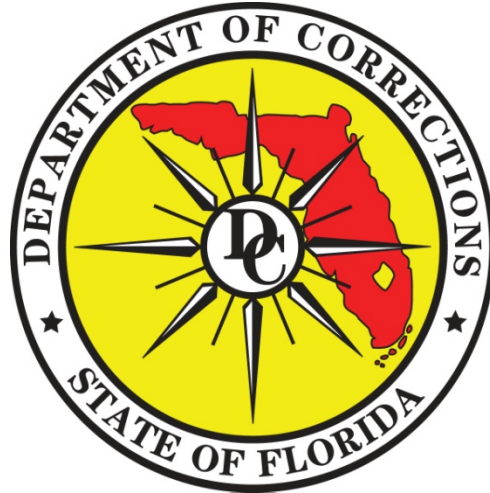


# FLORIDA DEPARTMENT OF CORRECTIONS

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

September 2013



*Michael D. Crews, Secretary*

*A report to the Florida Legislature detailing Florida's  
Criminal Punishment Code*

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# Florida's Criminal Punishment Code: A Comparative Assessment

## Offenses Committed On or After October 1, 1998

### Executive Summary

In 1997, the Florida Legislature created a new sentencing structure, the Florida Criminal Punishment Code (“Code”). The Code is Florida’s primary sentencing policy. It is unique in that it has features of both structured and unstructured sentencing policies.

From a structured sentencing perspective, the Code provides for a uniform evaluation of relevant factors present at sentencing, such as the offense before the court for sentencing, prior criminal record, victim injury, and others. It also provides for the 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 2011-2012 and FY 2012-2013.**

Since January 1, 1994, the Florida Department of Corrections has collected over 2.2 million scoresheets on felony offenders sentenced in Florida courts under the state’s Sentencing Guidelines and Criminal Punishment Code. This report describes the 105,339 Criminal Punishment Code scoresheets with sentence dates in FY 2012-2013 received by the Florida Department of Corrections through September 1, 2013, for felony offenses committed on or after October 1, 1998. It also compares 72,003 Criminal Punishment Code scoresheets received by the Florida Department of Corrections through September 1, 2013, for felony offenses committed on or after October 1, 2011 and sentence dates in Fiscal Year 2012-2013 with 74,429 Criminal Punishment Code scoresheets with offense dates on or after October 1, 2010 and sentence dates in Fiscal Year 2011-2012.



# 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 Sentencing Guideline structure was comprised of nine separate worksheets for specified offense categories such as murder, sexual offenses, drug offenses, etc. All offenses were contained in one of these categories.

Within each worksheet, points were assessed for offenses to be sentenced and prior record offenses based on the number of offenses and each offense's felony degree. Assessments were made for legal status and victim injury. Total scores fell into sentencing ranges or cells, for each worksheet. The least severe cell provided for a non-state prison sanction and the most severe cell provided for 27 years to life in prison. Departure sentences were permissible as long as written reasons were provided.

Several factors eventually eroded the integrity of the "truth in sentencing" aspect of the 1983 sentencing guidelines. Some of these factors included an epidemic of "crack" cocaine-related offense activity, which resulted in an unanticipated impact upon correctional resources, the passage of unfunded mandatory minimum sentence legislation, and significant growth in the population of the State of Florida.

As a result of these and other factors, the percentage of time served and actual time served declined. By 1989, the average percentage of time served was 34 percent. This lack of system integrity was the impetus for the creation of a new sentencing guideline structure.



## **The 1994 Sentencing Guidelines**

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

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

- Ranks all non-capital felonies in one of 10 offense severity levels. Level 1 is the least severe ranking and 10 reflects the most serious felonies.
- Each of the rankings has an associated point value in each of three elements subject to scoring: primary offense, additional offense(s), and prior record. Point values escalate as the rank increases. Every offense scored is provided its corresponding point value in these areas, with the emphasis of points lying in the area of the primary offense.
- Includes other policy levels through an assessment of points for a variety of other factors such as: victim injury, legal status, supervision violations, and others.

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

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



3. Mandate a state prison sanction when the total score exceeds 52 points.

The length of prison is determined by subtracting 28 from the total sentence points to derive the total prison months.

The court has the discretion to increase or decrease the sanction by 25%. This provided for a relatively narrow range for the imposition of a guideline sentence.

### **The 1995 Sentencing Guidelines**

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

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

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

### **The Criminal Punishment Code**

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

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





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

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

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

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



## **Department of Corrections Responsibilities**

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

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

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

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

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



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

- The information is compiled from a database containing sentencing scoresheets received by the Department of Corrections for offenses with dates of commission on or after January 1, 1994. The information is based on the scoresheets in the database with dates of sentence in Fiscal Year 2012-2013 and offenses on or after October 1, 1998, entered as of September 1, 2013.
- 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 72.4% for Fiscal Year 2012-2013.
- 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**

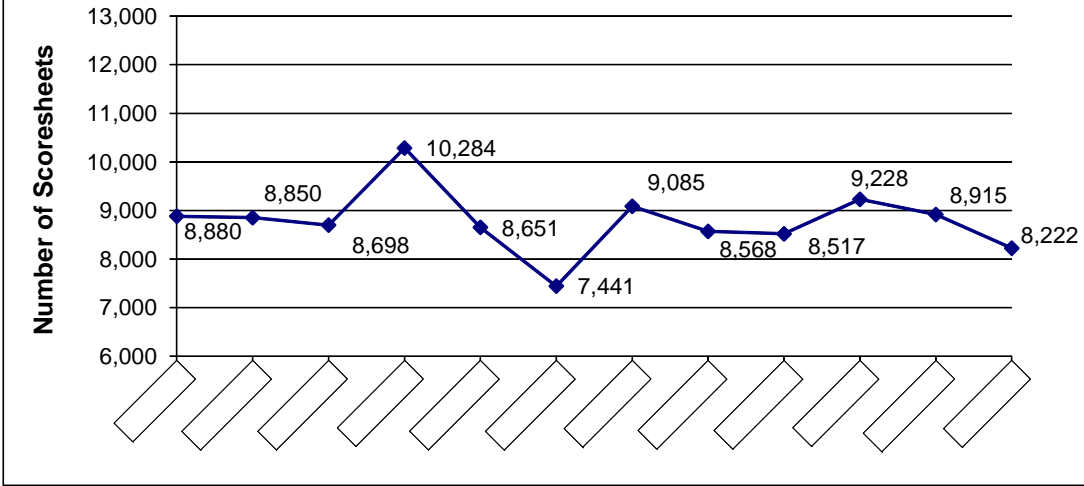
**FACT:** *There were 105,339 Punishment Code scoresheets with offense dates on or after October 1, 1998 with sentencing dates during FY2012-13 entered into the sentencing scoresheet database, as of September 1, 2013.*

### **FINDINGS:**

- The number of Code scoresheets received by month of sentence fluctuated from a high of 10,284 to a low of 7,441 from July 1, 2012 to June 30, 2013 (Figure 1).
- For the time period July 2012 through June 2013, Code scoresheets represent ninety-nine point nine percent (99.9%) 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).
- Almost thirty percent (27.2%) of the offenders sentenced under the Code were considered “youthful offenders” at the time of sentencing (Table 3). Of the 2,218 true juveniles (under 18 at the time of their offense) transferred to adult court under the Code, 826 (37.2%) of the offenders were age sixteen or younger (Table 4).
- There were 896 juveniles sentenced under the Code for violent offenses, including, murder/manslaughter, sex offenses, robbery, and other violent personal offenses. These violent offenses represent 40.4% of all offenses of juveniles (Table 4). Of the 896 violent juvenile offenders, 494 (55.1%) received a state prison sanction (Table 5).
- The gender and race distributions of offenders sentenced under the Code are similar to previous years sentencing events. Almost eighty percent (78.0%) of all scoresheets were for male offenders (Table 6), and 61.9% 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 2012-2013  
 Criminal Punishment Code**

Circuit of Sentence	Total	
	Number	Percent
01 (Pensacola)	5,753	5.5%
02 (Tallahassee)	3,310	3.1%
03 (Lake City)	1,826	1.7%
04 (Jacksonville)	2,714	2.6%
05 (Tavares)	8,591	8.2%
06 (Clearwater)	11,985	11.4%
07 (Daytona Beach)	5,637	5.4%
08 (Gainesville)	3,272	3.1%
09 (Orlando)	10,585	10.0%
10 (Bartow)	4,768	4.5%
11 (Miami)	6,150	5.8%
12 (Sarasota)	4,808	4.6%
13 (Tampa)	4,000	3.8%
14 (Panama City)	3,076	2.9%
15 (West Palm Beach)	4,297	4.1%
16 (Key West)	838	0.8%
17 (Ft. Lauderdale)	7,694	7.3%
18 (Sanford)	5,935	5.6%
19 (Ft. Pierce)	4,112	3.9%
20 (Ft. Myers)	5,988	5.7%
<b>Total</b>	<b>105,339</b>	<b>100.0%</b>



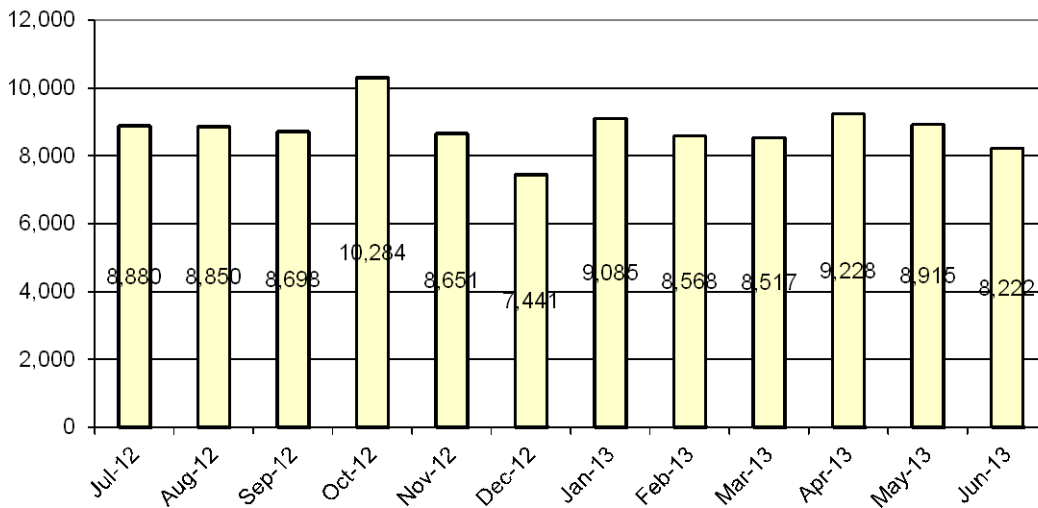
**Table 2**  
**Sentencing Scoresheets Received by Month of Sentence\***  
**Fiscal Year 2012-2013**

Month of Sentence	1994 Sentencing Guidelines Scoresheet		1995 Sentencing Guidelines Scoresheet**		Criminal Punishment Code Scoresheet		Total	
July 2012	1	0.0%	9	0.1%	8,880	99.9%	8,890	8.4%
August 2012	3	0.0%	9	0.1%	8,850	99.9%	8,862	8.4%
September 2012	4	0.0%	6	0.1%	8,698	99.9%	8,708	8.3%
October 2012	4	0.0%	6	0.1%	10,284	99.9%	10,294	9.8%
November 2012	2	0.0%	8	0.1%	8,651	99.9%	8,661	8.2%
December 2012	4	0.1%	3	0.0%	7,441	99.9%	7,448	7.1%
January 2013	5	0.1%	8	0.1%	9,085	99.9%	9,098	8.6%
February 2013	4	0.0%	12	0.1%	8,568	99.8%	8,584	8.1%
March 2013	7	0.1%	12	0.1%	8,517	99.8%	8,536	8.1%
April 2013	1	0.0%	10	0.1%	9,228	99.9%	9,239	8.8%
May 2013	4	0.0%	8	0.1%	8,915	99.9%	8,927	8.5%
June 2013		0.0%	6	0.1%	8,222	99.9%	8,228	7.8%
<b>Total</b>	<b>39</b>	<b>0.0%</b>	<b>97</b>	<b>0.1%</b>	<b>105,339</b>	<b>99.9%</b>	<b>105,475</b>	<b>100.0%</b>

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

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

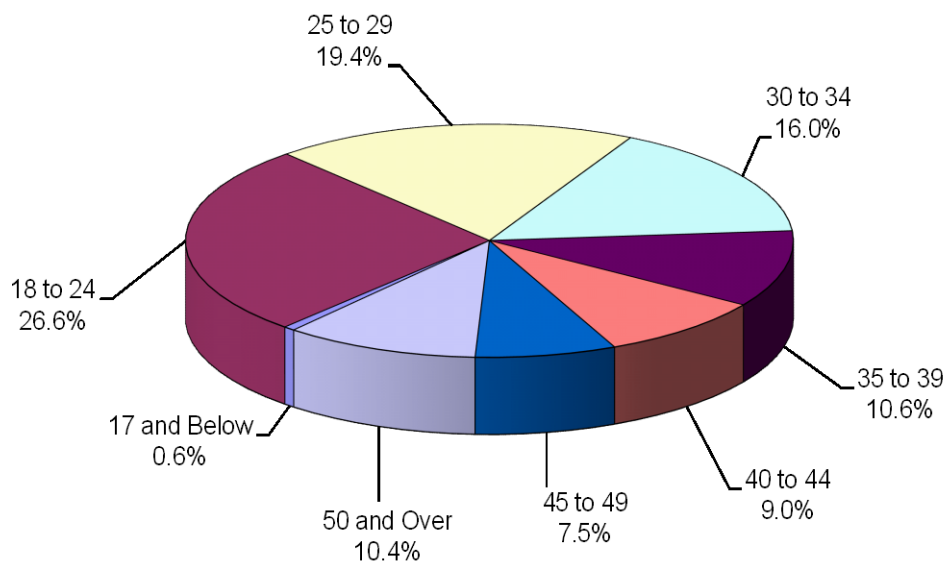
**Figure 2**  
**Sentencing Scoresheets Received:**  
**Punishment Code Versions**



**Table 3**  
**Age at Sentencing**  
**Criminal Punishment Code**  
**Fiscal Year 2012-2013**

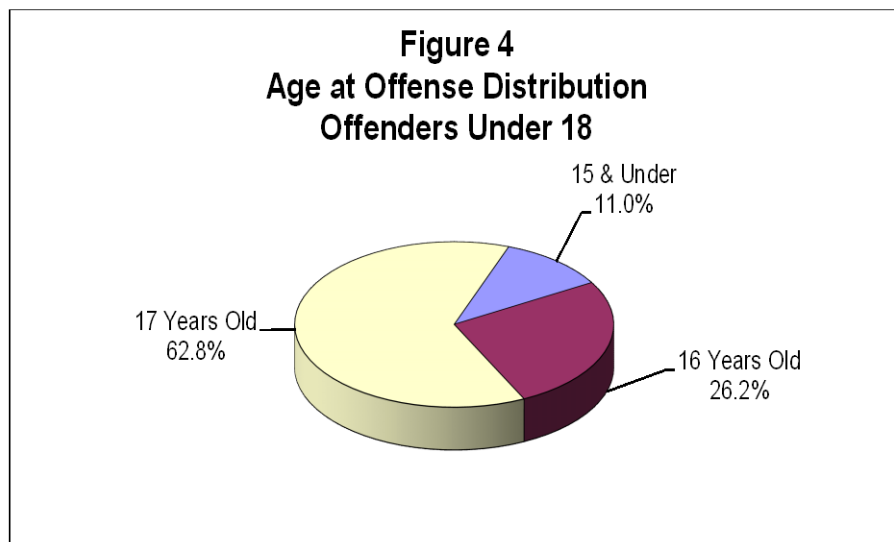
<b>Age</b>	<b>Number</b>	<b>Percent</b>
17 and Below	644	0.6%
18 to 24	28,040	26.6%
25 to 29	20,392	19.4%
30 to 34	16,812	16.0%
35 to 39	11,201	10.6%
40 to 44	9,440	9.0%
45 to 49	7,892	7.5%
50 and Over	10,915	10.4%
Unknown	3	
<b>Total</b>	<b>105,339</b>	<b>100.0%</b>

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



**Table 4**  
**Age at Offense for Offenders Under 18**  
**Criminal Punishment Code**  
**Fiscal Year 2012-2013**

Primary Offense	15 & Under	16 Years Old	17 Years Old	Total
Murder/Manslaughter	15 6.1%	16 2.7%	26 1.9%	57 2.6%
Sexual Offenses	22 9.0%	20 3.4%	22 1.6%	64 2.9%
Robbery	68 27.9%	114 19.6%	262 18.8%	444 20.0%
Violent Personal Offenses	51 20.9%	100 17.2%	180 12.9%	331 14.9%
Burglary	46 18.9%	210 36.1%	533 38.3%	789 35.6%
Theft, Forgery, Fraud	9 3.7%	30 5.2%	140 10.1%	179 8.1%
Drugs	11 4.5%	39 6.7%	132 9.5%	182 8.2%
Weapons	8 3.3%	42 7.2%	67 4.8%	117 5.3%
Other Offenses	14 5.7%	11 1.9%	30 2.2%	55 2.5%
<b>Total</b>	<b>244</b> 100.0%	<b>582</b> 100.0%	<b>1,392</b> 100.0%	<b>2,218</b> 100.0%

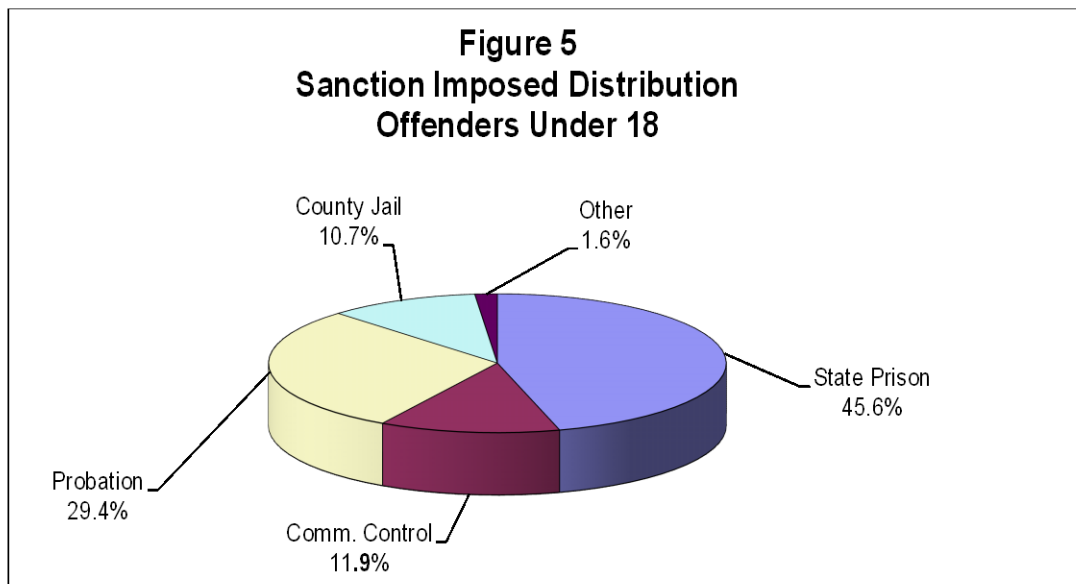




**Table 5**  
**Sanction Imposed by Primary Offense For All 11 - 17 Year Olds**  
**Criminal Punishment Code**  
**Fiscal Year 2012-2013**

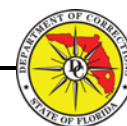
Primary Offense	State Prison	Comm. Control	Probation	County Jail	Other	Total
Murder/Manslaughter	49 4.8%	4 1.4%	3 0.5%	0 0.0%	1 2.9%	57 2.6%
Sexual Offenses	37 3.7%	7 2.5%	12 1.8%	7 3.0%	1 2.9%	64 2.9%
Robbery	245 24.2%	70 24.8%	89 13.7%	27 11.4%	13 37.1%	444 20.0%
Violent Personal Offenses	163 16.1%	31 11.0%	104 16.0%	30 12.7%	3 8.6%	331 14.9%
Burglary	361 35.7%	123 43.6%	227 34.8%	66 27.8%	12 34.3%	789 35.6%
Theft, Forgery, Fraud	37 3.7%	20 7.1%	88 13.5%	33 13.9%	1 2.9%	179 8.1%
Drugs	53 5.2%	15 5.3%	72 11.0%	41 17.3%	1 2.9%	182 8.2%
Weapons	43 4.2%	7 2.5%	43 6.6%	21 8.9%	3 8.6%	117 5.3%
Other Offenses	24 2.4%	5 1.8%	14 2.1%	12 5.1%	0 0.0%	55 2.5%
<b>Total</b>	<b>1,012</b> 100.0%	<b>282</b> 100.0%	<b>652</b> 100.0%	<b>237</b> 100.0%	<b>35</b> 100.0%	<b>2,218</b> 100.0%

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



**Table 6**  
**Gender by Judicial Circuit**  
**Criminal Punishment Code**  
**Fiscal Year 2012-2013**

Judicial Circuit	Gender				Total	
	Male		Female			
01 (Pensacola)	4,474	4.2%	1,279	1.2%	5,753	5.5%
02 (Tallahassee)	2,587	2.5%	723	0.7%	3,310	3.1%
03 (Lake City)	1,398	1.3%	428	0.4%	1,826	1.7%
04 (Jacksonville)	2,234	2.1%	480	0.5%	2,714	2.6%
05 (Tavares)	6,489	6.2%	2,102	2.0%	8,591	8.2%
06 (Clearwater)	8,738	8.3%	3,247	3.1%	11,985	11.4%
07 (Daytona Beach)	4,293	4.1%	1,344	1.3%	5,637	5.4%
08 (Gainesville)	2,589	2.5%	683	0.6%	3,272	3.1%
09 (Orlando)	8,648	8.2%	1,937	1.8%	10,585	10.0%
10 (Bartow)	3,656	3.5%	1,112	1.1%	4,768	4.5%
11 (Miami)	5,333	5.1%	817	0.8%	6,150	5.8%
12 (Sarasota)	3,587	3.4%	1,221	1.2%	4,808	4.6%
13 (Tampa)	3,187	3.0%	813	0.8%	4,000	3.8%
14 (Panama City)	2,279	2.2%	797	0.8%	3,076	2.9%
15 (West Palm Beach)	3,518	3.3%	779	0.7%	4,297	4.1%
16 (Key West)	706	0.7%	132	0.1%	838	0.8%
17 (Ft. Lauderdale)	6,280	6.0%	1,414	1.3%	7,694	7.3%
18 (Sanford)	4,508	4.3%	1,427	1.4%	5,935	5.6%
19 (Ft. Pierce)	3,121	3.0%	991	0.9%	4,112	3.9%
20 (Ft. Myers)	4,490	4.3%	1,498	1.4%	5,988	5.7%
<b>Total</b>	<b>82,115</b>	<b>78.0%</b>	<b>23,224</b>	<b>22.0%</b>	<b>105,339</b>	<b>100.0%</b>



**Table 7**  
**Race by Judicial Circuit**  
**Criminal Punishment Code**  
**Fiscal Year 2012-2013**

Judicial Circuit	Race						Total	
	Black		White		Other*			
01 (Pensacola)	2,169	2.1%	3,541	3.4%	43	0.0%	5,753	5.5%
02 (Tallahassee)	2,081	2.0%	1,182	1.1%	47	0.0%	3,310	3.1%
03 (Lake City)	602	0.6%	1,170	1.1%	54	0.1%	1,826	1.7%
04 (Jacksonville)	1,183	1.1%	1,493	1.4%	38	0.0%	2,714	2.6%
05 (Tavares)	2,273	2.2%	6,044	5.7%	274	0.3%	8,591	8.2%
06 (Clearwater)	3,028	2.9%	8,687	8.2%	270	0.3%	11,985	11.4%
07 (Daytona Beach)	1,577	1.5%	3,987	3.8%	73	0.1%	5,637	5.4%
08 (Gainesville)	1,605	1.5%	1,634	1.6%	33	0.0%	3,272	3.1%
09 (Orlando)	4,427	4.2%	6,089	5.8%	69	0.1%	10,585	10.0%
10 (Bartow)	1,513	1.4%	3,176	3.0%	79	0.1%	4,768	4.5%
11 (Miami)	3,029	2.9%	3,108	3.0%	13	0.0%	6,150	5.8%
12 (Sarasota)	1,261	1.2%	3,413	3.2%	134	0.1%	4,808	4.6%
13 (Tampa)	1,776	1.7%	1,889	1.8%	335	0.3%	4,000	3.8%
14 (Panama City)	762	0.7%	2,297	2.2%	17	0.0%	3,076	2.9%
15 (W. Palm Beach)	1,925	1.8%	2,368	2.2%	4	0.0%	4,297	4.1%
16 (Key West)	176	0.2%	624	0.6%	38	0.0%	838	0.8%
17 (Ft. Lauderdale)	4,166	4.0%	3,334	3.2%	194	0.2%	7,694	7.3%
18 (Sanford)	1,865	1.8%	3,947	3.7%	123	0.1%	5,935	5.6%
19 (Ft. Pierce)	1,308	1.2%	2,616	2.5%	188	0.2%	4,112	3.9%
20 (Ft. Myers)	1,349	1.3%	4,581	4.3%	58	0.1%	5,988	5.7%
<b>Total</b>	<b>38,075</b>	<b>36.1%</b>	<b>65,180</b>	<b>61.9%</b>	<b>2,084</b>	<b>2.0%</b>	<b>105,339</b>	<b>100.0%</b>

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



## PART II

# OFFENSE TO SENTENCE DATE LAG TIME COMPARISON



## Offense to Sentence Date Lag Time Comparison

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

### **FINDINGS:**

- There were 72,003 scoresheets submitted to the Department of Corrections with sentence dates in FY2012-2013 and offense dates on or after October 1, 2011. The number of scoresheets submitted to the Department of Corrections with sentence dates in FY2011-2012 and offense dates on or after October 1, 2010 was 74,429.
- **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 6.4 months for sentencing events in FY2012-2013 (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, 2013, the Department of Corrections had received 2.2 million 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 FY2011-2012 sentencing events is 6.3 months. When the lag times are examined by offense severity level and type of primary offense, the average lag time for level 10 offenses (most serious) was 10.2 months for sentencing events during FY2011-2012. In FY2012-2013, the average lag time for level 10 offenses was 11.0 months. Also, for murder/manslaughter, the average lag time from offense to sentence is 10.7 months for sentencing dates in FY2011-2012 and 11.2 months for FY2012-2013 (Table 2).



- The more violent, serious offenses represented 16.9% of the scoresheets in FY2011-2012 and 17.6% in FY2012-2013 (Figure 1).
- Property offenses comprised the largest group of scoresheets received in FY2011-2012 (36.7%) and FY2012-2013 (37.9%) (Table 3).



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

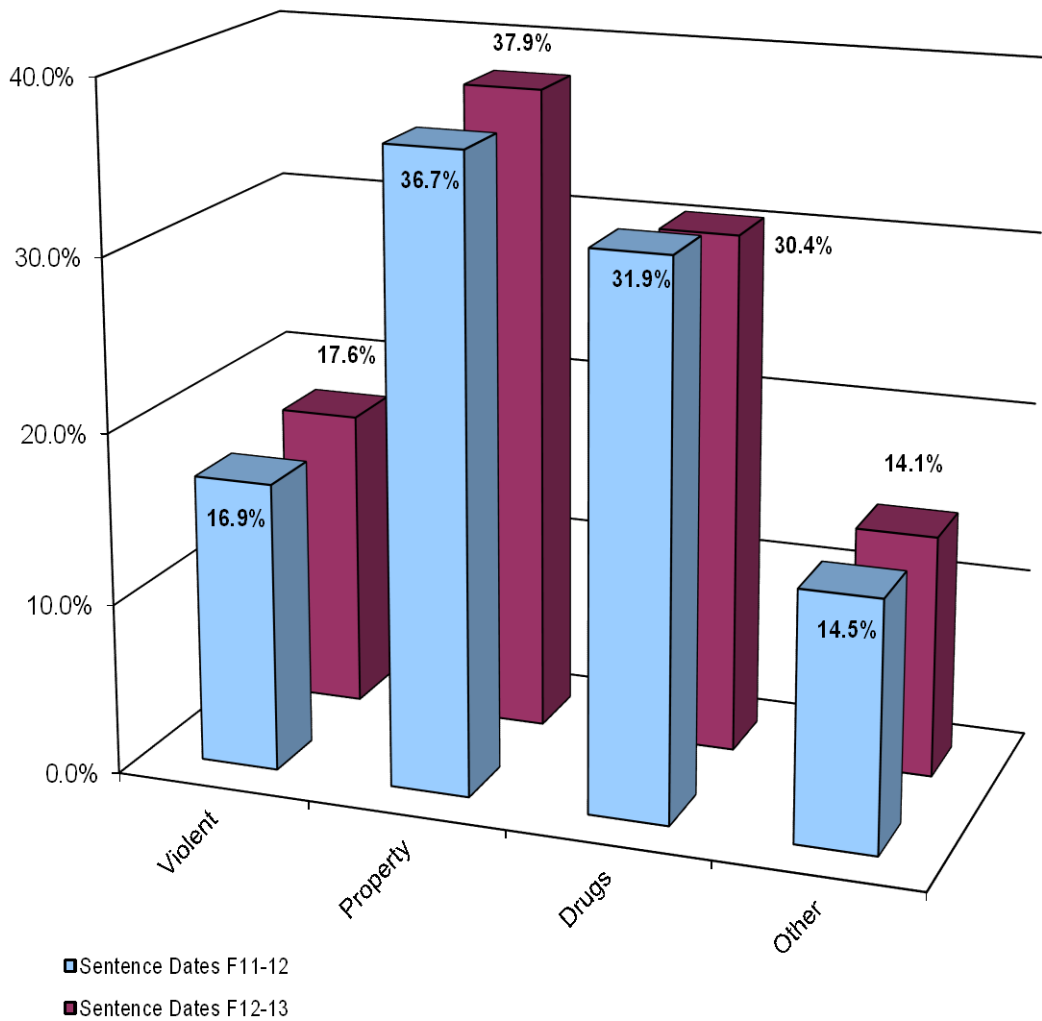
Offense Severity Level	FY2011-2012 Sentence Dates <sup>1</sup>	FY2012-2013 Sentence Dates <sup>2</sup>
1	5.4	5.4
2	6.2	6.2
3	5.8	5.7
4	5.9	6.2
5	6.7	6.9
6	6.7	6.9
7	7.7	7.9
8	8.5	8.8
9	9.7	9.5
10	10.2	11.0
<b>Overall Average</b>	<b>6.3</b>	<b>6.4</b>

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

Primary Offense	FY2011-2012 Sentence Dates <sup>1</sup>	FY2012-2013 Sentence Dates <sup>2</sup>
Murder/Manslaughter	10.7	11.2
Sexual/Lewd Behavior	9.7	9.4
Robbery	7.6	7.8
Violent, Other	6.5	6.6
Burglary	6.5	6.9
Property Theft/Fraud/Damage	6.3	6.4
Drugs	6.2	6.2
Weapons	6.5	6.5
Other	5.6	5.7
<b>Overall Average</b>	<b>6.3</b>	<b>6.4</b>



**Figure 1**  
**Distribution of Offense Group**  
**Sentence Dates in FY2011-2012 vs. FY2012-2013**





**Table 3**  
**Distribution of Offense**  
**Sentence Dates in FY2011-2012 vs. FY2012-2013**

Primary Offense	FY2011-2012 Sentence Dates <sup>1</sup>	FY2012-2013 Sentence Dates <sup>2</sup>
Murder/Manslaughter	217 0.3%	206 0.3%
Sexual Offenses	586 0.8%	730 1.0%
Robbery	1,949 2.6%	1,867 2.6%
Violent Personal Offenses	9,507 12.8%	9,507 13.2%
Burglary	9,737 13.1%	9,010 12.5%
Theft/Forgery/Fraud	17,805 23.9%	18,466 25.6%
Drugs	23,773 31.9%	21,900 30.4%
Weapons	2,381 3.2%	2,323 3.2%
Other	8,474 11.4%	7,994 11.1%
<b>Total</b>	<b>74,429</b> <b>100.0%</b>	<b>72,003</b> <b>100.0%</b>

<sup>1</sup> Offense dates on or after October 1, 2010.

<sup>2</sup> Offense dates on or after October 1, 2011.



**Table 4  
Distribution of Offenses**

Primary Offense	FY2011-2012 Sentence Dates <sup>1</sup>		FY2012-2013 Sentence Dates <sup>2</sup>	
<b>Murder/Manslaughter</b>	<b>217</b>	<b>0.3%</b>	<b>206</b>	<b>0.3%</b>
1st Degree Murder	40	0.1%	50	0.1%
2nd Degree Murder	102	0.1%	87	0.1%
3rd Degree Murder	5	0.0%	6	0.0%
Homicide, Other	3	0.0%	3	0.0%
Manslaughter	38	0.1%	26	0.0%
DUI Manslaughter	29	0.0%	34	0.0%
<b>Sexual Offenses</b>	<b>586</b>	<b>0.8%</b>	<b>730</b>	<b>1.0%</b>
Capital Sexual Battery	21	0.0%	24	0.0%
Life Sexual Battery	19	0.0%	25	0.0%
1st Degree Sexual Battery	26	0.0%	34	0.0%
2nd Degree Sexual Battery	74	0.1%	91	0.1%
Sexual Assault, Other	1	0.0%	4	0.0%
Lewd/Lascivious Behavior	445	0.6%	552	0.8%
<b>Robbery</b>	<b>1,949</b>	<b>2.6%</b>	<b>1,867</b>	<b>2.6%</b>
Robbery with Weapon	700	0.9%	658	0.9%
Robbery without Weapon	1,172	1.6%	1,144	1.6%
Home Invasion, Robbery	77	0.1%	65	0.1%
<b>Violent Personal Offenses</b>	<b>9,507</b>	<b>12.7%</b>	<b>9,507</b>	<b>13.2%</b>
Home Invasion, Other	2	0.0%	1	0.0%
Carjacking	55	0.1%	53	0.1%
Aggravated Assault	1,371	1.8%	1,305	1.8%
Aggravated Battery	1,019	1.4%	926	1.3%
Assault/Battery on L.E.O.	1,079	1.4%	1,124	1.6%
Assault/Battery, Other	941	1.3%	966	1.3%
Aggravated Stalking	168	0.2%	154	0.2%
Resisting Arrest with Violence	1,237	1.7%	1,236	1.7%
Kidnapping	304	0.4%	315	0.4%
Arson	120	0.2%	108	0.1%
Abuse of Children	884	1.2%	897	1.2%
Violent, Other	1,925	2.6%	2,040	2.8%
Leaving Accident, Injury/Death	314	0.4%	294	0.4%
DUI, Injury	66	0.1%	80	0.1%
Traffic, Other	22	0.0%	8	0.0%
<b>Burglary</b>	<b>9,737</b>	<b>13.1%</b>	<b>9,010</b>	<b>12.5%</b>
Burglary, Structure	5,144	6.9%	4,583	6.4%
Burglary, Dwelling	3,544	4.8%	3,319	4.6%
Burglary, Armed	270	0.4%	368	0.5%
Burglary with Assault	215	0.3%	203	0.3%
Burglary/Trespass, Other	564	0.8%	537	0.7%



**Table 4  
Distribution of Offenses**

Primary Offense	FY2011-2012		FY2012-2013	
	Sentence Dates <sup>1</sup>		Sentence Dates <sup>2</sup>	
<b>Theft/Forgery/Fraud</b>	<b>17,805</b>	<b>23.9%</b>	<b>18,466</b>	<b>25.6%</b>
Grand Theft, Other	6,712	9.0%	7,179	10.0%
Grand Theft, Automobile	1,282	1.7%	1,204	1.7%
Stolen Property	3,615	4.9%	3,484	4.8%
Forgery/Counterfeiting	1,888	2.5%	1,948	2.7%
Worthless Checks	146	0.2%	122	0.2%
Fraudulent Practices	2,013	2.7%	2,110	2.9%
Theft/Property Damage, Other	2,149	2.9%	2,419	3.4%
<b>Drugs</b>	<b>23,773</b>	<b>31.9%</b>	<b>21,900</b>	<b>30.4%</b>
Drugs, Manufacture/Sale/Purchase	7,687	10.3%	7,164	9.9%
Drugs, Trafficking	1,060	1.4%	934	1.3%
Drugs, Possession/Other	15,026	20.2%	13,802	19.2%
<b>Weapons</b>	<b>2,381</b>	<b>3.2%</b>	<b>2,323</b>	<b>3.2%</b>
Weapons, Discharging	185	0.2%	219	0.3%
Weapons, Possession	2,191	2.9%	2,098	2.9%
Weapons, Other	5	0.0%	6	0.0%
<b>Other</b>	<b>8,474</b>	<b>11.4%</b>	<b>7,994</b>	<b>11.1%</b>
Escape	1,747	2.3%	1,631	2.3%
DUI, No Injury	624	0.8%	554	0.8%
Traffic, Other	3,426	4.6%	3,307	4.6%
Racketeering	16	0.0%	6	0.0%
Pollution/Hazardous Materials	26	0.0%	21	0.0%
Criminal Justice System	2,159	2.9%	2,081	2.9%
Other	476	0.6%	394	0.5%
<b>Total</b>	<b>74,429</b>	<b>100.0%</b>	<b>72,003</b>	<b>100.0%</b>

<sup>1</sup> Offense dates on or after October 1, 2010.

<sup>2</sup> Offense dates on or after October 1, 2011.



# 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 fewer 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 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.

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, 21.9% of offenders were sentenced to state prison as the most severe sanction in FY2012-2013. An additional 23.6% were sentenced to incarceration in county jail, or to time already served in jail. Five percent (5.6%) were sentenced to community control, and almost half to probation (48.5%), including drug offender probation, administrative probation, and regular probation. Less than one percent (0.5%) of offenders were sentenced to “other” sanctions. For sentencing dates in FY2011-2012, 21.4% 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 48.9% to probation. Less than one percent (0.6%) of the offenders were sentenced to “other” sanctions (Table 1).



- Almost three-quarters of the 72,003 Code scoresheets with sentence dates in FY2012-2013 examined (51,886 scoresheets or 72.1%) scored 44 points or fewer (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 FY2011-2012, there were 53,879 (72.4%) offenders scoring 44 points or fewer (Table 1).
- For FY2012-2013, of the offenders scoring in the recommended state prison category, 59.6% were sentenced to state prison, with another 10.6% sentenced to county jail or time served. Of those scoring fewer than 44 points, 7.2% were sentenced to state prison, and 28.6% to county jail/time served. For FY2011-2012, 58.4% of the offenders scoring above 44 points were sentenced to state prison and another 11.0% of these offenders were sentenced to county jail or time served. Of those scoring fewer than 44 points, 7.2% were sentenced to state prison, and 28.5% to county jail/time served. (Table 1).
- Scoresheets with a state prison sanction increased slightly from 21.4% in FY2011-2012 to 21.9% in FY2012-2013. County jail sanctions decreased slightly from 23.7% in FY2011-2012 to 23.6% in FY2012-2013. Community Control sanction rates increased slightly from 5.4% in FY2011-2012 to 5.6% in FY2012-2013 (Table 1).
- Statewide, 76.2% of offenders (11,999 out of 15,743) receiving a prison sanction scored out to a prison sanction. Table 2 presents the scoring distribution of offenders under the Code for FY2011-2012 and FY2012-2013 by circuit and sanction imposed. In FY2012-2013, Circuit 11 (Miami) had the highest percentage (95.7%) of prison sanctioned scoresheets with more than 44 points while Circuit 12 (Sarasota) had the lowest (51.5%).
- 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 represents 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 fewer than 100 scoresheets could possibly be misleading (Table 3).

- In both FY2011-2012 and FY2012-2013 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, and those with the lowest received probation (Table 5).
- Consistently in FY2011-2012 and FY2012-2013, for offenders sentenced to state prison, the majority with offense severity levels of 1 through 5 received less than two years and those with offense level 10 received more than ten years (Table 6).
- From FY2011-2012 to FY2012-2013 the percentage of scoresheets with no prior record decreased, prior misdemeanors increased slightly, and with four to six or more felonies increased or decreased by no more than a tenth. (Table 7).
- From FY2011-2012 to FY2012-2013 the percentage of scoresheets with no additional offenses decreased slightly and those with misdemeanors increased slightly. The percentage with four or more felonies remained relatively constant (Table 8).

Within the Criminal Punishment Code policy, a true mitigation occurs when an offender scores more than 44 total points and either receives a non-state prison sanction (except drug offender probation) or a state prison sentence length below the 25% permissible discretion. 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 who scored more than 44 total points is 59.6% for FY2011-2012 and 57.9% for FY2012-2013. The sanction mitigation rate (cases that scored to state prison but received a non-state prison sanction) was 40.6% for FY2011-2012 and 39.2% for FY2012-2013 (Table 11).



- For the offenders who received a mitigated prison sentence length, the average reduction in sentence was 23.2 months during FY2011-2012 and 25.0 months during FY2012-2013 (Table 11).

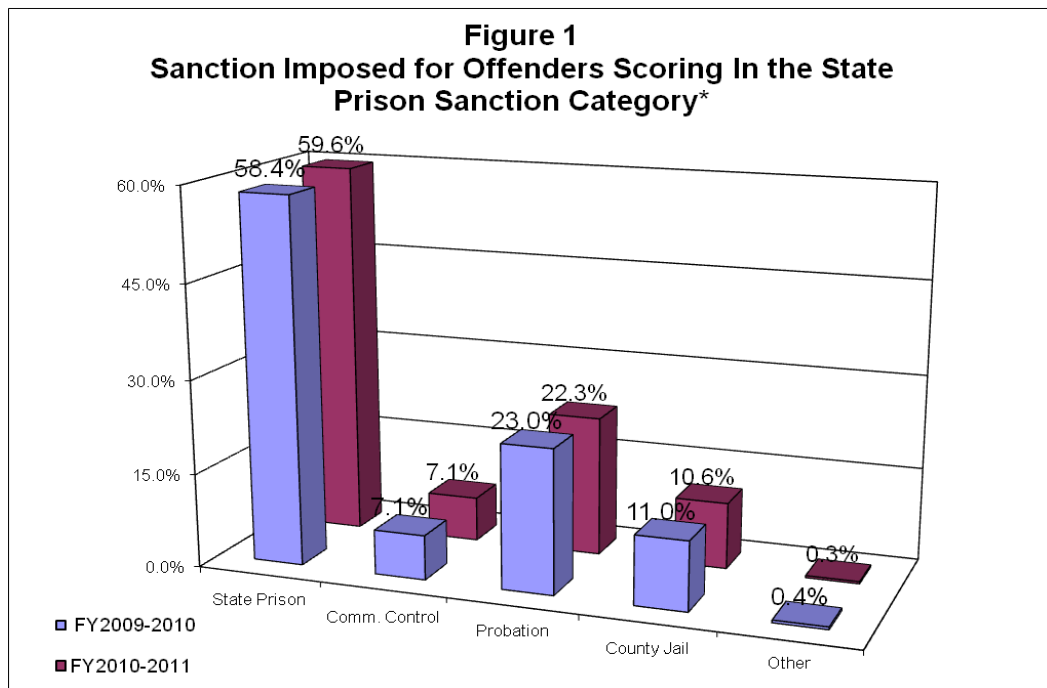
Departure, as defined here, is not a comment on the legality of the sentence. There are many reasons for departure, which are recognized as legitimate under F. S. 921.0026. In addition, other Statutes, such as F.S. 948.034, establish special conditions allowing for departures from recommended sentences. 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 2011-2012 Sentence Dates <sup>1</sup>			FY 2012-2013 Sentence Dates <sup>2</sup>		
	44.0 Points or Less	More than 44.0 Points	Total	44.0 Points or Less	More than 44.0 Points	Total
State Prison	3,891 7.2%	12,009 58.4%	<b>15,900</b> <b>21.4%</b>	3,744 7.2%	11,999 59.6%	<b>15,743</b> <b>21.9%</b>
Community Control	2,591 4.8%	1,463 7.1%	<b>4,054</b> <b>5.4%</b>	2,582 5.0%	1,425 7.1%	<b>4,007</b> <b>5.6%</b>
Probation	31,646 58.7%	4,725 23.0%	<b>36,371</b> <b>48.9%</b>	30,396 58.6%	4,490 22.3%	<b>34,886</b> <b>48.5%</b>
County Jail	15,354 28.5%	2,269 11.0%	<b>17,623</b> <b>23.7%</b>	14,855 28.6%	2,136 10.6%	<b>16,991</b> <b>23.6%</b>
Other	397 0.7%	84 0.4%	<b>481</b> <b>0.6%</b>	309 0.6%	67 0.3%	<b>376</b> <b>0.5%</b>
<b>Total</b>	<b>53,879</b> <b>100.0%</b>	<b>20,550</b> <b>100.0%</b>	<b>74,429</b> <b>100.0%</b>	<b>51,886</b> <b>100.0%</b>	<b>20,117</b> <b>100.0%</b>	<b>72,003</b> <b>100.0%</b>



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

Judicial Circuit / Sanction Imposed	Recommended Sanction Category							
	FY 2011-2012 Sentence Dates <sup>1</sup>				FY 2012-2013 Sentence Dates <sup>2</sup>			
	44.0 Points or Less		More than 44.0 Points		44.0 Points or Less		More than 44.0 Points	
<b>01 (Pensacola)</b>	<b>2,887</b>	<b>75.3%</b>	<b>946</b>	<b>24.7%</b>	<b>3,038</b>	<b>74.1%</b>	<b>1,062</b>	<b>25.9%</b>
Prison	156	22.2%	546	77.8%	149	19.3%	622	80.7%
Community Control	255	73.5%	92	26.5%	217	70.0%	93	30.0%
Probation	1,689	89.9%	190	10.1%	1,886	89.3%	225	10.7%
County Jail	761	87.4%	110	12.6%	758	86.6%	117	13.4%
Other	26	76.5%	8	23.5%	28	84.8%	5	15.2%
<b>02 (Tallahassee)</b>	<b>1,276</b>	<b>64.9%</b>	<b>690</b>	<b>35.1%</b>	<b>1,353</b>	<b>64.0%</b>	<b>761</b>	<b>36.0%</b>
Prison	102	21.6%	370	78.4%	88	16.1%	457	83.9%
Community Control	60	56.1%	47	43.9%	71	61.7%	44	38.3%
Probation	861	79.9%	216	20.1%	898	80.9%	212	19.1%
County Jail	239	81.3%	55	18.7%	290	85.8%	48	14.2%
Other	14	0.0%	2	0.0%	6	0.0%	0	0.0%
<b>03 (Lake City)</b>	<b>470</b>	<b>70.6%</b>	<b>196</b>	<b>29.4%</b>	<b>791</b>	<b>72.7%</b>	<b>297</b>	<b>27.3%</b>
Prison	69	36.3%	121	63.7%	89	37.1%	151	62.9%
Community Control	55	74.3%	19	25.7%	128	77.6%	37	22.4%
Probation	329	85.7%	55	14.3%	542	84.0%	103	16.0%
County Jail	17	94.4%	1	5.6%	32	84.2%	6	15.8%
Other	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>04 (Jacksonville)</b>	<b>1,494</b>	<b>53.3%</b>	<b>1,307</b>	<b>46.7%</b>	<b>995</b>	<b>49.0%</b>	<b>1,034</b>	<b>51.0%</b>
Prison	700	38.2%	1,132	61.8%	475	34.1%	917	65.9%
Community Control	41	64.1%	23	35.9%	24	63.2%	14	36.8%
Probation	342	78.6%	93	21.4%	310	81.8%	69	18.2%
County Jail	325	86.0%	53	14.0%	181	84.2%	34	15.8%
Other	86	93.5%	6	6.5%	5	100.0%	0	0.0%
<b>05 (Tavares)</b>	<b>3,598</b>	<b>70.4%</b>	<b>1,510</b>	<b>29.6%</b>	<b>4,147</b>	<b>68.3%</b>	<b>1,928</b>	<b>31.7%</b>
Prison	291	20.4%	1,135	79.6%	372	19.9%	1,502	80.1%
Community Control	130	69.9%	56	30.1%	185	69.5%	81	30.5%
Probation	2,169	90.9%	217	9.1%	2,387	90.7%	245	9.3%
County Jail	941	91.4%	89	8.6%	1,137	92.7%	90	7.3%
Other	67	83.8%	13	16.3%	66	86.8%	10	13.2%



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

Judicial Circuit / Sanction Imposed	Recommended Sanction Category							
	FY 2011-2012 Sentence Dates <sup>1</sup>				FY 2012-2013 Sentence Dates <sup>2</sup>			
	44.0 Points or Less		More than 44.0 Points		44.0 Points or Less		More than 44.0 Points	
<b>06 (Clearwater)</b>	<b>6,868</b>	<b>78.3%</b>	<b>1,904</b>	<b>21.7%</b>	<b>6,002</b>	<b>76.5%</b>	<b>1,845</b>	<b>23.5%</b>
Prison	318	18.9%	1,362	81.1%	318	19.9%	1,278	80.1%
Community Control	340	78.2%	95	21.8%	264	72.9%	98	27.1%
Probation	3,393	92.2%	289	7.8%	2,944	89.9%	329	10.1%
County Jail	2,777	95.1%	144	4.9%	2,448	94.8%	133	5.2%
Other	40	74.1%	14	25.9%	28	80.0%	7	20.0%
<b>07 (Daytona)</b>	<b>3,011</b>	<b>76.5%</b>	<b>923</b>	<b>23.5%</b>	<b>3,123</b>	<b>76.9%</b>	<b>940</b>	<b>23.1%</b>
Prison	276	33.2%	556	66.8%	339	35.3%	622	64.7%
Community Control	100	65.4%	53	34.6%	114	70.4%	48	29.6%
Probation	1,902	90.0%	212	10.0%	1,900	91.6%	174	8.4%
County Jail	704	88.1%	95	11.9%	741	89.2%	90	10.8%
Other	29	80.6%	7	19.4%	29	82.9%	6	17.1%
<b>08 (Gainesville)</b>	<b>1,514</b>	<b>67.2%</b>	<b>739</b>	<b>32.8%</b>	<b>1,553</b>	<b>69.0%</b>	<b>699</b>	<b>31.0%</b>
Prison	185	28.5%	464	71.5%	176	28.9%	433	71.1%
Community Control	72	62.1%	44	37.9%	79	63.2%	46	36.8%
Probation	935	85.9%	153	14.1%	931	88.4%	122	11.6%
County Jail	295	80.4%	72	19.6%	329	80.4%	80	19.6%
Other	27	81.8%	6	18.2%	38	67.9%	18	32.1%
<b>09 (Orlando)</b>	<b>4,606</b>	<b>75.0%</b>	<b>1,532</b>	<b>25.0%</b>	<b>5,358</b>	<b>74.6%</b>	<b>1,826</b>	<b>25.4%</b>
Prison	190	16.9%	937	83.1%	152	13.6%	963	86.4%
Community Control	176	59.5%	120	40.5%	188	54.7%	156	45.3%
Probation	2,755	89.6%	321	10.4%	2,964	86.6%	457	13.4%
County Jail	1,458	90.6%	151	9.4%	2,029	89.2%	245	10.8%
Other	27	90.0%	3	10.0%	25	83.3%	5	16.7%
<b>10 (Bartow)</b>	<b>2,411</b>	<b>77.3%</b>	<b>708</b>	<b>22.7%</b>	<b>2,478</b>	<b>77.0%</b>	<b>739</b>	<b>23.0%</b>
Prison	162	26.5%	449	73.5%	208	29.5%	498	70.5%
Community Control	254	77.4%	74	22.6%	237	80.3%	58	19.7%
Probation	1,554	91.4%	147	8.6%	1,570	91.3%	149	8.7%
County Jail	438	92.2%	37	7.8%	453	93.2%	33	6.8%
Other	3	75.0%	1	25.0%	10	90.9%	1	9.1%



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

Judicial Circuit / Sanction Imposed	Recommended Sanction Category							
	FY 2011-2012 Sentence Dates <sup>1</sup>				FY 2012-2013 Sentence Dates <sup>2</sup>			
	44.0 Points or Less		More than 44.0 Points		44.0 Points or Less		More than 44.0 Points	
<b>11 (Miami)</b>	<b>2,963</b>	<b>58.9%</b>	<b>2,070</b>	<b>41.1%</b>	<b>2,773</b>	<b>59.1%</b>	<b>1,917</b>	<b>40.9%</b>
Prison	32	5.9%	506	94.1%	21	4.3%	473	95.7%
Community Control	30	17.4%	142	82.6%	51	21.6%	185	78.4%
Probation	1,888	73.8%	669	26.2%	1,826	74.7%	619	25.3%
County Jail	1,013	57.4%	753	42.6%	875	57.8%	640	42.2%
Other	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>12 (Sarasota)</b>	<b>3,141</b>	<b>83.2%</b>	<b>634</b>	<b>16.8%</b>	<b>2,918</b>	<b>86.9%</b>	<b>440</b>	<b>13.1%</b>
Prison	234	35.7%	422	64.3%	292	48.5%	310	51.5%
Community Control	186	79.8%	47	20.2%	164	86.3%	26	13.7%
Probation	1,506	92.8%	116	7.2%	1,404	95.3%	70	4.7%
County Jail	1,207	96.3%	46	3.7%	1,037	96.9%	33	3.1%
Other	8	72.7%	3	27.3%	21	95.5%	1	4.5%
<b>13 (Tampa)</b>	<b>2,661</b>	<b>62.5%</b>	<b>1,598</b>	<b>37.5%</b>	<b>1,747</b>	<b>60.5%</b>	<b>1,142</b>	<b>39.5%</b>
Prison	117	13.5%	752	86.5%	62	10.2%	543	89.8%
Community Control	66	27.2%	177	72.8%	58	33.0%	118	67.0%
Probation	1,900	78.6%	516	21.4%	1,270	78.3%	352	21.7%
County Jail	549	78.5%	150	21.5%	351	73.4%	127	26.6%
Other	29	90.6%	3	9.4%	6	75.0%	2	25.0%
<b>14 (Panama City)</b>	<b>1,489</b>	<b>67.8%</b>	<b>708</b>	<b>32.2%</b>	<b>1,504</b>	<b>71.4%</b>	<b>602</b>	<b>28.6%</b>
Prison	208	33.0%	422	67.0%	225	37.2%	380	62.8%
Community Control	160	68.7%	73	31.3%	164	75.2%	54	24.8%
Probation	1,065	85.2%	185	14.8%	1,056	88.0%	144	12.0%
County Jail	54	65.9%	28	34.1%	54	72.0%	21	28.0%
Other	2	100.0%	0	0.0%	5	62.5%	3	37.5%
<b>15 (West Palm Beach)</b>	<b>2,444</b>	<b>73.0%</b>	<b>906</b>	<b>27.0%</b>	<b>2,332</b>	<b>73.7%</b>	<b>831</b>	<b>26.3%</b>
Prison	122	18.0%	556	82.0%	102	15.2%	567	84.8%
Community Control	26	60.5%	17	39.5%	26	72.2%	10	27.8%
Probation	823	84.9%	146	15.1%	879	87.7%	123	12.3%
County Jail	1,469	88.9%	183	11.1%	1,319	91.1%	129	8.9%
Other	4	0.0%	4	0.0%	6	75.0%	2	25.0%



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

Judicial Circuit / Sanction Imposed	Recommended Sanction Category							
	FY 2011-2012 Sentence Dates <sup>1</sup>				FY 2012-2013 Sentence Dates <sup>2</sup>			
	44.0 Points or Less		More than 44.0		44.0 Points or Less		More than 44.0	
<b>16 (Key West)</b>	<b>333</b>	<b>71.2%</b>	<b>135</b>	<b>28.8%</b>	<b>383</b>	<b>78.0%</b>	<b>108</b>	<b>22.0%</b>
Prison	22	21.4%	81	78.6%	16	20.3%	63	79.7%
Community Control	9	40.9%	13	59.1%	33	67.3%	16	32.7%
Probation	265	88.0%	36	12.0%	264	92.0%	23	8.0%
County Jail	36	90.0%	4	10.0%	69	92.0%	6	8.0%
Other	1	50.0%	1	50.0%	1	100.0%	0	0.0%
<b>17 (Ft. Lauderdale)</b>	<b>3,843</b>	<b>71.9%</b>	<b>1,505</b>	<b>28.1%</b>	<b>3,120</b>	<b>68.6%</b>	<b>1,428</b>	<b>31.4%</b>
Prison	69	12.5%	485	87.5%	85	13.6%	538	86.4%
Community Control	82	33.3%	164	66.7%	55	33.1%	111	66.9%
Probation	2,993	80.2%	741	19.8%	2,503	79.5%	644	20.5%
County Jail	690	86.6%	107	13.4%	467	78.0%	132	22.0%
Other	9	52.9%	8	47.1%	10	76.9%	3	23.1%
<b>18 (Sanford)</b>	<b>3,292</b>	<b>78.3%</b>	<b>913</b>	<b>21.7%</b>	<b>2,953</b>	<b>75.0%</b>	<b>983</b>	<b>25.0%</b>
Prison	148	22.6%	508	77.4%	128	19.3%	535	80.7%
Community Control	261	63.0%	153	37.0%	251	60.5%	164	39.5%
Probation	2,143	92.8%	167	7.2%	1,849	90.8%	188	9.2%
County Jail	732	89.9%	82	10.1%	708	88.4%	93	11.6%
Other	8	72.7%	3	27.3%	17	85.0%	3	15.0%
<b>19 (Ft. Pierce)</b>	<b>2,196</b>	<b>78.7%</b>	<b>594</b>	<b>21.3%</b>	<b>2,116</b>	<b>78.2%</b>	<b>589</b>	<b>21.8%</b>
Prison	312	41.7%	436	58.3%	259	36.8%	445	63.2%
Community Control	100	85.5%	17	14.5%	85	84.2%	16	15.8%
Probation	1,129	93.0%	85	7.0%	1,144	92.6%	92	7.4%
County Jail	642	92.2%	54	7.8%	622	94.7%	35	5.3%
Other	13	86.7%	2	13.3%	6	85.7%	1	14.3%
<b>20 (Ft. Myers)</b>	<b>3,382</b>	<b>76.6%</b>	<b>1,032</b>	<b>23.4%</b>	<b>3,202</b>	<b>77.2%</b>	<b>946</b>	<b>22.8%</b>
Prison	178	18.8%	769	81.2%	188	21.1%	702	78.9%
Community Control	188	83.6%	37	16.4%	188	79.0%	50	21.0%
Probation	2,005	92.1%	171	7.9%	1,869	92.6%	150	7.4%
County Jail	1,007	94.8%	55	5.2%	955	95.6%	44	4.4%
Other	4	100.0%	0	0.0%	2	100.0%	0	0.0%
<b>Statewide</b>	<b>53,879</b>	<b>100.0%</b>	<b>20,550</b>	<b>100.0%</b>	<b>51,886</b>	<b>100.0%</b>	<b>20,117</b>	<b>100.0%</b>

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

<sup>1</sup> Offense dates on or after October 1, 2010.

<sup>2</sup> Offense dates on or after October 1, 2011.



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

Circuit/County	FY2011-2012 Sentence Dates <sup>1</sup>						FY2012-2013 Sentence Dates <sup>2</sup>					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
01 (Pensacola)	702	347	1,879	871	34	3,833	771	310	2,111	875	33	4,100
	18.3%	9.1%	49.0%	22.7%	0.9%	100.0%	18.8%	7.6%	51.5%	21.3%	0.8%	100.0%
02 (Tallahassee)	472	107	1,077	294	16	1,966	545	115	1,110	338	6	2,114
	24.0%	5.4%	54.8%	15.0%	0.8%	100.0%	25.8%	5.4%	52.5%	16.0%	0.3%	100.0%
03 (Lake City)	190	74	384	18	0	666	240	165	645	38	0	1,088
	28.5%	11.1%	57.7%	2.7%	0.0%	100.0%	22.1%	15.2%	59.3%	3.5%	0.0%	100.0%
04 (Jacksonville)	1,832	64	435	378	92	2,801	1,392	38	379	215	5	2,029
	65.4%	2.3%	15.5%	13.5%	3.3%	100.0%	68.6%	1.9%	18.7%	10.6%	0.2%	100.0%
05 (Tavares)	1,426	186	2,386	1,030	80	5,108	1,874	266	2,632	1,227	76	6,075
	27.9%	3.6%	46.7%	20.2%	1.6%	100.0%	30.8%	4.4%	43.3%	20.2%	1.3%	100.0%
06 (Clearwater)	1,680	435	3,682	2,921	54	8,772	1,596	362	3,273	2,581	35	7,847
	19.2%	5.0%	42.0%	33.3%	0.6%	100.0%	20.3%	4.6%	41.7%	32.9%	0.4%	100.0%
07 (Daytona)	832	153	2,114	799	36	3,934	961	162	2,074	831	35	4,063
	21.1%	3.9%	53.7%	20.3%	0.9%	100.0%	23.7%	4.0%	51.0%	20.5%	0.9%	100.0%
08 (Gainesville)	649	116	1,088	367	33	2,253	609	125	1,053	409	56	2,252
	28.8%	5.1%	48.3%	16.3%	1.5%	100.0%	27.0%	5.6%	46.8%	18.2%	2.5%	100.0%
09 (Orlando)	1,127	296	3,076	1,609	30	6,138	1,115	344	3,421	2,274	30	7,184
	18.4%	4.8%	50.1%	26.2%	0.5%	100.0%	15.5%	4.8%	47.6%	31.7%	0.4%	100.0%
10 (Bartow)	611	328	1,701	475	4	3,119	706	295	1,719	486	11	3,217
	19.6%	10.5%	54.5%	15.2%	0.1%	100.0%	21.9%	9.2%	53.4%	15.1%	0.3%	100.0%



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

Circuit/County	FY2011-2012 Sentence Dates <sup>1</sup>						FY2012-2013 Sentence Dates <sup>2</sup>					
	State	Comm.	Probation	County	Other	Total	State	Comm.	Probation	County	Other	Total
11 (Miami)	538	172	2,557	1,766	0	5,033	494	236	2,445	1,515	0	4,690
	10.7%	3.4%	50.8%	35.1%	0.0%	100.0%	10.5%	5.0%	52.1%	32.3%	0.0%	100.0%
12 (Sarasota)	656	233	1,622	1,253	11	3,775	602	190	1,474	1,070	22	3,358
	17.4%	6.2%	43.0%	33.2%	0.3%	100.0%	17.9%	5.7%	43.9%	31.9%	0.7%	100.0%
13 (Tampa)	869	243	2,416	699	32	4,259	605	176	1,622	478	8	2,889
	20.4%	5.7%	56.7%	16.4%	0.8%	100.0%	20.9%	6.1%	56.1%	16.5%	0.3%	100.0%
14 (Panama City)	630	233	1,250	82	2	2,197	605	218	1,200	75	8	2,106
	28.7%	10.6%	56.9%	3.7%	0.1%	100.0%	28.7%	10.4%	57.0%	3.6%	0.4%	100.0%
15 (West Palm Beach)	678	43	969	1,652	8	3,350	669	36	1,002	1,448	8	3,163
	20.2%	1.3%	28.9%	49.3%	0.2%	100.0%	21.2%	1.1%	31.7%	45.8%	0.3%	100.0%
16 (Key West)	103	22	301	40	2	468	79	49	287	75	1	491
	22.0%	4.7%	64.3%	8.5%	0.4%	100.0%	16.1%	10.0%	58.5%	15.3%	0.2%	100.0%
17 (Ft. Lauderdale)	554	246	3,734	797	17	5,348	623	166	3,147	599	13	4,548
	10.4%	4.6%	69.8%	14.9%	0.3%	100.0%	13.7%	3.6%	69.2%	13.2%	0.3%	100.0%
18 (Sanford)	656	414	2,310	814	11	4,205	663	415	2,037	801	20	3,936
	15.6%	9.8%	54.9%	19.4%	0.3%	100.0%	16.8%	10.5%	51.8%	20.4%	0.5%	100.0%
19 (Ft. Pierce)	748	117	1,214	696	15	2,790	704	101	1,236	657	7	2,705
	26.8%	4.2%	43.5%	24.9%	0.5%	100.0%	26.0%	3.7%	45.7%	24.3%	0.3%	100.0%
20 (Ft. Myers)	947	225	2,176	1,062	4	4,414	890	238	2,019	999	2	4,148
	21.5%	5.1%	49.3%	24.1%	0.1%	100.0%	21.5%	5.7%	48.7%	24.1%	0.0%	100.0%
Statewide	15,900	4,054	36,371	17,623	481	74,429	15,743	4,007	34,886	16,991	376	72,003
	21.4%	5.4%	48.9%	23.7%	0.6%	100.0%	21.9%	5.6%	48.5%	23.6%	0.5%	100.0%

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

<sup>1</sup> Offense dates on or after October 1, 2010.

<sup>2</sup> Offense dates on or after October 1, 2011.



**Table 4  
Offense Types by Sanction Imposed**

Offense Type		FY2011-2012 Sentence Dates <sup>1</sup>							FY2012-2013 Sentence Dates <sup>2</sup>					
		State Prison	Comm. Control	Probation	County Jail	Other	Total		State Prison	Comm. Control	Probation	County Jail	Other	Total
Murder/Manslaughter	Attempt	80	1	2	0	0	83	Attempt	84	4	5	1	0	94
	Complete	120	2	12	0	0	134	Complete	105	3	3	1	0	112
Sexual/Lewd Behavior	Attempt	36	1	5	1	0	43	Attempt	42	0	9	3	0	54
	Complete	378	27	116	21	1	543	Complete	473	36	143	24	0	676
Robbery	Attempt	107	29	80	28	2	246	Attempt	115	17	74	30	0	236
	Complete	922	151	463	159	8	1,703	Complete	920	148	421	139	3	1,631
Violent,Other	Attempt	27	8	41	4	1	81	Attempt	35	8	47	4	0	94
	Complete	2,236	573	4,951	1,608	58	9,426	Complete	2,226	602	4,844	1,690	51	9,413
Burglary	Attempt	148	27	231	70	5	481	Attempt	156	32	238	73	4	503
	Complete	3,115	699	3,971	1,414	57	9,256	Complete	3,073	705	3,484	1,202	43	8,507
Property Theft/Fraud/Damage	Attempt	2	3	15	5	0	25	Attempt	3	1	16	5	0	25
	Complete	2,374	948	9,998	4,328	132	17,780	Complete	2,506	909	10,359	4,580	87	18,441
Drugs	Attempt	74	19	173	79	0	345	Attempt	57	36	165	80	0	338
	Complete	4,043	1,040	11,555	6,659	131	23,428	Complete	3,729	988	10,637	6,097	111	21,562
Weapons	Attempt	2	2	10	2	0	16	Attempt	4	0	8	3	0	15
	Complete	770	116	1,066	397	16	2,365	Complete	791	132	978	394	13	2,308
Other	Attempt	10	4	27	21	0	62	Attempt	11	4	38	15	0	68
	Complete	1,456	404	3,655	2,827	70	8,412	Complete	1,413	382	3,417	2,650	64	7,926
<b>Total</b>		<b>15,900</b>	<b>4,054</b>	<b>36,371</b>	<b>17,623</b>	<b>481</b>	<b>74,429</b>		<b>15,743</b>	<b>4,007</b>	<b>34,886</b>	<b>16,991</b>	<b>376</b>	<b>72,003</b>

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

<sup>1</sup> Offense dates on or after October 1, 2010.

<sup>2</sup> Offense dates on or after October 1, 2011.





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

Offense Severity Level	FY2011-2012 Sentence Dates <sup>1</sup>						FY2012-2013 Sentence Dates <sup>2</sup>					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
1	816 8.7%	365 3.9%	4,417 47.2%	3,674 39.3%	80 0.9%	<b>9,352</b> <b>100.0%</b>	828 8.8%	371 3.9%	4,441 47.0%	3,726 39.5%	77 0.8%	<b>9,443</b> <b>100.0%</b>
2	665 8.2%	373 4.6%	5,091 62.6%	1,935 23.8%	70 0.9%	<b>8,134</b> <b>100.0%</b>	697 8.0%	351 4.0%	5,482 62.8%	2,155 24.7%	43 0.5%	<b>8,728</b> <b>100.0%</b>
3	1,551 8.3%	769 4.1%	10,154 54.5%	6,035 32.4%	122 0.7%	<b>18,631</b> <b>100.0%</b>	1,436 8.5%	731 4.3%	9,208 54.2%	5,506 32.4%	107 0.6%	<b>16,988</b> <b>100.0%</b>
4	2,072 20.0%	550 5.3%	5,249 50.7%	2,427 23.4%	63 0.6%	<b>10,361</b> <b>100.0%</b>	2,059 21.1%	543 5.6%	4,900 50.2%	2,218 22.7%	48 0.5%	<b>9,768</b> <b>100.0%</b>
5	3,681 28.9%	779 6.1%	5,891 46.3%	2,316 18.2%	68 0.5%	<b>12,735</b> <b>100.0%</b>	3,624 29.6%	786 6.4%	5,590 45.6%	2,210 18.0%	44 0.4%	<b>12,254</b> <b>100.0%</b>
6	1,906 29.6%	440 6.8%	3,284 51.0%	769 11.9%	43 0.7%	<b>6,442</b> <b>100.0%</b>	1,894 30.2%	459 7.3%	3,111 49.6%	775 12.4%	31 0.5%	<b>6,270</b> <b>100.0%</b>
7	3,629 54.5%	615 9.2%	1,966 29.5%	419 6.3%	30 0.5%	<b>6,659</b> <b>100.0%</b>	3,537 55.8%	573 9.0%	1,844 29.1%	367 5.8%	19 0.3%	<b>6,340</b> <b>100.0%</b>
8	770 68.8%	100 8.9%	213 19.0%	34 3.0%	2 0.2%	<b>1,119</b> <b>100.0%</b>	860 70.8%	119 9.8%	200 16.5%	28 2.3%	7 0.6%	<b>1,214</b> <b>100.0%</b>
9	659 79.0%	62 7.4%	98 11.8%	13 1.6%	2 0.2%	<b>834</b> <b>100.0%</b>	666 79.9%	63 7.6%	100 12.0%	5 0.6%	0 0.0%	<b>834</b> <b>100.0%</b>
10	151 93.2%	1 0.6%	8 4.9%	1 0.6%	1 0.6%	<b>162</b> <b>100.0%</b>	142 87.1%	11 6.7%	9 5.5%	1 0.6%	0 0.0%	<b>163</b> <b>100.0%</b>
<b>Total</b>	<b>15,900</b> <b>21.4%</b>	<b>4,054</b> <b>5.4%</b>	<b>36,371</b> <b>48.9%</b>	<b>17,623</b> <b>23.7%</b>	<b>481</b> <b>0.6%</b>	<b>74,429</b> <b>100.0%</b>	<b>15,743</b> <b>21.9%</b>	<b>4,007</b> <b>5.6%</b>	<b>34,885</b> <b>48.5%</b>	<b>16,991</b> <b>23.6%</b>	<b>376</b> <b>0.5%</b>	<b>72,002</b> <b>100.0%</b>

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

<sup>1</sup> Offense dates on or after October 1, 2010.

<sup>2</sup> Offense dates on or after October 1, 2011.



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

Offense Severity Level	FY2011-2012 Sentence Dates <sup>1</sup>					FY2012-2013 Sentence Dates <sup>2</sup>				
	LE 2*	GT 2-LE 4*	GT 4-LE 10*	GT 10*	Total	LE 2*	GT 2-LE 4*	GT 4-LE 10*	GT 10*	Total
<b>1</b>	604 74.0%	157 19.2%	51 6.3%	4 0.5%	<b>816</b> <b>100.0%</b>	614 74.2%	152 18.4%	59 7.1%	3 0.4%	<b>828</b> <b>100.0%</b>
<b>2</b>	474 71.3%	141 21.2%	46 6.9%	4 0.6%	<b>665</b> <b>100.0%</b>	528 75.8%	126 18.1%	39 5.6%	4 0.6%	<b>697</b> <b>100.0%</b>
<b>3</b>	1,161 74.9%	305 19.7%	79 5.1%	6 0.4%	<b>1,551</b> <b>100.0%</b>	1,058 73.7%	288 20.1%	88 6.1%	2 0.1%	<b>1,436</b> <b>100.0%</b>
<b>4</b>	1,362 65.7%	537 25.9%	159 7.7%	14 0.7%	<b>2,072</b> <b>100.0%</b>	1,363 66.2%	491 23.8%	186 9.0%	19 0.9%	<b>2,059</b> <b>100.0%</b>
<b>5</b>	2,081 56.5%	1,114 30.3%	430 11.7%	56 1.5%	<b>3,681</b> <b>100.0%</b>	2,017 55.7%	1,128 31.1%	425 11.7%	54 1.5%	<b>3,624</b> <b>100.0%</b>
<b>6</b>	932 48.9%	573 30.1%	321 16.8%	80 4.2%	<b>1,906</b> <b>100.0%</b>	905 47.8%	587 31.0%	321 16.9%	81 4.3%	<b>1,894</b> <b>100.0%</b>
<b>7</b>	935 25.8%	1,531 42.2%	926 25.5%	237 6.5%	<b>3,629</b> <b>100.0%</b>	830 23.5%	1,422 40.2%	1,095 31.0%	190 5.4%	<b>3,537</b> <b>100.0%</b>
<b>8</b>	132 17.2%	194 25.2%	308 40.1%	135 17.6%	<b>769</b> <b>100.0%</b>	116 13.5%	218 25.3%	381 44.3%	145 16.9%	<b>860</b> <b>100.0%</b>
<b>9</b>	69 10.5%	94 14.3%	294 44.6%	202 30.7%	<b>659</b> <b>100.0%</b>	71 10.7%	93 14.0%	295 44.3%	207 31.1%	<b>666</b> <b>100.0%</b>
<b>10</b>	19 12.6%	6 4.0%	35 23.2%	91 60.3%	<b>151</b> <b>100.0%</b>	22 15.5%	8 5.6%	30 21.1%	82 57.7%	<b>142</b> <b>100.0%</b>
<b>Total</b>	<b>7,769</b> 48.9%	<b>4,652</b> 29.3%	<b>2,649</b> 16.7%	<b>829</b> 5.2%	<b>15,899</b> <b>100.0%</b>	<b>7,524</b> 47.8%	<b>4,513</b> 28.7%	<b>2,919</b> 18.5%	<b>787</b> 5.0%	<b>15,743</b> <b>100.0%</b>

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

<sup>1</sup> Offense dates on or after October 1, 2010.

<sup>2</sup> Offense dates on or after October 1, 2011.



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

Prior Offenses	FY2011-2012 Sentence Dates <sup>1</sup>		FY2012-2013 Sentence Dates <sup>2</sup>	
	Number	Percent	Number	Percent
None	16,962	22.8%	16,032	22.3%
Misdemeanor Only	19,110	25.7%	18,559	25.8%
One Felony	14,383	19.3%	14,050	19.5%
Two Felonies	9,905	13.3%	9,617	13.4%
Three Felonies	6,360	8.5%	6,234	8.7%
Four Felonies	3,817	5.1%	3,730	5.2%
Five Felonies	1,995	2.7%	2,000	2.8%
Six Felonies	1,099	1.5%	986	1.4%
Seven or More Felonies	798	1.1%	795	1.1%
<b>Total</b>	<b>74,429</b>	<b>100.0%</b>	<b>72,003</b>	<b>100.0%</b>

\* As indicated on the scoresheet.

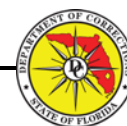
**Table 8  
Number of Additional Offenses\***

Additional Offenses	FY2011-2012 Sentence Dates <sup>1</sup>		FY2012-2013 Sentence Dates <sup>2</sup>	
	Number	Percent	Number	Percent
None	37,727	50.7%	35,932	49.9%
Misdemeanor Only	17,075	22.9%	16,964	23.6%
One Felony	13,108	17.6%	12,527	17.4%
Two Felonies	3,984	5.4%	3,918	5.4%
Three Felonies	1,458	2.0%	1,505	2.1%
Four Felonies	526	0.7%	561	0.8%
Five Felonies	263	0.4%	295	0.4%
Six Felonies	131	0.2%	138	0.2%
Seven or More Felonies	157	0.2%	163	0.2%
<b>Total</b>	<b>74,429</b>	<b>100.0%</b>	<b>72,003</b>	<b>100.0%</b>

\* As indicated on the scoresheet.

<sup>1</sup> Offense dates on or after October 1, 2010.

<sup>2</sup> Offense dates on or after October 1, 2011.



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

Number of Prior Felonies	FY2011-2012 Sentence Dates <sup>1</sup>						FY2012-2013 Sentence Dates <sup>2</sup>					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
None	4,114 11.4%	2,142 5.9%	23,581 65.4%	5,889 16.3%	346 1.0%	<b>36,072</b> <b>100.0%</b>	4,063 11.7%	2,264 6.5%	22,424 64.8%	5,590 16.2%	250 0.7%	<b>34,591</b> <b>100.0%</b>
One	3,010 20.9%	861 6.0%	6,142 42.7%	4,300 29.9%	70 0.5%	<b>14,383</b> <b>100.0%</b>	2,921 20.8%	773 5.5%	6,094 43.4%	4,205 29.9%	57 0.4%	<b>14,050</b> <b>100.0%</b>
Two	2,827 28.5%	520 5.2%	3,386 34.2%	3,142 31.7%	30 0.3%	<b>9,905</b> <b>100.0%</b>	2,820 29.3%	479 5.0%	3,272 34.0%	3,010 31.3%	36 0.4%	<b>9,617</b> <b>100.0%</b>
Three	2,312 36.4%	291 4.6%	1,690 26.6%	2,047 32.2%	20 0.3%	<b>6,360</b> <b>100.0%</b>	2,301 36.9%	250 4.0%	1,625 26.1%	2,040 32.7%	18 0.3%	<b>6,234</b> <b>100.0%</b>
Four	1,629 42.7%	140 3.7%	878 23.0%	1,160 30.4%	10 0.3%	<b>3,817</b> <b>100.0%</b>	1,615 43.3%	149 4.0%	819 22.0%	1,139 30.5%	8 0.2%	<b>3,730</b> <b>100.0%</b>
Five	1,004 50.3%	55 2.8%	378 18.9%	557 27.9%	1 0.1%	<b>1,995</b> <b>100.0%</b>	1,021 51.1%	53 2.7%	356 17.8%	565 28.3%	5 0.3%	<b>2,000</b> <b>100.0%</b>
Six	572 52.0%	26 2.4%	195 17.7%	303 27.6%	3 0.3%	<b>1,099</b> <b>100.0%</b>	543 55.1%	17 1.7%	184 18.7%	241 24.4%	1 0.1%	<b>986</b> <b>100.0%</b>
Seven or More	432 54.1%	19 2.4%	121 15.2%	225 28.2%	1 0.1%	<b>798</b> <b>100.0%</b>	459 57.7%	22 2.8%	112 14.1%	201 25.3%	1 0.1%	<b>795</b> <b>100.0%</b>
<b>Total</b>	<b>15,900</b> <b>21.4%</b>	<b>4,054</b> <b>5.4%</b>	<b>36,371</b> <b>48.9%</b>	<b>17,623</b> <b>23.7%</b>	<b>481</b> <b>0.6%</b>	<b>74,429</b> <b>100.0%</b>	<b>15,743</b> <b>21.9%</b>	<b>4,007</b> <b>5.6%</b>	<b>34,886</b> <b>48.5%</b>	<b>16,991</b> <b>23.6%</b>	<b>376</b> <b>0.5%</b>	<b>72,003</b> <b>100.0%</b>

\* As indicated on the scoresheet

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

<sup>1</sup> Offense dates on or after October 1, 2010.

<sup>2</sup> Offense dates on or after October 1, 2011.



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

Number of Additional Felonies	FY2011-2012 Sentence Dates <sup>1</sup>						FY2012-2013 Sentence Dates <sup>2</sup>					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
None	8,239 15.0%	2,640 4.8%	28,801 52.6%	14,727 26.9%	395 0.7%	<b>54,802</b> <b>100.0%</b>	7,916 15.0%	2,596 4.9%	27,919 52.8%	14,162 26.8%	303 0.6%	<b>52,896</b> <b>100.0%</b>
One	4,114 31.4%	913 7.0%	5,716 43.6%	2,301 17.6%	64 0.5%	<b>13,108</b> <b>100.0%</b>	4,126 32.9%	926 7.4%	5,189 41.4%	2,238 17.9%	48 0.4%	<b>12,527</b> <b>100.0%</b>
Two	1,915 48.1%	327 8.2%	1,291 32.4%	437 11.0%	14 0.4%	<b>3,984</b> <b>100.0%</b>	1,919 49.0%	321 8.2%	1,217 31.1%	443 11.3%	18 0.5%	<b>3,918</b> <b>100.0%</b>
Three	846 58.0%	102 7.0%	381 26.1%	125 8.6%	4 0.3%	<b>1,458</b> <b>100.0%</b>	935 62.1%	88 5.8%	369 24.5%	108 7.2%	5 0.3%	<b>1,505</b> <b>100.0%</b>
Four	363 69.0%	37 7.0%	101 19.2%	23 4.4%	2 0.4%	<b>526</b> <b>100.0%</b>	378 67.4%	44 7.8%	115 20.5%	23 4.1%	1 0.2%	<b>561</b> <b>100.0%</b>
Five	197 74.9%	20 7.6%	40 15.2%	5 1.9%	1 0.4%	<b>263</b> <b>100.0%</b>	221 74.9%	21 7.1%	47 15.9%	6 2.0%	0 0.0%	<b>295</b> <b>100.0%</b>
Six	98 74.8%	9 6.9%	19 14.5%	4 3.1%	1 0.8%	<b>131</b> <b>100.0%</b>	111 80.4%	5 3.6%	19 13.8%	3 2.2%	0 0.0%	<b>138</b> <b>100.0%</b>
Seven or More	128 81.5%	6 3.8%	22 14.0%	1 0.6%	0 0.0%	<b>157</b> <b>100.0%</b>	137 84.0%	6 3.7%	11 6.7%	8 4.9%	1 0.6%	<b>163</b> <b>100.0%</b>
<b>Total</b>	<b>15,900</b> <b>21.4%</b>	<b>4,054</b> <b>5.4%</b>	<b>36,371</b> <b>48.9%</b>	<b>17,623</b> <b>23.7%</b>	<b>481</b> <b>0.6%</b>	<b>74,429</b> <b>100.0%</b>	<b>15,743</b> <b>21.9%</b>	<b>4,007</b> <b>5.6%</b>	<b>34,886</b> <b>48.5%</b>	<b>16,991</b> <b>23.6%</b>	<b>376</b> <b>0.5%</b>	<b>72,003</b> <b>100.0%</b>

\* As indicated on the scoresheet.

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

<sup>1</sup> Offense dates on or after October 1, 2010.

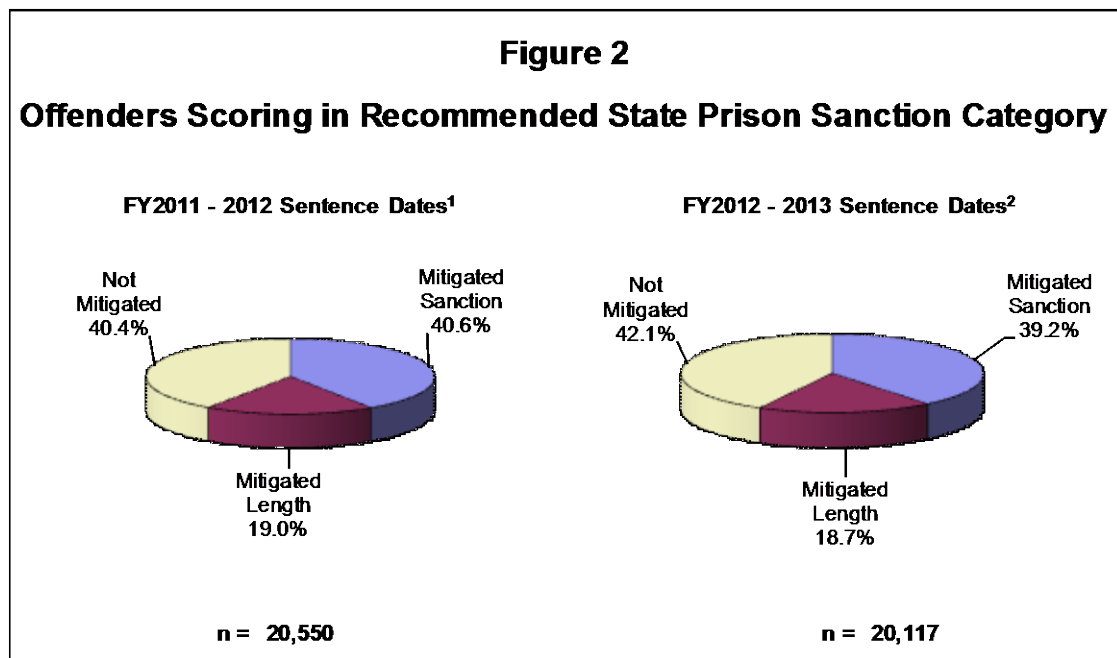
<sup>2</sup> Offense dates on or after October 1, 2011.



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

Category	FY2011-2012 Sentence Dates <sup>1</sup>		FY2012-2013 Sentence Dates <sup>2</sup>	
	Number / Percent	Average Mitigated Length in Months	Number / Percent	Average Mitigated Length in Months
Mitigated Total	12,241 59.6%		11,565 57.9%	
Mitigated Sanction	8,339 40.6%		7,885 39.2%	
Mitigated Length	3,902 19.0%	23.2	3,771 18.7%	25.0
Not Mitigated	8,309 40.4%		8,461 42.1%	
<b>Total</b>	<b>20,550</b> <b>100.0%</b>		<b>20,117</b> <b>100.0%</b>	

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

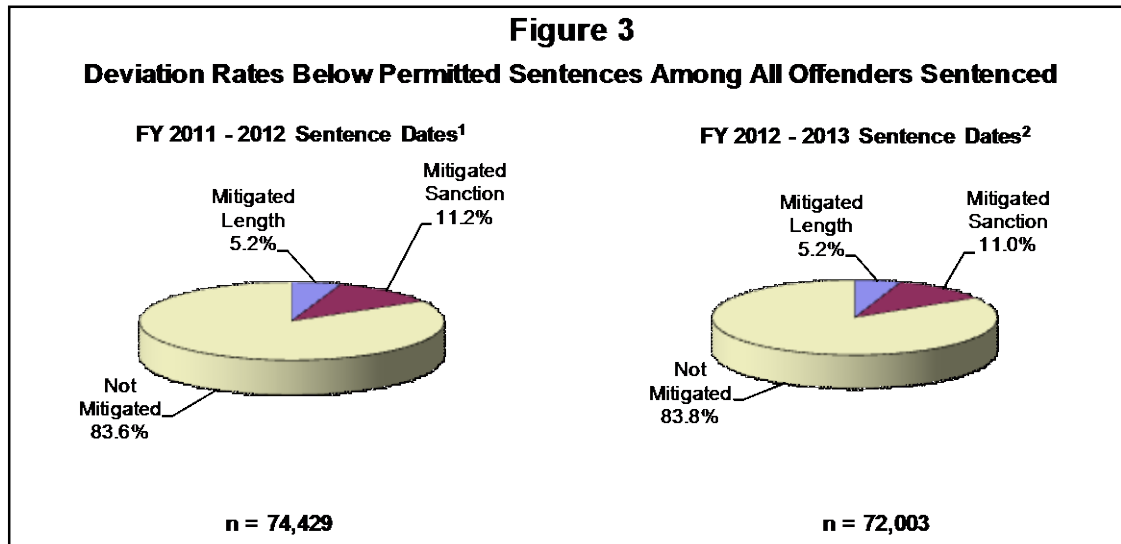


\* Total points exceeding 44.0

<sup>1</sup> Offense dates on or after October 1, 2010.

<sup>2</sup> Offense dates on or after October 1, 2011.





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

Judicial Circuit	FY2011-2012 Sentence Dates <sup>1</sup>			FY2012-2013 Sentence Dates <sup>2</sup>		
	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate
01- Pensacola	946	400	42.3%	1,062	440	41.4%
02- Tallahassee	690	307	44.5%	761	297	39.0%
03- Lake City	196	74	37.8%	297	146	49.2%
04- Jacksonville	1,307	175	13.4%	1,034	117	11.3%
05- Tavares	1,510	354	23.4%	1,928	392	20.3%
06- Clearwater	1,904	509	26.7%	1,845	524	28.4%
07- Daytona	923	363	39.3%	940	304	32.3%
08- Gainesville	739	274	37.1%	699	264	37.8%
09- Orlando	1,532	590	38.5%	1,826	821	45.0%
10- Bartow	708	259	36.6%	739	241	32.6%
11- Miami	2,070	1,560	75.4%	1,917	1,434	74.8%
12- Sarasota	634	203	32.0%	440	126	28.6%
13- Tampa	1,598	846	52.9%	1,142	599	52.5%
14- Panama City	708	286	40.4%	602	222	36.9%
15- West Palm Beach	906	349	38.5%	831	263	31.6%
16- Key West	135	44	32.6%	108	44	40.7%
17- Ft. Lauderdale	1,505	933	62.0%	1,428	822	57.6%
18- Sanford	913	400	43.8%	983	448	45.6%
19- Ft. Pierce	594	158	26.6%	589	144	24.4%
20- Ft. Myers	1,032	255	24.7%	946	237	25.1%
<b>Statewide</b>	<b>20,550</b>	<b>8,339</b>	<b>40.6%</b>	<b>20,117</b>	<b>7,885</b>	<b>39.2%</b>

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

<sup>1</sup> Offense dates on or after October 1, 2010.

<sup>2</sup> Offense dates on or after October 1, 2011.



**Table 13**

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

Judicial Circuit	FY2011-2012 Sentence Dates <sup>1</sup>			FY2012-2013 Sentence Dates <sup>2</sup>		
	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate
01- Pensacola	946	513	54.2%	1,062	559	52.6%
02- Tallahassee	690	499	72.3%	761	510	67.0%
03- Lake City	196	117	59.7%	297	199	67.0%
04- Jacksonville	1,307	600	45.9%	1,034	450	43.5%
05- Tavares	1,510	599	39.7%	1,928	747	38.7%
06- Clearwater	1,904	903	47.4%	1,845	917	49.7%
07- Daytona	923	601	65.1%	940	517	55.0%
08- Gainesville	739	497	67.3%	699	448	64.1%
09- Orlando	1,532	932	60.8%	1,826	1,167	63.9%
10- Bartow	708	385	54.4%	739	383	51.8%
11- Miami	2,070	1,936	93.5%	1,917	1,755	91.5%
12- Sarasota	634	247	39.0%	440	154	35.0%
13- Tampa	1,598	1,220	76.3%	1,142	887	77.7%
14- Panama City	708	406	57.3%	602	340	56.5%
15- West Palm Beach	906	522	57.6%	831	397	47.8%
16- Key West	135	63	46.7%	108	57	52.8%
17- Ft. Lauderdale	1,505	1,105	73.4%	1,428	1,019	71.4%
18- Sanford	913	525	57.5%	983	592	60.2%
19- Ft. Pierce	594	226	38.0%	589	212	36.0%
20- Ft. Myers	1,032	345	33.4%	946	346	36.6%
<b>Statewide</b>	<b>20,550</b>	<b>12,241</b>	<b>59.6%</b>	<b>20,117</b>	<b>11,656</b>	<b>57.9%</b>

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

<sup>1</sup> Offense dates on or after October 1, 2010.

<sup>2</sup> Offense dates on or after October 1, 2011.





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

Offense Type		FY2011-2012 Sentence Dates <sup>1</sup>					FY2012-2013 Sentence Dates <sup>2</sup>				
		Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter	Attempt	68	65	3	15	83	85	75	10	9	94
	Complete	99	87	12	33	132	67	60	7	45	112
Sexual/Lewd Behavior	Attempt	28	22	6	13	41	34	26	8	13	47
	Complete	325	215	110	148	473	411	269	142	173	584
Robbery	Attempt	116	61	55	31	147	119	75	44	19	138
	Complete	872	589	283	239	1,111	858	579	279	255	1,113
Violent, Other	Attempt	35	17	18	9	44	28	16	12	11	39
	Complete	3,155	1,206	1,949	614	3,769	3,118	1,251	1,867	585	3,703
Burglary	Attempt	163	100	63	21	184	190	108	82	26	216
	Complete	3,809	1,767	2,042	954	4,763	3,621	1,812	1,809	919	4,540
Property Theft/Fraud/Damage	Attempt	5	1	4	0	5	3	0	3	1	4
	Complete	2,010	1,068	942	391	2,401	2,082	1,123	959	419	2,501
Drugs	Attempt	76	36	40	16	92	76	28	48	10	86
	Complete	3,872	2,101	1,771	884	4,756	3,593	1,988	1,605	779	4,372
Weapons	Attempt	3	2	1	0	3	4	2	2	1	5
	Complete	632	413	219	99	731	667	425	242	115	782
Other	Attempt	7	4	3	2	9	8	5	3	3	11
	Complete	1,373	555	818	433	1,806	1,382	619	763	388	1,770
<b>Total</b>		<b>16,648</b>	<b>8,309</b>	<b>8,339</b>	<b>3,902</b>	<b>20,550</b>	<b>16,346</b>	<b>8,461</b>	<b>7,885</b>	<b>3,771</b>	<b>20,117</b>

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

\*\* Total Points Exceeding 44.0.

<sup>1</sup> Offense dates on or after October 1, 2010.

<sup>2</sup> Offense dates on or after October 1, 2011.



# APPENDICES



## Inmate Prison Admissions by County of Commitment

from July 1, 2012 to June 30, 2013

This table represents the 67 counties in Florida and the number of inmates admitted into prison who were sentenced from each county or other states.

County	# Inmates Admitted to prison	Percent	County	# Inmates Admitted to prison	Percent
Alachua	643	2.0	Leon	835	2.6
Baker	70	0.2	Levy	142	0.4
Bay	811	2.5	Liberty	23	0.1
Bradford	74	0.2	Madison	55	0.2
Brevard	1,046	3.2	Manatee	451	1.4
Broward	2,112	6.5	Marion	1,142	3.5
Calhoun	49	0.2	Martin	330	1.0
Charlotte	248	0.8	Miami-Dade	1,865	5.7
Citrus	246	0.8	Monroe	225	0.7
Clay	428	1.3	Nassau	145	0.4
Collier	359	1.1	Okaloosa	353	1.1
Columbia	275	0.8	Okeechobee	163	0.5
Desoto	96	0.3	Orange	1,591	4.9
Dixie	58	0.2	Osceola	441	1.4
Duval	2,153	6.6	Palm Beach	1,231	3.8
Escambia	785	2.4	Pasco	861	2.7
Flagler	199	0.6	Pinellas	1,883	5.8
Franklin	49	0.2	Polk	1,498	4.6
Gadsden	147	0.5	Putnam	404	1.2
Gilchrist	35	0.1	Santa Rosa	217	0.7
Glades	26	0.1	Sarasota	490	1.5
Gulf	35	0.1	Seminole	449	1.4
Hamilton	34	0.1	St. Johns	302	0.9
Hardee	58	0.2	St. Lucie	629	1.9
Hendry	109	0.4	Sumter	81	0.2
Hernando	409	1.3	Suwannee	173	0.5
Highlands	217	0.7	Taylor	111	0.3
Hillsborough	2,438	7.5	Union	23	0.1
Holmes	69	0.2	Volusia	1,019	3.1
Indian River	221	0.7	Wakulla	57	0.2
Jackson	151	0.5	Walton	95	0.3
Jefferson	37	0.1	Washington	85	0.3
Lafayette	13	0.0	00-Interstate	19	0.1
Lake	525	1.6	Data Unavail.	878	
Lee	804	2.5	<b>Total</b>	<b>33,295</b>	<b>100.0%</b>



## Inmate Admissions by Circuit of Conviction

from July 1, 2012 to June 30, 2013

Circuit	# Inmates Admitted to prison	Percent	Rank
1- Pensacola	1,450	4.4	12
2- Tallahassee	1,148	3.4	16
3- Lake City	719	2.2	19
4- Jacksonville	2,726	8.2	2
5- Tavares	2,403	7.2	4
6- Clearwater	2,744	8.2	1
7- Daytona	1,924	5.8	7
8- Gainesville	987	3.0	18
9- Orlando	2,032	6.1	6
10- Lakeland	1,773	5.3	9
11- Miami	1,865	5.6	8
12- Sarasota	1,037	3.1	17
13- Tampa	2,438	7.3	3
14- Panama City	1,200	3.6	15
15- West Palm Beach	1,231	3.7	14
16- Key West	225	0.7	20
17- Ft. Lauderdale	2,112	6.3	5
18- Sanford	1,495	4.5	11
19- Ft. Pierce	1,343	4.0	13
20- Ft. Myers	1,546	4.6	10
Data Unavailable	897	2.7	
<b>Total</b>	<b>33,295</b>	<b>100.0</b>	



**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2013**

<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
		<b>(a) LEVEL 1</b>
24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.
212.054(2)(b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
212.15(2)(b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
316.1935(1)	3rd	Fleeing or attempting to elude law enforcement officer.
319.30(5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
319.35(1)(a)	3rd	Tamper, adjust, change, etc., an odometer.
320.26(1)(a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
322.212(1)(a)-(c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver's license; possession of simulated identification.
322.212(4)	3rd	Supply or aid in supplying unauthorized driver's license or identification card.
322.212(5)(a)	3rd	False application for driver's license or identification card.
414.39(2)	3rd	Unauthorized use, possession, forgery, or alteration of food 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 reemployment assistance 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).



**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2013**

<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
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. <u>92.28</u> .
831.31(1)(a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. <u>893.03(5)</u> drugs.
832.041(1)	3rd	Stopping payment with intent to defraud \$150 or more.
832.05(2)(b) & (4)(c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
838.15(2)	3rd	Commercial bribe receiving.
838.16	3rd	Commercial bribery.
843.18	3rd	Fleeing by boat to elude a law enforcement officer.
847.011(1)(a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
849.01	3rd	Keeping gambling house.
849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
849.23	3rd	Gambling-related machines; "common offender" as to property rights.
849.25(2)	3rd	Engaging in bookmaking.
860.08	3rd	Interfere with a railroad signal.
860.13(1)(a)	3rd	Operate aircraft while under the influence.
893.13(2)(a)2.	3rd	Purchase of cannabis.
893.13(6)(a)	3rd	Possession of cannabis (more than 20 grams).
934.03(1)(a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
		<b>(b) LEVEL 2</b>



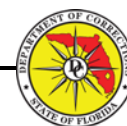
**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2013**

<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
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(6)(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(2)	3rd	Failure to furnish a prospectus meeting requirements.
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.
806.13(1)(b)3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
810.061(2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
810.09(2)(e)	3rd	Trespassing on posted commercial horticulture property.
812.014(2)(c)1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
812.014(2)(d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
812.015(7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
817.234(1)(a)2.	3rd	False statement in support of insurance claim.
817.481(3)(a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
817.52(3)	3rd	Failure to redeliver hired vehicle.
817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
817.60(5)	3rd	Dealing in credit cards of another.
817.60(6)(a)	3rd	Forgery; purchase goods, services with false card.
817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
831.01	3rd	Forgery.



**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2013**

<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
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. <del>893.03</del> (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.
		<b>(c) LEVEL 3</b>
119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
316.066(3)(b)-(d)	3rd	Unlawfully obtaining or using confidential crash reports.
316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
319.30(4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
319.33(1)(a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
327.35(2)(b)	3rd	Felony BUI.
328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.





**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2013**

<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
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 workers' compensation fraud or retaliation for making such a report.
501.001(2)(b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
624.401(4)(a)	3rd	Transacting insurance without a certificate of authority.
624.401(4)(b)1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
626.902(1)(a) & (b)	3rd	Representing an unauthorized insurer.
697.08	3rd	Equity skimming.
790.15(3)	3rd	Person directs another to discharge firearm from a vehicle.
796.05(1)	3rd	Live on earnings of a prostitute.
806.10(1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
806.10(2)	3rd	Interferes with or assaults firefighter in performance of duty.
810.09(2)(c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
812.0145(2)(c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
815.04(4)(b)	2nd	Computer offense devised to defraud or obtain property.
817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
817.233	3rd	Burning to defraud insurer.
817.234(8)(b)-(c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
817.234(11)(a)	3rd	Insurance fraud; property value less than \$20,000.



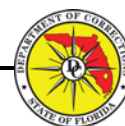
**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2013**

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



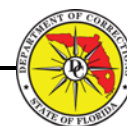
**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2013**

<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
893.13(8)(a)3.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
893.13(8)(a)4.	3rd	Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.
918.13(1)(a)	3rd	Alter, destroy, or conceal investigation evidence.
944.47(1)(a)1.-2.	3rd	Introduce contraband to correctional facility.
944.47(1)(c)	2nd	Possess contraband while upon the grounds of a correctional institution.
985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
		<b>(d) LEVEL 4</b>
316.1935(3)(a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
499.0051(1)	3rd	Failure to maintain or deliver pedigree papers.
499.0051(2)	3rd	Failure to authenticate pedigree papers.
499.0051(6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
517.07(1)	3rd	Failure to register securities.
517.12(1)	3rd	Failure of dealer, associated person, or issuer of securities to register.
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.
784.081(3)	3rd	Battery on specified official or employee.
784.082(3)	3rd	Battery by detained person on visitor or other detainee.
784.083(3)	3rd	Battery on code inspector.



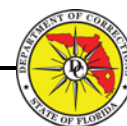
**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2013**

<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
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.
787.07	3rd	Human Smuggling.
790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
790.115(2)(b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
790.115(2)(c)	3rd	Possessing firearm on school property.
800.04(7)(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.
817.625(2)(a)	3rd	Fraudulent use of scanning device or reencoder.
828.125(1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
837.02(1)	3rd	Perjury in official proceedings.
837.021(1)	3rd	Make contradictory statements in official proceedings.



**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2013**

<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
838.022	3rd	Official misconduct.
839.13(2)(a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
839.13(2)(c)	3rd	Falsifying records of the Department of Children and Family Services.
843.021	3rd	Possession of a concealed handcuff key by a person in custody.
843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreatment or bond jumping).
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.
893.13(2)(a)1.	2nd	Purchase of cocaine (or other s. <u>893.03</u> (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.
		<b>(e) LEVEL 5</b>
316.027(1)(a)	3rd	Accidents involving personal injuries, failure to stop; leaving scene.
316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
327.30(5)	3rd	Vessel accidents involving personal injury; leaving scene.
379.367(4)	3rd	Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.
379.3671(2)(c)3.	3rd	Willful molestation, possession, or removal of a commercial harvester's trap contents or trap gear by another harvester.
381.0041(11)(b)	3rd	Donate blood, plasma, or organs knowing HIV positive.



**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2013**

<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
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.
812.015(8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
812.019(1)	2nd	Stolen property; dealing in or trafficking in.
812.131(2)(b)	3rd	Robbery by sudden snatching.
812.16(2)	3rd	Owning, operating, or conducting a chop shop.
817.034(4)(a)2.	2nd	Communications fraud, value \$20,000 to \$50,000.
817.234(11)(b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
817.2341(1), (2)(a) & (3)(a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.



**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2013**

<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
817.568(2)(b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more individuals.
817.625(2)(b)	2nd	Second or subsequent fraudulent use of scanning device or reencoder.
825.1025(4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
827.071(4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.
827.071(5)	3rd	Possess, control, or intentional view any photographic material, motion picture, etc., which includes sexual conduct by a child.
839.13(2)(b)	2nd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.
843.01	3rd	Resist officer with violence to person; resist arrest with violence.
847.0135(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.
<u>847.0138</u> (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
<u>874.05</u> (1)(b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
<u>874.05</u> (2)(a)	2nd	Encouraging or recruiting person under 13 to join a criminal gang.
893.13(1)(a)1.	2nd	Sell, manufacture, or deliver cocaine (or other s. <u>893.03</u> (1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
893.13(1)(c)2.	2nd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
893.13(1)(d)1.	1st	Sell, manufacture, or deliver cocaine (or other s. <u>893.03</u> (1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs) within 1,000 feet of university.
893.13(1)(e)2.	2nd	Sell, manufacture, or deliver cannabis or other drug prohibited under s. <u>893.03</u> (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. <u>893.03</u> (1)(a), (1)(b), (1)(d), or (2)(a), (2)(b), or (2)(c)4. drugs) within 1,000 feet of public housing facility.
893.13(4)(b)	2nd	Deliver to minor cannabis (or other s. <u>893.03</u> (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.
		<b>(f) LEVEL 6</b>



**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2013**

<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
316.193(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.
784.081(2)	2nd	Aggravated assault on specified official or employee.
784.082(2)	2nd	Aggravated assault by detained person on visitor or other detainee.
784.083(2)	2nd	Aggravated assault on code inspector.
787.02(2)	3rd	False imprisonment; restraining with purpose other than those in s. <u>787.01</u> .
790.115(2)(d)	2nd	Discharging firearm or weapon on school property.
790.161(2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
790.164(1)	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.
790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
794.011(8)(a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.





**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2013**

<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
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.
810.145(8)(b)	2nd	Video voyeurism; certain minor victims; 2nd or subsequent offense.
812.014(2)(b)1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
812.014(6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
812.015(9)(a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
812.015(9)(b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.
812.13(2)(c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
817.4821(5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
825.102(1)	3rd	Abuse of an elderly person or disabled adult.
825.102(3)(c)	3rd	Neglect of an elderly person or disabled adult.
825.1025(3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
825.103(2)(c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.
827.03(2)(c)	3rd	Abuse of a child.
827.03(2)(d)	3rd	Neglect of a child.
827.071(2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
836.05	2nd	Threats; extortion.
836.10	2nd	Written threats to kill or do bodily injury.
843.12	3rd	Aids or assists person to escape.



**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2013**

<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
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.
944.35(3)(a)2.	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.
944.40	2nd	Escapes.
944.46	3rd	Harboring, concealing, aiding escaped prisoners.
944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
951.22(1)	3rd	Intoxicating drug, firearm, or weapon introduced into county facility.
		<b>(g) LEVEL 7</b>
316.027(1)(b)	1st	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
316.1935(3)(b)	1 <sup>st</sup>	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.	3 <sup>rd</sup>	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.



**OFFENSE SEVERITY RANKING CHART  
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<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
460.411(1)	3rd	Practicing chiropractic medicine without a license.
461.012(1)	3rd	Practicing podiatric medicine without a license.
462.17	3rd	Practicing naturopathy without a license.
463.015(1)	3rd	Practicing optometry without a license.
464.016(1)	3rd	Practicing nursing without a license.
465.015(2)	3rd	Practicing pharmacy without a license.
466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
467.201	3rd	Practicing midwifery without a license.
468.366	3rd	Delivering respiratory care services without a license.
483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
483.901(9)	3rd	Practicing medical physics without a license.
484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
484.053	3rd	Dispensing hearing aids without a license.
494.0018(2)	1st	Conviction of any violation of ss. <u>494.001-494.0077</u> 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.
782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.



**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2013**

<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
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.
787.06(3)(a)	1st	Human trafficking using coercion for labor and services.
787.06(3)(e)	1st	Human trafficking using coercion for labor and services by the transfer or transport of any individual from outside Florida to within the state.
790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. <u>790.07(1)</u> 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.



**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2013**

<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
794.08(4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
796.03	2nd	Procuring any person under 16 years for prostitution.
800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
800.04(5)(c)2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender 18 years or older.
806.01(2)	2nd	Maliciously damage structure by fire or explosive.
810.02(3)(a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
810.02(3)(b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
810.02(3)(d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
810.02(3)(e)	2nd	Burglary of authorized emergency vehicle.
812.014(2)(a)1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
812.014(2)(b)2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
812.014(2)(b)3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
812.014(2)(b)4.	2nd	Property stolen; law enforcement equipment from authorized emergency vehicle.
812.0145(2)(a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
812.131(2)(a)	2nd	Robbery by sudden snatching.
812.133(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
817.034(4)(a)1.	1st	Communications fraud, value greater than \$50,000.
817.234(8)(a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
817.234(9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.



**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2013**

<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
817.234(11)(c)	1st	Insurance fraud; property value \$100,000 or more.
817.234(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.
817.535(2)(a)	3rd	Filing false lien or other unauthorized document.
825.102(3)(b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
825.103(2)(b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$20,000 or more, but less than \$100,000.
827.03(3)(b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
827.04(3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
837.05(2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
838.015	2nd	Bribery.
838.016	2nd	Unlawful compensation or reward for official behavior.
838.021(3)(a)	2nd	Unlawful harm to a public servant.
838.22	2nd	Bid tampering.
843.0855(2)	3rd	Impersonation of a public officer or employee.
843.0855(3)	3rd	Unlawful simulation of legal process.
843.0855(4)	3rd	Intimidation of a public officer or employee.
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.
874.05(2)(b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
874.10	1 <sup>st</sup> , PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
893.13(1)(c)1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.



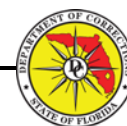
**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2013**

<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
893.13(1)(e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. <u>893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.</u> , 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. <u>893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.</u> drugs).
893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
893.135(1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
893.135(1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
893.135(1)(d)1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
893.135(1)(e)1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
893.135(1)(f)1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
893.135(1)(g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
893.135(1)(h)1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
893.135(1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
893.135(1)(k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
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.



**OFFENSE SEVERITY RANKING CHART  
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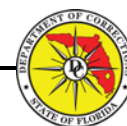
<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
		<b>(h) LEVEL 8</b>
316.193(3)(c)3.a.	2nd	DUI manslaughter.
316.1935(4)(b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
327.35(3)(c)3.	2nd	Vessel BUI manslaughter.
499.0051(7)	1st	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.
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, aggravated fleeing or eluding with serious bodily injury or death, 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. <u>782.04(3)</u> .
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.
787.06(3)(b)	1st	Human trafficking using coercion for commercial sexual activity.





**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2013**

<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
787.06(3)(c)	1st	Human trafficking using coercion for labor and services of an unauthorized alien.
787.06(3)(f)	1st	Human trafficking using coercion for commercial sexual activity by the transfer or transport of any individual from outside Florida to within the state.
790.161(3)	1st	Discharging a destructive device which results in bodily harm or property damage.
794.011(5)	2nd	Sexual battery, victim 12 years or over, offender does not use physical force likely to cause serious injury.
794.08(3)	2nd	Female genital mutilation; removal of a victim younger than 18 years of age from this state.
800.04(4)	2nd	Lewd or lascivious battery.
806.01(1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
810.02(2)(a)	1st,PBL	Burglary with assault or battery.
810.02(2)(b)	1st,PBL	Burglary; armed with explosives or dangerous weapon.
810.02(2)(c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
812.014(2)(a)2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
812.13(2)(b)	1st	Robbery with a weapon.
812.135(2)(c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
817.535(2)(b)	2nd	Filing false lien or other unauthorized document; second or subsequent offense.
817.535(3)(a)	2nd	Filing false lien or other unauthorized document; property owner is a public officer or employee.
817.535(4)(a)1.	2nd	Filing false lien or other unauthorized document; defendant is incarcerated or under supervision.
817.535(5)(a)	2nd	Filing false lien or other unauthorized document; owner of the property incurs financial loss as a result of the false document.
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.
825.103(2)(a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$100,000 or more.
837.02(2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.



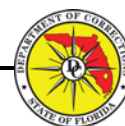
**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2013**

<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
837.021(2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
860.121(2)(c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
860.16	1st	Aircraft piracy.
893.13(1)(b)	1st	Sell or deliver in excess of 10 grams of any substance specified in s. <u>893.03</u> (1)(a) or (b).
893.13(2)(b)	1st	Purchase in excess of 10 grams of any substance specified in s. <u>893.03</u> (1)(a) or (b).
893.13(6)(c)	1st	Possess in excess of 10 grams of any substance specified in s. <u>893.03</u> (1)(a) or (b).
893.135(1)(a)2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
893.135(1)(b)1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
893.135(1)(c)1.b.	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
893.135(1)(d)1.b.	1st	Trafficking in phencyclidine, more than 200 grams, less than 400 grams.
893.135(1)(e)1.b.	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
893.135(1)(f)1.b.	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
893.135(1)(g)1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
893.135(1)(h)1.b.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
893.135(1)(j)1.b.	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
893.135(1)(k)2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
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.
896.104(4)(a)2.	2nd	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$20,000 but less than \$100,000.



**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2013**

<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
		<b>(i) LEVEL 9</b>
316.193(3)(c)3.b.	1st	DUI manslaughter; failing to render aid or give information.
327.35(3)(c)3.b.	1st	BUI manslaughter; failing to render aid or give information.
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.
655.50(10)(b)3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
775.0844	1st	Aggravated white collar crime.
782.04(1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
782.04(3)	1st,PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, aggravated fleeing or eluding with serious bodily injury or death, and other specified felonies.
782.051(1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).
782.07(2)	1st	Aggravated manslaughter of an elderly person or disabled adult.
787.01(1)(a)1.	1st,PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
787.01(1)(a)2.	1st,PBL	Kidnapping with intent to commit or facilitate commission of any felony.
787.01(1)(a)4.	1st,PBL	Kidnapping with intent to interfere with performance of any governmental or political function.
787.02(3)(a)	1st	False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
787.06(3)(d)	1st	Human trafficking using coercion for commercial sexual activity of an unauthorized alien.
787.06(3)(g)	1st,PBL	Human trafficking for commercial sexual activity of a child under the age of 18.
787.06(4)	1st	Selling or buying of minors into human trafficking.
790.161	1st	Attempted capital destructive device offense.



**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2013**

<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
790.166(2)	1st,PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
794.011(2)	1st	Attempted sexual battery; victim less than 12 years of age.
794.011(2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
794.011(4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
794.011(8)(b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
794.08(2)	1st	Female genital mutilation; victim younger than 18 years of age.
796.035	1st	Selling or buying of minors into prostitution.
800.04(5)(b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
812.13(2)(a)	1st,PBL	Robbery with firearm or other deadly weapon.
812.133(2)(a)	1st,PBL	Carjacking; firearm or other deadly weapon.
812.135(2)(b)	1st	Home-invasion robbery with weapon.
817.535(3)(b)	1st	Filing false lien or other unauthorized document; second or subsequent offense; property owner is a public officer or employee.
817.535(4)(a)2.	1st	Filing false lien or other unauthorized document; defendant is incarcerated or under supervision.
817.535(5)(b)	1st	Filing false lien or other unauthorized document; second or subsequent offense; owner of the property incurs financial loss as a result of the false instrument.
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)(a)	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.



**OFFENSE SEVERITY RANKING CHART  
AS OF JULY 1, 2013**

<b>Florida Statute</b>	<b>Felony Degree</b>	<b>Description</b>
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.
		<b>(j) LEVEL 10</b>
499.0051(10)	1st	Knowing sale or purchase of contraband prescription drugs resulting in death.
782.04(2)	1st,PBL	Unlawful killing of human; act is homicide, unpremeditated.
782.07(3)	1st	Aggravated manslaughter of a child.
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.
787.06(3)(h)	Life	Human trafficking for commercial sexual activity of a child under the age of 15.
794.011(3)	Life	Sexual battery; victim 12 years or older, offender uses or threatens to use deadly weapon or physical force to cause serious injury.
812.135(2)(a)	1st,PBL	Home-invasion robbery with firearm or other deadly weapon.
876.32	1st	Treason against the state.



**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/scn\\_epcm/index.html](http://www.dc.state.fl.us/pub/scn_epcm/index.html)

1. DATE OF SENTENCE	2. PREPARER'S NAME	3. COUNTY	4. SENTENCING JUDGE	
5. NAME (LAST, FIRST, MI.)	6. DOB	8. RACE <input type="checkbox"/> B <input type="checkbox"/> W <input type="checkbox"/> OTHER	10. PRIMARY OFF. DATE	12. PLEA <input type="checkbox"/>
	7. DC #	9. GENDER <input type="checkbox"/> M <input type="checkbox"/> F	11. PRIMARY DOCKET #	TRIAL <input type="checkbox"/>

I. **PRIMARY OFFENSE:** If Qualifier, please check  A  S  C  R (A=Attempt, S=Solicitation, C=Conspiracy, R=Reclassification)

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
---------------	-------	-------------	---------------	--------

(Level - Points: 1-4, 2-10, 3-16, 4-22, 5-28, 6-36, 7-56, 8-74, 9-92, 10-116)

Prior capital felony triples Primary Offense points

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

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

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

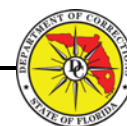
(Level - Points: M=0.2, 1-0.5, 2-0.8, 3-1.6, 4-2.4, 5-3.6, 6-9, 7-14, 8-19, 9-23, 10-29)

Supplemental page points \_\_\_\_\_

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

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

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



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

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

VIII. Prior Serious Felony - 30 Points VIII. \_\_\_\_\_

Subtotal Sentence Points \_\_\_\_\_

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

Law/Ent. Protect.	Drug Trafficker	Motor Vehicle Theft	Criminal Gang Offense	Domestic Violence in the Presence of Related Child <small>(offenses committed on or after 3/1/2007)</small>
____ x 1.5    ____ x 2.0    ____ x 2.5	____ x 1.5	____ x 1.5	____ x 1.5	____ x 1.5
Enhanced Subtotal Sentence Points				IX. _____
<b>TOTAL SENTENCE POINTS</b>				_____

**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:

$$\text{_____} \text{ minus } 28 = \text{_____} \times .75 = \text{_____}$$

total sentence points lowest permissible prison sentence in months

If total sentence points are 60 points or less and court makes findings pursuant to both Florida Statute 948.20 and 397.334(3), the court may place the defendant into a treatment-based drug court program.

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

$$\text{_____}$$

maximum sentence in years

**TOTAL SENTENCE IMPOSED**

	Years	Months	Days
<input type="checkbox"/> State Prison	_____	_____	_____
<input type="checkbox"/> County Jail	_____	_____	_____
<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 \_\_\_\_\_

<b>JUDGE'S SIGNATURE</b>	
--------------------------	--

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



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

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

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

DOCKET#	FEL/MM DEGREE	F.S#	OFFENSE LEVEL	QUALIFY A S C R	COUNTS	POINTS	TOTAL
_____ / _____	_____ / _____	_____ / _____	_____	□ □ □ □	_____ x _____	_____ = _____	
DESCRIPTION _____							
_____ / _____	_____ / _____	_____ / _____	_____	□ □ □ □	_____ x _____	_____ = _____	
DESCRIPTION _____							
_____ / _____	_____ / _____	_____ / _____	_____	□ □ □ □	_____ x _____	_____ = _____	
DESCRIPTION _____							
_____ / _____	_____ / _____	_____ / _____	_____	□ □ □ □	_____ x _____	_____ = _____	
DESCRIPTION _____							
_____ / _____	_____ / _____	_____ / _____	_____	□ □ □ □	_____ x _____	_____ = _____	
DESCRIPTION _____							

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

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

**IV. PRIOR RECORD**

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A S C R	DESCRIPTION	NUMBER	POINTS	TOTAL
_____ / _____	_____ / _____	_____ / _____	□ □ □ □	_____	_____ X _____	_____ = _____	
_____ / _____	_____ / _____	_____ / _____	□ □ □ □	_____	_____ X _____	_____ = _____	
_____ / _____	_____ / _____	_____ / _____	□ □ □ □	_____	_____ X _____	_____ = _____	
_____ / _____	_____ / _____	_____ / _____	□ □ □ □	_____	_____ X _____	_____ = _____	
_____ / _____	_____ / _____	_____ / _____	□ □ □ □	_____	_____ X _____	_____ = _____	
_____ / _____	_____ / _____	_____ / _____	□ □ □ □	_____	_____ 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.
- The defendant was making a good faith effort to obtain or provide medical assistance for an individual experiencing a drug-related overdose.

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 committed on or after October 1, 1998 and subsequent revisions.





For additional copies or more information contact:

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