dates in FY2006-2007 vs. FY2007-2008**

Primary Offense	FY2006-2007 Sentence Dates <sup>1</sup>	FY2007-2008 Sentence Dates <sup>2</sup>
Murder/Manslaughter	273 0.3%	281 0.3%
Sexual Offenses	640 0.6%	620 0.6%
Robbery	2,015 2.0%	2,473 2.6%
Violent Personal Offenses	10,984 10.9%	10,607 11.0%
Burglary	8,525 8.4%	9,306 9.6%
Theft/Forgery/Fraud	18,494 18.3%	18,902 19.5%
Drugs	39,761 39.4%	35,097 36.3%
Weapons	2,555 2.5%	2,544 2.6%
Other	17,698 17.5%	16,943 17.5%
<b>Total</b>	<b>100,945</b> <b>100.0%</b>	<b>96,773</b> <b>100.0%</b>

<sup>1</sup> Offense dates on or after October 1, 2005.

<sup>2</sup> Offense dates on or after October 1, 2006.

**Table 4  
Distribution of Offense**

<b>Primary Offense</b>	<b>FY2006-2007 Sentence Dates<sup>1</sup></b>		<b>FY2007-2008 Sentence Dates<sup>2</sup></b>	
<b>Murder/Manslaughter</b>	<b>273</b>	<b>0.3%</b>	<b>281</b>	<b>0.3%</b>
1st Degree Murder	70	0.1%	77	0.1%
2nd Degree Murder	114	0.1%	111	0.1%
3rd Degree Murder	1	0.0%	3	0.0%
Homicide, Other	2	0.0%	2	0.0%
Manslaughter	38	0.0%	37	0.0%
DUI Manslaughter	48	0.0%	51	0.1%
<b>Sexual Offenses</b>	<b>640</b>	<b>0.6%</b>	<b>620</b>	<b>0.6%</b>
Capital Sexual Battery	29	0.0%	25	0.0%
Life Sexual Battery	20	0.0%	24	0.0%
1st Degree Sexual Battery	39	0.0%	30	0.0%
2nd Degree Sexual Battery	108	0.1%	98	0.1%
Sexual Assault, Other	7	0.0%	2	0.0%
Lewd/Lascivious Behavior	437	0.4%	441	0.5%
<b>Robbery</b>	<b>2,015</b>	<b>2.0%</b>	<b>2,473</b>	<b>2.6%</b>
Robbery with Weapon	689	0.7%	925	1.0%
Robbery without Weapon	1,248	1.2%	1,470	1.5%
Home Invasion, Robbery	78	0.1%	78	0.1%
<b>Violent Personal Offenses</b>	<b>10,984</b>	<b>10.9%</b>	<b>10,607</b>	<b>11.0%</b>
Home Invasion, Other	1	0.0%	0	0.0%
Carjacking	128	0.1%	114	0.1%
Aggravated Assault	1,692	1.7%	1,590	1.6%
Aggravated Battery	1,183	1.2%	1,202	1.2%
Assault/Battery on L.E.O.	1,375	1.4%	1,415	1.5%
Assault/Battery, Other	623	0.6%	541	0.6%
Aggravated Stalking	200	0.2%	218	0.2%
Resisting Arrest with Violence	1,738	1.7%	1,608	1.7%
Kidnapping	364	0.4%	346	0.4%
Arson	167	0.2%	193	0.2%
Abuse of Children	1,060	1.1%	1,018	1.1%
Violent, Other	1,910	1.9%	1,847	1.9%
Leaving Accident, Injury/Death	445	0.4%	425	0.4%
DUI, Injury	98	0.1%	90	0.1%
<b>Burglary</b>	<b>8,525</b>	<b>8.4%</b>	<b>9,306</b>	<b>9.6%</b>
Burglary, Structure	5,159	5.1%	5,601	5.8%
Burglary, Dwelling	2,293	2.3%	2,521	2.6%
Burglary, Armed	188	0.2%	245	0.3%
Burglary with Assault	183	0.2%	187	0.2%
Burglary/Trespass, Other	702	0.7%	752	0.8%



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

<b>Primary Offense</b>	<b>FY2006-2007 Sentence Dates<sup>1</sup></b>		<b>FY2007-2008 Sentence Dates<sup>2</sup></b>	
<b>Theft/Forgery/Fraud</b>	<b>18,494</b>	<b>18.3%</b>	<b>18,902</b>	<b>19.5%</b>
Grand Theft, Other	7,274	7.2%	7,392	7.6%
Grand Theft, Automobile	2,483	2.5%	2,204	2.3%
Stolen Property	2,134	2.1%	2,312	2.4%
Forgery/Counterfeiting	2,986	3.0%	3,060	3.2%
Worthless Checks	388	0.4%	321	0.3%
Fraudulent Practices	1,909	1.9%	2,083	2.2%
Theft/Property Damage, Other	1,320	1.3%	1,530	1.6%
<b>Drugs</b>	<b>39,761</b>	<b>39.4%</b>	<b>35,097</b>	<b>36.3%</b>
Drugs, Manufacture/Sale/Purchase	11,087	11.0%	9,871	10.2%
Drugs, Trafficking	927	0.9%	1,107	1.1%
Drugs, Possession/Other	27,747	27.5%	24,119	24.9%
<b>Weapons</b>	<b>2,555</b>	<b>2.5%</b>	<b>2,544</b>	<b>2.6%</b>
Weapons, Discharging	309	0.3%	236	0.2%
Weapons, Possession	2,244	2.2%	2,304	2.4%
Weapons, Other	2	0.0%	4	0.0%
<b>Other</b>	<b>17,698</b>	<b>17.5%</b>	<b>16,943</b>	<b>17.5%</b>
Escape	2,951	2.9%	2,750	2.8%
DUI, No Injury	1,019	1.0%	968	1.0%
Traffic, Other	10,408	10.3%	9,867	10.2%
Racketeering	26	0.0%	24	0.0%
Pollution/Hazardous Materials	117	0.1%	60	0.1%
Criminal Justice System	2,715	2.7%	2,655	2.7%
Other	462	0.5%	619	0.6%
<b>Total</b>	<b>100,945</b>	<b>100.0%</b>	<b>96,773</b>	<b>100.0%</b>

<sup>1</sup> Offense dates on or after October 1, 2005.

<sup>2</sup> Offense dates on or after October 1, 2006.



## 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, 20.4% of offenders were sentenced to state prison as the most severe sanction in FY2007-2008. An additional 27.1% were sentenced to incarceration in county jail, or to time already served in jail. Four percent (4.5%) were sentenced to community control, and nearly half to probation (46.9%), including drug offender probation, administrative probation, and regular probation. One percent (1.0%) of offenders were sentenced to “other” sanctions. For sentencing dates in FY2006-2007, 18.6% of offenders were sentenced to state prison and 28.1% were sentenced to county jail or time served. Less than five percent (4.0%) were sentenced to community control, and 47.9% to probation. Only 1.4% of the offenders were sentenced to “other” sanctions (Table 1).

- More than three-quarters of the 96,773 Code scoresheets with sentence date in FY2007-2008 examined (74,668 scoresheets or 77.2%) 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 FY2006-2007, there were 79,043 (78.3%) offenders scoring 44 points or less (Table 1).
- For FY2007-2008, of the offenders scoring in the recommended state prison category, 60.6% were sentenced to state prison, with another 13.1% sentenced to county jail or time served. Of those scoring less than 44 points, 8.5% were sentenced to state prison, and 31.3% to county jail/time served. For FY2006-2007, fifty-six percent (56.0%) of the offenders scoring above 44 points were sentenced to state prison and another 15.0% of these offenders were 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. (Table 1).
- Scoresheets with a state prison sanction increased almost two percent from 18.6% in FY2006-2007 to 20.4% in FY2007-2008. County jail sanctions decreased from 28.1% in FY2006-2007 to 27.1% in FY2007-2008. Community supervision sanctions increased from 4.0% in FY2006-2007 to 4.5% in FY2007-2008 (Table 1).
- Statewide, 67.9% of offenders (13,406 out of 19,733) receiving a prison sanction scored out to a prison sanction. Table 2 presents the scoring distribution of offenders under the Code for FY2006-2007 and FY2007-2008 by circuit and sanction imposed. In FY2007-2008, Circuit 11 (Miami) had the highest percentage (92.4%) of prison sanctioned scoresheets with more than 44 points while Circuit 19 (Ft. Pierce) has the lowest (49.1%).
- 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 FY2006-2007 and FY2007-2008 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 FY2006-2007 and FY2007-2008, 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 FY2006-2007 to FY2007-2008 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 FY2006-2007 to FY2007-2008 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 59.2% for FY2006-2007 and 56.3% for FY2007-2008. The sanction mitigation rate (cases that scored to state prison but received a non-state prison sanction) was 42.6% for FY2006-2007 and 38.4% for FY2007-2008 (Table 11).
- For the offenders that received a mitigated prison sentence length, the average reduction in sentence was 22.9 months during FY2006-2007 and 23.7 months during FY2007-2008 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.





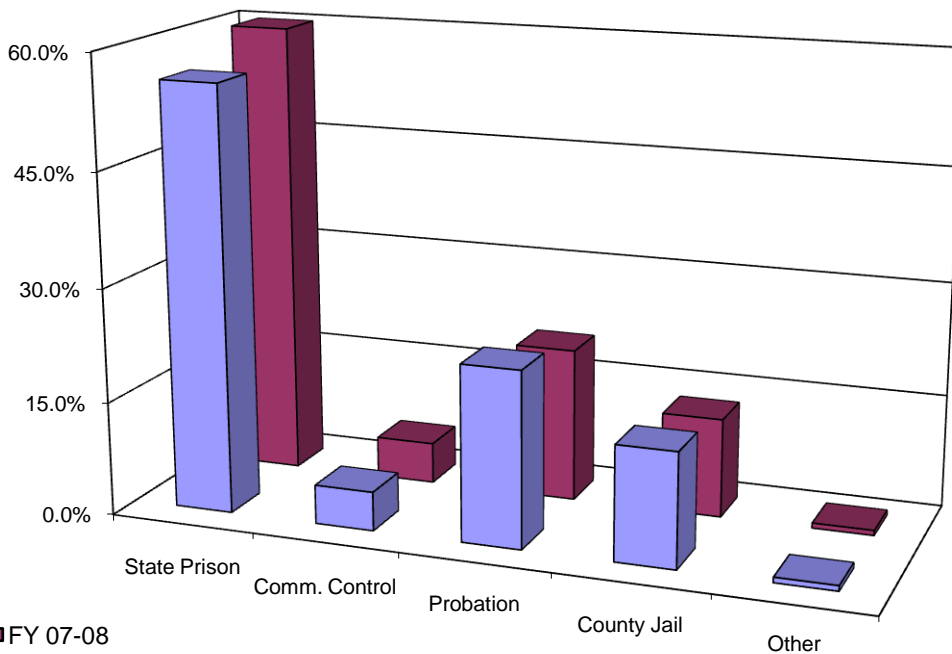
# APPENDICES



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

Sanction Imposed	Recommended Sanction Category					
	FY 2006-2007 Sentence Dates <sup>1</sup>			FY 2007-2008 Sentence Dates <sup>2</sup>		
	44.0 Points or Less	More than 44.0 Points	Total	44.0 Points or Less	More than 44.0 Points	Total
State Prison	6,499 8.2%	12,259 56.0%	<b>18,758</b> <b>18.6%</b>	6,327 8.5%	13,406 60.6%	<b>19,733</b> <b>20.4%</b>
Community Control	2,956 3.7%	1,123 5.1%	<b>4,079</b> <b>4.0%</b>	3,183 4.3%	1,192 5.4%	<b>4,375</b> <b>4.5%</b>
Probation	43,240 54.7%	5,070 23.1%	<b>48,310</b> <b>47.9%</b>	40,951 54.8%	4,469 20.2%	<b>45,420</b> <b>46.9%</b>
County Jail	25,120 31.8%	3,296 15.0%	<b>28,416</b> <b>28.1%</b>	23,361 31.3%	2,890 13.1%	<b>26,251</b> <b>27.1%</b>
Other	1,228 1.6%	154 0.7%	<b>1,382</b> <b>1.4%</b>	846 1.1%	148 0.7%	<b>994</b> <b>1.0%</b>
<b>Total</b>	<b>79,043</b> <b>100.0%</b>	<b>21,902</b> <b>100.0%</b>	<b>100,945</b> <b>100.0%</b>	<b>74,668</b> <b>100.0%</b>	<b>22,105</b> <b>100.0%</b>	<b>96,773</b> <b>100.0%</b>

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



\*Total points greater than 44.

<sup>1</sup> Offense dates on or after October 1, 2005.

<sup>2</sup> Offense dates on or after October 1, 2006.

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

Judicial Circuit / Sanction Imposed	Recommended Sanction Category							
	FY 2006-2007 Sentence Dates <sup>1</sup>				FY 2007-2008 Sentence Dates <sup>2</sup>			
	44.0 Points or Less		More than 44.0 Points		44.0 Points or Less		More than 44.0 Points	
<b>01 (Pensacola)</b>	<b>3,139</b>	<b>80.4%</b>	<b>765</b>	<b>19.6%</b>	<b>2,406</b>	<b>77.9%</b>	<b>682</b>	<b>22.1%</b>
Prison	309	38.9%	486	61.1%	200	33.0%	406	67.0%
Community Control	244	79.7%	62	20.3%	138	72.3%	53	27.7%
Probation	1,736	92.2%	146	7.8%	1,442	90.6%	149	9.4%
County Jail	792	92.7%	62	7.3%	582	90.1%	64	9.9%
Other	58	86.6%	9	13.4%	44	81.5%	10	18.5%
<b>02 (Tallahassee)</b>	<b>1,446</b>	<b>68.5%</b>	<b>664</b>	<b>31.5%</b>	<b>1,247</b>	<b>76.6%</b>	<b>380</b>	<b>23.4%</b>
Prison	173	30.2%	399	69.8%	93	29.3%	224	70.7%
Community Control	37	58.7%	26	41.3%	32	76.2%	10	23.8%
Probation	988	82.0%	217	18.0%	811	87.1%	120	12.9%
County Jail	240	92.0%	21	8.0%	303	92.1%	26	7.9%
Other	8	0.0%	1	0.0%	8	0.0%	0	0.0%
<b>03 (Lake City)</b>	<b>751</b>	<b>69.0%</b>	<b>338</b>	<b>31.0%</b>	<b>789</b>	<b>67.3%</b>	<b>383</b>	<b>32.7%</b>
Prison	97	38.0%	158	62.0%	133	36.6%	230	63.4%
Community Control	61	71.8%	24	28.2%	100	71.9%	39	28.1%
Probation	539	79.0%	143	21.0%	511	83.1%	104	16.9%
County Jail	25	78.1%	7	21.9%	27	84.4%	5	15.6%
Other	29	82.9%	6	17.1%	18	78.3%	5	21.7%
<b>04 (Jacksonville)</b>	<b>6,000</b>	<b>84.7%</b>	<b>1,086</b>	<b>15.3%</b>	<b>4,729</b>	<b>81.0%</b>	<b>1,111</b>	<b>19.0%</b>
Prison	839	52.9%	747	47.1%	757	49.8%	763	50.2%
Community Control	96	88.9%	12	11.1%	133	83.1%	27	16.9%
Probation	1,094	91.0%	108	9.0%	816	89.1%	100	10.9%
County Jail	3,948	94.7%	219	5.3%	3,021	93.2%	221	6.8%
Other	23	100.0%	0	0.0%	2	100.0%	0	0.0%
<b>05 (Tavares)</b>	<b>5,659</b>	<b>81.2%</b>	<b>1,307</b>	<b>18.8%</b>	<b>4,505</b>	<b>79.5%</b>	<b>1,160</b>	<b>20.5%</b>
Prison	599	39.5%	919	60.5%	488	36.3%	857	63.7%
Community Control	287	84.4%	53	15.6%	245	78.8%	66	21.2%
Probation	3,231	92.9%	247	7.1%	2,753	93.7%	184	6.3%
County Jail	1,294	94.5%	76	5.5%	944	95.4%	45	4.6%
Other	248	95.4%	12	4.6%	75	90.4%	8	9.6%
<b>06 (Clearwater)</b>	<b>9,695</b>	<b>81.8%</b>	<b>2,156</b>	<b>18.2%</b>	<b>9,543</b>	<b>80.1%</b>	<b>2,364</b>	<b>19.9%</b>
Prison	447	25.0%	1,339	75.0%	502	24.0%	1,589	76.0%
Community Control	260	73.2%	95	26.8%	294	77.6%	85	22.4%
Probation	5,949	91.9%	527	8.1%	5,324	92.4%	435	7.6%
County Jail	2,682	95.4%	130	4.6%	3,093	93.9%	201	6.1%
Other	357	84.6%	65	15.4%	330	85.9%	54	14.1%

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

Judicial Circuit / Sanction Imposed	Recommended Sanction Category							
	FY 2006-2007 Sentence Dates <sup>1</sup>				FY 2007-2008 Sentence Dates <sup>2</sup>			
	44.0 Points or Less		More than 44.0 Points		44.0 Points or Less		More than 44.0 Points	
<b>07 (Daytona)</b>	<b>3,140</b>	<b>76.7%</b>	<b>956</b>	<b>23.3%</b>	<b>3,386</b>	<b>78.8%</b>	<b>913</b>	<b>21.2%</b>
Prison	425	39.2%	659	60.8%	503	43.8%	645	56.2%
Community Control	177	84.3%	33	15.7%	149	80.5%	36	19.5%
Probation	1,800	91.9%	158	8.1%	1,894	93.8%	126	6.2%
County Jail	666	88.3%	88	11.7%	786	89.2%	95	10.8%
Other	72	80.0%	18	20.0%	54	83.1%	11	16.9%
<b>08 (Gainesville)</b>	<b>1,081</b>	<b>72.1%</b>	<b>418</b>	<b>27.9%</b>	<b>772</b>	<b>69.1%</b>	<b>346</b>	<b>30.9%</b>
Prison	93	26.5%	258	73.5%	91	30.3%	209	69.7%
Community Control	16	59.3%	11	40.7%	20	74.1%	7	25.9%
Probation	566	86.7%	87	13.3%	407	86.2%	65	13.8%
County Jail	344	85.8%	57	14.2%	217	80.7%	52	19.3%
Other	62	92.5%	5	7.5%	37	74.0%	13	26.0%
<b>09 (Orlando)</b>	<b>5,986</b>	<b>86.5%</b>	<b>937</b>	<b>13.5%</b>	<b>7,653</b>	<b>82.4%</b>	<b>1,630</b>	<b>17.6%</b>
Prison	268	32.1%	568	67.9%	467	30.3%	1,072	69.7%
Community Control	152	78.4%	42	21.6%	259	77.8%	74	22.2%
Probation	3,068	94.0%	197	6.0%	3,969	93.4%	281	6.6%
County Jail	2,445	95.1%	126	4.9%	2,932	93.8%	194	6.2%
Other	53	93.0%	4	7.0%	26	74.3%	9	25.7%
<b>10 (Bartow)</b>	<b>3,469</b>	<b>79.7%</b>	<b>883</b>	<b>20.3%</b>	<b>3,733</b>	<b>77.9%</b>	<b>1,058</b>	<b>22.1%</b>
Prison	609	47.3%	678	52.7%	619	43.9%	792	56.1%
Community Control	197	82.1%	43	17.9%	281	80.1%	70	19.9%
Probation	2,368	94.4%	140	5.6%	2,379	94.0%	152	6.0%
County Jail	287	92.9%	22	7.1%	440	90.9%	44	9.1%
Other	8	100.0%	0	0.0%	14	100.0%	0	0.0%
<b>11 (Miami)</b>	<b>6,468</b>	<b>59.3%</b>	<b>4,436</b>	<b>40.7%</b>	<b>4,369</b>	<b>56.6%</b>	<b>3,346</b>	<b>43.4%</b>
Prison	106	9.3%	1,035	90.7%	78	7.6%	945	92.4%
Community Control	77	24.5%	237	75.5%	74	26.0%	211	74.0%
Probation	2,911	69.5%	1,279	30.5%	2,032	69.4%	896	30.6%
County Jail	3,373	64.2%	1,884	35.8%	2,185	62.8%	1,294	37.2%
Other	1		1		0		0	
<b>12 (Sarasota)</b>	<b>4,089</b>	<b>88.0%</b>	<b>559</b>	<b>12.0%</b>	<b>3,318</b>	<b>83.3%</b>	<b>667</b>	<b>16.7%</b>
Prison	168	27.7%	439	72.3%	164	22.9%	552	77.1%
Community Control	230	92.0%	20	8.0%	183	87.1%	27	12.9%
Probation	2,030	96.3%	79	3.7%	1,571	96.5%	57	3.5%
County Jail	1,652	98.7%	21	1.3%	1,400	97.8%	31	2.2%
Other	9	100.0%	0	0.0%	0		0	

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

Judicial Circuit / Sanction Imposed	Recommended Sanction Category							
	FY 2006-2007 Sentence Dates <sup>1</sup>				FY 2007-2008 Sentence Dates <sup>2</sup>			
	44.0 Points or Less		More than 44.0 Points		44.0 Points or Less		More than 44.0 Points	
<b>13 (Tampa)</b>	<b>5,937</b>	<b>72.5%</b>	<b>2,250</b>	<b>27.5%</b>	<b>5,705</b>	<b>69.2%</b>	<b>2,539</b>	<b>30.8%</b>
Prison	685	34.2%	1,317	65.8%	555	27.5%	1,464	72.5%
Community Control	154	47.7%	169	52.3%	161	45.1%	196	54.9%
Probation	3,650	86.8%	556	13.2%	3,526	85.1%	616	14.9%
County Jail	1,337	87.0%	200	13.0%	1,363	84.6%	248	15.4%
Other	111	93.3%	8	6.7%	100	87.0%	15	13.0%
<b>14 (Panama City)</b>	<b>1,569</b>	<b>74.2%</b>	<b>545</b>	<b>25.8%</b>	<b>1,594</b>	<b>76.2%</b>	<b>497</b>	<b>23.8%</b>
Prison	282	43.2%	371	56.8%	287	43.0%	381	57.0%
Community Control	170	78.3%	47	21.7%	189	84.4%	35	15.6%
Probation	1,025	91.2%	99	8.8%	1,039	94.0%	66	6.0%
County Jail	44	75.9%	14	24.1%	41	75.9%	13	24.1%
Other	48	77.4%	14	22.6%	38	95.0%	2	5.0%
<b>15 (West Palm Beach)</b>	<b>3,379</b>	<b>78.3%</b>	<b>938</b>	<b>21.7%</b>	<b>3,767</b>	<b>79.2%</b>	<b>990</b>	<b>20.8%</b>
Prison	101	15.9%	536	84.1%	123	18.2%	552	81.8%
Community Control	24	61.5%	15	38.5%	30	60.0%	20	40.0%
Probation	1,027	82.2%	223	17.8%	1,254	83.8%	242	16.2%
County Jail	2,227	93.2%	163	6.8%	2,360	93.1%	176	6.9%
Other	0	0.0%	1	0.0%	0		0	
<b>16 (Key West)</b>	<b>616</b>	<b>84.7%</b>	<b>111</b>	<b>15.3%</b>	<b>402</b>	<b>82.5%</b>	<b>85</b>	<b>17.5%</b>
Prison	28	27.2%	75	72.8%	9	15.3%	50	84.7%
Community Control	11	91.7%	1	8.3%	14	87.5%	2	12.5%
Probation	460	93.9%	30	6.1%	317	91.9%	28	8.1%
County Jail	111	97.4%	3	2.6%	58	92.1%	5	7.9%
Other	6	75.0%	2	25.0%	4	100.0%	0	0.0%
<b>17 (Ft. Lauderdale)</b>	<b>6,811</b>	<b>79.3%</b>	<b>1,774</b>	<b>20.7%</b>	<b>5,370</b>	<b>76.9%</b>	<b>1,613</b>	<b>23.1%</b>
Prison	426	30.4%	977	69.6%	298	23.7%	957	76.3%
Community Control	208	59.4%	142	40.6%	177	63.4%	102	36.6%
Probation	4,794	89.3%	574	10.7%	3,844	89.0%	474	11.0%
County Jail	1,327	94.5%	77	5.5%	1,013	93.7%	68	6.3%
Other	56	93.3%	4	6.7%	38	76.0%	12	24.0%
<b>18 (Sanford)</b>	<b>2,342</b>	<b>86.4%</b>	<b>370</b>	<b>13.6%</b>	<b>3,006</b>	<b>83.1%</b>	<b>610</b>	<b>16.9%</b>
Prison	141	32.0%	299	68.0%	207	30.6%	470	69.4%
Community Control	185	86.9%	28	13.1%	235	81.3%	54	18.7%
Probation	1,760	97.6%	43	2.4%	2,091	96.2%	82	3.8%
County Jail	256	100.0%	0	0.0%	473	99.2%	4	0.8%
Other	0		0		0		0	

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

Judicial Circuit / Sanction Imposed	Recommended Sanction Category							
	FY 2006-2007 Sentence Dates <sup>1</sup>				FY 2007-2008 Sentence Dates <sup>2</sup>			
	44.0 Points or Less		More than 44.0 Points		44.0 Points or Less		More than 44.0 Points	
<b>19 (Ft. Pierce)</b>	<b>3,449</b>	<b>86.2%</b>	<b>551</b>	<b>13.8%</b>	<b>3,455</b>	<b>84.3%</b>	<b>644</b>	<b>15.7%</b>
Prison	547	56.2%	427	43.8%	502	50.9%	485	49.1%
Community Control	167	90.8%	17	9.2%	228	92.3%	19	7.7%
Probation	1,728	96.2%	68	3.8%	1,779	94.6%	102	5.4%
County Jail	952	96.3%	37	3.7%	903	96.6%	32	3.4%
Other	55	96.5%	2	3.5%	43	87.8%	6	12.2%
<b>20 (Ft. Myers)</b>	<b>4,017</b>	<b>82.4%</b>	<b>858</b>	<b>17.6%</b>	<b>4,919</b>	<b>81.9%</b>	<b>1,087</b>	<b>18.1%</b>
Prison	156	21.4%	572	78.6%	251	24.8%	763	75.2%
Community Control	203	81.5%	46	18.5%	241	80.3%	59	19.7%
Probation	2,516	94.4%	149	5.6%	3,192	94.4%	190	5.6%
County Jail	1,118	92.6%	89	7.4%	1,220	94.4%	72	5.6%
Other	24	92.3%	2	7.7%	15	83.3%	3	16.7%
<b>Statewide</b>	<b>79,043</b>	<b>100.0%</b>	<b>21,902</b>	<b>100.0%</b>	<b>74,668</b>	<b>100.0%</b>	<b>22,105</b>	<b>100.0%</b>

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

<sup>1</sup> Offense dates on or after October 1, 2005.

<sup>2</sup> Offense dates on or after October 1, 2006.



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

Circuit/County	FY2006-2007 Sentence Dates <sup>1</sup>						FY2007-2008 Sentence Dates <sup>2</sup>					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
<b>01 (Pensacola)</b>	<b>795</b>	<b>306</b>	<b>1,882</b>	<b>854</b>	<b>67</b>	<b>3,904</b>	<b>606</b>	<b>191</b>	<b>1,591</b>	<b>646</b>	<b>54</b>	<b>3,088</b>
	<b>20.4%</b>	<b>7.8%</b>	<b>48.2%</b>	<b>21.9%</b>	<b>1.7%</b>	<b>100.0%</b>	<b>19.6%</b>	<b>6.2%</b>	<b>51.5%</b>	<b>20.9%</b>	<b>1.7%</b>	<b>100.0%</b>
Escambia	644	173	1,223	740	37	<b>2,817</b>	552	126	1,065	590	30	<b>2,363</b>
	22.9%	6.1%	43.4%	26.3%	1.3%	<b>100.0%</b>	23.4%	5.3%	45.1%	25.0%	1.3%	<b>100.0%</b>
Okaloosa	120	85	246	51	20	<b>522</b>	0	0	4	0	1	<b>5</b>
	23.0%	16.3%	47.1%	9.8%	3.8%	<b>100.0%</b>	0.0%	0.0%	80.0%	0.0%	20.0%	<b>100.0%</b>
Santa Rosa	31	48	392	63	10	<b>544</b>	54	65	522	56	23	<b>720</b>
	5.7%	8.8%	72.1%	11.6%	1.8%	<b>100.0%</b>	7.5%	9.0%	72.5%	7.8%	3.2%	<b>100.0%</b>
Walton	0	0	21	0	0	<b>21</b>	0	0	0	0	0	<b>0</b>
	0.0%	0.0%	100.0%	0.0%	0.0%	<b>100.0%</b>	0.0%	0.0%	0.0%	0.0%	0.0%	<b>0.0%</b>
<b>02 (Tallahassee)</b>	<b>572</b>	<b>63</b>	<b>1,205</b>	<b>261</b>	<b>9</b>	<b>2,110</b>	<b>317</b>	<b>42</b>	<b>931</b>	<b>329</b>	<b>8</b>	<b>1,627</b>
	<b>27.1%</b>	<b>3.0%</b>	<b>57.1%</b>	<b>12.4%</b>	<b>0.4%</b>	<b>100.0%</b>	<b>19.5%</b>	<b>2.6%</b>	<b>57.2%</b>	<b>20.2%</b>	<b>0.5%</b>	<b>100.0%</b>
Franklin	29	5	140	9	0	<b>183</b>	26	1	70	8	1	<b>106</b>
	15.8%	2.7%	76.5%	4.9%	0.0%	<b>100.0%</b>	24.5%	0.9%	66.0%	7.5%	0.9%	<b>100.0%</b>
Gadsden	158	13	271	30	0	<b>472</b>	67	8	101	8	0	<b>184</b>
	33.5%	2.8%	57.4%	6.4%	0.0%	<b>100.0%</b>	36.4%	4.3%	54.9%	4.3%	0.0%	<b>100.0%</b>
Jefferson	0	0	0	0	0	<b>0</b>	0	0	0	0	0	<b>0</b>
	0.0%	0.0%	0.0%	0.0%	0.0%	<b>0.0%</b>	0.0%	0.0%	0.0%	0.0%	0.0%	<b>0.0%</b>
Leon	365	45	748	220	9	<b>1,387</b>	204	27	689	311	7	<b>1,238</b>
	26.3%	3.2%	53.9%	15.9%	0.6%	<b>100.0%</b>	16.5%	2.2%	55.7%	25.1%	0.6%	<b>100.0%</b>
Liberty	19	0	46	1	0	<b>66</b>	14	4	55	1	0	<b>74</b>
	28.8%	0.0%	69.7%	1.5%	0.0%	<b>100.0%</b>	18.9%	5.4%	74.3%	1.4%	0.0%	<b>100.0%</b>
Wakulla	1	0	0	1	0	<b>2</b>	6	2	16	1	0	<b>25</b>
	50.0%	0.0%	0.0%	50.0%	0.0%	<b>100.0%</b>	24.0%	8.0%	64.0%	4.0%	0.0%	<b>100.0%</b>
<b>03 (Lake City)</b>	<b>255</b>	<b>85</b>	<b>682</b>	<b>32</b>	<b>35</b>	<b>1,089</b>	<b>363</b>	<b>139</b>	<b>615</b>	<b>32</b>	<b>23</b>	<b>1,172</b>
	<b>23.4%</b>	<b>7.8%</b>	<b>62.6%</b>	<b>2.9%</b>	<b>3.2%</b>	<b>100.0%</b>	<b>31.0%</b>	<b>11.9%</b>	<b>52.5%</b>	<b>2.7%</b>	<b>2.0%</b>	<b>100.0%</b>
Columbia	145	60	347	16	30	<b>598</b>	180	74	185	12	13	<b>464</b>
	24.2%	10.0%	58.0%	2.7%	5.0%	<b>100.0%</b>	38.8%	15.9%	39.9%	2.6%	2.8%	<b>100.0%</b>
Dixie	7	2	56	1	0	<b>66</b>	8	16	85	0	2	<b>111</b>
	10.6%	3.0%	84.8%	1.5%	0.0%	<b>100.0%</b>	7.2%	14.4%	76.6%	0.0%	1.8%	<b>100.0%</b>

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

Circuit/County	FY2006-2007 Sentence Dates <sup>1</sup>						FY2007-2008 Sentence Dates <sup>2</sup>					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
Hamilton	16 29.1%	4 7.3%	31 56.4%	4 7.3%	0 0.0%	<b>55</b> <b>100.0%</b>	8 22.2%	5 13.9%	23 63.9%	0 0.0%	0 0.0%	<b>36</b> <b>100.0%</b>
Lafayette	7 43.8%	1 6.3%	8 50.0%	0 0.0%	0 0.0%	<b>16</b> <b>100.0%</b>	13 26.5%	3 6.1%	33 67.3%	0 0.0%	0 0.0%	<b>49</b> <b>100.0%</b>
Madison	28 68.3%	1 2.4%	10 24.4%	1 2.4%	1 2.4%	<b>41</b> <b>100.0%</b>	29 63.0%	4 8.7%	13 28.3%	0 0.0%	0 0.0%	<b>46</b> <b>100.0%</b>
Suwannee	37 20.6%	16 8.9%	118 65.6%	5 2.8%	4 2.2%	<b>180</b> <b>100.0%</b>	97 33.6%	28 9.7%	148 51.2%	15 5.2%	1 0.3%	<b>289</b> <b>100.0%</b>
Taylor	15 11.3%	1 0.8%	112 84.2%	5 3.8%	0 0.0%	<b>133</b> <b>100.0%</b>	28 15.8%	9 5.1%	128 72.3%	5 2.8%	7 4.0%	<b>177</b> <b>100.0%</b>
<b>04 (Jacksonville)</b>	<b>1,586</b> <b>22.4%</b>	<b>108</b> <b>1.5%</b>	<b>1,202</b> <b>17.0%</b>	<b>4,167</b> <b>58.8%</b>	<b>23</b> <b>0.3%</b>	<b>7,086</b> <b>100.0%</b>	<b>1,520</b> <b>26.0%</b>	<b>160</b> <b>2.7%</b>	<b>916</b> <b>15.7%</b>	<b>3,242</b> <b>55.5%</b>	<b>2</b> <b>0.0%</b>	<b>5,840</b> <b>100.0%</b>
Clay	152 18.1%	28 3.3%	299 35.5%	363 43.1%	0 0.0%	<b>842</b> <b>100.0%</b>	199 22.1%	95 10.5%	221 24.5%	386 42.8%	0 0.0%	<b>901</b> <b>100.0%</b>
Duval	1,309 23.0%	67 1.2%	650 11.4%	3,631 63.9%	23 0.4%	<b>5,680</b> <b>100.0%</b>	1,205 27.2%	53 1.2%	461 10.4%	2,705 61.1%	0 0.0%	<b>4,424</b> <b>100.0%</b>
Nassau	125 22.2%	13 2.3%	253 44.9%	173 30.7%	0 0.0%	<b>564</b> <b>100.0%</b>	116 22.5%	12 2.3%	234 45.4%	151 29.3%	2 0.4%	<b>515</b> <b>100.0%</b>
<b>05 (Tavares)</b>	<b>1,518</b> <b>21.8%</b>	<b>340</b> <b>4.9%</b>	<b>3,478</b> <b>49.9%</b>	<b>1,370</b> <b>19.7%</b>	<b>260</b> <b>3.7%</b>	<b>6,966</b> <b>100.0%</b>	<b>1,345</b> <b>23.7%</b>	<b>311</b> <b>5.5%</b>	<b>2,937</b> <b>51.8%</b>	<b>989</b> <b>17.5%</b>	<b>83</b> <b>1.5%</b>	<b>5,665</b> <b>100.0%</b>
Citrus	149 24.1%	42 6.8%	340 54.9%	70 11.3%	18 2.9%	<b>619</b> <b>100.0%</b>	36 10.1%	24 6.7%	234 65.4%	53 14.8%	11 3.1%	<b>358</b> <b>100.0%</b>
Hernando	157 13.7%	102 8.9%	667 58.0%	221 19.2%	3 0.3%	<b>1,150</b> <b>100.0%</b>	210 22.4%	61 6.5%	542 57.7%	123 13.1%	3 0.3%	<b>939</b> <b>100.0%</b>
Lake	381 17.0%	65 2.9%	1,106 49.3%	497 22.1%	195 8.7%	<b>2,244</b> <b>100.0%</b>	134 10.0%	54 4.0%	897 67.2%	235 17.6%	15 1.1%	<b>1,335</b> <b>100.0%</b>
Marion	702 27.1%	114 4.4%	1,221 47.1%	518 20.0%	36 1.4%	<b>2,591</b> <b>100.0%</b>	874 32.0%	157 5.8%	1,129 41.4%	517 18.9%	52 1.9%	<b>2,729</b> <b>100.0%</b>
Sumter	129 35.6%	17 4.7%	144 39.8%	64 17.7%	8 2.2%	<b>362</b> <b>100.0%</b>	91 29.9%	15 4.9%	135 44.4%	61 20.1%	2 0.7%	<b>304</b> <b>100.0%</b>

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

Circuit/County	FY2006-2007 Sentence Dates <sup>1</sup>						FY2007-2008 Sentence Dates <sup>2</sup>					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
<b>06 (Clearwater)</b>	<b>1,786</b>	<b>355</b>	<b>6,476</b>	<b>2,812</b>	<b>422</b>	<b>11,851</b>	<b>2,091</b>	<b>379</b>	<b>5,759</b>	<b>3,294</b>	<b>384</b>	<b>11,907</b>
	<b>15.1%</b>	<b>3.0%</b>	<b>54.6%</b>	<b>23.7%</b>	<b>3.6%</b>	<b>100.0%</b>	<b>17.6%</b>	<b>3.2%</b>	<b>48.4%</b>	<b>27.7%</b>	<b>3.2%</b>	<b>100.0%</b>
Pasco	413	196	1,400	313	16	<b>2,338</b>	418	164	1,259	333	23	<b>2,197</b>
	17.7%	8.4%	59.9%	13.4%	0.7%	<b>100.0%</b>	19.0%	7.5%	57.3%	15.2%	1.0%	<b>100.0%</b>
Pinellas	1,373	159	5,076	2,499	406	<b>9,513</b>	1,673	215	4,500	2,961	361	<b>9,710</b>
	14.4%	1.7%	53.4%	26.3%	4.3%	<b>100.0%</b>	17.2%	2.2%	46.3%	30.5%	3.7%	<b>100.0%</b>
<b>07 (Daytona)</b>	<b>1,084</b>	<b>210</b>	<b>1,958</b>	<b>754</b>	<b>90</b>	<b>4,096</b>	<b>1,148</b>	<b>185</b>	<b>2,020</b>	<b>881</b>	<b>65</b>	<b>4,299</b>
	<b>26.5%</b>	<b>5.1%</b>	<b>47.8%</b>	<b>18.4%</b>	<b>2.2%</b>	<b>100.0%</b>	<b>26.7%</b>	<b>4.3%</b>	<b>47.0%</b>	<b>20.5%</b>	<b>1.5%</b>	<b>100.0%</b>
Flagler	27	5	118	41	0	<b>191</b>	59	14	109	22	0	<b>204</b>
	14.1%	2.6%	61.8%	21.5%	0.0%	<b>100.0%</b>	28.9%	6.9%	53.4%	10.8%	0.0%	<b>100.0%</b>
Putnam	85	8	274	68	69	<b>504</b>	100	5	151	52	45	<b>353</b>
	16.9%	1.6%	54.4%	13.5%	13.7%	<b>100.0%</b>	28.3%	1.4%	42.8%	14.7%	12.7%	<b>100.0%</b>
St. Johns	215	21	502	107	0	<b>845</b>	210	14	517	135	1	<b>877</b>
	25.4%	2.5%	59.4%	12.7%	0.0%	<b>100.0%</b>	23.9%	1.6%	59.0%	15.4%	0.1%	<b>100.0%</b>
Volusia	757	176	1,064	538	21	<b>2,556</b>	779	152	1,243	672	19	<b>2,865</b>
	29.6%	6.9%	41.6%	21.0%	0.8%	<b>100.0%</b>	27.2%	5.3%	43.4%	23.5%	0.7%	<b>100.0%</b>
<b>08 (Gainesville)</b>	<b>351</b>	<b>27</b>	<b>653</b>	<b>401</b>	<b>67</b>	<b>1,499</b>	<b>300</b>	<b>27</b>	<b>472</b>	<b>269</b>	<b>50</b>	<b>1,118</b>
	<b>23.4%</b>	<b>1.8%</b>	<b>43.6%</b>	<b>26.8%</b>	<b>4.5%</b>	<b>100.0%</b>	<b>26.8%</b>	<b>2.4%</b>	<b>42.2%</b>	<b>24.1%</b>	<b>4.5%</b>	<b>100.0%</b>
Alachua	244	21	464	301	59	<b>1,089</b>	193	19	334	185	33	<b>764</b>
	22.4%	1.9%	42.6%	27.6%	5.4%	<b>100.0%</b>	25.3%	2.5%	43.7%	24.2%	4.3%	<b>100.0%</b>
Baker	3	0	5	2	1	<b>11</b>	9	1	7	3	1	<b>21</b>
	27.3%	0.0%	45.5%	18.2%	9.1%	<b>100.0%</b>	42.9%	4.8%	33.3%	14.3%	4.8%	<b>100.0%</b>
Bradford	24	1	63	25	1	<b>114</b>	22	5	89	67	15	<b>198</b>
	21.1%	0.9%	55.3%	21.9%	0.9%	<b>100.0%</b>	11.1%	2.5%	44.9%	33.8%	7.6%	<b>100.0%</b>
Gilchrist	1	0	13	4	2	<b>20</b>	1	0	1	0	0	<b>2</b>
	5.0%	0.0%	65.0%	20.0%	10.0%	<b>100.0%</b>	50.0%	0.0%	50.0%	0.0%	0.0%	<b>100.0%</b>
Levy	66	1	74	64	4	<b>209</b>	59	0	8	7	0	<b>74</b>
	31.6%	0.5%	35.4%	30.6%	1.9%	<b>100.0%</b>	79.7%	0.0%	10.8%	9.5%	0.0%	<b>100.0%</b>
Union	13	4	34	5	0	<b>56</b>	16	2	33	7	1	<b>59</b>
	23.2%	7.1%	60.7%	8.9%	0.0%	<b>100.0%</b>	27.1%	3.4%	55.9%	11.9%	1.7%	<b>100.0%</b>

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

Circuit/County	FY2006-2007 Sentence Dates <sup>1</sup>						FY2007-2008 Sentence Dates <sup>2</sup>					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
<b>09 (Orlando)</b>	<b>836</b>	<b>194</b>	<b>3,265</b>	<b>2,571</b>	<b>57</b>	<b>6,923</b>	<b>1,539</b>	<b>333</b>	<b>4,250</b>	<b>3,126</b>	<b>35</b>	<b>9,283</b>
	<b>12.1%</b>	<b>2.8%</b>	<b>47.2%</b>	<b>37.1%</b>	<b>0.8%</b>	<b>100.0%</b>	<b>16.6%</b>	<b>3.6%</b>	<b>45.8%</b>	<b>33.7%</b>	<b>0.4%</b>	<b>100.0%</b>
Orange	708	141	2,537	1,993	40	<b>5,419</b>	1,179	223	3,313	2,460	24	<b>7,199</b>
	13.1%	2.6%	46.8%	36.8%	0.7%	<b>100.0%</b>	16.4%	3.1%	46.0%	34.2%	0.3%	<b>100.0%</b>
Osceola	128	53	728	578	17	<b>1,504</b>	360	110	937	666	11	<b>2,084</b>
	8.5%	3.5%	48.4%	38.4%	1.1%	<b>100.0%</b>	17.3%	5.3%	45.0%	32.0%	0.5%	<b>100.0%</b>
<b>10 (Bartow)</b>	<b>1,287</b>	<b>240</b>	<b>2,508</b>	<b>309</b>	<b>8</b>	<b>4,352</b>	<b>1,411</b>	<b>351</b>	<b>2,531</b>	<b>484</b>	<b>14</b>	<b>4,791</b>
	<b>29.6%</b>	<b>5.5%</b>	<b>57.6%</b>	<b>7.1%</b>	<b>0.2%</b>	<b>100.0%</b>	<b>29.5%</b>	<b>7.3%</b>	<b>52.8%</b>	<b>10.1%</b>	<b>0.3%</b>	<b>100.0%</b>
Hardee	17	3	94	16	0	<b>130</b>	38	12	84	34	0	<b>168</b>
	13.1%	2.3%	72.3%	12.3%	0.0%	<b>100.0%</b>	22.6%	7.1%	50.0%	20.2%	0.0%	<b>100.0%</b>
Highlands	46	15	169	10	3	<b>243</b>	120	32	265	18	8	<b>443</b>
	18.9%	6.2%	69.5%	4.1%	1.2%	<b>100.0%</b>	27.1%	7.2%	59.8%	4.1%	1.8%	<b>100.0%</b>
Polk	1,224	222	2,245	283	5	<b>3,979</b>	1,253	307	2,182	432	6	<b>4,180</b>
	30.8%	5.6%	56.4%	7.1%	0.1%	<b>100.0%</b>	30.0%	7.3%	52.2%	10.3%	0.1%	<b>100.0%</b>
<b>11 (Miami)</b>	<b>1,141</b>	<b>314</b>	<b>4,190</b>	<b>5,257</b>	<b>2</b>	<b>10,904</b>	<b>1,023</b>	<b>285</b>	<b>2,928</b>	<b>3,479</b>	<b>0</b>	<b>7,715</b>
	<b>10.5%</b>	<b>2.9%</b>	<b>38.4%</b>	<b>48.2%</b>	<b>0.0%</b>	<b>100.0%</b>	<b>13.3%</b>	<b>3.7%</b>	<b>38.0%</b>	<b>45.1%</b>	<b>0.0%</b>	<b>100.0%</b>
Miami-Dade	1,141	314	4,190	5,257	2	<b>10,904</b>	1,023	285	2,928	3,479	0	<b>7,715</b>
	10.5%	2.9%	38.4%	48.2%	0.0%	<b>100.0%</b>	13.3%	3.7%	38.0%	45.1%	0.0%	<b>100.0%</b>
<b>12 (Sarasota)</b>	<b>607</b>	<b>250</b>	<b>2,109</b>	<b>1,673</b>	<b>9</b>	<b>4,648</b>	<b>716</b>	<b>210</b>	<b>1,628</b>	<b>1,431</b>	<b>0</b>	<b>3,985</b>
	<b>13.1%</b>	<b>5.4%</b>	<b>45.4%</b>	<b>36.0%</b>	<b>0.2%</b>	<b>100.0%</b>	<b>18.0%</b>	<b>5.3%</b>	<b>40.9%</b>	<b>35.9%</b>	<b>0.0%</b>	<b>100.0%</b>
Desoto	55	32	105	75	1	<b>268</b>	40	25	48	33	0	<b>146</b>
	20.5%	11.9%	39.2%	28.0%	0.4%	<b>100.0%</b>	27.4%	17.1%	32.9%	22.6%	0.0%	<b>100.0%</b>
Manatee	316	146	908	592	1	<b>1,963</b>	437	119	829	631	0	<b>2,016</b>
	16.1%	7.4%	46.3%	30.2%	0.1%	<b>100.0%</b>	21.7%	5.9%	41.1%	31.3%	0.0%	<b>100.0%</b>
Sarasota	236	72	1,096	1,006	7	<b>2,417</b>	239	66	751	767	0	<b>1,823</b>
	9.8%	3.0%	45.3%	41.6%	0.3%	<b>100.0%</b>	13.1%	3.6%	41.2%	42.1%	0.0%	<b>100.0%</b>
<b>13 (Tampa)</b>	<b>2,002</b>	<b>323</b>	<b>4,206</b>	<b>1,537</b>	<b>119</b>	<b>8,187</b>	<b>2,019</b>	<b>357</b>	<b>4,142</b>	<b>1,611</b>	<b>115</b>	<b>8,244</b>
	<b>24.5%</b>	<b>3.9%</b>	<b>51.4%</b>	<b>18.8%</b>	<b>1.5%</b>	<b>100.0%</b>	<b>24.5%</b>	<b>4.3%</b>	<b>50.2%</b>	<b>19.5%</b>	<b>1.4%</b>	<b>100.0%</b>
Hillsborough	2,002	323	4,206	1,537	119	<b>8,187</b>	2,019	357	4,142	1,611	115	<b>8,244</b>
	24.5%	3.9%	51.4%	18.8%	1.5%	<b>100.0%</b>	24.5%	4.3%	50.2%	19.5%	1.4%	<b>100.0%</b>

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Sanction Imposed By Judicial Circuit and County**

Circuit/County	FY2006-2007 Sentence Dates <sup>1</sup>						FY2007-2008 Sentence Dates <sup>2</sup>					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
<b>14 (Panama City)</b>	<b>653</b>	<b>217</b>	<b>1,124</b>	<b>58</b>	<b>62</b>	<b>2,114</b>	<b>668</b>	<b>224</b>	<b>1,105</b>	<b>54</b>	<b>40</b>	<b>2,091</b>
	<b>30.9%</b>	<b>10.3%</b>	<b>53.2%</b>	<b>2.7%</b>	<b>2.9%</b>	<b>100.0%</b>	<b>31.9%</b>	<b>10.7%</b>	<b>52.8%</b>	<b>2.6%</b>	<b>1.9%</b>	<b>100.0%</b>
Bay	483	155	793	33	59	<b>1,523</b>	501	176	820	34	40	<b>1,571</b>
	31.7%	10.2%	52.1%	2.2%	3.9%	<b>100.0%</b>	31.9%	11.2%	52.2%	2.2%	2.5%	<b>100.0%</b>
Calhoun	34	28	64	4	2	<b>132</b>	48	28	29	2	0	<b>107</b>
	25.8%	21.2%	48.5%	3.0%	1.5%	<b>100.0%</b>	44.9%	26.2%	27.1%	1.9%	0.0%	<b>100.0%</b>
Gulf	33	4	14	4	0	<b>55</b>	24	0	4	0	0	<b>28</b>
	60.0%	7.3%	25.5%	7.3%	0.0%	<b>100.0%</b>	85.7%	0.0%	14.3%	0.0%	0.0%	<b>100.0%</b>
Holmes	3	5	38	0	0	<b>46</b>	2	7	54	2	0	<b>65</b>
	6.5%	10.9%	82.6%	0.0%	0.0%	<b>100.0%</b>	3.1%	10.8%	83.1%	3.1%	0.0%	<b>100.0%</b>
Jackson	91	8	166	17	1	<b>283</b>	88	8	140	16	0	<b>252</b>
	32.2%	2.8%	58.7%	6.0%	0.4%	<b>100.0%</b>	34.9%	3.2%	55.6%	6.3%	0.0%	<b>100.0%</b>
Washington	9	17	49	0	0	<b>75</b>	5	5	58	0	0	<b>68</b>
	12.0%	22.7%	65.3%	0.0%	0.0%	<b>100.0%</b>	7.4%	7.4%	85.3%	0.0%	0.0%	<b>100.0%</b>
<b>15 (West Palm Beach)</b>	<b>637</b>	<b>39</b>	<b>1,250</b>	<b>2,390</b>	<b>1</b>	<b>4,317</b>	<b>675</b>	<b>50</b>	<b>1,496</b>	<b>2,536</b>	<b>0</b>	<b>4,757</b>
	<b>14.8%</b>	<b>0.9%</b>	<b>29.0%</b>	<b>55.4%</b>	<b>0.0%</b>	<b>100.0%</b>	<b>14.2%</b>	<b>1.1%</b>	<b>31.4%</b>	<b>53.3%</b>	<b>0.0%</b>	<b>100.0%</b>
Palm Beach	637	39	1,250	2,390	1	<b>4,317</b>	675	50	1,496	2,536	0	<b>4,757</b>
	<b>14.8%</b>	<b>0.9%</b>	<b>29.0%</b>	<b>55.4%</b>	<b>0.0%</b>	<b>100.0%</b>	<b>14.2%</b>	<b>1.1%</b>	<b>31.4%</b>	<b>53.3%</b>	<b>0.0%</b>	<b>100.0%</b>
<b>16 (Key West)</b>	<b>103</b>	<b>12</b>	<b>490</b>	<b>114</b>	<b>8</b>	<b>727</b>	<b>59</b>	<b>16</b>	<b>345</b>	<b>63</b>	<b>4</b>	<b>487</b>
	<b>14.2%</b>	<b>1.7%</b>	<b>67.4%</b>	<b>15.7%</b>	<b>1.1%</b>	<b>100.0%</b>	<b>12.1%</b>	<b>3.3%</b>	<b>70.8%</b>	<b>12.9%</b>	<b>0.8%</b>	<b>100.0%</b>
Monroe	103	12	490	114	8	<b>727</b>	59	16	345	63	4	<b>487</b>
	14.2%	1.7%	67.4%	15.7%	1.1%	<b>100.0%</b>	12.1%	3.3%	70.8%	12.9%	0.8%	<b>100.0%</b>
<b>17 (Ft. Lauderdale)</b>	<b>1,403</b>	<b>350</b>	<b>5,368</b>	<b>1,404</b>	<b>60</b>	<b>8,585</b>	<b>1,255</b>	<b>279</b>	<b>4,318</b>	<b>1,081</b>	<b>50</b>	<b>6,983</b>
	<b>16.3%</b>	<b>4.1%</b>	<b>62.5%</b>	<b>16.4%</b>	<b>0.7%</b>	<b>100.0%</b>	<b>18.0%</b>	<b>4.0%</b>	<b>61.8%</b>	<b>15.5%</b>	<b>0.7%</b>	<b>100.0%</b>
Broward	1,403	350	5,368	1,404	60	<b>8,585</b>	1,255	279	4,318	1,081	50	<b>6,983</b>
	16.3%	4.1%	62.5%	16.4%	0.7%	<b>100.0%</b>	18.0%	4.0%	61.8%	15.5%	0.7%	<b>100.0%</b>
<b>18 (Sanford)</b>	<b>440</b>	<b>213</b>	<b>1,803</b>	<b>256</b>	<b>0</b>	<b>2,712</b>	<b>677</b>	<b>289</b>	<b>2,173</b>	<b>477</b>	<b>0</b>	<b>3,616</b>
	<b>16.2%</b>	<b>7.9%</b>	<b>66.5%</b>	<b>9.4%</b>	<b>0.0%</b>	<b>100.0%</b>	<b>18.7%</b>	<b>8.0%</b>	<b>60.1%</b>	<b>13.2%</b>	<b>0.0%</b>	<b>100.0%</b>
Brevard	273	161	923	34	0	<b>1,391</b>	403	194	1,082	63	0	<b>1,742</b>
	19.6%	11.6%	66.4%	2.4%	0.0%	<b>100.0%</b>	23.1%	11.1%	62.1%	3.6%	0.0%	<b>100.0%</b>

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

Circuit/County	FY2006-2007 Sentence Dates <sup>1</sup>						FY2007-2008 Sentence Dates <sup>2</sup>					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
Seminole	167 12.6%	52 3.9%	880 66.6%	222 16.8%	0 0.0%	<b>1,321</b> <b>100.0%</b>	274 14.6%	95 5.1%	1,091 58.2%	414 22.1%	0 0.0%	<b>1,874</b> <b>100.0%</b>
<b>19 (Ft. Pierce)</b>	<b>974</b> <b>24.4%</b>	<b>184</b> <b>4.6%</b>	<b>1,796</b> <b>44.9%</b>	<b>989</b> <b>24.7%</b>	<b>57</b> <b>1.4%</b>	<b>4,000</b> <b>100.0%</b>	<b>987</b> <b>24.1%</b>	<b>247</b> <b>6.0%</b>	<b>1,881</b> <b>45.9%</b>	<b>935</b> <b>22.8%</b>	<b>49</b> <b>1.2%</b>	<b>4,099</b> <b>100.0%</b>
Indian River	217 25.3%	20 2.3%	279 32.6%	339 39.6%	2 0.2%	<b>857</b> <b>100.0%</b>	195 25.9%	39 5.2%	264 35.0%	255 33.8%	1 0.1%	<b>754</b> <b>100.0%</b>
Martin	268 34.5%	28 3.6%	333 42.9%	143 18.4%	5 0.6%	<b>777</b> <b>100.0%</b>	250 30.3%	60 7.3%	379 45.9%	128 15.5%	9 1.1%	<b>826</b> <b>100.0%</b>
Okeechobee	104 26.1%	11 2.8%	203 51.0%	75 18.8%	5 1.3%	<b>398</b> <b>100.0%</b>	113 25.8%	23 5.3%	205 46.8%	96 21.9%	1 0.2%	<b>438</b> <b>100.0%</b>
St. Lucie	385 19.6%	125 6.4%	981 49.8%	432 22.0%	45 2.3%	<b>1,968</b> <b>100.0%</b>	429 20.6%	125 6.0%	1,033 49.6%	456 21.9%	38 1.8%	<b>2,081</b> <b>100.0%</b>
<b>20 (Ft. Myers)</b>	<b>728</b> <b>14.9%</b>	<b>249</b> <b>5.1%</b>	<b>2,665</b> <b>54.7%</b>	<b>1,207</b> <b>24.8%</b>	<b>26</b> <b>0.5%</b>	<b>4,875</b> <b>100.0%</b>	<b>1,014</b> <b>16.9%</b>	<b>300</b> <b>5.0%</b>	<b>3,382</b> <b>56.3%</b>	<b>1,292</b> <b>21.5%</b>	<b>18</b> <b>0.3%</b>	<b>6,006</b> <b>100.0%</b>
Charlotte	181 21.7%	141 16.9%	420 50.4%	91 10.9%	0 0.0%	<b>833</b> <b>100.0%</b>	277 25.8%	174 16.2%	549 51.2%	70 6.5%	2 0.2%	<b>1,072</b> <b>100.0%</b>
Collier	151 10.8%	75 5.4%	725 51.9%	433 31.0%	14 1.0%	<b>1,398</b> <b>100.0%</b>	256 17.5%	61 4.2%	669 45.7%	466 31.8%	12 0.8%	<b>1,464</b> <b>100.0%</b>
Glades	11 24.4%	0 0.0%	32 71.1%	0 0.0%	2 4.4%	<b>45</b> <b>100.0%</b>	2 16.7%	0 0.0%	7 58.3%	3 25.0%	0 0.0%	<b>12</b> <b>100.0%</b>
Hendry	42 16.0%	1 0.4%	184 70.2%	31 11.8%	4 1.5%	<b>262</b> <b>100.0%</b>	58 21.2%	1 0.4%	170 62.0%	42 15.3%	3 1.1%	<b>274</b> <b>100.0%</b>
Lee	343 14.7%	32 1.4%	1,304 55.8%	652 27.9%	6 0.3%	<b>2,337</b> <b>100.0%</b>	421 13.2%	64 2.0%	1,987 62.4%	711 22.3%	1 0.0%	<b>3,184</b> <b>100.0%</b>
<b>Statewide</b>	<b>18,758</b> <b>18.6%</b>	<b>4,079</b> <b>4.0%</b>	<b>48,310</b> <b>47.9%</b>	<b>28,416</b> <b>28.1%</b>	<b>1,382</b> <b>1.4%</b>	<b>100,945</b> <b>100.0%</b>	<b>19,733</b> <b>20.4%</b>	<b>4,375</b> <b>4.5%</b>	<b>45,420</b> <b>46.9%</b>	<b>26,251</b> <b>27.1%</b>	<b>994</b> <b>1.0%</b>	<b>96,773</b> <b>100.0%</b>

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

<sup>1</sup> Offense dates on or after October 1, 2005.

<sup>2</sup> Offense dates on or after October 1, 2006.

**Table 4  
Offense Types by Sanction Imposed**

Offense Type	FY2005-2006 Sentence Dates <sup>1</sup>						FY2006-2007 Sentence Dates <sup>2</sup>					
	State Prison	Comm. Control	Probation	County Jail	Other	Total	State Prison	Comm. Control	Probation	County Jail	Other	Total
<b>Murder/Manslaughter</b>												
First Degree Murder												
Attempt	61	6	2	1	0	70	66	6	5	0	0	77
	87.1%	8.6%	2.8%	1.5%	0.0%	100.0%	85.7%	7.8%	6.5%	0.0%	0.0%	100.0%
Complete	0	0	0	0	0	0	0	0	0	0	0	0
Second Degree Murder												
Attempt	44	7	5	0	1	57	36	5	3	1	0	45
	77.2%	12.3%	8.8%	0.0%	1.8%	100.0%	80.0%	11.1%	6.7%	2.2%	0.0%	100.0%
Complete	57	0	0	0	0	57	65	1	0	0	0	66
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%	98.5%	1.5%	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	1	0	0	0	0	1	3	0	0	0	0	3
	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Homicide, Other												
Complete	1	0	1	0	0	2	2	0	0	0	0	2
	50.0%	0.0%	50.0%	0.0%	0.0%	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Manslaughter												
Attempt	0	0	0	0	0	0	1	1	1	0	0	3
							33.3%	33.3%	33.3%	0.0%	0.0%	100.0%
Complete	22	5	11	0	0	38	30	0	4	0	0	34
	57.9%	13.2%	28.9%	0.0%	0.0%	100.0%	88.2%	0.0%	11.8%	0.0%	0.0%	100.0%
DUI Manslaughter												
Complete	41	4	3	0	0	48	49	1	1	0	0	51
	85.4%	8.3%	6.3%	0.0%	0.0%	100.0%	96.1%	2.0%	2.0%	0.0%	0.0%	100.0%
<b>Sexual/Lewd Behavior</b>												
Capital Sexual Battery												
Attempt	28	1	0	0	0	29	24	0	1	0	0	25
	96.6%	3.4%	0.0%	0.0%	0.0%	100.0%	96.0%	0.0%	4.0%	0.0%	0.0%	100.0%

**Table 4  
Offense Types by Sanction Imposed**

Offense Type	FY2005-2006 Sentence Dates <sup>1</sup>						FY2006-2007 Sentence Dates <sup>2</sup>						
	State Prison	Comm. Control	Probation	County Jail	Other	Total	State Prison	Comm. Control	Probation	County Jail	Other	Total	
Life Sexual Battery	Attempt	2	0	0	0	0	2	5	0	0	0	0	5
		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	18	0	0	0	0	18	18	0	0	1	0	19
		100.0%	0.0%	0.0%	0.0%	0.0%	100.0%	94.7%	0.0%	0.0%	5.3%	0.0%	100.0%
1st Degree Sexual Battery	Attempt	4	0	1	0	0	5	1	0	0	0	0	1
		80.0%	0.0%	20.0%	0.0%	0.0%	100.0%	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%
	Complete	30	2	2	0	0	34	26	1	2	0	0	29
		88.2%	5.9%	5.9%	0.0%	0.0%	100.0%	89.7%	3.4%	6.9%	0.0%	0.0%	100.0%
2nd Degree Sexual Battery	Attempt	7	0	4	0	0	11	4	1	3	1	0	9
		63.6%	0.0%	36.4%	0.0%	0.0%	100.0%	44.4%	11.1%	33.3%	11.1%	0.0%	100.0%
	Complete	53	9	30	5	0	97	62	5	18	4	0	89
		54.6%	9.3%	30.9%	5.2%	0.0%	100.0%	69.7%	5.6%	20.2%	4.5%	0.0%	100.0%
Sexual Assault, Other	Complete	2	1	4	0	0	7	0	0	2	0	0	2
		28.6%	14.3%	57.1%	0.0%	0.0%	100.0%	0.0%	0.0%	100.0%	0.0%	0.0%	100.0%
Lewd/Lascivious Behavior	Attempt	18	1	7	0	0	26	15	4	6	0	0	25
		69.2%	3.8%	26.9%	0.0%	0.0%	100.0%	60.0%	16.0%	24.0%	0.0%	0.0%	100.0%
	Complete	221	28	144	15	3	411	259	19	122	12	4	416
		53.8%	6.8%	35.0%	3.6%	0.7%	100.0%	62.3%	4.6%	29.3%	2.9%	1.0%	100.0%
<b>Robbery</b>													
Robbery with Weapon	Attempt	45	7	17	5	0	74	68	11	25	6	0	110
		60.8%	9.5%	23.0%	6.8%	0.0%	100.0%	61.8%	10.0%	22.7%	5.5%	0.0%	100.0%
	Complete	433	55	109	17	1	615	610	83	105	14	3	815
		70.4%	8.9%	17.7%	2.8%	0.2%	100.0%	74.8%	10.2%	12.9%	1.7%	0.4%	100.0%



**Table 4  
Offense Types by Sanction Imposed**

Offense Type	FY2005-2006 Sentence Dates <sup>1</sup>						FY2006-2007 Sentence Dates <sup>2</sup>					
	State Prison	Comm. Control	Probation	County Jail	Other	Total	State Prison	Comm. Control	Probation	County Jail	Other	Total
Robbery without Weapon												
Attempt	47	7	62	42	3	161	65	5	70	31	1	172
	29.2%	4.3%	38.5%	26.1%	1.9%	100.0%	37.8%	2.9%	40.7%	18.0%	0.6%	100.0%
Complete	457	62	383	177	8	1,087	555	86	451	202	4	1,298
	42.0%	5.7%	35.2%	16.3%	0.7%	100.0%	42.8%	6.6%	34.7%	15.6%	0.3%	100.0%
Home Invasion, Robbery												
Attempt	3	0	2	0	0	5	6	0	4	0	0	10
	60.0%	0.0%	40.0%	0.0%	0.0%	100.0%	60.0%	0.0%	40.0%	0.0%	0.0%	100.0%
Complete	59	3	9	1	1	73	54	8	6	0	0	68
	80.8%	4.1%	12.3%	1.4%	1.4%	100.0%	79.4%	11.8%	8.8%	0.0%	0.0%	100.0%
<b>Violent Personal Offenses</b>												
Attempt	27	8	43	4	2	84	44	7	57	5	2	115
	32.1%	9.5%	51.2%	4.8%	2.4%	100.0%	38.3%	6.1%	49.6%	4.3%	1.7%	100.0%
Complete	2,548	601	5,938	1,684	129	10,900	2,639	597	5,480	1,670	106	10,492
	23.4%	5.5%	54.5%	15.4%	1.2%	100.0%	25.2%	5.7%	52.2%	15.9%	1.0%	100.0%
<b>Burglary</b>												
Attempt	81	13	139	64	4	301	97	16	131	66	1	311
	26.9%	4.3%	46.2%	21.3%	1.3%	100.0%	31.2%	5.1%	42.1%	21.2%	0.3%	100.0%
Complete	2,428	437	3,702	1,579	78	8,224	2,883	545	3,833	1,653	81	8,995
	29.5%	5.3%	45.0%	19.2%	0.9%	100.0%	32.1%	6.1%	42.6%	18.4%	0.9%	100.0%
<b>Property Theft/Fraud/Damage</b>												
Attempt	6	1	11	3	0	21	7	1	15	5	0	28
	28.6%	4.8%	52.4%	14.3%	0.0%	100.0%	25.0%	3.6%	53.6%	17.9%	0.0%	100.0%
Complete	2,652	627	10,536	4,357	301	18,473	2,769	728	10,667	4,484	226	18,874
	14.4%	3.4%	57.0%	23.6%	1.6%	100.0%	14.7%	3.9%	56.5%	23.8%	1.2%	100.0%
<b>Drugs</b>												
Manufacture/Sale/Purchase												
Attempt	53	14	329	569	3	968	58	11	270	269	1	609
	5.5%	1.4%	34.0%	58.8%	0.3%	100.0%	9.5%	1.8%	44.3%	44.2%	0.2%	100.0%
Complete	2,861	471	3,903	2,783	101	10,119	2,830	489	3,567	2,309	67	9,262
	28.3%	4.7%	38.6%	27.5%	1.0%	100.0%	30.6%	5.3%	38.5%	24.9%	0.7%	100.0%

**Table 4  
Offense Types by Sanction Imposed**

Offense Type	FY2005-2006 Sentence Dates <sup>1</sup>						FY2006-2007 Sentence Dates <sup>2</sup>						
	State Prison	Comm. Control	Probation	County Jail	Other	Total	State Prison	Comm. Control	Probation	County Jail	Other	Total	
Drugs, Trafficking	Attempt	24	5	36	6	0	71	31	14	68	7	0	120
		33.8%	7.0%	50.7%	8.5%	0.0%	100.0%	25.8%	11.7%	56.7%	5.8%	0.0%	100.0%
	Complete	643	53	134	22	4	856	756	66	143	18	4	987
		75.1%	6.2%	15.7%	2.6%	0.5%	100.0%	76.6%	6.7%	14.5%	1.8%	0.4%	100.0%
Drugs, Possession/Other	Attempt	6	3	33	50	2	94	16	3	29	27	2	77
		6.4%	3.2%	35.1%	53.2%	2.1%	100.0%	20.8%	3.9%	37.7%	35.1%	2.6%	100.0%
	Complete	2,490	759	12,999	11,065	340	27,653	2,356	738	11,237	9,418	293	24,042
		9.0%	2.7%	47.0%	40.0%	1.2%	100.0%	9.8%	3.1%	46.7%	39.2%	1.2%	100.0%
Weapons	Attempt	1	0	6	2	0	9	2	0	14	1	0	17
		11.1%	0.0%	66.7%	22.2%	0.0%	100.0%	11.8%	0.0%	82.4%	5.9%	0.0%	100.0%
	Complete	708	126	1,183	497	32	2,546	728	138	1,113	523	25	2,527
		27.8%	4.9%	46.5%	19.5%	1.3%	100.0%	28.8%	5.5%	44.0%	20.7%	1.0%	100.0%
Other	Attempt	22	6	44	26	1	99	8	4	17	25	0	54
		22.2%	6.1%	44.4%	26.3%	1.0%	100.0%	14.8%	7.4%	31.5%	46.3%	0.0%	100.0%
	Complete	2,554	757	8,478	5,442	368	17,599	2,485	781	7,950	5,499	174	16,889
		14.5%	4.3%	48.2%	30.9%	2.1%	100.0%	14.7%	4.6%	47.1%	32.6%	1.0%	100.0%
<b>Total</b>		<b>18,758</b>	<b>4,079</b>	<b>48,310</b>	<b>28,416</b>	<b>1,382</b>	<b>100,945</b>	<b>19,733</b>	<b>4,375</b>	<b>45,420</b>	<b>26,251</b>	<b>994</b>	<b>96,773</b>

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

<sup>1</sup> Offense dates on or after October 1, 2005.

<sup>2</sup> Offense dates on or after October 1, 2006.

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

Offense Severity Level	FY2006-2007 Sentence Dates <sup>1</sup>						FY2007-2008 Sentence Dates <sup>2</sup>					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
1	1,377 8.6%	603 3.8%	8,307 51.8%	5,338 33.3%	408 2.5%	<b>16,033</b> <b>100.0%</b>	1,399 8.8%	629 4.0%	8,038 50.8%	5,576 35.3%	169 1.1%	<b>15,811</b> <b>100.0%</b>
2	934 9.4%	327 3.3%	6,241 62.7%	2,280 22.9%	170 1.7%	<b>9,952</b> <b>100.0%</b>	1,009 10.1%	364 3.6%	6,158 61.6%	2,322 23.2%	142 1.4%	<b>9,995</b> <b>100.0%</b>
3	3,116 9.6%	966 3.0%	15,396 47.4%	12,598 38.8%	379 1.2%	<b>32,455</b> <b>100.0%</b>	3,001 10.4%	944 3.3%	13,724 47.8%	10,735 37.4%	328 1.1%	<b>28,732</b> <b>100.0%</b>
4	2,650 20.3%	496 3.8%	6,179 47.3%	3,554 27.2%	171 1.3%	<b>13,050</b> <b>100.0%</b>	2,674 21.5%	530 4.3%	5,922 47.5%	3,200 25.7%	132 1.1%	<b>12,458</b> <b>100.0%</b>
5	3,985 29.0%	638 4.6%	5,812 42.3%	3,175 23.1%	141 1.0%	<b>13,751</b> <b>100.0%</b>	4,020 30.0%	734 5.5%	5,636 42.0%	2,911 21.7%	119 0.9%	<b>13,420</b> <b>100.0%</b>
6	2,260 29.3%	449 5.8%	3,926 50.9%	1,008 13.1%	70 0.9%	<b>7,713</b> <b>100.0%</b>	2,266 30.6%	465 6.3%	3,630 49.1%	985 13.3%	54 0.7%	<b>7,400</b> <b>100.0%</b>
7	2,911 50.2%	416 7.2%	2,029 35.0%	406 7.0%	37 0.6%	<b>5,799</b> <b>100.0%</b>	3,520 54.3%	523 8.1%	1,925 29.7%	473 7.3%	41 0.6%	<b>6,482</b> <b>100.0%</b>
8	705 62.8%	91 8.1%	289 25.8%	33 2.9%	4 0.4%	<b>1,122</b> <b>100.0%</b>	855 68.5%	88 7.1%	269 21.6%	29 2.3%	7 0.6%	<b>1,248</b> <b>100.0%</b>
9	675 74.3%	88 9.7%	126 13.9%	19 2.1%	0 0.0%	<b>908</b> <b>100.0%</b>	840 79.2%	93 8.8%	107 10.1%	19 1.8%	2 0.2%	<b>1,061</b> <b>100.0%</b>
10	145 89.5%	5 3.1%	5 3.1%	5 3.1%	2 1.2%	<b>162</b> <b>100.0%</b>	149 90.3%	5 3.0%	11 6.7%	0 0.0%	0 0.0%	<b>165</b> <b>100.0%</b>
<b>Total</b>	<b>18,758</b> <b>18.6%</b>	<b>4,079</b> <b>4.0%</b>	<b>48,310</b> <b>47.9%</b>	<b>28,416</b> <b>28.1%</b>	<b>1,382</b> <b>1.4%</b>	<b>100,945</b> <b>100.0%</b>	<b>19,733</b> <b>20.4%</b>	<b>4,375</b> <b>4.5%</b>	<b>45,420</b> <b>46.9%</b>	<b>26,250</b> <b>27.1%</b>	<b>994</b> <b>1.0%</b>	<b>96,772</b> <b>100.0%</b>

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

<sup>1</sup> Offense dates on or after October 1, 2005.

<sup>2</sup> Offense dates on or after October 1, 2006.

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

Offense Severity Level	FY2006-2007 Sentence Dates <sup>1</sup>					FY2007-2008 Sentence Dates <sup>2</sup>				
	LE 2*	GT 2-LE 4*	GT 4-LE 10*	GT 10*	Total	LE 2*	GT 2-LE 4*	GT 4-LE 10*	GT 10*	Total
<b>1</b>	1,148 83.4%	159 11.5%	66 4.8%	4 0.3%	<b>1,377</b> <b>100.0%</b>	1,189 85.0%	157 11.2%	47 3.4%	6 0.4%	<b>1,399</b> <b>100.0%</b>
<b>2</b>	742 79.4%	141 15.1%	49 5.2%	2 0.2%	<b>934</b> <b>100.0%</b>	800 79.3%	156 15.5%	49 4.9%	4 0.4%	<b>1,009</b> <b>100.0%</b>
<b>3</b>	2,538 81.5%	434 13.9%	135 4.3%	9 0.3%	<b>3,116</b> <b>100.0%</b>	2,436 81.2%	424 14.1%	129 4.3%	12 0.4%	<b>3,001</b> <b>100.0%</b>
<b>4</b>	1,915 72.3%	499 18.8%	215 8.1%	21 0.8%	<b>2,650</b> <b>100.0%</b>	1,839 68.8%	571 21.4%	236 8.8%	28 1.0%	<b>2,674</b> <b>100.0%</b>
<b>5</b>	2,447 61.4%	1,031 25.9%	426 10.7%	81 2.0%	<b>3,985</b> <b>100.0%</b>	2,402 59.8%	1,066 26.5%	466 11.6%	86 2.1%	<b>4,020</b> <b>100.0%</b>
<b>6</b>	1,189 52.6%	629 27.8%	336 14.9%	106 4.7%	<b>2,260</b> <b>100.0%</b>	1,180 52.1%	637 28.1%	350 15.4%	99 4.4%	<b>2,266</b> <b>100.0%</b>
<b>7</b>	811 27.9%	1,233 42.4%	661 22.7%	206 7.1%	<b>2,911</b> <b>100.0%</b>	946 26.9%	1,461 41.5%	909 25.8%	204 5.8%	<b>3,520</b> <b>100.0%</b>
<b>8</b>	97 13.8%	191 27.1%	295 41.8%	122 17.3%	<b>705</b> <b>100.0%</b>	121 14.2%	201 23.5%	364 42.6%	169 19.8%	<b>855</b> <b>100.0%</b>
<b>9</b>	101 15.0%	110 16.3%	278 41.2%	186 27.6%	<b>675</b> <b>100.0%</b>	126 15.0%	113 13.5%	363 43.2%	238 28.3%	<b>840</b> <b>100.0%</b>
<b>10</b>	30 20.7%	11 7.6%	25 17.2%	79 54.5%	<b>145</b> <b>100.0%</b>	28 18.8%	6 4.0%	27 18.1%	88 59.1%	<b>149</b> <b>100.0%</b>
<b>Total</b>	<b>11,018</b> 58.7%	<b>4,438</b> 23.7%	<b>2,486</b> 13.3%	<b>816</b> 4.4%	<b>18,758</b> <b>100.0%</b>	<b>11,067</b> 56.1%	<b>4,792</b> 24.3%	<b>2,940</b> 14.9%	<b>934</b> 4.7%	<b>19,733</b> <b>100.0%</b>

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

<sup>1</sup> Offense dates on or after October 1, 2005.

<sup>2</sup> Offense dates on or after October 1, 2006.

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

Prior Offenses	FY2006-2007 Sentence Dates <sup>1</sup>		FY2007-2008 Sentence Dates <sup>2</sup>	
	Number	Percent	Number	Percent
None	24,177	24.0%	22,495	23.2%
Misdemeanor Only	26,582	26.3%	26,552	27.4%
One Felony	19,775	19.6%	18,764	19.4%
Two Felonies	13,014	12.9%	12,395	12.8%
Three Felonies	8,108	8.0%	7,566	7.8%
Four Felonies	4,656	4.6%	4,340	4.5%
Five Felonies	2,470	2.4%	2,461	2.5%
Six Felonies	1,214	1.2%	1,251	1.3%
Seven or More Felonies	949	0.9%	949	1.0%
<b>Total</b>	<b>100,945</b>	<b>100.0%</b>	<b>96,773</b>	<b>100.0%</b>

\* As indicated on the scoresheet.

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

Additional Offenses	FY2006-2007 Sentence Dates <sup>1</sup>		FY2007-2008 Sentence Dates <sup>2</sup>	
	Number	Percent	Number	Percent
None	55,096	54.6%	52,556	54.3%
Misdemeanor Only	24,488	24.3%	23,109	23.9%
One Felony	14,785	14.6%	14,563	15.0%
Two Felonies	4,206	4.2%	4,110	4.2%
Three Felonies	1,392	1.4%	1,426	1.5%
Four Felonies	512	0.5%	496	0.5%
Five Felonies	255	0.3%	261	0.3%
Six Felonies	100	0.1%	113	0.1%
Seven or More Felonies	111	0.1%	139	0.1%
<b>Total</b>	<b>100,945</b>	<b>100.0%</b>	<b>96,773</b>	<b>100.0%</b>

\* As indicated on the scoresheet.

<sup>1</sup> Offense dates on or after October 1, 2005.

<sup>2</sup> Offense dates on or after October 1, 2006.

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

Number of Prior Felonies	FY2006-2007 Sentence Dates <sup>1</sup>						FY2007-2008 Sentence Dates <sup>2</sup>					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
None	4,962 9.8%	2,220 4.4%	32,014 63.1%	10,589 20.9%	974 1.9%	<b>50,759</b> <b>100.0%</b>	5,299 10.8%	2,537 5.2%	30,643 62.5%	9,880 20.1%	688 1.4%	<b>49,047</b> <b>100.0%</b>
One	3,631 18.4%	838 4.2%	8,198 41.5%	6,894 34.9%	214 1.1%	<b>19,775</b> <b>100.0%</b>	3,721 19.8%	863 4.6%	7,550 40.2%	6,471 34.5%	159 0.8%	<b>18,764</b> <b>100.0%</b>
Two	3,394 26.1%	497 3.8%	4,266 32.8%	4,744 36.5%	113 0.9%	<b>13,014</b> <b>100.0%</b>	3,571 28.8%	508 4.1%	3,831 30.9%	4,412 35.6%	73 0.6%	<b>12,395</b> <b>100.0%</b>
Three	2,794 34.5%	281 3.5%	2,110 26.0%	2,868 35.4%	55 0.7%	<b>8,108</b> <b>100.0%</b>	2,823 37.3%	251 3.3%	1,856 24.5%	2,594 34.3%	42 0.6%	<b>7,566</b> <b>100.0%</b>
Four	1,875 40.3%	143 3.1%	988 21.2%	1,632 35.1%	18 0.4%	<b>4,656</b> <b>100.0%</b>	1,917 44.2%	128 2.9%	849 19.6%	1,429 32.9%	17 0.4%	<b>4,340</b> <b>100.0%</b>
Five	1,140 46.2%	55 2.2%	429 17.4%	840 34.0%	6 0.2%	<b>2,470</b> <b>100.0%</b>	1,248 50.7%	44 1.8%	369 15.0%	794 32.3%	6 0.2%	<b>2,461</b> <b>100.0%</b>
Six	535 44.1%	32 2.6%	189 15.6%	457 37.6%	1 0.1%	<b>1,214</b> <b>100.0%</b>	666 53.2%	23 1.8%	198 15.8%	357 28.5%	7 0.6%	<b>1,251</b> <b>100.0%</b>
Seven or More	427 45.0%	13 1.4%	116 12.2%	392 41.3%	1 0.1%	<b>949</b> <b>100.0%</b>	488 51.4%	21 2.2%	124 13.1%	314 33.1%	2 0.2%	<b>949</b> <b>100.0%</b>
<b>Total</b>	<b>18,758</b> <b>18.6%</b>	<b>4,079</b> <b>4.0%</b>	<b>48,310</b> <b>47.9%</b>	<b>28,416</b> <b>28.1%</b>	<b>1,382</b> <b>1.4%</b>	<b>100,945</b> <b>100.0%</b>	<b>19,733</b> <b>20.4%</b>	<b>4,375</b> <b>4.5%</b>	<b>45,420</b> <b>46.9%</b>	<b>26,251</b> <b>27.1%</b>	<b>994</b> <b>1.0%</b>	<b>96,773</b> <b>100.0%</b>

\* As indicated on the scoresheet

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

<sup>1</sup> Offense dates on or after October 1, 2005.

<sup>2</sup> Offense dates on or after October 1, 2006.

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

Number of Additional Felonies	FY2006-2007 Sentence Dates <sup>1</sup>						FY2007-2008 Sentence Dates <sup>2</sup>					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
None	10,923 13.7%	2,874 3.6%	39,915 50.2%	24,668 31.0%	1,204 1.5%	<b>79,584</b> <b>100.0%</b>	11,551 15.3%	3,066 4.1%	37,557 49.6%	22,677 30.0%	814 1.1%	<b>75,665</b> <b>100.0%</b>
One	4,408 29.8%	806 5.5%	6,431 43.5%	3,011 20.4%	129 0.9%	<b>14,785</b> <b>100.0%</b>	4,680 32.1%	857 5.9%	6,059 41.6%	2,836 19.5%	131 0.9%	<b>14,563</b> <b>100.0%</b>
Two	1,889 44.9%	272 6.5%	1,431 34.0%	573 13.6%	41 1.0%	<b>4,206</b> <b>100.0%</b>	1,921 46.7%	286 7.0%	1,303 31.7%	569 13.8%	31 0.8%	<b>4,110</b> <b>100.0%</b>
Three	836 60.1%	75 5.4%	358 25.7%	118 8.5%	5 0.4%	<b>1,392</b> <b>100.0%</b>	842 59.0%	96 6.7%	336 23.6%	139 9.7%	13 0.9%	<b>1,426</b> <b>100.0%</b>
Four	334 65.2%	33 6.4%	108 21.1%	36 7.0%	1 0.2%	<b>512</b> <b>100.0%</b>	348 70.2%	36 7.3%	85 17.1%	25 5.0%	2 0.4%	<b>496</b> <b>100.0%</b>
Five	189 74.1%	12 4.7%	44 17.3%	8 3.1%	2 0.8%	<b>255</b> <b>100.0%</b>	196 75.1%	17 6.5%	43 16.5%	3 1.1%	2 0.8%	<b>261</b> <b>100.0%</b>
Six	84 84.0%	3 3.0%	13 13.0%	0 0.0%	0 0.0%	<b>100</b> <b>100.0%</b>	80 70.8%	9 8.0%	22 19.5%	1 0.9%	1 0.9%	<b>113</b> <b>100.0%</b>
Seven or More	95 85.6%	4 3.6%	10 9.0%	2 1.8%	0 0.0%	<b>111</b> <b>100.0%</b>	115 82.7%	8 5.8%	15 10.8%	1 0.7%	0 0.0%	<b>139</b> <b>100.0%</b>
<b>Total</b>	<b>18,758</b> <b>18.6%</b>	<b>4,079</b> <b>4.0%</b>	<b>48,310</b> <b>47.9%</b>	<b>28,416</b> <b>28.1%</b>	<b>1,382</b> <b>1.4%</b>	<b>100,945</b> <b>100.0%</b>	<b>19,733</b> <b>20.4%</b>	<b>4,375</b> <b>4.5%</b>	<b>45,420</b> <b>46.9%</b>	<b>26,251</b> <b>27.1%</b>	<b>994</b> <b>1.0%</b>	<b>96,773</b> <b>100.0%</b>

\* As indicated on the scoresheet.

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

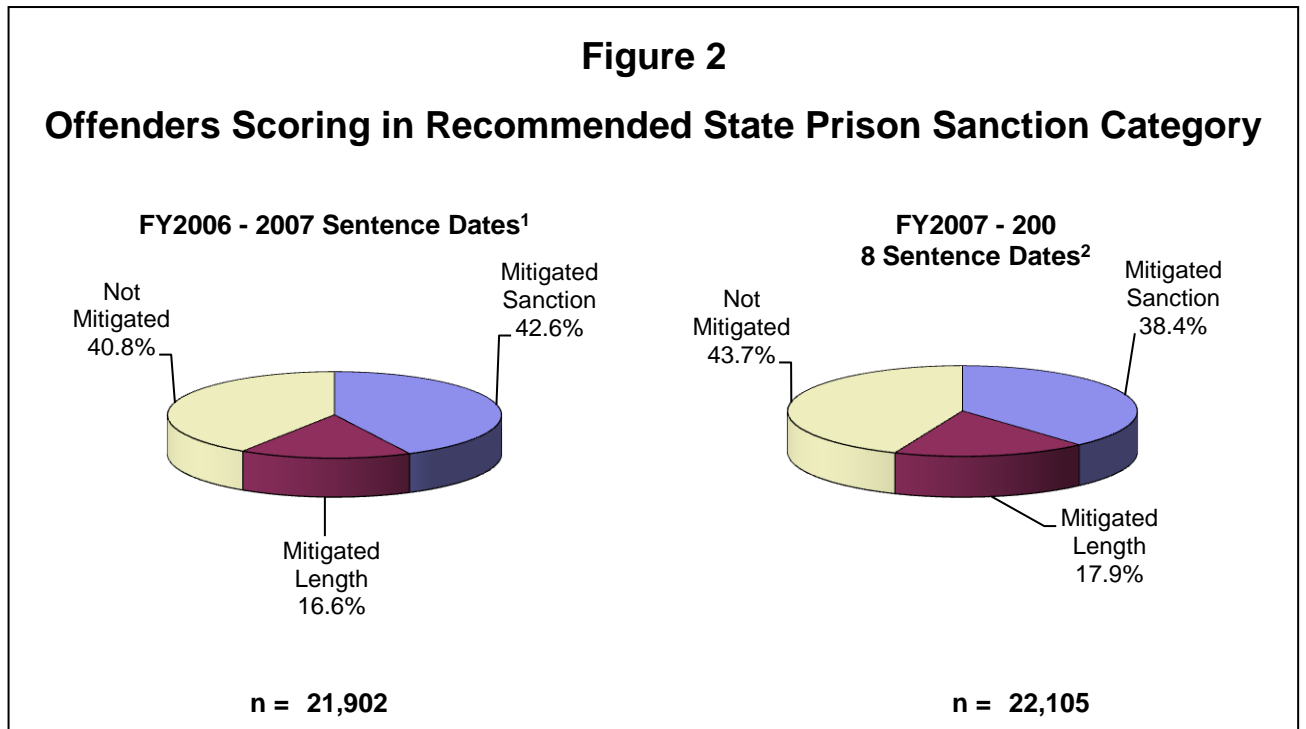
<sup>1</sup> Offense dates on or after October 1, 2005.

<sup>2</sup> Offense dates on or after October 1, 2006.

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

Category	FY2006-2007 Sentence Dates <sup>1</sup>		FY2007-2008 Sentence Dates <sup>2</sup>	
	Number / Percent	Average Mitigated Length in Months	Number / Percent	Average Mitigated Length in Months
Mitigated Total	12,968 59.2%		12,442 56.3%	
Mitigated Sanction	9,333 42.6%		8,490 38.4%	
Mitigated Length	3,635 16.6%	22.9	3,952 17.9%	23.7
Not Mitigated	8,934 40.8%		9,663 43.7%	
<b>Total</b>	<b>21,902</b> <b>100.0%</b>		<b>22,105</b> <b>100.0%</b>	

\* Mitigation of sanction occurs when an offender does not receive a prison sanction although a prison sanction is mandated by the Criminal Punishment Code. Mitigated length occurs when an offender receives a prison sentence below the 25% permissible discretion existing within the Criminal Punishment Code. This total rate includes both mitigated sanction and mitigated length sentences. Offenders scoring to state prison who receive a Drug Offender Probation sentence are not counted as mitigated.



\* Total points exceeding 44.0

<sup>1</sup> Offense dates on or after October 1, 2005.

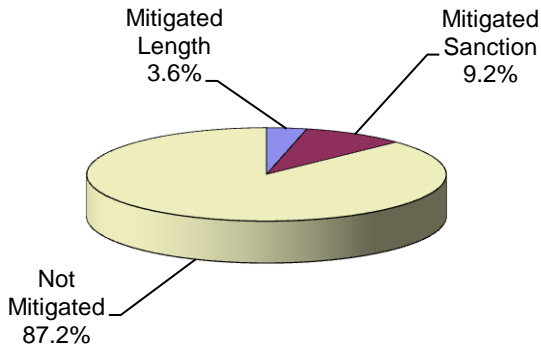
<sup>2</sup> Offense dates on or after October 1, 2006.



**Figure 3**

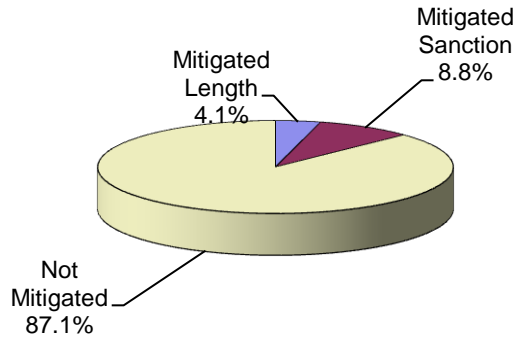
**Deviation Rates Below Permitted Sentences Among All Offenders Sentenced**

**FY2006 - 2007 Sentence Dates<sup>1</sup>**



n = 100,945

**FY2007 - 2008 Sentence Dates<sup>2</sup>**



n = 96,773

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

Judicial Circuit	FY2006-2007 Sentence Dates <sup>1</sup>			FY2007-2008 Sentence Dates <sup>2</sup>		
	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate
01- Pensacola	765	278	36.3%	682	276	40.5%
02- Tallahassee	664	252	38.0%	380	148	38.9%
03- Lake City	338	177	52.4%	383	152	39.7%
04- Jacksonville	1,086	339	31.2%	1,111	348	31.3%
05- Tavares	1,307	377	28.8%	1,160	274	23.6%
06- Clearwater	2,156	696	32.3%	2,364	688	29.1%
07- Daytona	956	293	30.6%	913	265	29.0%
08- Gainesville	418	158	37.8%	346	136	39.3%
09- Orlando	937	366	39.1%	1,630	556	34.1%
10- Bartow	883	204	23.1%	1,058	266	25.1%
11- Miami	4,436	3,355	75.6%	3,346	2,388	71.4%
12- Sarasota	559	116	20.8%	667	114	17.1%
13- Tampa	2,250	912	40.5%	2,539	1,056	41.6%
14- Panama City	545	172	31.6%	497	116	23.3%
15- West Palm Beach	938	400	42.6%	990	438	44.2%
16- Key West	111	29	26.1%	85	31	36.5%
17- Ft. Lauderdale	1,774	748	42.2%	1,613	625	38.7%
18- Sanford	370	69	18.6%	610	140	23.0%
19- Ft. Pierce	551	121	22.0%	644	157	24.4%
20- Ft. Myers	858	271	31.6%	1,087	316	29.1%
<b>Statewide</b>	<b>21,902</b>	<b>9,333</b>	<b>42.6%</b>	<b>22,105</b>	<b>8,490</b>	<b>38.4%</b>

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

<sup>1</sup> Offense dates on or after October 1, 2005.

<sup>2</sup> Offense dates on or after October 1, 2006.

**Table 13**

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

Judicial Circuit	FY2006-2007 Sentence Dates <sup>1</sup>			FY2007-2008 Sentence Dates <sup>2</sup>		
	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate
01- Pensacola	765	335	43.8%	682	330	48.4%
02- Tallahassee	664	473	71.2%	380	253	66.6%
03- Lake City	338	244	72.2%	383	240	62.7%
04- Jacksonville	1,086	543	50.0%	1,111	550	49.5%
05- Tavares	1,307	553	42.3%	1,160	433	37.3%
06- Clearwater	2,156	956	44.3%	2,364	1,127	47.7%
07- Daytona	956	502	52.5%	913	465	50.9%
08- Gainesville	418	309	73.9%	346	263	76.0%
09- Orlando	937	482	51.4%	1,630	812	49.8%
10- Bartow	883	353	40.0%	1,058	483	45.7%
11- Miami	4,436	4,021	90.6%	3,346	3,010	90.0%
12- Sarasota	559	162	29.0%	667	196	29.4%
13- Tampa	2,250	1,547	68.8%	2,539	1,737	68.4%
14- Panama City	545	273	50.1%	497	202	40.6%
15- West Palm Beach	938	522	55.7%	990	581	58.7%
16- Key West	111	42	37.8%	85	38	44.7%
17- Ft. Lauderdale	1,774	948	53.4%	1,613	817	50.7%
18- Sanford	370	113	30.5%	610	218	35.7%
19- Ft. Pierce	551	186	33.8%	644	233	36.2%
20- Ft. Myers	858	404	47.1%	1,087	454	41.8%
<b>Statewide</b>	<b>21,902</b>	<b>12,968</b>	<b>59.2%</b>	<b>22,105</b>	<b>12,442</b>	<b>56.3%</b>

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

<sup>1</sup> Offense dates on or after October 1, 2005.

<sup>2</sup> Offense dates on or after October 1, 2006.

**Table 14**

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

Offense Type	FY2006-2007 Sentence Dates <sup>1</sup>					FY2007-2008 Sentence Dates <sup>2</sup>				
	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
<b>Murder/Manslaughter</b>										
First Degree Murder										
Attempt	24	9	15	46	70	21	11	10	56	77
	34.3%	12.9%	21.4%	65.7%	100.0%	27.3%	14.3%	13.0%	72.7%	100.0%
Complete	0	0	0	0	0	0	0	0	0	0
2nd Degree Murder										
Attempt	22	13	9	35	57	16	9	7	29	45
	38.6%	22.8%	15.8%	61.4%	100.0%	35.6%	20.0%	15.6%	64.4%	100.0%
Complete	12	0	12	45	57	25	1	24	41	66
	21.1%	0.0%	21.1%	78.9%	100.0%	37.9%	1.5%	36.4%	62.1%	100.0%
3rd Degree Murder										
Attempt	0	0	0	0	0	0	0	0	0	0
Complete	1	0	1	0	1	1	0	1	2	3
	100.0%	0.0%	100.0%	0.0%	100.0%	33.3%	0.0%	33.3%	66.7%	100.0%
Homicide, Other										
Attempt	0	0	0	0	0	0	0	0	0	0
Complete	2	1	1	0	2	1	1	0	1	2
	100.0%	50.0%	50.0%	0.0%	100.0%	50.0%	50.0%	0.0%	50.0%	100.0%
Manslaughter										
Attempt	0	0	0	0	0	2	2	0	1	3
Complete	23	16	7	15	38	19	4	15	15	34
	60.5%	42.1%	18.4%	39.5%	100.0%	55.9%	11.8%	44.1%	44.1%	100.0%
DUI Manslaughter										
Complete	34	7	27	14	48	27	2	25	24	51
	70.8%	14.6%	56.3%	29.2%	100.0%	52.9%	3.9%	49.0%	47.1%	100.0%

**Table 14**

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

Offense Type	FY2006-2007 Sentence Dates <sup>1</sup>					FY2007-2008 Sentence Dates <sup>2</sup>				
	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
<b>Sexual/Lewd Behavior</b>										
Capital Sexual Battery										
Attempt	6	1	5	23	29	7	1	6	18	25
	20.7%	3.4%	17.2%	79.3%	100.0%	28.0%	4.0%	24.0%	72.0%	100.0%
Life Sexual Battery										
Attempt	0	0	0	2	2	1	0	1	4	5
	0.0%	0.0%	0.0%	100.0%	100.0%	20.0%	0.0%	20.0%	80.0%	100.0%
Complete	7	0	7	11	18	6	1	5	13	19
	38.9%	0.0%	38.9%	61.1%	100.0%	31.6%	5.3%	26.3%	68.4%	100.0%
1st Degree Sexual Battery										
Attempt	1	1	0	4	5	1	0	1	0	1
	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Complete	12	4	8	22	34	16	3	13	13	29
	35.3%	11.8%	23.5%	64.7%	100.0%	55.2%	10.3%	44.8%	44.8%	100.0%
2nd Degree Sexual Battery										
Attempt	4	3	1	6	10	5	3	2	2	7
	40.0%	30.0%	10.0%	60.0%	100.0%	71.4%	42.9%	28.6%	28.6%	100.0%
Complete	58	36	22	29	87	47	22	25	34	81
	66.7%	41.4%	25.3%	33.3%	100.0%	58.0%	27.2%	30.9%	42.0%	100.0%
Sexual Assault, Other										
Complete	6	5	1	1	7	0	0	0	0	0
	85.7%	71.4%	14.3%	14.3%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Lewd/Lascivious Behavior										
Attempt	7	2	5	11	18	12	7	5	8	20
	38.9%	11.1%	27.8%	61.1%	100.0%	60.0%	35.0%	25.0%	40.0%	100.0%
Complete	228	134	94	110	338	197	94	103	141	338
	67.5%	39.6%	27.8%	32.5%	100.0%	58.3%	27.8%	30.5%	41.7%	100.0%

**Table 14**

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

Offense Type	FY2006-2007 Sentence Dates <sup>1</sup>					FY2007-2008 Sentence Dates <sup>2</sup>				
	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
<b>Robbery</b>										
Robbery with Weapon										
Attempt	35	24	11	33	68	57	36	21	48	105
	51.5%	35.3%	16.2%	48.5%	100.0%	54.3%	34.3%	20.0%	45.7%	100.0%
Complete	339	174	165	270	609	393	194	199	414	807
	55.7%	28.6%	27.1%	44.3%	100.0%	48.7%	24.0%	24.7%	51.3%	100.0%
Robbery without Weapon										
Attempt	24	18	6	29	53	14	9	5	29	43
	45.3%	34.0%	11.3%	54.7%	100.0%	32.6%	20.9%	11.6%	67.4%	100.0%
Complete	183	136	47	289	472	194	134	60	342	536
	38.8%	28.8%	10.0%	61.2%	100.0%	36.2%	25.0%	11.2%	63.8%	100.0%
Home Invasion, Robbery										
Attempt	1	1	0	4	5	8	4	4	2	10
	20.0%	20.0%	0.0%	80.0%	100.0%	80.0%	40.0%	40.0%	20.0%	100.0%
Complete	32	14	18	41	73	36	14	22	32	68
	43.8%	19.2%	24.7%	56.2%	100.0%	52.9%	20.6%	32.4%	47.1%	100.0%
<b>Violent Personal Offenses</b>										
	2,824	2,248	576	1,469	4,293	2,621	1,989	632	1,554	4,175
	65.8%	52.4%	13.4%	34.2%	100.0%	62.8%	47.6%	15.1%	37.2%	100.0%
<b>Burglary</b>										
	2,180	1,559	621	1,382	3,562	2,358	1,599	759	1,684	4,042
	61.2%	43.8%	17.4%	38.8%	100.0%	58.3%	39.6%	18.8%	41.7%	100.0%
<b>Property Theft/Fraud/Damage</b>										
	1,017	677	340	912	1,929	1,028	704	324	983	2,011
	52.7%	35.1%	17.6%	47.3%	100.0%	51.1%	35.0%	16.1%	48.9%	100.0%

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

Offense Type	FY2006-2007 Sentence Dates <sup>1</sup>					FY2007-2008 Sentence Dates <sup>2</sup>				
	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
<b>Drugs</b>										
Manufacture/Sale/Purchase	1,769 54.1%	1,171 35.8%	598 18.3%	1,499 45.9%	3,268 100.0%	1,518 49.3%	938 30.5%	580 18.9%	1,558 50.7%	3,076 100.0%
Drugs, Trafficking	403 45.7%	207 23.5%	196 22.2%	479 54.3%	882 100.0%	449 43.5%	244 23.6%	205 19.8%	584 56.5%	1,033 100.0%
Drugs, Possession/Other	1,924 68.9%	1,622 58.1%	302 10.8%	868 31.1%	2,792 100.0%	1,580 65.8%	1,261 52.5%	319 13.3%	822 34.2%	2,402 100.0%
<b>Weapons</b>										
	296 42.9%	205 29.7%	91 13.2%	394 57.1%	690 100.0%	272 41.8%	176 27.1%	96 14.8%	378 58.2%	650 100.0%
<b>Other</b>										
	1,494 62.6%	1,045 43.8%	449 18.8%	891 37.4%	2,385 100.0%	1,510 64.5%	1,028 43.9%	482 20.6%	831 35.5%	2,341 100.0%
<b>Total</b>	<b>12,968</b>	<b>9,333</b>	<b>3,635</b>	<b>8,934</b>	<b>21,902</b>	<b>12,442</b>	<b>8,491</b>	<b>3,951</b>	<b>9,663</b>	<b>22,105</b>

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

\*\* Total Points Exceeding 44.0.

<sup>1</sup> Offense dates on or after October 1, 2005.

<sup>2</sup> Offense dates on or after October 1, 2006.

## Rule 3.992(a) Criminal Punishment Code Scoresheet

The Criminal Punishment Code Scoresheet Preparation Manual is available at: [http://www.dc.state.fl.us/pub/sen\\_cpcm/index.html](http://www.dc.state.fl.us/pub/sen_cpcm/index.html)

1. DATE OF SENTENCE	2. PREPARER'S NAME	3. COUNTY	4. SENTENCING JUDGE	
5. NAME (LAST, FIRST, MI.L.)	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"/>
				<b>I.</b> _____

**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 _____							
_____ / _____	_____ / _____	_____ / _____	_____ / _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____ x _____	_____ = _____	_____
DESCRIPTION _____							

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

Prior capital felony triples Additional Offense points

Supplemental page points \_\_\_\_\_  
**II.** \_\_\_\_\_

**III. VICTIM INJURY:**

	Number	Total		Number	Total
2nd Degree Murder	240 x _____	= _____	Slight	4 x _____	= _____
Death	120 x _____	= _____	Sex Penetration	80 x _____	= _____
Severe	40 x _____	= _____	Sex Contact	40 x _____	= _____
Moderate	18 x _____	= _____			

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

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

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A S C R	DESCRIPTION	NUMBER	POINTS	TOTAL
_____ / _____	_____ / _____	_____ / _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____	_____ X _____	_____ = _____	_____
_____ / _____	_____ / _____	_____ / _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____	_____ X _____	_____ = _____	_____
_____ / _____	_____ / _____	_____ / _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____	_____ X _____	_____ = _____	_____
_____ / _____	_____ / _____	_____ / _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____	_____ X _____	_____ = _____	_____
_____ / _____	_____ / _____	_____ / _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____	_____ X _____	_____ = _____	_____
_____ / _____	_____ / _____	_____ / _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____	_____ X _____	_____ = _____	_____
_____ / _____	_____ / _____	_____ / _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____	_____ X _____	_____ = _____	_____
_____ / _____	_____ / _____	_____ / _____	<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:** \_\_\_\_\_

<b>NAME (LAST, FIRST, MI)</b>	<b>DOCKET #</b>
-------------------------------	-----------------

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

V. Legal Status violation = 4 Points  
 Escape  Fleeing  Failure to appear  Supersedeas bond  Incarceration  Pretrial intervention or diversion program  
 Court imposed or post prison release community supervision resulting in a conviction V. \_\_\_\_\_

VI. Community Sanction violation before the court for sentencing VI. \_\_\_\_\_  
 Probation  Community Control  Pretrial Intervention or diversion  
 6 points for any violation other than new felony conviction x \_\_\_\_\_ each successive violation OR  
 New felony conviction = 12 points x \_\_\_\_\_ each successive violation if new offense results in conviction before or at same time as sentence for violation of probation OR  
 12 points x \_\_\_\_\_ each successive violation for a violent felony offender of special concern when the violation is not based solely on failure to pay costs, fines, or restitution OR  
 New felony conviction = 24 points x \_\_\_\_\_ each successive violation for a violent felony offender of special concern if new offense results in a conviction before or at the same time for violation of probation

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 Enf. Protect.	Drug Trafficker	Motor Vehicle Theft	Criminal Gang Offense	Domestic Violence in the Presence of Related Child <small>(offenses committed on or after 3/12/07)</small>
____ 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"/> County Jail	_____	_____	_____
<input type="checkbox"/> Community Control	_____	_____	_____
<input type="checkbox"/> Probation <input type="checkbox"/> Modified	_____	_____	_____

Life  Time Served

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** \_\_\_\_\_



## RULE 3.992(b) Supplemental Criminal Punishment Code Scoresheet

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

**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	_____ =	_____
DESCRIPTION _____							

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

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

**IV. PRIOR RECORD**

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A S C R	DESCRIPTION	NUMBER	POINTS	TOTAL
_____	_____ /	_____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____	_____ X	_____ =	_____
_____	_____ /	_____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____	_____ X	_____ =	_____
_____	_____ /	_____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____	_____ X	_____ =	_____
_____	_____ /	_____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____	_____ X	_____ =	_____
_____	_____ /	_____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____	_____ X	_____ =	_____
_____	_____ /	_____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____	_____ X	_____ =	_____

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

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

### REASONS FOR DEPARTURE - MITIGATING CIRCUMSTANCES (reasons may be checked here or written on the scoresheet)

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

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



For additional copies or more information contact:

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