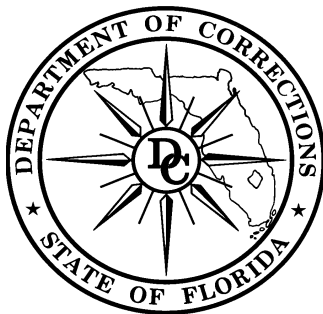


Florida's Criminal Punishment Code: A Comparative Assessment

September 2011

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



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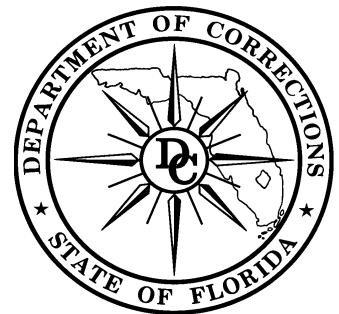


TABLE OF CONTENTS

Executive Summary i-iii

I. Introduction 3

 1. Overview of Florida’s Sentencing Policies 5-11

 2. Narrative on Introductory Statistics..... 12

 3. Introductory Statistics..... 13-19

II. Offense to Sentence Date Lag Time Comparison 21

 1. Narrative on the “Lag” Issue 23-24

 2. Comparative Statistics 25-29

III. Comparative Description 31

 1. Narrative on Comparative Statistics 33-36

 2. Recommended Sanction and Sanction Imposed..... 37-43

 3. Offense Type and Sanction Imposed..... 44

 4. Offense Severity Levels..... 45-46

 5. Prior and Additional Offenses 47-49

 6. Mitigation 50-53

Appendices

- Total Admissions to Prison by County of Commitment
- Offense Level Ranking Chart
- Criminal Punishment Code Scoresheet

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 2009-2010 and FY 2010-2011.**

Since January 1, 1994, the Florida Department of Corrections has collected over 1.9 million scoresheets on felony offenders sentenced in Florida courts under the state's Sentencing Guidelines and Criminal Punishment Code. This report describes the 106,338 Criminal Punishment Code scoresheets with sentence dates in FY 2010-2011 received by the Florida Department of Corrections through September 1, 2011, for felony offenses committed on or after October 1, 1998. It also compares 75,018 Criminal Punishment Code scoresheets received by the Florida Department of Corrections through September 1, 2011, for felony offenses committed on or after October 1, 2009 and sentence dates in Fiscal Year 2010-2011 with 81,466 Criminal Punishment Code scoresheets with offense dates on or after October 1, 2008 and sentence dates in Fiscal Year 2009-2010.

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.

Because it is 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 2009-2010 to those received in FY 2010-2011.

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.

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 st	Up to 30
2 nd	Up to 15
3 rd	Up to 5

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

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

Department of Corrections Responsibilities

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

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

The SAGES (Sentencing Analysis and Guidelines Entry Systems) database

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

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

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

- The information is compiled from a database containing sentencing scoresheets received by the Department of Corrections for offenses with dates of commission on or after January 1, 1994. The information is based on the scoresheets in the database with dates of sentence in Fiscal Year 2010-2011 and offenses on or after October 1, 1998, entered as of September 1, 2011.
- Because the rate of scoresheet submissions is never 100%, there is always information missing that could potentially affect the analysis. When this report was run, the statewide compliance rate was 75.8% for Fiscal Year 2010-2011.
- 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 106,338 Punishment Code scoresheets with offense dates on or after October 1, 1998 with sentencing dates during FY2010-11 entered into the sentencing scoresheet database, as of September 1, 2011.*

FINDINGS:

- The number of Code scoresheets received by month of sentence fluctuated from a high of 9,929 to a low of 7,197 from July 1, 2010 to June 30, 2011 (Figure 1).
- For the time period July 2010 through June 2011, Code scoresheets represent ninety-nine percent (99.8%) 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).
- Thirty percent (30.3%) of the offenders sentenced under the Code were considered “youthful offenders” at the time of sentencing (Table 3). Of the 2,654 true juveniles (under 18 at the time of their offense) transferred to adult court under the Code, 1,005 (37.8%) of the offenders were age sixteen or younger (Table 4).
- There were 1,005 juveniles sentenced under the Code for violent offenses, including, murder/manslaughter, sex offenses, robbery, and other violent personal offenses. These violent offenses represent nearly forty percent (37.8%) of all offenses of juveniles (Table 4). Of the 1,005 violent juvenile offenders, 587 (58.4%) 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. Almost eighty percent (78.9%) of all scoresheets were for male offenders (Table 6), and 61.4% were for white offenders (Table 7).

Figure 1
Scoresheets Received by Month of Sentence
Criminal Punishment Code

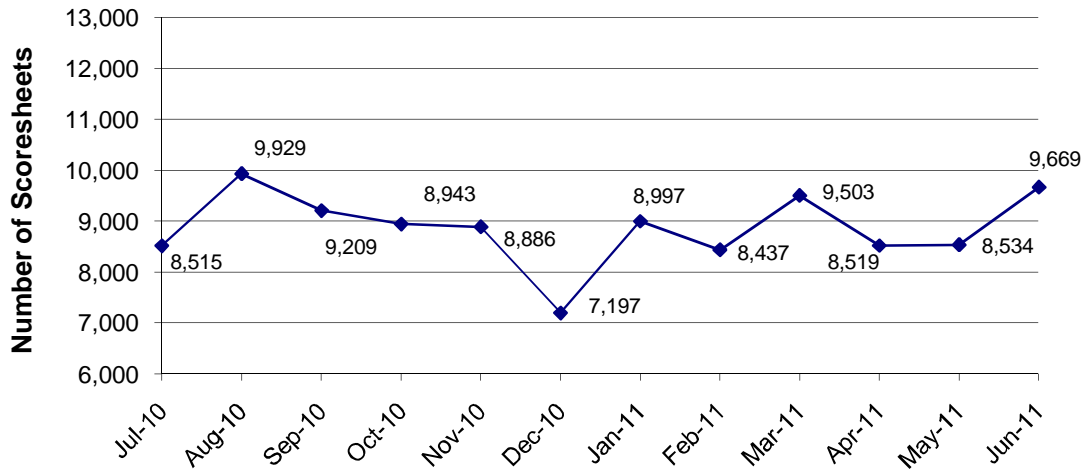


Table 1
Scoresheets Received by Circuit
Fiscal Year 2010-2011
Criminal Punishment Code

Circuit of Sentence	Total	
	Number	Percent
01 (Pensacola)	5,457	5.1%
02 (Tallahassee)	2,307	2.2%
03 (Lake City)	1,061	1.0%
04 (Jacksonville)	4,510	4.2%
05 (Tavares)	5,981	5.6%
06 (Clearwater)	14,347	13.5%
07 (Daytona Beach)	4,728	4.4%
08 (Gainesville)	1,612	1.5%
09 (Orlando)	8,568	8.1%
10 (Bartow)	4,603	4.3%
11 (Miami)	6,811	6.4%
12 (Sarasota)	5,445	5.1%
13 (Tampa)	6,909	6.5%
14 (Panama City)	2,653	2.5%
15 (West Palm Beach)	5,296	5.0%
16 (Key West)	790	0.7%
17 (Ft. Lauderdale)	8,082	7.6%
18 (Sanford)	5,666	5.3%
19 (Ft. Pierce)	4,642	4.4%
20 (Ft. Myers)	6,870	6.5%
Total	106,338	100.0%

Table 2
Sentencing Scoresheets Received by Month of Sentence*
Fiscal Year 2010-2011

Month of Sentence	1994 Sentencing Guidelines Scoresheet		1995 Sentencing Guidelines Scoresheet**		Criminal Punishment Code Scoresheet		Total	
July 2010	3	0.0%	14	0.2%	8,515	99.8%	8,532	8.0%
August 2010	2	0.0%	12	0.1%	9,929	99.9%	9,943	9.3%
September 2010	6	0.1%	10	0.1%	9,209	99.8%	9,225	8.7%
October 2010	2	0.0%	17	0.2%	8,943	99.8%	8,962	8.4%
November 2010	3	0.0%	15	0.2%	8,886	99.8%	8,904	8.4%
December 2010	3	0.0%	12	0.2%	7,197	99.8%	7,212	6.8%
January 2011	4	0.0%	17	0.2%	8,997	99.8%	9,018	8.5%
February 2011	2	0.0%	7	0.1%	8,437	99.9%	8,446	7.9%
March 2011	5	0.1%	18	0.2%	9,503	99.8%	9,526	8.9%
April 2011	3	0.0%	13	0.2%	8,519	99.8%	8,535	8.0%
May 2011	1	0.0%	17	0.2%	8,534	99.8%	8,552	8.0%
June 2011	9	0.1%	9	0.1%	9,669	99.8%	9,687	9.1%
Total	43	0.0%	161	0.2%	106,338	99.8%	106,542	100.0%

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

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

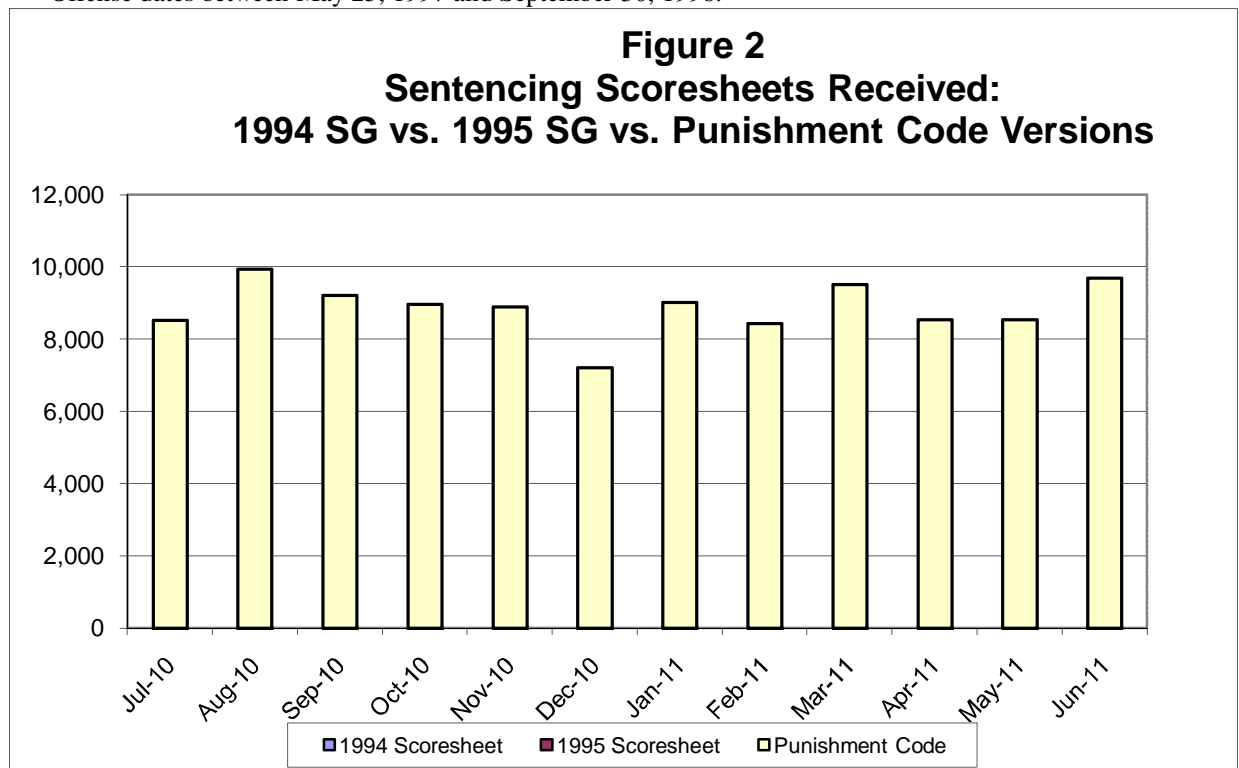


Table 3
Age at Sentencing
Criminal Punishment Code
Fiscal Year 2010-2011

Age	Number	Percent
17 and Below	827	0.8%
18 to 24	31,440	29.6%
25 to 29	20,501	19.3%
30 to 34	15,001	14.1%
35 to 39	10,783	10.1%
40 to 44	9,396	8.8%
45 to 49	8,313	7.8%
50 and Over	10,076	9.5%
Unknown	1	
Total	106,338	100.0%

Figure 3
Age at Sentencing Distribution
Criminal Punishment Code

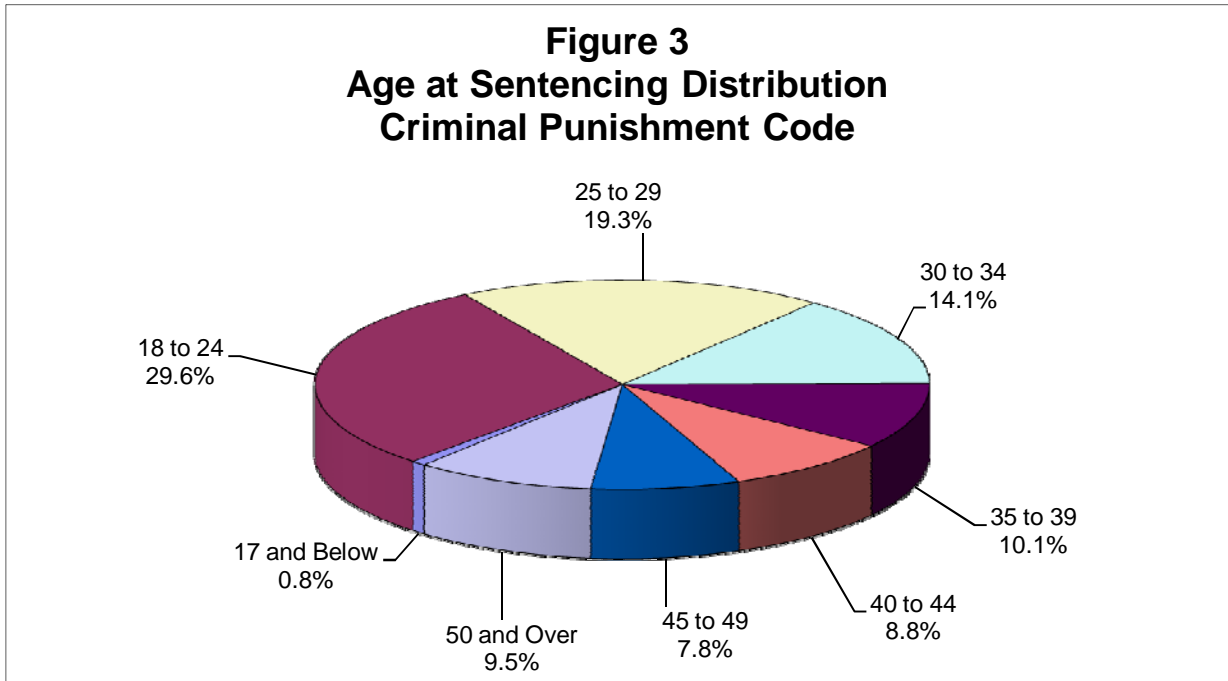


Table 4
Age at Offense for Offenders Under 18
Criminal Punishment Code
Fiscal Year 2010-2011

Primary Offense	15 & Under	16 Years Old	17 Years Old	Total
Murder/Manslaughter	14 4.6%	17 2.4%	37 2.3%	68 2.6%
Sexual Offenses	19 6.2%	19 2.7%	37 2.3%	75 2.8%
Robbery	107 35.0%	137 19.3%	253 15.4%	497 18.7%
Violent Personal Offenses	36 11.8%	102 14.4%	227 13.8%	365 13.8%
Burglary	67 21.9%	244 34.4%	549 33.5%	860 32.4%
Theft, Forgery, Fraud	16 5.2%	59 8.3%	170 10.4%	245 9.2%
Drugs	17 5.6%	57 8.0%	212 12.9%	286 10.8%
Weapons	13 4.2%	52 7.3%	96 5.9%	161 6.1%
Other Offenses	17 5.6%	22 3.1%	58 3.5%	97 3.7%
Total	306 100.0%	709 100.0%	1,639 100.0%	2,654 100.0%

Figure 4
Age at Offense Distribution
Offenders Under 18

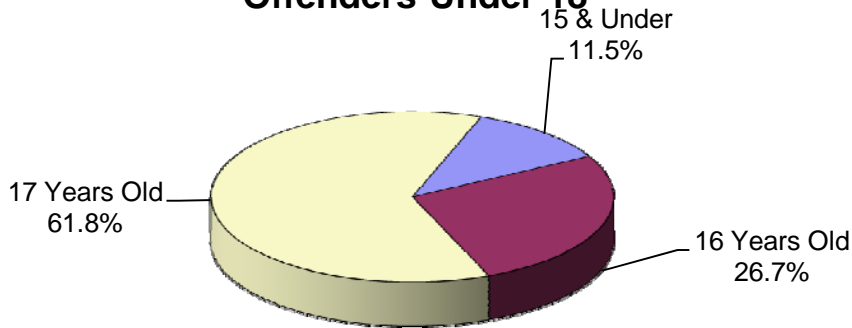


Table 5
Sanction Imposed by Primary Offense For All 11 - 17 Year Olds
Criminal Punishment Code
Fiscal Year 2010-2011

Primary Offense	State Prison	Comm. Control	Probation	County Jail	Other	Total
Murder/Manslaughter	54 4.5%	6 1.9%	7 0.9%	1 0.3%	0 0.0%	68 2.6%
Sexual Offenses	45 3.8%	4 1.3%	20 2.6%	3 0.9%	3 6.0%	75 2.8%
Robbery	311 26.2%	63 19.9%	79 10.4%	34 9.9%	10 20.0%	497 18.7%
Violent Personal Offenses	177 14.9%	47 14.9%	90 11.9%	41 12.0%	10 20.0%	365 13.8%
Burglary	368 31.0%	120 38.0%	258 34.0%	97 28.4%	17 34.0%	860 32.4%
Theft, Forgery, Fraud	61 5.1%	20 6.3%	108 14.2%	53 15.5%	3 6.0%	245 9.2%
Drugs	66 5.6%	28 8.9%	123 16.2%	65 19.0%	4 8.0%	286 10.8%
Weapons	63 5.3%	20 6.3%	50 6.6%	27 7.9%	1 2.0%	161 6.1%
Other Offenses	43 3.6%	8 2.5%	23 3.0%	21 6.1%	2 4.0%	97 3.7%
Total	1,188 100.0%	316 100.0%	758 100.0%	342 100.0%	50 100.0%	2,654 100.0%

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

Figure 5
Sanction Imposed Distribution
Offenders Under 18

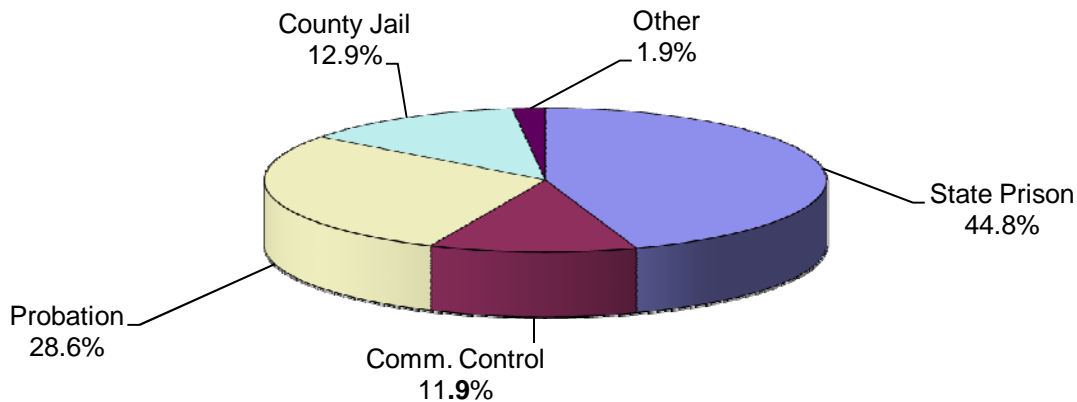


Table 6
Gender by Judicial Circuit
Criminal Punishment Code
Fiscal Year 2010-2011

Judicial Circuit	Gender				Total	
	Male		Female			
01 (Pensacola)	4,187	3.9%	1,270	1.2%	5,457	5.1%
02 (Tallahassee)	1,813	1.7%	494	0.5%	2,307	2.2%
03 (Lake City)	784	0.7%	277	0.3%	1,061	1.0%
04 (Jacksonville)	3,823	3.6%	687	0.6%	4,510	4.2%
05 (Tavares)	4,590	4.3%	1,391	1.3%	5,981	5.6%
06 (Clearwater)	10,463	9.8%	3,884	3.7%	14,347	13.5%
07 (Daytona Beach)	3,749	3.5%	979	0.9%	4,728	4.4%
08 (Gainesville)	1,305	1.2%	307	0.3%	1,612	1.5%
09 (Orlando)	7,158	6.7%	1,410	1.3%	8,568	8.1%
10 (Bartow)	3,630	3.4%	973	0.9%	4,603	4.3%
11 (Miami)	5,914	5.6%	897	0.8%	6,811	6.4%
12 (Sarasota)	4,111	3.9%	1,334	1.3%	5,445	5.1%
13 (Tampa)	5,672	5.3%	1,237	1.2%	6,909	6.5%
14 (Panama City)	2,021	1.9%	632	0.6%	2,653	2.5%
15 (West Palm Beach)	4,348	4.1%	948	0.9%	5,296	5.0%
16 (Key West)	657	0.6%	133	0.1%	790	0.7%
17 (Ft. Lauderdale)	6,454	6.1%	1,628	1.5%	8,082	7.6%
18 (Sanford)	4,473	4.2%	1,193	1.1%	5,666	5.3%
19 (Ft. Pierce)	3,460	3.3%	1,182	1.1%	4,642	4.4%
20 (Ft. Myers)	5,329	5.0%	1,541	1.4%	6,870	6.5%
Total	83,941	78.9%	22,397	21.1%	106,338	100.0%

Table 7
Race by Judicial Circuit
Criminal Punishment Code
Fiscal Year 2010-2011

Judicial Circuit	Race						Total	
	Black		White		Other*			
01 (Pensacola)	2,121	2.0%	3,292	3.1%	44	0.0%	5,457	5.1%
02 (Tallahassee)	1,527	1.4%	766	0.7%	14	0.0%	2,307	2.2%
03 (Lake City)	335	0.3%	714	0.7%	12	0.0%	1,061	1.0%
04 (Jacksonville)	2,218	2.1%	2,215	2.1%	77	0.1%	4,510	4.2%
05 (Tavares)	1,559	1.5%	4,196	3.9%	226	0.2%	5,981	5.6%
06 (Clearwater)	3,650	3.4%	10,422	9.8%	275	0.3%	14,347	13.5%
07 (Daytona Beach)	1,531	1.4%	3,144	3.0%	53	0.0%	4,728	4.4%
08 (Gainesville)	864	0.8%	729	0.7%	19	0.0%	1,612	1.5%
09 (Orlando)	3,597	3.4%	4,944	4.6%	27	0.0%	8,568	8.1%
10 (Bartow)	1,492	1.4%	2,964	2.8%	147	0.1%	4,603	4.3%
11 (Miami)	3,574	3.4%	3,232	3.0%	5	0.0%	6,811	6.4%
12 (Sarasota)	1,280	1.2%	3,943	3.7%	222	0.2%	5,445	5.1%
13 (Tampa)	2,891	2.7%	3,494	3.3%	524	0.5%	6,909	6.5%
14 (Panama City)	699	0.7%	1,911	1.8%	43	0.0%	2,653	2.5%
15 (W. Palm Beach)	2,324	2.2%	2,957	2.8%	15	0.0%	5,296	5.0%
16 (Key West)	196	0.2%	554	0.5%	40	0.0%	790	0.7%
17 (Ft. Lauderdale)	4,260	4.0%	3,623	3.4%	199	0.2%	8,082	7.6%
18 (Sanford)	1,730	1.6%	3,824	3.6%	112	0.1%	5,666	5.3%
19 (Ft. Pierce)	1,364	1.3%	3,085	2.9%	193	0.2%	4,642	4.4%
20 (Ft. Myers)	1,530	1.4%	5,296	5.0%	44	0.0%	6,870	6.5%
Total	38,742	36.4%	65,305	61.4%	2,291	2.2%	106,338	100.0%

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

PART II

OFFENSE TO SENTENCE DATE LAG TIME COMPARISON

Offense to Sentence Date Lag Time Comparison

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

FINDINGS:

- There were 75,018 scoresheets submitted to the Department of Corrections with sentence dates in FY2010-2011 and offense dates on or after October 1, 2009. The number of scoresheets submitted to the Department of Corrections with sentence dates in FY2009-2010 and offense dates on or after October 1, 2008 was 81,466.
- **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 6.2 months for sentencing events in FY2010-2011 (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, 2011, the Department of Corrections had received 1,963,456 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 FY2009-2010 sentencing events is 6.0 months. When the lag times are examined by offense severity level and type of primary offense, the average lag time for level 10 offenses (most serious) was 10.4 months for sentencing events during FY2009-2010. In FY2010-2011, the average lag time for level 10 offenses was 9.5 months. Also, for murder/manslaughter, the average lag time from offense to sentence is 10.9 months for sentencing dates in FY2009-2010 and 10.5 months for FY2010-2011 (Table 2).

- Drug offenses comprised the largest group of scoresheets received in both FY2009-2010 (35.0%) and FY2010-2011 (34.9%) (Table 3).
- The more violent, serious offenses represented 17.3% of the scoresheets in FY2009-2010 and 16.8% in FY2010-2011 (Figure 1).

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

Offense Severity Level	FY2009-2010 Sentence Dates¹	FY2010-2011 Sentence Dates²
1	5.1	5.2
2	6.1	6.3
3	5.3	5.7
4	5.8	6.0
5	6.3	6.6
6	6.6	6.8
7	7.3	7.5
8	8.5	8.5
9	9.3	9.3
10	10.4	9.5
Overall Average	6.0	6.2

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

Primary Offense	FY2009-2010 Sentence Dates¹	FY2010-2011 Sentence Dates²
Murder/Manslaughter	10.9	10.5
Sexual/Lewd Behavior	9.3	9.0
Robbery	7.6	7.4
Violent, Other	6.4	6.4
Burglary	6.3	6.4
Property Theft/Fraud/Damage	6.2	6.3
Drugs	5.6	6.1
Weapons	6.0	6.4
Other	5.2	5.5
Overall Average	6.0	6.2

¹ Offense dates on or after October 1, 2008.

² Offense dates on or after October 1, 2009.

Figure 1
Distribution of Offense Group
Sentence Dates in FY2009-2010 vs. FY2010-2011

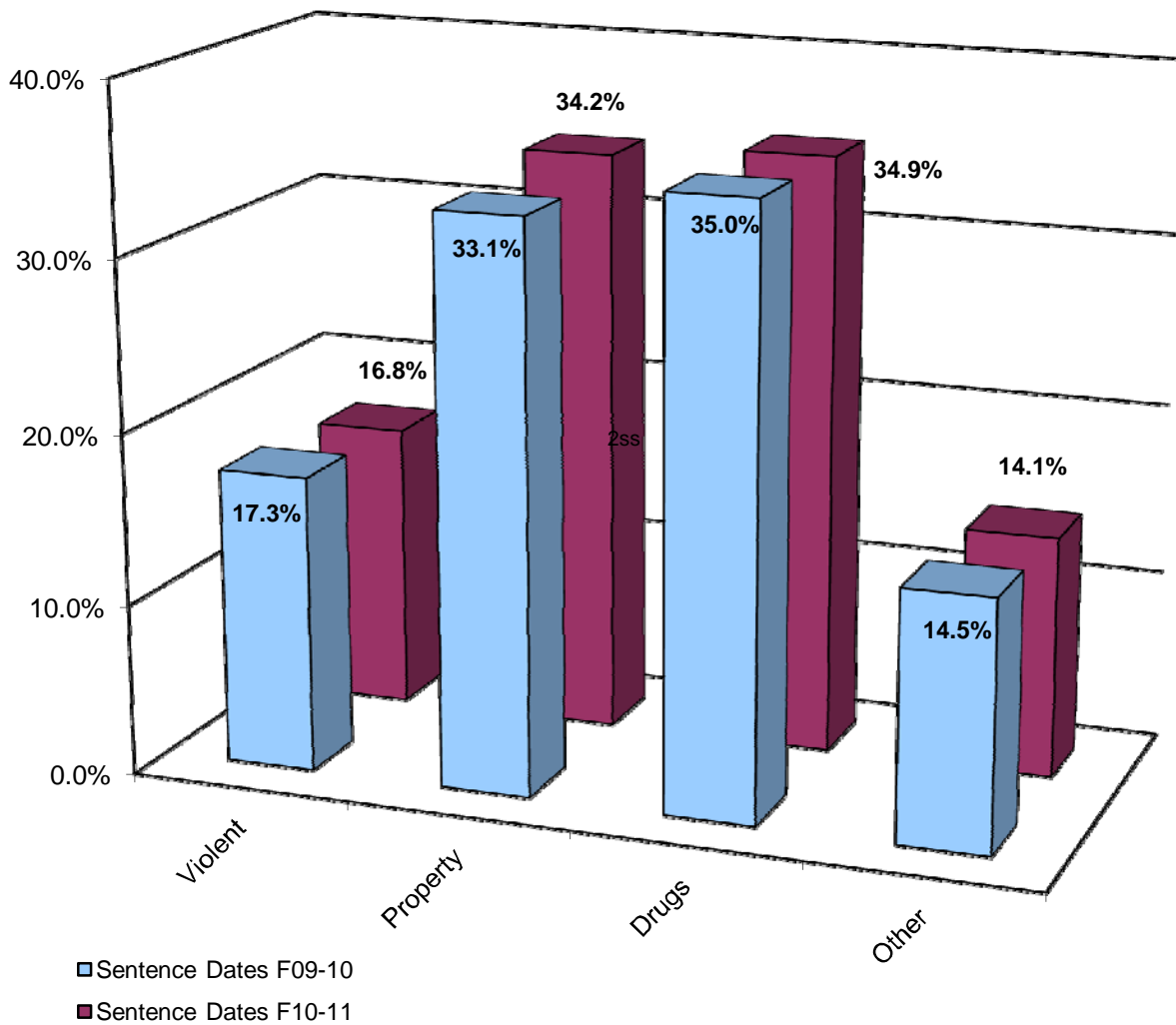


Table 3
Distribution of Offense
Sentence Dates in FY2009-2010 vs. FY2010-2011

Primary Offense	FY2009-2010 Sentence Dates ¹	FY2010-2011 Sentence Dates ²
Murder/Manslaughter	245 0.3%	222 0.3%
Sexual Offenses	618 0.8%	551 0.7%
Robbery	2,475 3.0%	2,153 2.9%
Violent Personal Offenses	10,402 12.8%	9,341 12.5%
Burglary	10,080 12.4%	9,694 12.9%
Theft/Forgery/Fraud	17,152 21.1%	16,200 21.6%
Drugs	28,531 35.0%	26,205 34.9%
Weapons	2,518 3.1%	2,341 3.1%
Other	9,445 11.6%	8,311 11.1%
Total	81,466 100.0%	75,018 100.0%

¹ Offense dates on or after October 1, 2008.

² Offense dates on or after October 1, 2009.

Table 4
Distribution of Offense

Primary Offense	FY2009-2010 Sentence Dates ¹		FY2010-2011 Sentence Dates ²	
Murder/Manslaughter	245	0.3%	222	0.3%
1st Degree Murder	59	0.1%	49	0.1%
2nd Degree Murder	91	0.1%	95	0.1%
3rd Degree Murder	8	0.0%	3	0.0%
Homicide, Other	2	0.0%	4	0.0%
Manslaughter	41	0.1%	40	0.1%
DUI Manslaughter	44	0.1%	31	0.0%
Sexual Offenses	618	0.8%	551	0.7%
Capital Sexual Battery	32	0.0%	16	0.0%
Life Sexual Battery	31	0.0%	22	0.0%
1st Degree Sexual Battery	32	0.0%	26	0.0%
2nd Degree Sexual Battery	83	0.1%	62	0.1%
Sexual Assault, Other	7	0.0%	1	0.0%
Lewd/Lascivious Behavior	433	0.5%	424	0.6%
Robbery	2,475	3.0%	2,153	2.9%
Robbery with Weapon	959	1.2%	758	1.0%
Robbery without Weapon	1,383	1.7%	1,306	1.7%
Home Invasion, Robbery	133	0.2%	89	0.1%
Violent Personal Offenses	10,402	12.8%	9,341	12.5%
Home Invasion, Other	98	0.1%	53	0.1%
Carjacking	1,561	1.9%	1,361	1.8%
Aggravated Assault	1,090	1.3%	1,084	1.4%
Aggravated Battery	1,258	1.5%	1,096	1.5%
Assault/Battery on L.E.O.	960	1.2%	926	1.2%
Assault/Battery, Other	198	0.2%	166	0.2%
Aggravated Stalking	1,477	1.8%	1,251	1.7%
Resisting Arrest with Violence	305	0.4%	280	0.4%
Kidnapping	162	0.2%	114	0.2%
Arson	789	1.0%	733	1.0%
Abuse of Children	2,043	2.5%	1,900	2.5%
Violent, Other	361	0.4%	289	0.4%
Leaving Accident, Injury/Death	73	0.1%	73	0.1%
DUI, Injury	27	0.0%	15	0.0%
Burglary	10,080	12.4%	9,694	12.9%
Burglary, Structure	5,413	6.6%	5,142	6.9%
Burglary, Dwelling	3,601	4.4%	3,516	4.7%
Burglary, Armed	270	0.3%	256	0.3%
Burglary with Assault	236	0.3%	250	0.3%
Burglary/Trespass, Other	560	0.7%	530	0.7%

**Table 4
Distribution of Offense**

Primary Offense	FY2009-2010		FY2010-2011	
	Sentence Dates ¹		Sentence Dates ²	
Theft/Forgery/Fraud	17,152	21.1%	16,200	21.6%
Grand Theft, Other	6,479	8.0%	6,108	8.1%
Grand Theft, Automobile	1,470	1.8%	1,231	1.6%
Stolen Property	2,669	3.3%	2,991	4.0%
Forgery/Counterfeiting	2,396	2.9%	2,013	2.7%
Worthless Checks	202	0.2%	133	0.2%
Fraudulent Practices	2,000	2.5%	1,919	2.6%
Theft/Property Damage, Other	1,936	2.4%	1,805	2.4%
Drugs	28,531	35.0%	26,205	34.9%
Drugs, Manufacture/Sale/Purchase	9,263	11.4%	8,139	10.8%
Drugs, Trafficking	1,391	1.7%	1,435	1.9%
Drugs, Possession/Other	17,877	21.9%	16,631	22.2%
Weapons	2,518	3.1%	2,341	3.1%
Weapons, Discharging	229	0.3%	179	0.2%
Weapons, Possession	2,289	2.8%	2,159	2.9%
Weapons, Other	0	0.0%	3	0.0%
Other	9,445	11.6%	8,311	11.1%
Escape	2,144	2.6%	1,802	2.4%
DUI, No Injury	784	1.0%	665	0.9%
Traffic, Other	3,708	4.6%	3,278	4.4%
Racketeering	9	0.0%	13	0.0%
Pollution/Hazardous Materials	54	0.1%	31	0.0%
Criminal Justice System	2,186	2.7%	2,053	2.7%
Other	560	0.7%	469	0.6%
Total	81,466	100.0%	75,018	100.0%

¹ Offense dates on or after October 1, 2008.

² Offense dates on or after October 1, 2009.

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, 23.0% of offenders were sentenced to state prison as the most severe sanction in FY2010-2011. An additional 23.5% were sentenced to incarceration in county jail, or to time already served in jail. Five percent (5.4%) were sentenced to community control, and almost half to probation (47.4%), including drug offender probation, administrative probation, and regular probation. About one percent (0.6%) of offenders were sentenced to “other” sanctions. For sentencing dates in FY2009-2010, 23.3% of offenders were sentenced to state prison and 23.7% were sentenced to county jail or time served. Less than six percent (5.4%) were sentenced to community control, and 46.8% to probation. About one percent (0.8%) of the offenders were sentenced to “other” sanctions (Table 1).

- Almost three-quarters of the 75,018 Code scoresheets with sentence date in FY2010-2011 examined (54,216 scoresheets or 72.3%) 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 FY2009-2010, there were 59,170 (72.6%) offenders scoring 44 points or less (Table 1).
- For FY2010-2011, of the offenders scoring in the recommended state prison category, 60.4% were sentenced to state prison, with another 10.6% sentenced to county jail or time served. Of those scoring less than 44 points, 8.6 % were sentenced to state prison, and 28.5% to county jail/time served. For FY2009-2010, 60.8% of the offenders scoring above 44 points were sentenced to state prison and another 11.3% of these offenders were sentenced to county jail or time served. Of those scoring less than 44 points, 9.1% were sentenced to state prison, and 28.4% to county jail/time served. (Table 1).
- Scoresheets with a state prison sanction decreased slightly from 23.3% in FY2009-2010 to 23.0% in FY2010-2011. County jail sanctions decreased from 23.7% in FY2009-2010 to 23.5% in FY2010-2011. Community Control sanction rates remained constant at 5.4% in FY2009-2010 and FY2010-2011 (Table 1).
- Statewide, 73.0% of offenders (12,568 out of 17,224) receiving a prison sanction scored out to a prison sanction. Table 2 presents the scoring distribution of offenders under the Code for FY2009-2010 and FY2010-2011 by circuit and sanction imposed. In FY2010-2011, Circuit 11 (Miami) had the highest percentage (93.3%) of prison sanctioned scoresheets with more than 44 points while Circuit 4 (Jacksonville) has the lowest (57.4%).
- 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).

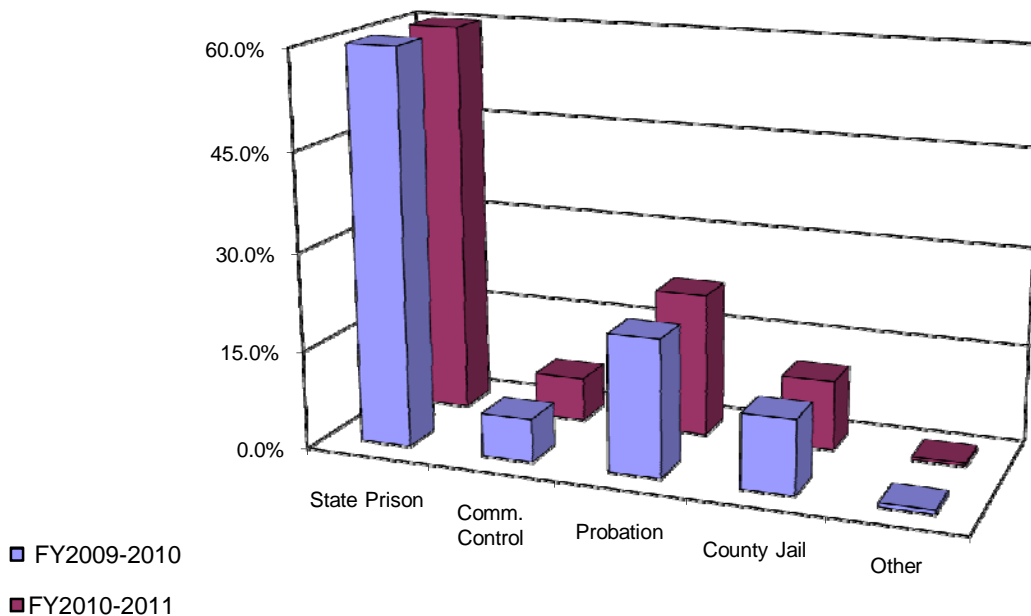
- In both FY2009-2010 and FY2010-2011 the majority of violent offenders received a state prison sanction (Table 4).
- As would be expected, scoresheets with the highest offense severity levels received a state prison sanction, those with the lowest received probation and community control fell in the middle with the majority having levels 3 through 6 (Table 5).
- Consistently in FY2009-2010 and FY2010-2011 , 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 FY2009-2010 to FY2010-2011 the percentage of scoresheets with no prior record decreased, with prior misdemeanors increased, and with four to six or more felonies increased or held a relatively constant rate (Table 7).
- From FY2009-2010 to FY2010-2011 the percentage of scoresheets with no additional offenses decreased and those with misdemeanors increased. The percentage with four or more felonies remained relatively constant (Table 8).
- Within the Code policy, a true mitigation occurs when an offenders scores more than 44 total points and either receives a non-state prison sanction (except drug offender probation) or a state prison sentence length below the 25% permissible discretion. Sanction mitigation occurs when an offender scores more than 44 total points, but receives a non-state prison sanction (except drug offender probation).
- The true mitigation rate for offenders that scored more than 44 total points is 56.1% for FY2009-2010 and 56.4% for FY2010-2011. The sanction mitigation rate (cases that scored to state prison but received a non-state prison sanction) was 38.2% for FY2009-2010 and 38.6% for FY2010-2011 (Table 11).

- For the offenders that received a mitigated prison sentence length, the average reduction in sentence was 24.7 months during FY2009-2010 and 24.4 months during FY2010-2011 (Table 11).
- Departure, as defined here, is not a comment on the legality of the sentence. There are many reasons for departure, which are recognized as legitimate under F. S. 921.0026. In addition, other Statutes, such as F. S. 948.034, establish special conditions allowing for departures from recommended sentences. Database limitations do not allow us to isolate all these reasons for departure.

Table 1
Recommended Sanction Category by Sanction Imposed

Sanction Imposed	Recommended Sanction Category							
	FY 2009-2010 Sentence Dates ¹				FY 2010-2011 Sentence Dates ²			
	22.0 Points or Less	22.1 to 44.0 Points	More than 44.0 Points	Total	22.0 Points or Less	22.1 to 44.0 Points	More than 44.0 Points	Total
State Prison	882 3.5%	4,495 13.3%	13,567 60.8%	18,944 23.3%	660 2.8%	3,996 12.9%	12,568 60.4%	17,224 23.0%
Community Control	773 3.0%	2,174 6.4%	1,453 6.5%	4,400 5.4%	658 2.8%	2,041 6.6%	1,383 6.6%	4,082 5.4%
Probation	17,015 67.1%	16,512 48.8%	4,630 20.8%	38,157 46.8%	15,665 67.6%	15,379 49.5%	4,543 21.8%	35,587 47.4%
County Jail	6,540 25.8%	10,282 30.4%	2,512 11.3%	19,334 23.7%	6,061 26.2%	9,372 30.2%	2,215 10.6%	17,648 23.5%
Other	147 0.6%	350 1.0%	134 0.6%	631 0.8%	119 0.5%	265 0.9%	93 0.4%	477 0.6%
Total	25,357 100.0%	33,813 100.0%	22,296 100.0%	81,466 100.0%	23,163 100.0%	31,053 100.0%	20,802 100.0%	75,018 100.0%

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



*Total points greater than 44.

¹ Offense dates on or after October 1, 2008.

² Offense dates on or after October 1, 2009.

Table 2
Recommended Sanction Category by Sanction Imposed

Judicial Circuit / Sanction Imposed	Recommended Sanction Category											
	FY 2009-2010 Sentence Dates ¹					FY 2010-2011 Sentence Dates ²						
	22.0 Points or Less		22.1 to 44.0 Points		More than 44.0 Points	22.0 Points or Less		22.1 to 44.0 Points		More than 44.0 Points		
01 (Pensacola)	1,328	31.6%	1,793	42.6%	1,083	25.8%	1,228	32.7%	1,590	42.4%	933	24.9%
Prison	37	4.5%	192	23.5%	589	72.0%	10	1.5%	153	23.5%	488	75.0%
Community Control	87	21.0%	210	50.6%	118	28.4%	69	19.0%	191	52.6%	103	28.4%
Probation	926	44.6%	924	44.5%	225	10.8%	893	45.8%	834	42.7%	224	11.5%
County Jail	257	30.7%	442	52.7%	139	16.6%	249	33.1%	396	52.7%	107	14.2%
Other	21	36.2%	25	43.1%	12	20.7%	7	20.6%	16	47.1%	11	32.4%
02 (Tallahassee)	388	25.8%	566	37.6%	552	36.7%	373	24.8%	623	41.5%	506	33.7%
Prison	12	3.1%	60	15.5%	316	81.4%	9	2.6%	74	21.1%	267	76.3%
Community Control	9	12.5%	34	47.2%	29	40.3%	10	10.2%	55	56.1%	33	33.7%
Probation	301	37.1%	340	41.9%	171	21.1%	303	34.9%	393	45.3%	172	19.8%
County Jail	62	28.6%	124	57.1%	31	14.3%	48	28.2%	89	52.4%	33	19.4%
Other	4	23.5%	8	47.1%	5	29.4%	3	18.8%	12	75.0%	1	6.3%
03 (Lake City)	214	27.0%	301	38.0%	277	35.0%	180	28.0%	279	43.5%	183	28.5%
Prison	18	6.7%	60	22.2%	192	71.1%	9	4.7%	58	30.1%	126	65.3%
Community Control	16	13.2%	73	60.3%	32	26.4%	10	14.7%	45	66.2%	13	19.1%
Probation	178	46.0%	160	41.3%	49	12.7%	156	43.5%	165	46.0%	38	10.6%
County Jail	2	14.3%	8	57.1%	4	28.6%	5	22.7%	11	50.0%	6	27.3%
Other	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
04 (Jacksonville)	1,248	28.9%	1,599	37.0%	1,477	34.2%	629	17.2%	1,374	37.7%	1,646	45.1%
Prison	295	11.5%	981	38.1%	1,297	50.4%	189	7.2%	921	35.3%	1,497	57.4%
Community Control	18	34.6%	22	42.3%	12	23.1%	7	14.9%	26	55.3%	14	29.8%
Probation	247	47.0%	200	38.1%	78	14.9%	215	41.4%	214	41.2%	90	17.3%
County Jail	686	58.6%	395	33.7%	90	7.7%	218	46.0%	211	44.5%	45	9.5%
Other	2	66.7%	1	33.3%	0	0.0%	0	0.0%	2	100.0%	0	0.0%
05 (Tavares)	1,435	29.1%	2,171	44.0%	1,324	26.9%	1,338	29.8%	1,985	44.2%	1,173	26.1%
Prison	36	3.1%	212	18.1%	926	78.9%	17	1.7%	193	19.0%	804	79.3%
Community Control	52	19.3%	148	54.8%	70	25.9%	32	16.1%	114	57.3%	53	26.6%
Probation	1,033	40.9%	1,227	48.6%	265	10.5%	969	41.8%	1,094	47.2%	253	10.9%
County Jail	299	33.7%	541	60.9%	48	5.4%	308	33.7%	548	60.0%	57	6.2%
Other	15	20.5%	43	58.9%	15	20.5%	12	22.2%	36	66.7%	6	11.1%
06 (Clearwater)	3,108	31.3%	4,579	46.0%	2,258	22.7%	3,172	32.5%	4,382	44.9%	2,205	22.6%
Prison	48	2.4%	386	19.2%	1,575	78.4%	43	2.2%	355	18.1%	1,565	79.7%
Community Control	82	16.7%	310	63.3%	98	20.0%	92	17.1%	332	61.6%	115	21.3%
Probation	2,019	47.1%	1,910	44.5%	359	8.4%	1,977	48.3%	1,771	43.2%	349	8.5%
County Jail	928	31.3%	1,851	62.4%	187	6.3%	1,044	34.1%	1,861	60.8%	156	5.1%
Other	31	16.1%	122	63.5%	39	20.3%	16	16.2%	63	63.6%	20	20.2%

Table 2
Recommended Sanction Category by Sanction Imposed

Judicial Circuit / Sanction Imposed	Recommended Sanction Category											
	FY 2009-2010 Sentence Dates ¹					FY 2010-2011 Sentence Dates ²						
	22.0 Points or Less		22.1 to 44.0 Points		More than 44.0 Points	22.0 Points or Less		22.1 to 44.0 Points		More than 44.0 Points		
07 (Daytona)	1,107	30.1%	1,625	44.2%	948	25.8%	1,058	30.7%	1,509	43.7%	884	25.6%
Prison	25	3.0%	214	25.8%	592	71.2%	32	4.5%	177	25.1%	496	70.4%
Community Control	33	15.3%	135	62.5%	48	22.2%	25	19.4%	74	57.4%	30	23.3%
Probation	764	43.6%	796	45.5%	191	10.9%	727	41.9%	811	46.7%	197	11.4%
County Jail	279	32.9%	458	53.9%	112	13.2%	259	31.6%	409	49.9%	152	18.5%
Other	6	18.2%	22	66.7%	5	15.2%	15	24.2%	38	61.3%	9	14.5%
08 (Gainesville)	441	29.1%	570	37.5%	507	33.4%	332	27.7%	485	40.5%	380	31.7%
Prison	22	5.2%	87	20.5%	316	74.4%	14	4.6%	70	23.0%	221	72.5%
Community Control	12	15.8%	35	46.1%	29	38.2%	16	19.0%	41	48.8%	27	32.1%
Probation	315	45.1%	285	40.8%	99	14.2%	210	41.5%	229	45.3%	67	13.2%
County Jail	85	30.2%	146	52.0%	50	17.8%	84	30.8%	132	48.4%	57	20.9%
Other	7	18.9%	17	45.9%	13	35.1%	8	27.6%	13	44.8%	8	27.6%
09 (Orlando)	2,501	34.5%	3,028	41.8%	1,711	23.6%	1,725	30.1%	2,409	42.1%	1,588	27.8%
Prison	50	3.7%	274	20.0%	1,043	76.3%	45	3.3%	258	19.1%	1,051	77.6%
Community Control	76	21.1%	172	47.8%	112	31.1%	44	16.7%	119	45.1%	101	38.3%
Probation	1,642	47.7%	1,429	41.5%	372	10.8%	1,184	43.5%	1,212	44.5%	327	12.0%
County Jail	723	35.4%	1,144	55.9%	178	8.7%	451	32.8%	819	59.5%	107	7.8%
Other	10	40.0%	9	36.0%	6	24.0%	1	25.0%	1	25.0%	2	50.0%
10 (Bartow)	938	27.8%	1,504	44.5%	934	27.7%	847	28.4%	1,378	46.2%	757	25.4%
Prison	41	3.9%	289	27.8%	708	68.2%	10	1.3%	214	27.4%	557	71.3%
Community Control	49	19.9%	136	55.3%	61	24.8%	49	16.1%	188	61.8%	67	22.0%
Probation	707	42.7%	798	48.2%	149	9.0%	626	44.6%	677	48.2%	102	7.3%
County Jail	138	32.0%	277	64.3%	16	3.7%	161	33.1%	295	60.7%	30	6.2%
Other	3	42.9%	4	57.1%	0	0.0%	1	16.7%	4	66.7%	1	16.7%
11 (Miami)	2,259	31.7%	2,240	31.5%	2,623	36.8%	1,777	31.8%	1,584	28.4%	2,222	39.8%
Prison	11	1.5%	43	5.9%	675	92.6%	4	0.6%	39	6.1%	599	93.3%
Community Control	14	6.2%	41	18.1%	171	75.7%	8	3.5%	39	16.9%	184	79.7%
Probation	1,619	45.3%	1,185	33.1%	771	21.6%	1,338	46.1%	872	30.1%	690	23.8%
County Jail	615	23.7%	971	37.5%	1,006	38.8%	427	23.6%	633	35.0%	749	41.4%
Other	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	100.0%	0	0.0%
12 (Sarasota)	1,187	38.1%	1,340	43.0%	587	18.9%	1,751	45.7%	1,469	38.4%	610	15.9%
Prison	48	8.2%	155	26.4%	385	65.5%	115	15.5%	192	25.8%	436	58.7%
Community Control	67	30.3%	108	48.9%	46	20.8%	77	30.1%	137	53.5%	42	16.4%
Probation	669	52.1%	524	40.8%	91	7.1%	925	57.0%	611	37.6%	87	5.4%
County Jail	396	40.1%	532	53.8%	60	6.1%	632	52.5%	527	43.8%	44	3.7%
Other	7	21.2%	21	63.6%	5	15.2%	2	40.0%	2	40.0%	1	20.0%

Table 2
Recommended Sanction Category by Sanction Imposed

Judicial Circuit / Sanction Imposed	Recommended Sanction Category											
	FY 2009-2010 Sentence Dates ¹					FY 2010-2011 Sentence Dates ²						
	22.0 Points or Less		22.1 to 44.0 Points		More than 44.0 Points	22.0 Points or Less		22.1 to 44.0 Points		More than 44.0 Points		
13 (Tampa)	1,284	23.4%	2,137	38.9%	2,070	37.7%	1,172	23.4%	1,876	37.5%	1,950	39.0%
Prison	39	2.9%	238	17.7%	1,070	79.4%	30	2.7%	165	15.0%	907	82.3%
Community Control	17	5.0%	93	27.5%	228	67.5%	6	2.2%	54	19.9%	211	77.9%
Probation	934	33.8%	1,266	45.8%	564	20.4%	838	32.0%	1,184	45.2%	597	22.8%
County Jail	278	28.1%	518	52.3%	194	19.6%	280	29.3%	453	47.4%	222	23.2%
Other	16	30.8%	22	42.3%	14	26.9%	18	35.3%	20	39.2%	13	25.5%
14 (Panama City)	422	22.5%	853	45.6%	597	31.9%	458	25.3%	822	45.4%	530	29.3%
Prison	23	3.8%	175	29.1%	403	67.1%	23	4.2%	169	31.2%	350	64.6%
Community Control	33	17.0%	113	58.2%	48	24.7%	23	14.6%	94	59.5%	41	25.9%
Probation	355	34.5%	540	52.4%	135	13.1%	389	37.7%	532	51.6%	110	10.7%
County Jail	9	23.1%	22	56.4%	8	20.5%	22	33.3%	19	28.8%	25	37.9%
Other	2	25.0%	3	37.5%	3	37.5%	1	7.7%	8	61.5%	4	30.8%
15 (West Palm Beach)	1,037	27.1%	1,708	44.7%	1,078	28.2%	1,067	28.0%	1,731	45.4%	1,013	26.6%
Prison	5	0.6%	141	16.2%	722	83.2%	10	1.2%	125	15.3%	683	83.5%
Community Control	10	12.0%	36	43.4%	37	44.6%	0	0.0%	26	44.8%	32	55.2%
Probation	396	34.7%	563	49.3%	183	16.0%	389	35.3%	546	49.6%	166	15.1%
County Jail	625	36.3%	966	56.0%	133	7.7%	667	36.5%	1,031	56.4%	130	7.1%
Other	1	16.7%	2	33.3%	3	50.0%	1	16.7%	3	50.0%	2	33.3%
16 (Key West)	117	29.1%	204	50.7%	81	20.1%	150	29.9%	245	48.8%	107	21.3%
Prison	5	8.9%	15	26.8%	36	64.3%	0	0.0%	12	20.0%	48	80.0%
Community Control	3	18.8%	5	31.3%	8	50.0%	1	5.3%	12	63.2%	6	31.6%
Probation	86	32.8%	147	56.1%	29	11.1%	120	36.7%	167	51.1%	40	12.2%
County Jail	20	35.1%	31	54.4%	6	10.5%	25	32.5%	42	54.5%	10	13.0%
Other	3	27.3%	6	54.5%	2	18.2%	4	21.1%	12	63.2%	3	15.8%
17 (Ft. Lauderdale)	2,064	32.3%	2,569	40.2%	1,759	27.5%	1,606	30.0%	2,191	40.9%	1,554	29.0%
Prison	21	2.0%	167	15.7%	873	82.3%	18	2.5%	86	11.8%	627	85.8%
Community Control	24	8.5%	113	39.9%	146	51.6%	21	10.4%	63	31.2%	118	58.4%
Probation	1,768	44.1%	1,660	41.4%	581	14.5%	1,359	38.5%	1,500	42.5%	672	19.0%
County Jail	245	24.5%	605	60.5%	150	15.0%	192	22.6%	527	62.1%	129	15.2%
Other	6	15.4%	24	61.5%	9	23.1%	16	41.0%	15	38.5%	8	20.5%
18 (Sanford)	1,148	33.1%	1,574	45.4%	748	21.6%	1,498	36.4%	1,764	42.9%	854	20.7%
Prison	17	2.3%	196	27.1%	511	70.6%	17	2.3%	172	23.7%	536	73.9%
Community Control	47	14.1%	177	53.0%	110	32.9%	71	17.3%	212	51.6%	128	31.1%
Probation	959	48.2%	914	46.0%	115	5.8%	1,174	52.2%	941	41.8%	134	6.0%
County Jail	125	29.5%	287	67.7%	12	2.8%	229	31.8%	436	60.6%	55	7.6%
Other	0	0.0%	0	0.0%	0	0.0%	7	63.6%	3	27.3%	1	9.1%

Table 2
Recommended Sanction Category by Sanction Imposed

Judicial Circuit / Sanction Imposed	Recommended Sanction Category					
	FY 2009-2010 Sentence Dates ¹			FY 2010-2011 Sentence Dates ²		
	22.0 Points or Less	22.1 to 44.0 Points	More than 44.0 Points	22.0 Points or Less	22.1 to 44.0 Points	More than 44.0 Points
19 (Ft. Pierce)	1,229 39.0%	1,280 40.6%	646 20.5%	1,211 38.0%	1,289 40.4%	687 21.6%
Prison	80 8.4%	363 38.1%	511 53.6%	37 4.2%	328 37.0%	522 58.9%
Community Control	57 36.5%	78 50.0%	21 13.5%	45 31.7%	73 51.4%	24 16.9%
Probation	735 57.1%	474 36.8%	79 6.1%	778 55.1%	540 38.3%	93 6.6%
County Jail	349 48.1%	345 47.5%	32 4.4%	344 47.6%	334 46.2%	45 6.2%
Other	8 25.8%	20 64.5%	3 9.7%	7 29.2%	14 58.3%	3 12.5%
20 (Ft. Myers)	1,902 37.2%	2,172 42.5%	1,036 20.3%	1,591 34.0%	2,068 44.2%	1,020 21.8%
Prison	49 4.4%	247 22.0%	827 73.6%	28 2.7%	235 22.4%	788 75.0%
Community Control	67 29.0%	135 58.4%	29 12.6%	52 21.8%	146 61.1%	41 17.2%
Probation	1,362 51.3%	1,170 44.1%	124 4.7%	1,095 47.3%	1,086 46.9%	135 5.8%
County Jail	419 38.3%	619 56.6%	56 5.1%	416 38.8%	599 55.9%	56 5.2%
Other	5 83.3%	1 16.7%	0 0.0%	0 0.0%	2 100.0%	0 0.0%
Statewide	25,357 100.0%	33,813 100.0%	22,296 100.0%	23,163 100.0%	31,053 100.0%	20,802 100.0%

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

¹ Offense dates on or after October 1, 2008.

² Offense dates on or after October 1, 2009.

**Table 3
Sanction Imposed By Judicial Circuit**

Circuit	FY2009-2010 Sentence Dates ¹						FY2010-2011 Sentence Dates ²					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
01 (Pensacola)	818 0	415 0	2,075 0	838 0	58 0	4,204 100.0%	651 0	363 0	1,951 1	752 0	34 0	3,751 100.0%
02 (Tallahassee)	388 0	72 0	812 1	217 0	17 0	1,506 100.0%	350 0	98 0	868 1	170 0	16 0	1,502 100.0%
03 (Lake City)	270 0	121 0	387 0	14 0	0 0	792 100.0%	193 0	68 0	359 1	22 0	0 0	642 100.0%
04 (Jacksonville)	2,573 1	52 0	525 0	1,171 0	3 0	4,324 100.0%	2,607 1	47 0	519 0	474 0	2 0	3,649 100.0%
05 (Tavares)	1,174 0	270 0	2,525 1	888 0	73 0	4,930 100.0%	1,014 0	199 0	2,316 1	913 0	54 0	4,496 100.0%
06 (Clearwater)	2,009 0	490 0	4,288 0	2,966 0	192 0	9,945 100.0%	1,963 0	539 0	4,097 0	3,061 0	99 0	9,759 100.0%
07 (Daytona)	831 0	216 0	1,751 0	849 0	33 0	3,680 100.0%	705 0	129 0	1,735 1	820 0	62 0	3,451 100.0%
08 (Gainesville)	425 0	76 0	699 0	281 0	37 0	1,518 100.0%	305 0	84 0	506 0	273 0	29 0	1,197 100.0%
09 (Orlando)	1,367 0	360 0	3,443 0	2,045 0	25 0	7,240 100.0%	1,354 0	264 0		1,377 0	4 0	5,722 100.0%
10 (Bartow)	1,038 0	246 0	1,654 0	431 0	7 0	3,376 100.0%	781 0	304 0	1,405 0	486 0	6 0	2,982 100.0%

**Table 3
Sanction Imposed By Judicial Circuit**

Circuit	FY2009-2010 Sentence Dates ¹						FY2010-2011 Sentence Dates ²					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
11 (Miami)	729	226	3,575	2,592	0	7,122	642	231	2,900	1,809	1	5,583
	0	0	1	0	0	100.0%	0	0	1	0	0	100.0%
12 (Sarasota)	588	221	1,284	988	33	3,114	743	256	1,623	1,203	5	3,830
	0	0	0	0	0	100.0%	0	0	0	0	0	100.0%
13 (Tampa)	1,347	338	2,764	990	52	5,491	1,102	271	2,619	955	51	4,998
	0	0	1	0	0	100.0%	0	0	1	0	0	100.0%
14 (Panama City)	601	194	1,030	39	8	1,872	542	158	1,031	66	13	1,810
	0	0	1	0	0	100.0%	0	0	1	0	0	100.0%
15 (West Palm Beach)	868	83	1,142	1,724	6	3,823	818	58	1,101	1,828	6	3,811
	0	0	0	0	0	100.0%	0	0	0	0	0	100.0%
16 (Key West)	56	16	262	57	11	402	60	19	327	77	19	502
	0	0	1	0	0	100.0%	0	0	1	0	0	100.0%
17 (Ft. Lauderdale)	1,061	283	4,009	1,000	39	6,392	731	202	3,531	848	39	5,351
	0	0	1	0	0	100.0%	0	0	1	0	0	100.0%
18 (Sanford)	724	334	1,988	424	0	3,470	725	411	2,249	720	11	4,116
	0	0	1	0	0	100.0%	0	0	1	0	0	100.0%
19 (Ft. Pierce)	954	156	1,288	726	31	3,155	887	142	1,411	723	24	3,187
	0	0	0	0	0	100.0%	0	0	0	0	0	100.0%
20 (Ft. Myers)	1,123	231	2,656	1,094	6	5,110	1,051	239	2,316	1,071	2	4,679
	0	0	1	0	0	100.0%	0	0	0	0	0	100.0%
Statewide	18,944	4,400	38,157	19,334	631	81,466	17,224	4,082	35,587	17,648	477	75,018
	23.3%	5.4%	46.8%	23.7%	0.8%	100.0%	23.0%	5.4%	47.4%	23.5%	0.6%	100.0%

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

¹ Offense dates on or after October 1, 2008.

² Offense dates on or after October 1, 2009.

**Table 4
Offense Types by Sanction Imposed**

Offense Type		FY2009-2010 Sentence Dates ¹						FY2010-2011 Sentence Dates ²					
		State Prison	Comm. Control	Probation	County Jail	Other	Total	State Prison	Comm. Control	Probation	County Jail	Other	Total
Murder/Manslaughter	Attempt	80	4	7	1	0	92	76	5	3	0	0	84
	Complete	141	4	8	0	0	153	123	8	6	1	0	138
Sexual/Lewd Behavior	Attempt	63	1	10	0	0	74	43	0	5	1	0	49
	Complete	354	28	150	10	2	544	366	19	108	7	2	502
Robbery	Attempt	163	25	85	34	2	309	135	21	59	28	0	243
	Complete	1,317	187	463	186	13	2,166	1,114	174	453	163	6	1,910
Violent,Other	Attempt	35	3	29	7	0	74	27	3	28	5	0	63
	Complete	2,704	609	5,291	1,653	71	10,328	2,354	589	4,797	1,488	50	9,278
Burglary	Attempt	192	27	238	75	3	535	162	26	206	74	2	470
	Complete	3,406	800	3,920	1,349	70	9,545	3,264	710	3,833	1,365	52	9,224
Property Theft/Fraud/Damage	Attempt	5	5	14	4	0	28	6	1	15	3	0	25
	Complete	2,629	751	9,305	4,265	174	17,124	2,386	800	8,910	3,958	121	16,175
Drugs	Attempt	111	36	257	151	3	558	94	22	225	90	1	432
	Complete	5,101	1,291	13,302	8,071	208	27,973	4,676	1,159	12,440	7,310	188	25,773
Weapons	Attempt	1	3	5	2	0	11	2	0	11	1	0	14
	Complete	840	137	1,079	434	17	2,507	841	148	965	355	18	2,327
Other	Attempt	13	2	29	17	0	61	10		34	13	0	59
	Complete	1,789	487	3,965	3,075	68	9,384	1,545	395	3,489	2,786	37	8,252
Total		18,944	4,400	38,157	19,334	631	81,466	17,224	4,082	35,587	17,648	477	75,018

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

¹ Offense dates on or after October 1, 2008.

² Offense dates on or after October 1, 2009.

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

Offense Severity Level	FY2009-2010 Sentence Dates ¹						FY2010-2011 Sentence Dates ²					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
1	1,043 10.6%	402 4.1%	4,607 46.7%	3,730 37.8%	92 0.9%	9,874 100.0%	866 9.7%	364 4.1%	4,143 46.5%	3,497 39.2%	46 0.5%	8,916 100.0%
2	930 11.1%	324 3.8%	5,073 60.3%	2,013 23.9%	76 0.9%	8,416 100.0%	778 10.1%	322 4.2%	4,761 61.7%	1,792 23.2%	62 0.8%	7,715 100.0%
3	2,051 9.3%	926 4.2%	11,561 52.6%	7,255 33.0%	198 0.9%	21,991 100.0%	1,826 9.0%	822 4.1%	10,810 53.4%	6,637 32.8%	162 0.8%	20,257 100.0%
4	2,485 22.4%	652 5.9%	5,352 48.2%	2,536 22.8%	88 0.8%	11,113 100.0%	2,130 20.9%	578 5.7%	5,076 49.8%	2,344 23.0%	66 0.6%	10,194 100.0%
5	4,222 31.7%	797 6.0%	5,684 42.7%	2,524 19.0%	80 0.6%	13,307 100.0%	3,867 31.3%	772 6.2%	5,363 43.4%	2,269 18.4%	83 0.7%	12,354 100.0%
6	2,305 31.8%	505 7.0%	3,534 48.7%	852 11.8%	54 0.7%	7,250 100.0%	2,124 32.7%	478 7.3%	3,196 49.1%	680 10.5%	26 0.4%	6,504 100.0%
7	3,960 57.1%	594 8.6%	1,967 28.4%	380 5.5%	34 0.5%	6,935 100.0%	3,889 57.1%	579 8.5%	1,918 28.2%	394 5.8%	30 0.4%	6,810 100.0%
8	931 69.7%	111 8.3%	258 19.3%	32 2.4%	4 0.3%	1,336 100.0%	877 72.1%	91 7.5%	221 18.2%	27 2.2%	1 0.1%	1,217 100.0%
9	853 80.5%	82 7.7%	110 10.4%	11 1.0%	4 0.4%	1,060	738 80.6%	74 8.1%	10.4%	8 0.9%	1 0.1%	916 100.0%
10	164 89.1%	7 3.8%	11 6.0%	1 0.5%	1 0.5%	184 100.0%	129 95.6%	2 1.5%	4 3.0%	0 0.0%	0 0.0%	135 100.0%
Total	18,944 23.3%	4,400 5.4%	38,157 46.8%	19,334 23.7%	631 0.8%	81,466 100.0%	17,224 23.0%	4,082 5.4%	35,587 47.4%	17,648 23.5%	477 0.6%	75,018 100.0%

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

¹ Offense dates on or after October 1, 2008.

² Offense dates on or after October 1, 2009.

Table 6
State Prison Sentence Length by Offense Severity Level

Offense Severity Level	FY2009-2010 Sentence Dates ¹					FY2010-2011 Sentence Dates ²				
	LE 2*	GT 2-LE 4*	GT 4-LE 10*	GT 10*	Total	LE 2*	GT 2-LE 4*	GT 4-LE 10*	GT 10*	Total
1	820 78.6%	167 16.0%	53 5.1%	3 0.3%	1,043 100.0%	675 77.9%	143 16.5%	45 5.2%	3 0.3%	866 100.0%
2	711 76.5%	168 18.1%	48 5.2%	3 0.3%	930 100.0%	567 72.9%	159 20.4%	48 6.2%	4 0.5%	778 100.0%
3	1,581 77.1%	364 17.7%	100 4.9%	6 0.3%	2,051 100.0%	1,436 78.6%	283 15.5%	103 5.6%	4 0.2%	1,826 100.0%
4	1,597 64.3%	580 23.3%	275 11.1%	33 1.3%	2,485 100.0%	1,364 64.0%	523 24.6%	227 10.7%	16 0.8%	2,130 100.0%
5	2,461 58.3%	1,204 28.5%	462 10.9%	95 2.3%	4,222 100.0%	2,194 56.7%	1,114 28.8%	456 11.8%	103 2.7%	3,867 100.0%
6	1,130 49.0%	658 28.5%	432 18.7%	85 3.7%	2,305 100.0%	1,038 48.9%	598 28.2%	403 19.0%	85 4.0%	2,124 100.0%
7	999 25.2%	1,654 41.8%	1,064 26.9%	243 6.1%	3,960 100.0%	995 25.6%	1,684 43.3%	957 24.6%	253 6.5%	3,889 100.0%
8	141 15.1%	252 27.1%	370 39.7%	168 18.0%	931 100.0%	130 14.8%	239 27.3%	359 40.9%	149 17.0%	877 100.0%
9	102 12.0%	109 12.8%	375 44.0%	267 31.3%	853 100.0%	84 11.4%	111 15.0%	313 42.4%	31.2%	738 100.0%
10	19 11.6%	16 9.8%	40 24.4%	89 54.3%	164 100.0%	15 11.6%	10 7.8%	26 20.2%	78 60.5%	129 100.0%
Total	9,561 50.5%	5,172 27.3%	3,219 17.0%	992 5.2%	18,944 100.0%	8,498 49.3%	4,864 28.2%	2,937 17.1%	925 5.4%	17,224 100.0%

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

¹ Offense dates on or after October 1, 2008.

² Offense dates on or after October 1, 2009.

**Table 7
Number of Prior Offenses***

Prior Offenses	FY2009-2010 Sentence Dates ¹		FY2010-2011 Sentence Dates ²	
	Number	Percent	Number	Percent
None	19,503	23.9%	17,401	23.2%
Misdemeanor Only	20,709	25.4%	19,292	25.7%
One Felony	15,812	19.4%	14,477	19.3%
Two Felonies	10,654	13.1%	9,778	13.0%
Three Felonies	6,673	8.2%	6,381	8.5%
Four Felonies	3,937	4.8%	3,767	5.0%
Five Felonies	2,176	2.7%	2,031	2.7%
Six Felonies	1,111	1.4%	1,023	1.4%
Seven or More Felonies	891	1.1%	868	1.2%
Total	81,466	100.0%	75,018	100.0%

* As indicated on the scoresheet.

**Table 8
Number of Additional Offenses***

Additional Offenses	FY2009-2010 Sentence Dates ¹		FY2010-2011 Sentence Dates ²	
	Number	Percent	Number	Percent
None	42,187	51.8%	37,849	50.5%
Misdemeanor Only	18,565	22.8%	17,381	23.2%
One Felony	14,148	17.4%	13,554	18.1%
Two Felonies	4,065	5.0%	3,955	5.3%
Three Felonies	1,478	1.8%	1,325	1.8%
Four Felonies	505	0.6%	483	0.6%
Five Felonies	277	0.3%	226	0.3%
Six Felonies	105	0.1%	134	0.2%
Seven or More Felonies	136	0.2%	111	0.1%
Total	81,466	100.0%	75,018	100.0%

* As indicated on the scoresheet.

¹ Offense dates on or after October 1, 2008.

² Offense dates on or after October 1, 2009.

Table 9
Prior Felony Record* and Sanction Imposed

Number of Prior Felonies	FY2009-2010 Sentence Dates ¹						FY2010-2011 Sentence Dates ²					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
None	5,270 13.1%	2,473 6.1%	25,266 62.8%	6,784 16.9%	419 1.0%	40,212 100.0%	4,605 12.6%	2,296 6.3%	23,348 63.6%	6,139 16.7%	305 0.8%	36,693 100.0%
One	3,736 23.6%	870 5.5%	6,520 41.2%	4,582 29.0%	104 0.7%	15,812 100.0%	3,359 23.2%	803 5.5%	6,028 41.6%	4,208 29.1%	79 0.5%	14,477 100.0%
Two	3,309 31.1%	530 5.0%	3,363 31.6%	3,388 31.8%	64 0.6%	10,654 100.0%	3,069 31.4%	492 5.0%	3,113 31.8%	3,058 31.3%	46 0.5%	9,778 100.0%
Three	2,605 39.0%	284 4.3%	1,601 24.0%	2,158 32.3%	25 0.4%	6,673 100.0%	2,471 38.7%	274 4.3%	1,597 25.0%	2,011 31.5%	28 0.4%	6,381 100.0%
Four	1,809 45.9%	134 3.4%	774 19.7%	1,208 30.7%	12 0.3%	3,937 100.0%	1,662 44.1%	119 3.2%	817 21.7%	1,157 30.7%	12 0.3%	3,767 100.0%
Five	1,115 51.2%	61 2.8%	381 17.5%	613 28.2%	6 0.3%	2,176 100.0%	1,014 49.9%	61 3.0%	374 18.4%	578 28.5%	4 0.2%	2,031 100.0%
Six	622 56.0%	25 2.3%	154 13.9%	309 27.8%	1 0.1%	1,111 100.0%	555 54.3%	21 2.1%	182 17.8%	264 25.8%	1 0.1%	1,023 100.0%
Seven or More	478 53.6%	23 2.6%	98 11.0%	292 32.8%	0 0.0%	891 100.0%	489 56.3%	16 1.8%	128 14.7%	233 26.8%	2 0.2%	868 100.0%
Total	18,944 23.3%	4,400 5.4%	38,157 46.8%	19,334 23.7%	631 0.8%	81,466 100.0%	17,224 23.0%	4,082 5.4%	35,587 47.4%	17,648 23.5%	477 0.6%	75,018 100.0%

* As indicated on the scoresheet

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

¹ Offense dates on or after October 1, 2008.

² Offense dates on or after October 1, 2009.

Table 10
Additional Offenses* and Sanction Imposed

Number of Additional Felonies	FY2009-2010 Sentence Dates ¹						FY2010-2011 Sentence Dates ²					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
None	10,430	2,896	30,757	16,186	483	60,752	9,294	2,634	28,227	14,711	364	55,230
	17.2%	4.8%	50.6%	26.6%	0.8%	100.0%	16.8%	4.8%	51.1%	26.6%	0.7%	100.0%
One	4,878	1,003	5,653	2,502	112	14,148	4,546	956	5,608	2,357	87	13,554
	34.5%	7.1%	40.0%	17.7%	0.8%	100.0%	33.5%	7.1%	41.4%	17.4%	0.6%	100.0%
Two	2,006	306	1,233	501	19	4,065	1,891	311	1,285	451	17	3,955
	49.3%	7.5%	30.3%	12.3%	0.5%	100.0%	47.8%	7.9%	32.5%	11.4%	0.4%	100.0%
Three	894	119	345	108	12	1,478	779	115	324	101	6	1,325
	60.5%	8.1%	23.3%	7.3%	0.8%	100.0%	58.8%	8.7%	24.5%	7.6%	0.5%	100.0%
Four	339	40	101	22	3	505	350	28	85	18	2	483
	67.1%	7.9%	20.0%	4.4%	0.6%	100.0%	72.5%	5.8%	17.6%	3.7%	0.4%	100.0%
Five	203	19	42	11	2	277	173	14	35	3	1	226
	73.3%	6.9%	15.2%	4.0%	0.7%	100.0%	76.5%	6.2%	15.5%	1.3%	0.4%	100.0%
Six	88	7	8	2	0	105	107	11	13	3	0	134
	83.8%	6.7%	7.6%	1.9%	0.0%	100.0%	79.9%	8.2%	9.7%	2.2%	0.0%	100.0%
Seven or More	106	10	18	2	0	136	84	13	10	4	0	111
	77.9%	7.4%	13.2%	1.5%	0.0%	100.0%	75.7%	11.7%	9.0%	3.6%	0.0%	100.0%
Total	18,944	4,400	38,157	19,334	631	81,466	17,224	4,082	35,587	17,648	477	75,018
	23.3%	5.4%	46.8%	23.7%	0.8%	100.0%	23.0%	5.4%	47.4%	23.5%	0.6%	100.0%

* As indicated on the scoresheet.

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

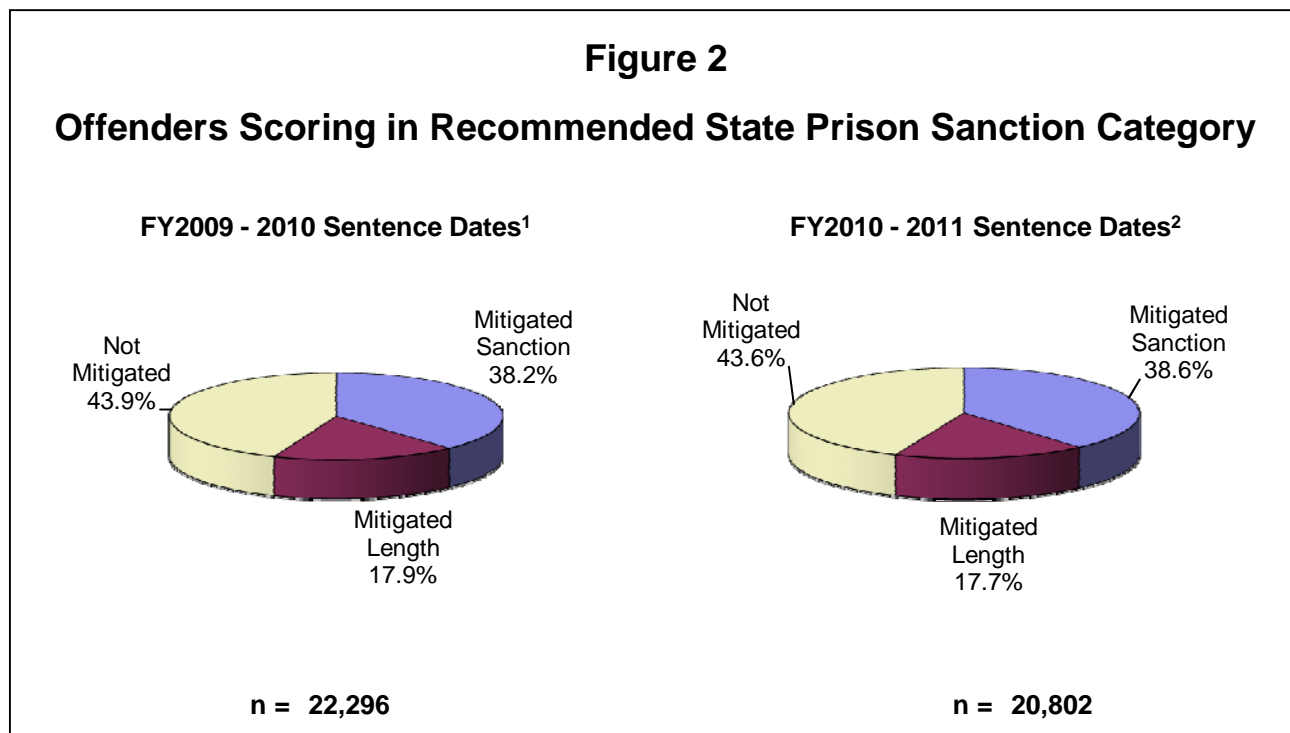
¹ Offense dates on or after October 1, 2008.

² Offense dates on or after October 1, 2009.

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

Category	FY2009-2010 Sentence Dates ¹		FY2010-2011 Sentence Dates ²	
	Number / Percent	Average Mitigated Length in Months	Number / Percent	Average Mitigated Length in Months
Mitigated Total	12,500 56.1%		11,727 56.4%	
Mitigated Sanction	8,512 38.2%		8,037 38.6%	
Mitigated Length	3,988 17.9%	24.7	3,690 17.7%	24.4
Not Mitigated	9,796 43.9%		9,075 43.6%	
Total	22,296 100.0%		20,802 100.0%	

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



* Total points exceeding 44.0

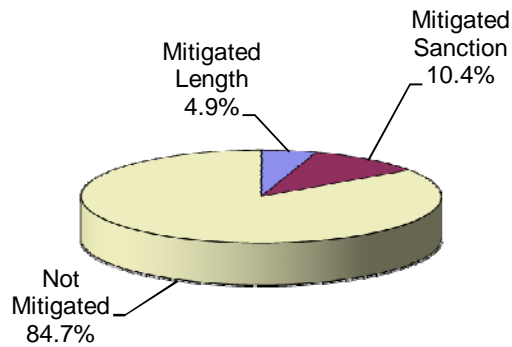
¹ Offense dates on or after October 1, 2008.

² Offense dates on or after October 1, 2009.

Figure 3

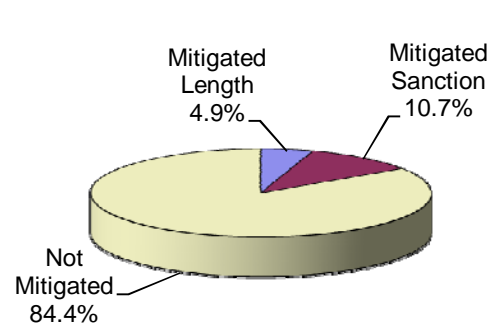
Deviation Rates Below Permitted Sentences Among All Offenders Sentenced

FY 2009 - 2010 Sentence Dates¹



n = 81,466

FY 2010 - 2011 Sentence Dates²



n = 75,018

Table 12

Mitigated Sanction Rates* By Judicial Circuit

Judicial Circuit	FY2009-2010 Sentence Dates ¹			FY2010-2011 Sentence Dates ²		
	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate
01- Pensacola	1,083	494	45.6%	933	444	47.6%
02- Tallahassee	552	232	42.0%	506	213	42.1%
03- Lake City	277	85	30.7%	183	57	31.1%
04- Jacksonville	1,477	180	12.2%	1,646	149	9.1%
05- Tavares	1,324	354	26.7%	1,173	347	29.6%
06- Clearwater	2,258	646	28.6%	2,205	593	26.9%
07- Daytona	948	351	37.0%	884	380	43.0%
08- Gainesville	507	190	37.5%	380	158	41.6%
09- Orlando	1,711	666	38.9%	1,588	533	33.6%
10- Bartow	934	226	24.2%	757	200	26.4%
11- Miami	2,623	1,921	73.2%	2,222	1,616	72.7%
12- Sarasota	587	201	34.2%	610	174	28.5%
13- Tampa	2,070	962	46.5%	1,950	1,041	53.4%
14- Panama City	597	194	32.5%	530	180	34.0%
15- West Palm Beach	1,078	355	32.9%	1,013	330	32.6%
16- Key West	81	38	46.9%	107	51	47.7%
17- Ft. Lauderdale	1,759	843	47.9%	1,554	864	55.6%
18- Sanford	748	236	31.6%	854	316	37.0%
19- Ft. Pierce	646	135	20.9%	687	165	24.0%
20- Ft. Myers	1,036	203	19.6%	1,020	226	22.2%
Statewide	22,296	8,512	38.2%	20,802	8,037	38.6%

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

¹ Offense dates on or after October 1, 2008.

² Offense dates on or after October 1, 2009.

Table 13

Mitigated Sanction Rates and Mitigated Length Rates* By Judicial Circuit

Judicial Circuit	FY2009-2010 Sentence Dates ¹			FY2010-2011 Sentence Dates ²		
	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate
01- Pensacola	1,083	593	54.8%	933	524	56.2%
02- Tallahassee	552	413	74.8%	506	357	70.6%
03- Lake City	277	152	54.9%	183	100	54.6%
04- Jacksonville	1,477	486	32.9%	1,646	558	33.9%
05- Tavares	1,324	580	43.8%	1,173	539	46.0%
06- Clearwater	2,258	1,100	48.7%	2,205	1,000	45.4%
07- Daytona	948	599	63.2%	884	586	66.3%
08- Gainesville	507	371	73.2%	380	271	71.3%
09- Orlando	1,711	937	54.8%	1,588	858	54.0%
10- Bartow	934	355	38.0%	757	322	42.5%
11- Miami	2,623	2,393	91.2%	2,222	2,031	91.4%
12- Sarasota	587	265	45.1%	610	228	37.4%
13- Tampa	2,070	1,455	70.3%	1,950	1,481	75.9%
14- Panama City	597	313	52.4%	530	266	50.2%
15- West Palm Beach	1,078	509	47.2%	1,013	473	46.7%
16- Key West	81	49	60.5%	107	63	58.9%
17- Ft. Lauderdale	1,759	1,093	62.1%	1,554	1,099	70.7%
18- Sanford	748	317	42.4%	854	403	47.2%
19- Ft. Pierce	646	203	31.4%	687	235	34.2%
20- Ft. Myers	1,036	317	30.6%	1,020	333	32.6%
Statewide	22,296	12,500	56.1%	20,802	11,727	56.4%

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

¹ Offense dates on or after October 1, 2008.

² Offense dates on or after October 1, 2009.

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

Offense Type		FY2009-2010 Sentence Dates ¹					FY2010-2011 Sentence Dates ²				
		Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter	Attempt	76	64	12	15	91	66	59	7	17	83
	Complete	100	88	12	53	153	93	79	14	43	136
Sexual/Lewd Behavior	Attempt	60	51	9	12	72	34	29	5	14	48
	Complete	309	179	130	149	458	269	184	85	155	424
Robbery	Attempt	160	108	52	30	190	118	91	27	22	140
	Complete	1,202	862	340	308	1,510	1,059	744	315	245	1,304
Violent,Other	Attempt	36	23	13	6	42	33	21	12	3	36
	Complete	3,519	1,527	1,992	649	4,168	3,201	1,321	1,880	592	3,793
Burglary	Attempt	192	139	53	22	214	159	101	58	20	179
	Complete	3,974	1,970	2,004	904	4,878	3,883	1,938	1,945	860	4,743
Property Theft/Fraud/Damage	Attempt	3	3	0	0	3	4	3	1	1	5
	Complete	1,776	993	783	350	2,126	1,830	1,014	816	281	2,111
Drugs	Attempt	119	61	58	20	139	120	64	56	20	140
	Complete	4,643	2,614	2,029	948	5,591	4,254	2,415	1,839	910	5,164
Weapons	Attempt	2	1	1	0	2	1	1	0	1	2
	Complete	646	435	211	101	747	659	438	221	95	754
Other	Attempt	12	6	6	4	16	6	4	2	1	7
	Complete	1,479	672	807	417	1,896	1,323	569	754	410	1,733
Total		18,308	9,796	8,512	3,988	22,296	17,112	9,075	8,037	3,690	20,802

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

** Total Points Exceeding 44.0.

¹ Offense dates on or after October 1, 2008.

² Offense dates on or after October 1, 2009.

APPENDICES

**Total Admissions To Prison
Fiscal Year 2010-2011
By County of Commitment**

County	Total	Percent
ALACHUA	681	1.9%
BAKER	73	0.2%
BAY	867	2.4%
BRADFORD	46	0.1%
BREVARD	1208	3.3%
BROWARD	2034	5.6%
CALHOUN	43	0.1%
CHARLOTTE	338	0.9%
CITRUS	250	0.7%
CLAY	382	1.0%
COLLIER	394	1.1%
COLUMBIA	352	1.0%
MIAMI-DADE	1940	5.3%
DESOTO	113	0.3%
DIXIE	79	0.2%
DUVAL	2577	7.1%
ESCAMBIA	925	2.5%
FLAGLER	135	0.4%
FRANKLIN	52	0.1%
GADSDEN	191	0.5%
GILCHRIST	23	0.1%
GLADES	23	0.1%
GULF	33	0.1%
HAMILTON	33	0.1%
HARDEE	79	0.2%
HENDRY	112	0.3%
HERNANDO	374	1.0%
HIGHLANDS	241	0.7%
HILLSBOROUGH	2510	6.9%
HOLMES	55	0.2%
INDIAN RIVER	306	0.8%
JACKSON	186	0.5%
JEFFERSON	52	0.1%
LAFAYETTE	15	0.0%
LAKE	584	1.6%
LEE	957	2.6%

County	Total	Percent
LEON	774	2.1%
LEVY	200	0.5%
LIBERTY	23	0.1%
MADISON	59	0.2%
MANATEE	560	1.5%
MARION	824	2.3%
MARTIN	387	1.1%
MONROE	191	0.5%
NASSAU	126	0.3%
OKALOOSA	316	0.9%
OKEECHOBEE	144	0.4%
ORANGE	1769	4.9%
OSCEOLA	537	1.5%
PALM BEACH	1484	4.1%
PASCO	925	2.5%
PINELLAS	2242	6.2%
POLK	1477	4.1%
PUTNAM	246	0.7%
ST. JOHNS	357	1.0%
ST. LUCIE	642	1.8%
SANTA ROSA	263	0.7%
SARASOTA	485	1.3%
SEMINOLE	399	1.1%
SUMTER	120	0.3%
SUWANNEE	143	0.4%
TAYLOR	116	0.3%
UNION	20	0.1%
VOLUSIA	903	2.5%
WAKULLA	51	0.1%
WALTON	82	0.2%
WASHINGTON	78	0.2%
Other States	13	0.0%
Data Unavailable	773	
TOTAL	34,992	

**Total Admissions To Prison
Fiscal Year 2010-2011
By Circuit**

CIRCUIT 1	1,586
CIRCUIT 2	1,143
CIRCUIT 3	797
CIRCUIT 4	3,085
CIRCUIT 5	2,152
CIRCUIT 6	3,167
CIRCUIT 7	1,641
CIRCUIT 8	1,043
CIRCUIT 9	2,306
CIRCUIT 10	1,797

CIRCUIT 11	1,940
CIRCUIT 12	1,158
CIRCUIT 13	2,510
CIRCUIT 14	1,262
CIRCUIT 15	1,484
CIRCUIT 16	191
CIRCUIT 17	2,034
CIRCUIT 18	1,607
CIRCUIT 19	1,479
CIRCUIT 20	1,824

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

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"/>				I. _____

II. ADDITIONAL OFFENSE(S): Supplemental page attached

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

NAME (LAST, FIRST, MI)	DOCKET #
-------------------------------	-----------------

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

- 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

VI. _____

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

VII. _____

VIII. Prior Serious Felony - 30 Points

VIII. _____

Subtotal Sentence Points _____

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

Law 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 _____

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 the total sentence points are 22 points or less, see Section 775.082(10), Florida Statutes, to determine if the court must sentence the offender to a non-state prison sanction.

If total sentence points are greater than 44:

_____ minus 28 = _____ x .75 = _____
total sentence points lowest permissible prison sentence in months

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

_____ maximum sentence In years

TOTAL SENTENCE IMPOSED

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

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 Prison Diversion Program

Other Reason _____

JUDGE'S SIGNATURE	
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RULE 3.992(b) Supplemental Criminal Punishment Code Scoresheet

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

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.
- The defendant is amenable to the services of a postadjudicatory treatment-based drug court program and is otherwise qualified to participate in the program.

Pursuant to 921.0026(3) the defendant's substance abuse or addiction does not justify a downward departure from the lowest permissible sentence, except for the provisions of s. 921.0026(2)(m).

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

**OFFENSE SEVERITY RANKING CHART
AS OF JULY 1, 2011**

Florida Statute	Felony Degree	Description
		(a) LEVEL 1
24.11 8(3)(a)	3rd	Counterfeit or altered state lottery ticket.
212.054(2)(b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
212.1 5(2)(b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
3 16.1935(1)	3rd	Fleeing or attempting to elude law enforcement officer.
3 19.30(5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
319.35(1)(a)	3rd	Tamper, adjust, change, etc., an odometer.
320.26(1)(a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
322.212(1)(a)-(c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver's license; possession of simulated identification.
322.212(4)	3rd	Supply or aid in supplying unauthorized driver's license or identification card.
322.212(5)(a)	3rd	False application for driver's license or identification card.
414.39(2)	3rd	Unauthorized use, possession, forgery, or alteration of food assistance program, Medicaid ID, value greater than \$200.
414.39(3)(a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
443.071(1)	3rd	False statement or representation to obtain or increase unemployment compensation benefits.
509.151(1)	3rd	Defraud an innkeeper, food or lodging value greater than \$300.
517.302(1)	3rd	Violation of the Florida Securities and Investor Protection Act.
562.27(1)	3rd	Possess still or still apparatus.
713.69	3rd	Tenant removes property upon which lien has accrued, value more than \$50.
812.014(3)(c)	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
812.081(2)	3rd	Unlawfully makes or causes to be made a reproduction of a trade secret.
815.04(4)(a)	3rd	Offense against intellectual property (i.e., computer programs, data).
817.52(2)	3rd	Hiring with intent to defraud, motor vehicle services.
817.569(2)	3rd	Use of public record or public records information to facilitate commission of a felony.
826.01	3rd	Bigamy.
828.122(3)	3rd	Fighting or baiting animals.
831.04(1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
831.31 (1)(a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.
832.041(1)	3rd	Stopping payment with intent to defraud \$150 or more.
832.05(2)(b) & (4)(c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
838.15(2)	3rd	Commercial bribe receiving.
838.16	3rd	Commercial bribery.
843.18	3rd	Fleeing by boat to elude a law enforcement officer.
847.01 1(1)(a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
849.01	3rd	Keeping gambling house.
849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
849.23	3rd	Gambling-related machines; "common offender" as to property rights.
849.25(2)	3rd	Engaging in bookmaking.
860.08	3rd	Interfere with a railroad signal.
860.13(1)(a)	3rd	Operate aircraft while under the influence.
893.1 3(2)(a)2.	3rd	Purchase of cannabis.
893.1 3(6)(a)	3rd	Possession of cannabis (more than 20 grams).

**OFFENSE SEVERITY RANKING CHART
AS OF JULY 1, 2011**

934.03(1)(a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
		(b) LEVEL 2
379.2431 (1)(e)3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
379.2431(1)(e)4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
403.413(5)(c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
517.07	3rd	Registration of securities and furnishing of prospectus required.
590.28(1)	3rd	Intentional burning of lands.
784.05(3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
787.04(1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
806.1 3(1)(b)3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
810.061(2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
810.09(2)(e)	3rd	Trespassing on posted commercial horticulture property.
812.014(2)(c)1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
812.014(2)(d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
8 12.015(7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
817.234(1)(a)2.	3rd	False statement in support of insurance claim.
817.481(3)(a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
817.52(3)	3rd	Failure to redeliver hired vehicle.
817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
8 17.60(5)	3rd	Dealing in credit cards of another.
817.60(6)(a)	3rd	Forgery; purchase goods, services with false card.
817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
831.01	3rd	Forgery.
831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
832.05(3)(a)	3rd	Cashing or depositing item with intent to defraud.
843.08	3rd	Falsely impersonating an officer.
893.13(2)(a)2.	3rd	Purchase of any s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs other than cannabis.
893.147(2)	3rd	Manufacture or delivery of drug paraphernalia.
		(c) LEVEL 3
119.1 0(2)(b)	3rd	Unlawful use of confidential information from police reports.
31 6.066(3)(b)-(d)	3rd	Unlawfully obtaining or using confidential crash reports.
316.1 93(2)(b)	3rd	Felony DUI, 3rd conviction.
316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.

**OFFENSE SEVERITY RANKING CHART
AS OF JULY 1, 2011**

3 19.30(4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
31 9.33(1)(a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
31 9.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
3 19.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
327.35(2)(b)	3rd	Felony BUI.
328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
379.2431(1)(e)5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
379.2431 (1)(e)6.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
400.9935(4)	3rd	Operating a clinic without a license or filing false license application or other required information.
440.1051(3)	3rd	False report of worker's compensation fraud or retaliation for making such a report.
501 .001(2)(b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
624.401(4)(a)	3rd	Transacting insurance without a certificate of authority.
624.401(4)(b)1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
626.902(1)(a) & (b)	3rd	Representing an unauthorized insurer.
697.08	3rd	Equity skimming.
790.15(3)	3rd	Person directs another to discharge firearm from a vehicle.
796.05(1)	3rd	Live on earnings of a prostitute.
806.10(1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
806.10(2)	3rd	Interferes with or assaults firefighter in performance of duty.
810.09(2)(c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
812.0145(2)(c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
815.04(4)(b)	2nd	Computer offense devised to defraud or obtain property.
817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
8 17.233	3rd	Burning to defraud insurer.
817.234(8)(b)-(c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
8 17.234(1 1)(a)	3rd	Insurance fraud; property value less than \$20,000.
8 17.236	3rd	Filing a false motor vehicle insurance application.
817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
8 17.413(2)	3rd	Sale of used goods as new.
817.505(4)	3rd	Patient brokering.
828.12(2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
831 .28(2)(a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.

**OFFENSE SEVERITY RANKING CHART
AS OF JULY 1, 2011**

831.29	2nd	Possession of instruments for counterfeiting drivers' licenses or identification cards.
838.021(3)(b)	3rd	Threatens unlawful harm to public servant.
843.19	3rd	Injure, disable, or kill police dog or horse.
860.15(3)	3rd	Overcharging for repairs and parts.
870.01(2)	3rd	Riot; inciting or encouraging.
893.1 3(1)(a)2.	3rd	Sell, manufacture, or deliver cannabis (or other s. 893 .03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs).
893.1 3(1)(d)2.	2nd	Sell, manufacture, or deliver s. 893 .03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs within 1,000 feet of university.
893.1 3(1)(f)2.	2nd	Sell, manufacture, or deliver s. 893 .03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs within 1,000 feet of public housing facility.
893.1 3(6)(a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
893.1 3(7)(a)8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
893.1 3(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
893.1 3(7)(a)1 0.	3rd	Affix false or forged label to package of controlled substance.
893.1 3(7)(a)1 1.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
893.1 3(8)(a)1.	3rd	Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.
893.1 3(8)(a)2.	3rd	Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.
893.1 3(8)(a)3.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
893.1 3(8)(a)4.	3rd	Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.
918.1 3(1)(a)	3rd	Alter, destroy, or conceal investigation evidence.
944.47(1)(a)1 .-2.	3rd	Introduce contraband to correctional facility.
944.47(1)(c)	2nd	Possess contraband while upon the grounds of a correctional institution.
985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
		(d) LEVEL 4
316.1 935(3)(a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
499.0051(1)	3rd	Failure to maintain or deliver pedigree papers.
499.0051(2)	3rd	Failure to authenticate pedigree papers.
499.0051(6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, etc.
784.074(1)(c)	3rd	Battery of sexually violent predators facility staff.
784.075	3rd	Battery on detention or commitment facility staff.
784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
784.08(2)(c)	3rd	Battery on a person 65 years of age or older.
784.08 1(3)	3rd	Battery on specified official or employee.
784.082(3)	3rd	Battery by detained person on visitor or other detainee.

**OFFENSE SEVERITY RANKING CHART
AS OF JULY 1, 2011**

784.083(3)	3rd	Battery on code inspector.
784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
787.03(1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
787.04(3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
790.11 5(2)(b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
790.11 5(2)(c)	3rd	Possessing firearm on school property.
800.04(7)(c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
810.02(4)(a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
810.02(4)(b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
810.06	3rd	Burglary; possession of tools.
810.08(2)(c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
812.014(2)(c)4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
812.0195(2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
817.563(1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
817.568(2)(a)	3rd	Fraudulent use of personal identification information.
81 7.625(2)(a)	3rd	Fraudulent use of scanning device or reencoder.
828.125(1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
837.02(1)	3rd	Perjury in official proceedings.
837.021(1)	3rd	Make contradictory statements in official proceedings.
838.022	3rd	Official misconduct.
839.1 3(2)(a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
839.1 3(2)(c)	3rd	Falsifying records of the Department of Children and Family Services.
843.021	3rd	Possession of a concealed handcuff key by a person in custody.
843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
843.1 5(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
874.05(1)	3rd	Encouraging or recruiting another to join a criminal gang.
893.1 3(2)(a)1.	2nd	Purchase of cocaine (or other s. 893 .03(1)(a), (b), or (d), (2)(a), (2)(b), or (2)(c)4. drugs).
914.14(2)	3rd	Witnesses accepting bribes.
914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
918.12	3rd	Tampering with jurors.
934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
		(e) LEVEL 5
316.027(1)(a)	3rd	Accidents involving personal injuries, failure to stop; leaving scene.
316.1 935(4)(a)	2nd	Aggravated fleeing or eluding.
322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
327.30(5)	3rd	Vessel accidents involving personal injury; leaving scene.

**OFFENSE SEVERITY RANKING CHART
AS OF JULY 1, 2011**

381.0041(1 1)(b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
440.10(1)(g)	2nd	Failure to obtain workers' compensation coverage.
440.105(5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
440.381(2)	2nd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
624.401(4)(b)2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
626.902(1)(c)	2nd	Representing an unauthorized insurer; repeat offender.
790.01(2)	3rd	Carrying a concealed firearm.
790.162	2nd	Threat to throw or discharge destructive device.
790.163(1)	2nd	False report of deadly explosive or weapon of mass destruction.
790.221(1)	2nd	Possession of short-barreled shotgun or machine gun.
790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
800.04(6)(c)	3rd	Lewd or lascivious conduct; offender less than 18 years.
800.04(7)(b)	2nd	Lewd or lascivious exhibition; offender 18 years or older.
806.111(1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
812.0145(2)(b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
8 12.015(8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
812.019(1)	2nd	Stolen property; dealing in or trafficking in.
812.131 (2)(b)	3rd	Robbery by sudden snatching.
812.16(2)	3rd	Owning, operating, or conducting a chop shop.
817.034(4)(a)2.	2nd	Communications fraud, value \$20,000 to \$50,000.
8 17.234(1 1)(b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
817.2341(1), (2)(a) & (3)(a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
817.568(2)(b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more individuals.
81 7.625(2)(b)	2nd	Second or subsequent fraudulent use of scanning device or reencoder.
825.1025(4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
827.071(4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.
827.071(5)	3rd	Possess any photographic material, motion picture, etc., which includes sexual conduct by a child.
839.1 3(2)(b)	2nd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.
843.01	3rd	Resist officer with violence to person; resist arrest with violence.
847.0135(5)(b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
847.0137(2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
847.0138(2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
874.05(2)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
893.1 3(1)(a)1.	2nd	Sell, manufacture, or deliver cocaine (or other s. 893 .03(1)(a), (1)(b), (1)(d), (2)(a), 2)(b), or (2)(c)4. drugs).

**OFFENSE SEVERITY RANKING CHART
AS OF JULY 1, 2011**

466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
467.201	3rd	Practicing midwifery without a license.
468.366	3rd	Delivering respiratory care services without a license.
483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
483.901(9)	3rd	Practicing medical physics without a license.
484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
484.053	3rd	Dispensing hearing aids without a license.
494.0018(2)	1st	Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
560. 123(8)(b)1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
560. 125(5)(a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
775.21(10)(a)	3rd	Sexual predator; failure to register; failure to renew driver's license or identification card; other registration violations.
775.21(10)(b)	3rd	Sexual predator working where children regularly congregate.
775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
782.05 1(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
782.071	2nd	Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).
782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
784.045(1)(a)2.	2nd	Aggravated battery; using deadly weapon.
784.045(1)(b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
784.048(4)	3rd	Aggravated stalking; violation of injunction or court order.
784.048(7)	3rd	Aggravated stalking; violation of court order.
784.07(2)(d)	1st	Aggravated battery on law enforcement officer.
784.074(1)(a)	1st	Aggravated battery on sexually violent predators facility staff.
784.08(2)(a)	1st	Aggravated battery on a person 65 years of age or older.
784.081(1)	1st	Aggravated battery on specified official or employee.
784.082(1)	1st	Aggravated battery by detained person on visitor or other detainee.
784.083(1)	1st	Aggravated battery on code inspector.
790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
790.16(1)	1st	Discharge of a machine gun under specified circumstances.
790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
790.23	1 st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.

**OFFENSE SEVERITY RANKING CHART
AS OF JULY 1, 2011**

893.1 3(1)(c)2.	2nd	Sell, manufacture, or deliver cannabis (or other s. 893 .03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
893.1 3(1)(d)1.	1st	Sell, manufacture, or deliver cocaine (or other s. 893 .03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs) within 1,000 feet of university.
893.1 3(1)(e)2.	2nd	Sell, manufacture, or deliver cannabis or other drug prohibited under s. 893 .03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) within 1,000 feet of property used for religious services or a specified business site.
893.13(1)(f)1.	1st	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), or (2)(a), (2)(b), or (2)(c)4. drugs) within 1,000 feet of public housing facility.
893.1 3(4)(b)	2nd	Deliver to minor cannabis (or other s. 893 .03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs).
893.1351(1)	3rd	Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.
		(f) LEVEL 6
316.1 93(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
499.0051(3)	2nd	Knowing forgery of pedigree papers.
499.0051(4)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
499.0051(5)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
775.0875(1)	3rd	Taking firearm from law enforcement officer.
784.021(1)(a)	3rd	Aggravated assault; deadly weapon without intent to kill.
784.021(1)(b)	3rd	Aggravated assault; intent to commit felony.
784.041	3rd	Felony battery; domestic battery by strangulation.
784.048(3)	3rd	Aggravated stalking; credible threat.
784.048(5)	3rd	Aggravated stalking of person under 16.
784.07(2)(c)	2nd	Aggravated assault on law enforcement officer.
784.074(1)(b)	2nd	Aggravated assault on sexually violent predators facility staff.
784.08(2)(b)	2nd	Aggravated assault on a person 65 years of age or older.
784.08 1(2)	2nd	Aggravated assault on specified official or employee.
784.082(2)	2nd	Aggravated assault by detained person on visitor or other detainee.
784.083(2)	2nd	Aggravated assault on code inspector.
787.02(2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
790.11 5(2)(d)	2nd	Discharging firearm or weapon on school property.
790.161(2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
790.164(1)	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.
790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
794.01 1(8)(a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
794.05(1)	2nd	Unlawful sexual activity with specified minor.
800.04(5)(d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender less than 18 years.
800.04(6)(b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
806.031(2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
810.02(3)(c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
812.014(2)(b)1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
812.014(6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.

**OFFENSE SEVERITY RANKING CHART
AS OF JULY 1, 2011**

812.01 5(9)(a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
812.015(9)(b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.
812.1 3(2)(c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
81 7.034(4)(a)1.	1st	Communications fraud, value greater than \$50,000.
817.4821(5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
825.102(1)	3rd	Abuse of an elderly person or disabled adult.
825.1 02(3)(c)	3rd	Neglect of an elderly person or disabled adult.
825.1025(3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
825.103(2)(c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.
827.03(1)	3rd	Abuse of a child.
827.03(3)(c)	3rd	Neglect of a child.
827.071(2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
836.05	2nd	Threats; extortion.
836.1	2nd	Written threats to kill or do bodily injury.
843.12	3rd	Aids or assists person to escape.
847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.
847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.
847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
944.3 5(3)(a)2.	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.
944.4	2nd	Escapes.
944.46	3rd	Harboring, concealing, aiding escaped prisoners.
944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
951.22(1)	3rd	Intoxicating drug, firearm, or weapon introduced into county facility.
		(g) LEVEL 7
31 6.027(1)(b)	1st	Accident involving death, failure to stop; leaving scene.
316.1 93(3)(c)2.	3rd	DUI resulting in serious bodily injury.
316.1 935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.
402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfigurement, permanent disability, or death.
409.920(2)(b)1 .a.	3rd	Medicaid provider fraud; \$10,000 or less.
409.920(2)(b)1 .b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
456.065(2)	3rd	Practicing a health care profession without a license.
456.065(2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
458.327(1)	3rd	Practicing medicine without a license.
459.013(1)	3rd	Practicing osteopathic medicine without a license.
460.411(1)	3rd	Practicing chiropractic medicine without a license.
461.012(1)	3rd	Practicing podiatric medicine without a license.
462.17	3rd	Practicing naturopathy without a license.
463.015(1)	3rd	Practicing optometry without a license.
464.016(1)	3rd	Practicing nursing without a license.
465.015(2)	3rd	Practicing pharmacy without a license.

**OFFENSE SEVERITY RANKING CHART
AS OF JULY 1, 2011**

794.08(4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
796.03	2nd	Procuring any person under 16 years for prostitution.
800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
800.04(5)(c)2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender 18 years or older.
806.01(2)	2nd	Maliciously damage structure by fire or explosive.
810.02(3)(a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
810.02(3)(b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
810.02(3)(d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
810.02(3)(e)	2nd	Burglary of authorized emergency vehicle.
812.0 14(2)(a)1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
812.014(2)(b)2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
812.014(2)(b)3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
812.014(2)(b)4.	2nd	Property stolen; law enforcement equipment from authorized emergency vehicle.
812.0145(2)(a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
8 12.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
812.131 (2)(a)	2nd	Robbery by sudden snatching.
812.1 33(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
817.234(8)(a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
8 17.234(9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
817.234(1 1)(c)	1st	Insurance fraud; property value \$100,000 or more.
817.2341 (2)(b)& (3)(b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
825.1 02(3)(b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
825.103(2)(b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$20,000 or more, but less than \$100,000.
827.03(3)(b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
827.04(3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
83 7.05(2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
838.015	2nd	Bribery.
838.016	2nd	Unlawful compensation or reward for official behavior.
838.021(3)(a)	2nd	Unlawful harm to a public servant.
838.22	2nd	Bid tampering.
847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
847.0135(4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
872.06	2nd	Abuse of a dead human body.
874.1	1 st,PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
893.1 3(1)(c)1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893 .03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

**OFFENSE SEVERITY RANKING CHART
AS OF JULY 1, 2011**

893.1 3(1)(e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4., within 1,000 feet of property used for religious services or a specified business site.
893.13(4)(a)	1st	Deliver to minor cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
893.135(1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
893.135(1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
893.1 35(1)(d)1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
893.1 35(1)(e)1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
893.1 35(1)(f)1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
893.1 35(1)(g)1 .a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
893.1 35(1)(h)1 .a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
893. 135(1)(j)1 .a.	1st	Trafficking in 1 ,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
893.1 35(1)(k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
893.1351(2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
896.101 (5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
943.0435(4)(c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
943.0435(8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
943.0435(9)(a)	3rd	Sexual offender; failure to comply with reporting requirements.
943.0435(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
985.48 15(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
		(h) LEVEL 8
316.193(3)(c)3.a.	2nd	DUI manslaughter.
316.1 935(4)(b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
327.35(3)(c)3.	2nd	Vessel BUI manslaughter.
499.0051(7)	1st	Knowing trafficking in contraband prescription drugs.
499.0051(8)	1st	Knowing forgery of prescription labels or prescription drug labels.
560. 123(8)(b)2.	2nd	Failure to report currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000 by money transmitter.
560. 125(5)(b)	2nd	Money transmitter business by unauthorized person, currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000.
655.50(10)(b)2.	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.

**OFFENSE SEVERITY RANKING CHART
AS OF JULY 1, 2011**

777.03(2)(a)	1st	Accessory after the fact, capital felony.
782.04(4)	2nd	Killing of human without design when engaged in act or attempt of any felony other than arson, sexual battery, robbery, burglary, kidnapping, aircraft piracy, or unlawfully discharging bomb.
782.051(2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04(3).
782.071 (1)(b)	1st	Committing vehicular homicide and failing to render aid or give information.
782.072(2)	1st	Committing vessel homicide and failing to render aid or give information.
790.161(3)	1st	Discharging a destructive device which results in bodily harm or property damage.
794.011(5)	2nd	Sexual battery, victim 12 years or over, offender does not use physical force likely to cause serious injury.
794.08(3)	2nd	Female genital mutilation; removal of a victim younger than 18 years of age from this state.
800.04(4)	2nd	Lewd or lascivious battery.
806.01(1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
81 0.02(2)(a)	1 st,PBL	Burglary with assault or battery.
81 0.02(2)(b)	1 st,PBL	Burglary; armed with explosives or dangerous weapon.
81 0.02(2)(c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
812.014(2)(a)2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
812.1 3(2)(b)	1st	Robbery with a weapon.
812.135(2)(c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
817.568(6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
825.102(2)	1st	Aggravated abuse of an elderly person or disabled adult.
825.1025(2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
825.1 03(2)(a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$100,000 or more.
837.02(2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
837.021(2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
860.121 (2)(c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
860.16	1st	Aircraft piracy.
893.1 3(1)(b)	1st	Sell or deliver in excess of 10 grams of any substance specified in s. 893 .03(1)(a) or (b).
893.1 3(2)(b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893 .03(1)(a) or (b).
893.1 3(6)(c)	1st	Possess in excess of 10 grams of any substance specified in s. 893 .03(1)(a) or (b).
893.135(1)(a)2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
893.1 35(1)(b)1 .b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
893.135(1)(c)1.b.	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
893.1 35(1)(d)1 .b.	1st	Trafficking in phencyclidine, more than 200 grams, less than 400 grams.
893.1 35(1)(e)1 .b.	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
893.1 35(1)(f)1 .b.	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
893.1 35(1)(g)1 .b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
893.1 35(1)(h)1 .b.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
893.1 35(1)(j)1 .b.	1st	Trafficking in 1 ,4-Butanediol, 5 kilograms or more, less than 10 kilograms.

**OFFENSE SEVERITY RANKING CHART
AS OF JULY 1, 2011**

893.135(1)(k)2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
893.1351(3)	1st	Possession of a place used to manufacture controlled substance when minor is present or resides there.
895.03(1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
895.03(2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
895.03 (3)	1st	Conduct or participate in any enterprise through pattern of racketeering activity.
896.101 (5)(b)	2nd	Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.
896.1 04(4)(a)2.	2nd	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$20,000 but less than \$100,000.
		(i) LEVEL 9
316.1 93(3)(c)3 .b.	1st	DUI manslaughter; failing to render aid or give information.
327.35(3)(c)3.b.	1st	BUI manslaughter; failing to render aid or give information.
409.920(2)(b)1 .c.	1st	Medicaid provider fraud; \$50,000 or more.
499.0051(9)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
560. 123 (8)(b)3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
560. 125(5)(c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
65 5.50(1 0)(b)3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
775.0844	1st	Aggravated white collar crime.
782.04(1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
782.04(3)	1 st,PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, and other specified felonies.
782.051(1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).
782.07(2)	1st	Aggravated manslaughter of an elderly person or disabled adult.
787.01(1)(a)1.	1st,PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
787.01(1)(a)2.	1st,PBL	Kidnapping with intent to commit or facilitate commission of any felony.
787.01 (1)(a)4.	1 st,PBL	Kidnapping with intent to interfere with performance of any governmental or political function.
787.02(3)(a)	1st	False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
790.161	1st	Attempted capital destructive device offense.
790.166(2)	1 st,PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
794.011(2)	1st	Attempted sexual battery; victim less than 12 years of age.
794.011(2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
794.011(4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
794.011 (8)(b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
794.08(2)	1st	Female genital mutilation; victim younger than 18 years of age.
800.04(5)(b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
812.1 3(2)(a)	1 st,PBL	Robbery with firearm or other deadly weapon.
812.1 33(2)(a)	1 st,PBL	Carjacking; firearm or other deadly weapon.
812.1 35(2)(b)	1st	Home-invasion robbery with weapon.

**OFFENSE SEVERITY RANKING CHART
AS OF JULY 1, 2011**

817.568(7)	2nd,PBL	Fraudulent use of personal identification information of an individual under the age of 18 by his or her parent, legal guardian, or person exercising custodial authority.
827.03(2)	1st	Aggravated child abuse.
847.0145(1)	1st	Selling, or otherwise transferring custody or control, of a minor.
847.0145(2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
859.01	1st	Poisoning or introducing bacteria, radioactive materials, viruses, or chemical compounds into food, drink, medicine, or water with intent to kill or injure another person.
893.135	1st	Attempted capital trafficking offense.
893.135(1)(a)3.	1st	Trafficking in cannabis, more than 10,000 lbs.
893.135(1)(b)1 .c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
893.135(1)(c)1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
893.135(1)(d)1 .c.	1st	Trafficking in phencyclidine, more than 400 grams.
893.135(1)(e)1 .c.	1st	Trafficking in methaqualone, more than 25 kilograms.
893.135(1)(f)1 .c.	1st	Trafficking in amphetamine, more than 200 grams.
893.135(1)(h)1 .c.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.
893.135(1)(j)1 .c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
893.135(1)(k)2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.
896.101 (5)(c)	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
896.104(4)(a)3.	1st	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.
		(j) LEVEL 10
499.0051(10)	1st	Knowing sale or purchase of contraband prescription drugs resulting in death.
782.04(2)	1 st,PBL	Unlawful killing of human; act is homicide, unpremeditated.
787.01(1)(a)3.	1st,PBL	Kidnapping; inflict bodily harm upon or terrorize victim.
787.01(3)(a)	Life	Kidnapping; child under age 13, perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
782.07(3)	1st	Aggravated manslaughter of a child.
794.011(3)	Life	Sexual battery; victim 12 years or older, offender uses or threatens to use deadly weapon or physical force to cause serious injury.
812.135(2)(a)	1 st,PBL	Home-invasion robbery with firearm or other deadly weapon.
876.32	1st	Treason against the state.

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