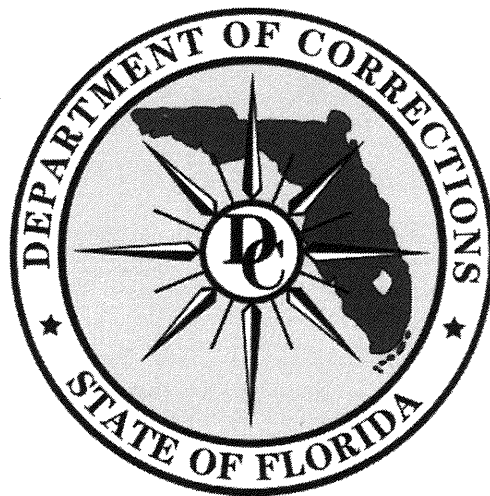


FLORIDA DEPARTMENT OF CORRECTIONS

Florida's Criminal Punishment Code: A Comparative Assessment

September 2014



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 2012-2013 and FY 2013-2014.**

Since January 1, 1994, the Florida Department of Corrections has collected almost 2.3 million scoresheets on felony offenders sentenced in Florida courts under the state's Sentencing Guidelines and Criminal Punishment Code. This report describes the 97,074 Criminal Punishment Code scoresheets with sentence dates in FY 2013-2014 received by the Florida Department of Corrections through September 1, 2014, for felony offenses committed on or after October 1, 1998. It also compares 65,397 Criminal Punishment Code scoresheets received by the Florida Department of Corrections through September 1, 2014, for felony offenses committed on or after October 1, 2012 and sentence dates in Fiscal Year 2013-2014 with 71,775 Criminal Punishment Code scoresheets with offense dates on or after October 1, 2011 and sentence dates in Fiscal Year 2012-2013.



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.

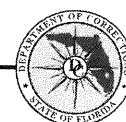


- The Code significantly alters the sentencing policy in a variety of respects. One of the most notable changes is the significant broadening of upward discretion in the sentencing policy. Under the sentencing guidelines, the upward discretion was 25 percent above the state prison months determined by 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 st | Up to 30 |
| 2 nd | Up to 15 |
| 3 rd | Up to 5 |

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

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



Department of Corrections Responsibilities

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

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

The SAGES (Sentencing Analysis and Guidelines Entry Systems) database

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

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



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

- The information is compiled from a database containing sentencing scoresheets received by the Department of Corrections for offenses with dates of commission on or after January 1, 1994. The information is based on the scoresheets in the database with dates of sentence in Fiscal Year 2013-2014 and offenses on or after October 1, 1998, entered as of September 1, 2014.
- 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 69.6% for Fiscal Year 2013-2014.
- 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 97,074 Punishment Code scoresheets with offense dates on or after October 1, 1998 with sentencing dates during FY2013-14 entered into the sentencing scoresheet database, as of September 1, 2014.*

FINDINGS:

- The number of Code scoresheets received by month of sentence fluctuated from a high of 8,958 to a low of 6,211 from July 1, 2013 to June 30, 2014 (Figure 1).
- For the time period July 2013 through June 2014, 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).
- About a quarter (25.6%) of the offenders sentenced under the Code were considered “youthful offenders” at the time of sentencing (Table 3). Of the 1,722 true juveniles (under 18 at the time of their offense) transferred to adult court under the Code, 826 (37.4%) of the offenders were age sixteen or younger (Table 4).
- There were 753 juveniles sentenced under the Code for violent offenses, including, murder/manslaughter, sex offenses, robbery, and other violent personal offenses. These violent offenses represent 43.7% of all offenses of juveniles (Table 4). Of the 753 violent juvenile offenders, 467 (62.0%) 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 (77.3%) of all scoresheets were for male offenders (Table 6), and 62.6% were for white offenders (Table 7).



Figure 1
Scoresheets Received by Month of Sentence
Criminal Punishment Code

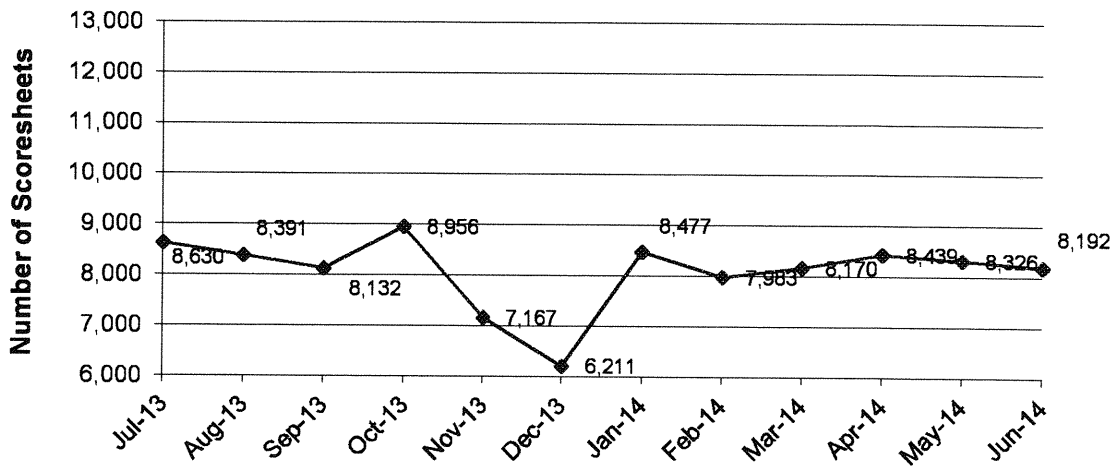


Table 1
Scoresheets Received by Circuit
Fiscal Year 2013-2014
Criminal Punishment Code

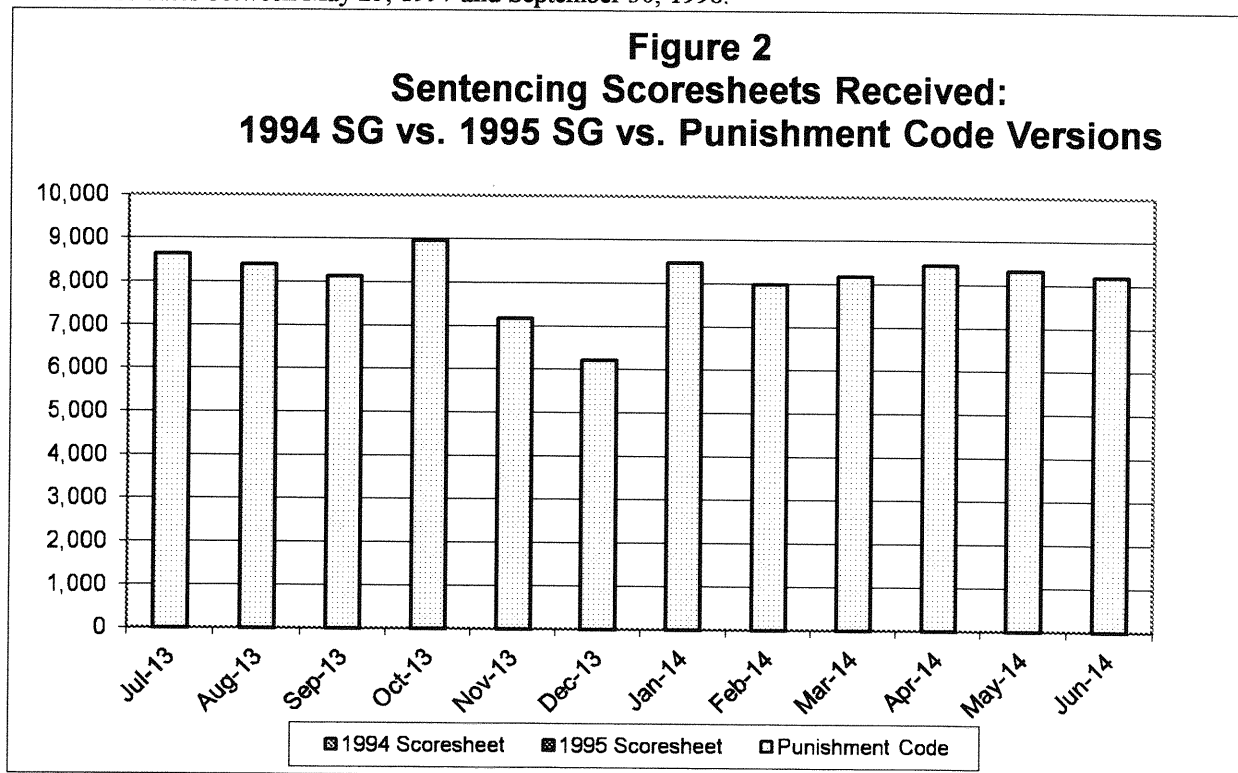
| Circuit of Sentence | Total | |
|----------------------|---------------|---------------|
| | Number | Percent |
| 01 (Pensacola) | 6,156 | 6.3% |
| 02 (Tallahassee) | 2,946 | 3.0% |
| 03 (Lake City) | 1,941 | 2.0% |
| 04 (Jacksonville) | 3,912 | 4.0% |
| 05 (Tavares) | 6,096 | 6.3% |
| 06 (Clearwater) | 11,408 | 11.8% |
| 07 (Daytona Beach) | 5,189 | 5.3% |
| 08 (Gainesville) | 2,935 | 3.0% |
| 09 (Orlando) | 8,656 | 8.9% |
| 10 (Bartow) | 4,686 | 4.8% |
| 11 (Miami) | 5,857 | 6.0% |
| 12 (Sarasota) | 4,454 | 4.6% |
| 13 (Tampa) | 2,367 | 2.4% |
| 14 (Panama City) | 3,138 | 3.2% |
| 15 (West Palm Beach) | 4,257 | 4.4% |
| 16 (Key West) | 841 | 0.9% |
| 17 (Ft. Lauderdale) | 6,372 | 6.6% |
| 18 (Sanford) | 5,979 | 6.2% |
| 19 (Ft. Pierce) | 3,898 | 4.0% |
| 20 (Ft. Myers) | 5,986 | 6.2% |
| Total | 97,074 | 100.0% |

Table 2
Sentencing Scoresheets Received by Month of Sentence*
Fiscal Year 2013-2014

| Month of Sentence | 1994 Sentencing Guidelines Scoresheet | | 1995 Sentencing Guidelines Scoresheet** | | Criminal Punishment Code Scoresheet | | Total | |
|-------------------|---------------------------------------|-------------|---|-------------|-------------------------------------|--------------|---------------|---------------|
| July 2013 | 4 | 0.0% | 9 | 0.1% | 8,630 | 99.8% | 8,643 | 8.9% |
| August 2013 | 2 | 0.0% | 6 | 0.1% | 8,391 | 99.9% | 8,399 | 8.6% |
| September 2013 | 2 | 0.0% | 10 | 0.1% | 8,132 | 99.9% | 8,144 | 8.4% |
| October 2013 | 3 | 0.0% | 4 | 0.0% | 8,956 | 99.9% | 8,963 | 9.2% |
| November 2013 | 1 | 0.0% | 7 | 0.1% | 7,167 | 99.9% | 7,175 | 7.4% |
| December 2013 | 2 | 0.0% | 9 | 0.1% | 6,211 | 99.8% | 6,222 | 6.4% |
| January 2014 | 3 | 0.0% | 5 | 0.1% | 8,477 | 99.9% | 8,485 | 8.7% |
| February 2014 | 2 | 0.0% | 11 | 0.1% | 7,983 | 99.8% | 7,996 | 8.2% |
| March 2014 | 6 | 0.1% | 7 | 0.1% | 8,170 | 99.8% | 8,183 | 8.4% |
| April 2014 | 2 | 0.0% | 10 | 0.1% | 8,439 | 99.9% | 8,451 | 8.7% |
| May 2014 | 5 | 0.1% | 5 | 0.1% | 8,326 | 99.9% | 8,336 | 8.6% |
| June 2014 | 2 | 0.0% | 6 | 0.1% | 8,192 | 99.9% | 8,200 | 8.4% |
| Total | 34 | 0.0% | 89 | 0.1% | 97,074 | 99.9% | 97,197 | 100.0% |

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

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



**Table 3
Age at Sentencing
Criminal Punishment Code
Fiscal Year 2013-2014**

| Age | Number | Percent |
|--------------|---------------|---------------|
| 17 and Below | 377 | 0.4% |
| 18 to 24 | 24,420 | 25.2% |
| 25 to 29 | 19,057 | 19.6% |
| 30 to 34 | 16,065 | 16.5% |
| 35 to 39 | 10,703 | 11.0% |
| 40 to 44 | 8,755 | 9.0% |
| 45 to 49 | 7,011 | 7.2% |
| 50 and Over | 10,685 | 11.0% |
| Unknown | 1 | |
| Total | 97,074 | 100.0% |

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

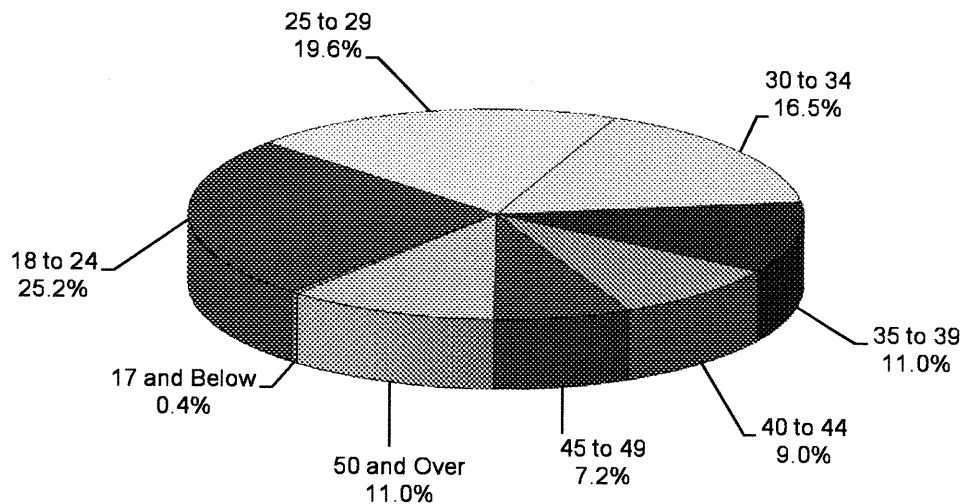


Table 4
Age at Offense for Offenders Under 18
Criminal Punishment Code
Fiscal Year 2013-2014

| Primary Offense | 15 & Under | 16 Years Old | 17 Years Old | Total |
|---------------------------|----------------------|----------------------|------------------------|------------------------|
| Murder/Manslaughter | 9 4.4% | 16 3.6% | 34 3.2% | 59 3.4% |
| Sexual Offenses | 20 9.9% | 17 3.9% | 32 3.0% | 69 4.0% |
| Robbery | 46 22.7% | 99 22.4% | 213 19.8% | 358 20.8% |
| Violent Personal Offenses | 42 20.7% | 80 18.1% | 145 13.5% | 267 15.5% |
| Burglary | 54 26.6% | 141 32.0% | 395 36.6% | 590 34.3% |
| Theft, Forgery, Fraud | 10 4.9% | 21 4.8% | 105 9.7% | 136 7.9% |
| Drugs | 4 2.0% | 24 5.4% | 82 7.6% | 110 6.4% |
| Weapons | 7 3.4% | 33 7.5% | 49 4.5% | 89 5.2% |
| Other Offenses | 11 5.4% | 10 2.3% | 23 2.1% | 44 2.6% |
| Total | 203 100.0% | 441 100.0% | 1,078 100.0% | 1,722 100.0% |

Figure 4
Age at Offense Distribution
Offenders Under 18

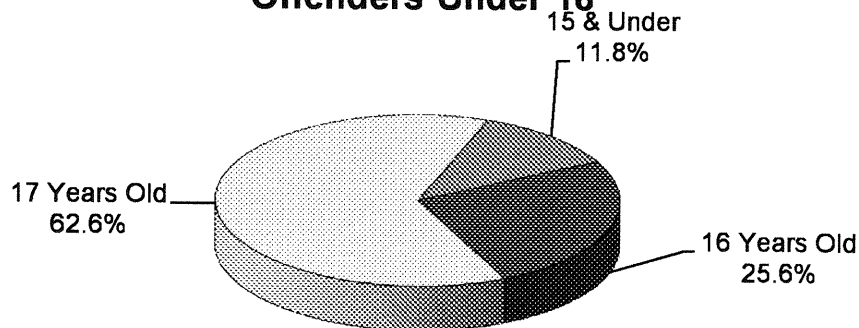


Table 5
Sanction Imposed by Primary Offense For All 11 - 17 Year Olds
Criminal Punishment Code
Fiscal Year 2013-2014

| Primary Offense | State Prison | Comm. Control | Probation | County Jail | Other | Total |
|---------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|----------------------------|-------------------------------|
| Murder/Manslaughter | 53 6.2% | 2 0.9% | 2 0.5% | 1 0.5% | 1 2.4% | 59 3.4% |
| Sexual Offenses | 46 5.4% | 3 1.4% | 13 3.2% | 5 2.4% | 2 4.9% | 69 4.0% |
| Robbery | 226 26.5% | 50 22.8% | 50 12.4% | 26 12.6% | 6 14.6% | 358 20.8% |
| Violent Personal Offenses | 142 16.6% | 26 11.9% | 63 15.6% | 31 15.0% | 5 12.2% | 267 15.5% |
| Burglary | 272 31.9% | 96 43.8% | 146 36.2% | 54 26.2% | 22 53.7% | 590 34.3% |
| Theft, Forgery, Fraud | 36 4.2% | 14 6.4% | 56 13.9% | 29 14.1% | 1 2.4% | 136 7.9% |
| Drugs | 30 3.5% | 9 4.1% | 41 10.2% | 28 13.6% | 2 4.9% | 110 6.4% |
| Weapons | 26 3.0% | 16 7.3% | 23 5.7% | 22 10.7% | 2 4.9% | 89 5.2% |
| Other Offenses | 22 2.6% | 3 1.4% | 9 2.2% | 10 4.9% | 0 0.0% | 44 2.6% |
| Total | 853 100.0% | 219 100.0% | 403 100.0% | 206 100.0% | 41 100.0% | 1,722 100.0% |

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

Figure 5
Sanction Imposed Distribution
Offenders Under 18

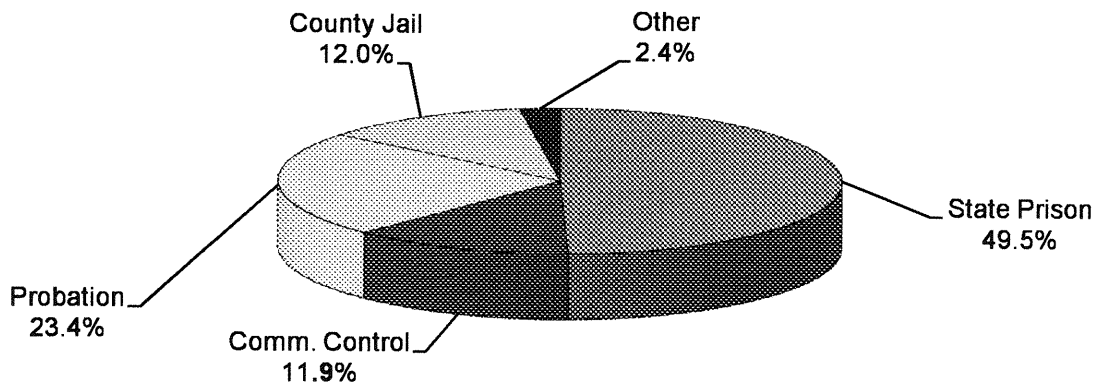


Table 6
Gender by Judicial Circuit
Criminal Punishment Code
Fiscal Year 2013-2014

| Judicial Circuit | Gender | | | | Total | |
|----------------------|---------------|--------------|---------------|--------------|---------------|---------------|
| | Male | | Female | | | |
| 01 (Pensacola) | 4,593 | 4.7% | 1,563 | 1.6% | 6,156 | 6.3% |
| 02 (Tallahassee) | 2,278 | 2.3% | 668 | 0.7% | 2,946 | 3.0% |
| 03 (Lake City) | 1,452 | 1.5% | 489 | 0.5% | 1,941 | 2.0% |
| 04 (Jacksonville) | 3,083 | 3.2% | 829 | 0.9% | 3,912 | 4.0% |
| 05 (Tavares) | 4,551 | 4.7% | 1,545 | 1.6% | 6,096 | 6.3% |
| 06 (Clearwater) | 8,256 | 8.5% | 3,152 | 3.2% | 11,408 | 11.8% |
| 07 (Daytona Beach) | 3,945 | 4.1% | 1,244 | 1.3% | 5,189 | 5.3% |
| 08 (Gainesville) | 2,304 | 2.4% | 631 | 0.7% | 2,935 | 3.0% |
| 09 (Orlando) | 6,976 | 7.2% | 1,680 | 1.7% | 8,656 | 8.9% |
| 10 (Bartow) | 3,567 | 3.7% | 1,119 | 1.2% | 4,686 | 4.8% |
| 11 (Miami) | 5,028 | 5.2% | 829 | 0.9% | 5,857 | 6.0% |
| 12 (Sarasota) | 3,399 | 3.5% | 1,055 | 1.1% | 4,454 | 4.6% |
| 13 (Tampa) | 1,965 | 2.0% | 402 | 0.4% | 2,367 | 2.4% |
| 14 (Panama City) | 2,351 | 2.4% | 787 | 0.8% | 3,138 | 3.2% |
| 15 (West Palm Beach) | 3,465 | 3.6% | 792 | 0.8% | 4,257 | 4.4% |
| 16 (Key West) | 670 | 0.7% | 171 | 0.2% | 841 | 0.9% |
| 17 (Ft. Lauderdale) | 5,147 | 5.3% | 1,225 | 1.3% | 6,372 | 6.6% |
| 18 (Sanford) | 4,502 | 4.6% | 1,477 | 1.5% | 5,979 | 6.2% |
| 19 (Ft. Pierce) | 2,919 | 3.0% | 979 | 1.0% | 3,898 | 4.0% |
| 20 (Ft. Myers) | 4,560 | 4.7% | 1,426 | 1.5% | 5,986 | 6.2% |
| Total | 75,011 | 77.3% | 22,063 | 22.7% | 97,074 | 100.0% |

Table 7
Race by Judicial Circuit
Criminal Punishment Code
Fiscal Year 2013-2014

| Judicial Circuit | Race | | | | | | Total | |
|---------------------|---------------|--------------|---------------|--------------|--------------|-------------|---------------|---------------|
| | Black | | White | | Other* | | | |
| 01 (Pensacola) | 2,245 | 2.3% | 3,853 | 4.0% | 58 | 0.1% | 6,156 | 6.3% |
| 02 (Tallahassee) | 1,802 | 1.9% | 1,110 | 1.1% | 34 | 0.0% | 2,946 | 3.0% |
| 03 (Lake City) | 667 | 0.7% | 1,248 | 1.3% | 26 | 0.0% | 1,941 | 2.0% |
| 04 (Jacksonville) | 1,890 | 1.9% | 1,956 | 2.0% | 66 | 0.1% | 3,912 | 4.0% |
| 05 (Tavares) | 1,441 | 1.5% | 4,506 | 4.6% | 149 | 0.2% | 6,096 | 6.3% |
| 06 (Clearwater) | 2,825 | 2.9% | 8,279 | 8.5% | 304 | 0.3% | 11,408 | 11.8% |
| 07 (Daytona Beach) | 1,433 | 1.5% | 3,685 | 3.8% | 71 | 0.1% | 5,189 | 5.3% |
| 08 (Gainesville) | 1,404 | 1.4% | 1,515 | 1.6% | 16 | 0.0% | 2,935 | 3.0% |
| 09 (Orlando) | 3,610 | 3.7% | 5,029 | 5.2% | 17 | 0.0% | 8,656 | 8.9% |
| 10 (Bartow) | 1,404 | 1.4% | 3,228 | 3.3% | 54 | 0.1% | 4,686 | 4.8% |
| 11 (Miami) | 2,890 | 3.0% | 2,954 | 3.0% | 13 | 0.0% | 5,857 | 6.0% |
| 12 (Sarasota) | 1,175 | 1.2% | 3,156 | 3.3% | 123 | 0.1% | 4,454 | 4.6% |
| 13 (Tampa) | 1,020 | 1.1% | 1,108 | 1.1% | 239 | 0.2% | 2,367 | 2.4% |
| 14 (Panama City) | 736 | 0.8% | 2,380 | 2.5% | 22 | 0.0% | 3,138 | 3.2% |
| 15 (W. Palm Beach) | 1,988 | 2.0% | 2,264 | 2.3% | 5 | 0.0% | 4,257 | 4.4% |
| 16 (Key West) | 177 | 0.2% | 639 | 0.7% | 25 | 0.0% | 841 | 0.9% |
| 17 (Ft. Lauderdale) | 3,391 | 3.5% | 2,827 | 2.9% | 154 | 0.2% | 6,372 | 6.6% |
| 18 (Sanford) | 1,871 | 1.9% | 3,966 | 4.1% | 142 | 0.1% | 5,979 | 6.2% |
| 19 (Ft. Pierce) | 1,201 | 1.2% | 2,509 | 2.6% | 188 | 0.2% | 3,898 | 4.0% |
| 20 (Ft. Myers) | 1,354 | 1.4% | 4,591 | 4.7% | 41 | 0.0% | 5,986 | 6.2% |
| Total | 34,524 | 35.6% | 60,803 | 62.6% | 1,747 | 1.8% | 97,074 | 100.0% |

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

PART II

OFFENSE TO SENTENCE DATE LAG TIME COMPARISON

Offense to Sentence Date Lag Time Comparison

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

FINDINGS:

- There were 65,397 scoresheets submitted to the Department of Corrections with sentence dates in FY2013-2014 and offense dates on or after October 1, 2012. The number of scoresheets submitted to the Department of Corrections with sentence dates in FY2012-2013 and offense dates on or after October 1, 2011 was 71,775.
- **Lag Time** - The average length of time that passes from the date an offender commits a crime to the date the offender is sentenced for that crime is 6.2 months for sentencing events in FY2013-2014 (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, 2014, the Department of Corrections had received almost 2.3 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 FY2012-2013 sentencing events is 6.4 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 11.0 months for sentencing events during FY2012-2013. In FY2013-2014, the average lag time for level 10 offenses was 10.5 months. Also, for murder/manslaughter, the average lag time from offense to sentence is 11.2 months for sentencing dates in FY2012-2013 and 10.6 months for FY2013-2014 (Table 2).

- The more violent, serious offenses represented 17.7% of the scoresheets in FY2012-2013 and 17.5% in FY2013-2014 (Figure 1).
- Property offenses comprised the largest group of scoresheets received in FY2012-2013 (37.9%) and FY2013-2014 (36.8%) (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 | FY2012-2013 Sentence Dates ¹ | FY2013-2014 Sentence Dates ² |
|------------------------|---|---|
| 1 | 5.4 | 5.3 |
| 2 | 6.2 | 6.1 |
| 3 | 5.7 | 5.6 |
| 4 | 6.2 | 6.1 |
| 5 | 6.9 | 6.8 |
| 6 | 6.9 | 6.9 |
| 7 | 7.9 | 7.7 |
| 8 | 8.8 | 8.5 |
| 9 | 9.4 | 9.1 |
| 10 | 11.0 | 10.5 |
| Overall Average | 6.4 | 6.2 |

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

| Primary Offense | FY2012-2013 Sentence Dates ¹ | FY2013-2014 Sentence Dates ² |
|-----------------------------|---|---|
| Murder/Manslaughter | 11.2 | 10.6 |
| Sexual/Lewd Behavior | 9.4 | 9.5 |
| Robbery | 7.8 | 7.5 |
| Violent, Other | 6.6 | 6.6 |
| Burglary | 6.9 | 6.6 |
| Property Theft/Fraud/Damage | 6.4 | 6.3 |
| Drugs | 6.2 | 5.9 |
| Weapons | 6.5 | 6.6 |
| Other | 5.7 | 5.6 |
| Overall Average | 6.4 | 6.2 |

¹ Offense dates on or after October 1, 2011.

² Offense dates on or after October 1, 2012.

Figure 1
Distribution of Offense Group
Sentence Dates in FY2012-2013 vs. FY2013-2014

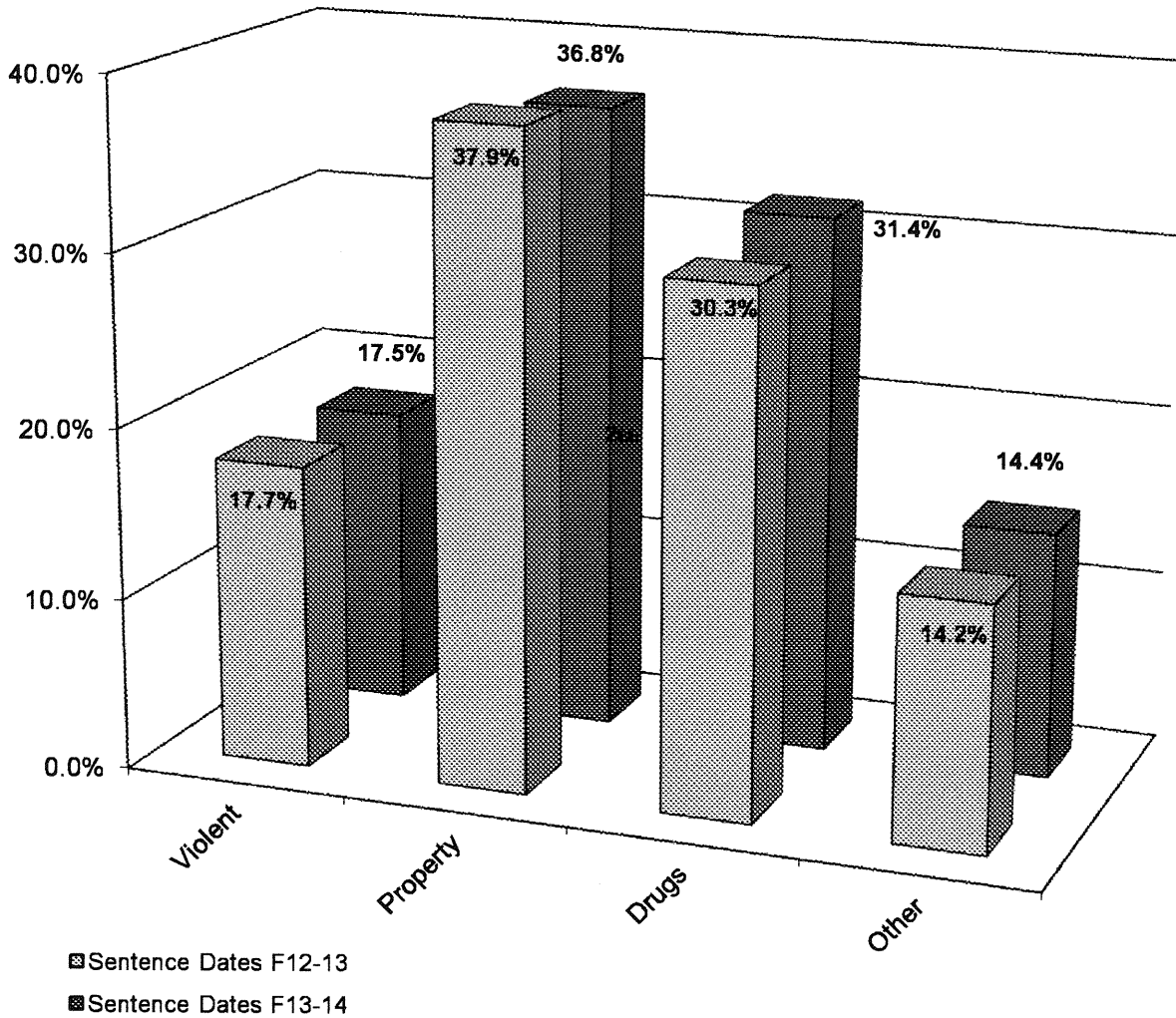


Table 3
Distribution of Offense
Sentence Dates in FY2012-2013 vs. FY2013-2014

| Primary Offense | FY2012-2013 Sentence Dates ¹ | FY2013-2014 Sentence Dates ² |
|---------------------------|--|--|
| Murder/Manslaughter | 209 0.3% | 194 0.3% |
| Sexual Offenses | 740 1.0% | 718 1.1% |
| Robbery | 1,871 2.6% | 1,529 2.3% |
| Violent Personal Offenses | 9,530 13.3% | 8,778 13.4% |
| Burglary | 9,004 12.5% | 7,171 11.0% |
| Theft/Forgery/Fraud | 18,401 25.6% | 17,065 26.1% |
| Drugs | 21,727 30.3% | 20,525 31.4% |
| Weapons | 2,321 3.2% | 2,060 3.2% |
| Other | 7,972 11.1% | 7,357 11.3% |
| Total | 71,775 100.0% | 65,397 100.0% |

¹ Offense dates on or after October 1, 2011.

² Offense dates on or after October 1, 2012.

**Table 4
Distribution of Offense**

| Primary Offense | FY2012-2013 Sentence Dates ¹ | | FY2013-2014 Sentence Dates ² | |
|----------------------------------|--|--------------|--|--------------|
| Murder/Manslaughter | 209 | 0.3% | 194 | 0.3% |
| 1st Degree Murder | 51 | 0.1% | 61 | 0.1% |
| 2nd Degree Murder | 87 | 0.1% | 68 | 0.1% |
| 3rd Degree Murder | 6 | 0.0% | 3 | 0.0% |
| Homicide, Other | 3 | 0.0% | 2 | 0.0% |
| Manslaughter | 26 | 0.0% | 36 | 0.1% |
| DUI Manslaughter | 36 | 0.1% | 24 | 0.0% |
| Sexual Offenses | 740 | 1.0% | 718 | 1.1% |
| Capital Sexual Battery | 24 | 0.0% | 25 | 0.0% |
| Life Sexual Battery | 25 | 0.0% | 22 | 0.0% |
| 1st Degree Sexual Battery | 36 | 0.1% | 35 | 0.1% |
| 2nd Degree Sexual Battery | 92 | 0.1% | 72 | 0.1% |
| Sexual Assault, Other | 5 | 0.0% | 9 | 0.0% |
| Lewd/Lascivious Behavior | 558 | 0.8% | 555 | 0.8% |
| Robbery | 1,871 | 2.6% | 1,529 | 2.3% |
| Robbery with Weapon | 662 | 0.9% | 529 | 0.8% |
| Robbery without Weapon | 1,142 | 1.6% | 954 | 1.5% |
| Home Invasion, Robbery | 67 | 0.1% | 46 | 0.1% |
| Violent Personal Offenses | 9,530 | 13.3% | 8,778 | 13.4% |
| Home Invasion, Other | 1 | 0.0% | 1 | 0.0% |
| Carjacking | 53 | 0.1% | 58 | 0.1% |
| Aggravated Assault | 1,315 | 1.8% | 1,222 | 1.9% |
| Aggravated Battery | 927 | 1.3% | 826 | 1.3% |
| Assault/Battery on L.E.O. | 1,124 | 1.6% | 1,004 | 1.5% |
| Assault/Battery, Other | 964 | 1.3% | 963 | 1.5% |
| Aggravated Stalking | 155 | 0.2% | 152 | 0.2% |
| Resisting Arrest with Violence | 1,227 | 1.7% | 1,086 | 1.7% |
| Kidnapping | 317 | 0.4% | 257 | 0.4% |
| Arson | 107 | 0.1% | 115 | 0.2% |
| Abuse of Children | 918 | 1.3% | 949 | 1.5% |
| Violent, Other | 2,035 | 2.8% | 1,791 | 2.7% |
| Leaving Accident, Injury/Death | 297 | 0.4% | 286 | 0.4% |
| DUI, Injury | 81 | 0.1% | 46 | 0.1% |
| Traffic, Other | 9 | 0.0% | 22 | 0.0% |
| Burglary | 9,004 | 12.5% | 7,171 | 11.0% |
| Burglary, Structure | 4,563 | 6.4% | 3,699 | 5.7% |
| Burglary, Dwelling | 3,332 | 4.6% | 2,567 | 3.9% |
| Burglary, Armed | 370 | 0.5% | 249 | 0.4% |
| Burglary with Assault | 203 | 0.3% | 203 | 0.3% |
| Burglary/Trespass, Other | 536 | 0.7% | 453 | 0.7% |

**Table 4
Distribution of Offense**

| Primary Offense | FY2012-2013 | | FY2013-2014 | |
|----------------------------------|-----------------------------|---------------|-----------------------------|---------------|
| | Sentence Dates ¹ | | Sentence Dates ² | |
| Theft/Forgery/Fraud | 18,401 | 25.6% | 17,065 | 26.1% |
| Grand Theft, Other | 7,160 | 10.0% | 6,658 | 10.2% |
| Grand Theft, Automobile | 1,201 | 1.7% | 1,104 | 1.7% |
| Stolen Property | 3,479 | 4.8% | 3,065 | 4.7% |
| Forgery/Counterfeiting | 1,941 | 2.7% | 1,766 | 2.7% |
| Worthless Checks | 123 | 0.2% | 109 | 0.2% |
| Fraudulent Practices | 2,111 | 2.9% | 1,935 | 3.0% |
| Theft/Property Damage, Other | 2,386 | 3.3% | 2,428 | 3.7% |
| Drugs | 21,727 | 30.3% | 20,525 | 31.4% |
| Drugs, Manufacture/Sale/Purchase | 7,126 | 9.9% | 5,904 | 9.0% |
| Drugs, Trafficking | 940 | 1.3% | 791 | 1.2% |
| Drugs, Possession/Other | 13,661 | 19.0% | 13,830 | 21.1% |
| Weapons | 2,321 | 3.2% | 2,060 | 3.1% |
| Weapons, Discharging | 219 | 0.3% | 157 | 0.2% |
| Weapons, Possession | 2,096 | 2.9% | 1,896 | 2.9% |
| Weapons, Other | 6 | 0.0% | 7 | 0.0% |
| Other | 7,972 | 13.5% | 7,357 | 13.6% |
| Escape | 1,631 | 2.3% | 1,449 | 2.2% |
| DUI, No Injury | 559 | 0.8% | 450 | 0.7% |
| Traffic, Other | 3,286 | 4.6% | 3,031 | 4.6% |
| Racketeering | 6 | 0.0% | 14 | 0.0% |
| Pollution/Hazardous Materials | 20 | 0.0% | 12 | 0.0% |
| Criminal Justice System | 2,084 | 2.9% | 1,968 | 3.0% |
| Other | 2,084 | 2.9% | 1,968 | 3.0% |
| Total | 71,775 | 102.4% | 65,397 | 102.3% |

¹ Offense dates on or after October 1, 2011.

² Offense dates on or after October 1, 2012.

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, 21.3% of offenders were sentenced to state prison as the most severe sanction in FY2013-2014. An additional 23.9% were sentenced to incarceration in county jail, or to time already served in jail. Five percent (5.4%) were sentenced to community control, and almost half to probation (48.9%), including drug offender probation and regular probation. Less than one percent (0.5%) of offenders were sentenced to “other” sanctions. For sentencing dates in FY2012-2013, 22.0% of offenders were sentenced to state prison and 23.2% were sentenced to county jail or time served. Less than six percent (5.6%) were sentenced to community control, and 48.7% to probation. Less than one percent (0.5%) of the offenders were sentenced to “other” sanctions (Table 1).

- Almost three-quarters of the 65,397 Code scoresheets with sentence dates in FY2013-2014 examined (47,687 scoresheets or 72.9%) 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 FY2012-2013, there were 51,592 (71.9%) offenders scoring 44 points or fewer (Table 1).
- For FY2013-2014, of the offenders scoring in the recommended state prison category, 59.9% were sentenced to state prison, with another 10.8% sentenced to county jail or time served. Of those scoring fewer than 44 points, 6.9% were sentenced to state prison, and 28.9% to county jail/time served. For FY2012-2013, 59.8% of the offenders scoring above 44 points were sentenced to state prison and another 10.5% of these offenders were sentenced to county jail or time served. Of those scoring fewer than 44 points, 7.3% were sentenced to state prison, and 28.1% to county jail/time served. (Table 1).
- Scoresheets with a state prison sanction decreased slightly from 22.0% in FY2012-2013 to 21.3% in FY2013-2014. County jail sanctions increased slightly from 23.2% in FY2012-2013 to 23.9% in FY2013-2014. Community Control sanction rates decreased slightly from 5.6% in FY2012-2013 to 5.4% in FY2013-2014 (Table 1).
- Statewide, 76.3% of offenders (10,603 out of 13,903) receiving a prison sanction scored out to a prison sanction in FY 2013-2014. Table 2 presents the scoring distribution of offenders under the Code for FY2012-2013 and FY2013-2014 by circuit and sanction imposed. In FY2013-2014, Circuit 11 (Miami) had the highest percentage (93.3%) of prison sanctioned scoresheets with more than 44 points while Circuit 12 (Sarasota) had the lowest (58.9%).
- 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 FY2012-2013 and FY2013-2014 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 FY2012-2013 and FY2013-2014, 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 FY2012-2013 to FY2013-2014 the percentage of scoresheets with no prior record or prior misdemeanors remained the same. Those with four to six or more felonies were the same or decreased by no more than a tenth. (Table 7).
- From FY2012-2013 to FY2013-2014 the percentage of scoresheets with no additional offenses increased slightly and those with misdemeanors increased by a percentage point. 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 57.9% for FY2012-2013 and 58.3% for FY2013-2014. The sanction mitigation rate (cases that scored to state prison but received a non-state prison sanction) was 39.1% for FY2012-2013 and 39.1% for FY2013-2014 (Table 11).

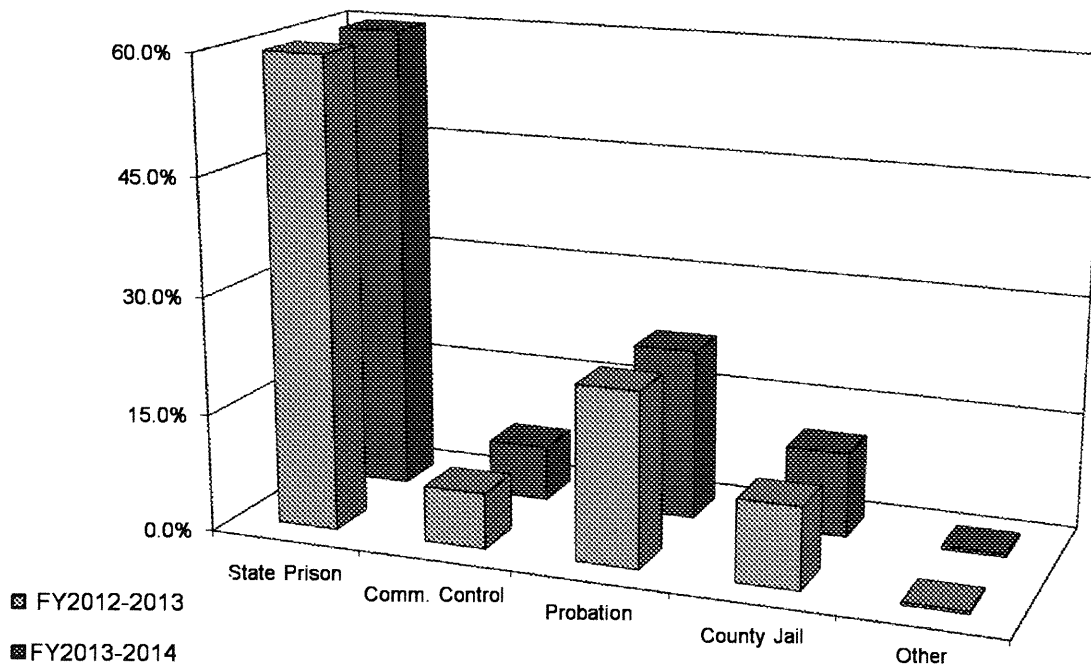
- For the offenders who received a mitigated prison sentence length, the average reduction in sentence was 25.1 months during FY2012-2013 and 26.7 months during FY2013-2014 (Table 11).

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 2012-2013 Sentence Dates ¹ | | | FY 2013-2014 Sentence Dates ² | | |
| | 44.0 Points or Less | More than 44.0 Points | Total | 44.0 Points or Less | More than 44.0 Points | Total |
| State Prison | 3,754 7.3% | 12,062 59.8% | 15,816 22.0% | 3,300 6.9% | 10,603 59.9% | 13,903 21.3% |
| Community Control | 2,594 5.0% | 1,435 7.1% | 4,029 5.6% | 2,301 4.8% | 1,245 7.0% | 3,546 5.4% |
| Probation | 30,432 59.0% | 4,501 22.3% | 34,933 48.7% | 28,093 58.9% | 3,871 21.9% | 31,964 48.9% |
| County Jail | 14,505 28.1% | 2,116 10.5% | 16,621 23.2% | 13,741 28.8% | 1,919 10.8% | 15,660 23.9% |
| Other | 307 0.6% | 69 0.3% | 376 0.5% | 252 0.5% | 72 0.4% | 324 0.5% |
| Total | 51,592 100.0% | 20,183 100.0% | 71,775 100.0% | 47,687 100.0% | 17,710 100.0% | 65,397 100.0% |

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



*Total points greater than 44.

¹ Offense dates on or after October 1, 2011.

² Offense dates on or after October 1, 2012.

Table 2
Recommended Sanction Category by Sanction Imposed

| Judicial Circuit / Sanction Imposed | Recommended Sanction Category | | | | | | | |
|--|-------------------------------|--------------|--------------------------|--------------|------------------------------|--------------|--------------------------|--------------|
| | FY 2012-2013 Sentence Dates1 | | | | FY 2013-2014 Sentence Dates2 | | | |
| | 44.0 Points or Less | | More than 44.0 Points | | 44.0 Points or Less | | More than 44.0 Points | |
| 01 (Pensacola) | 3,086 | 73.3% | 1,123 | 26.7% | 3,250 | 76.2% | 1,014 | 23.8% |
| Prison | 154 | 18.7% | 669 | 81.3% | 174 | 20.6% | 672 | 79.4% |
| Community Control | 220 | 69.4% | 97 | 30.6% | 243 | 78.4% | 67 | 21.6% |
| Probation | 1,924 | 89.4% | 229 | 10.6% | 2,057 | 90.7% | 210 | 9.3% |
| County Jail | 760 | 86.3% | 121 | 13.7% | 750 | 92.8% | 58 | 7.2% |
| Other | 28 | 80.0% | 7 | 20.0% | 26 | 78.8% | 7 | 21.2% |
| 02 (Tallahassee) | 1,345 | 63.9% | 761 | 36.1% | 1,206 | 66.8% | 600 | 33.2% |
| Prison | 88 | 16.1% | 457 | 83.9% | 61 | 14.8% | 352 | 85.2% |
| Community Control | 71 | 61.7% | 44 | 38.3% | 42 | 53.8% | 36 | 46.2% |
| Probation | 891 | 80.8% | 212 | 19.2% | 829 | 83.3% | 166 | 16.7% |
| County Jail | 289 | 85.8% | 48 | 14.2% | 272 | 85.5% | 46 | 14.5% |
| Other | 6 | 0.0% | 0 | 0.0% | 2 | 0.0% | 0 | 0.0% |
| 03 (Lake City) | 791 | 72.6% | 298 | 27.4% | 703 | 69.1% | 314 | 30.9% |
| Prison | 89 | 37.1% | 151 | 62.9% | 61 | 27.1% | 164 | 72.9% |
| Community Control | 128 | 77.1% | 38 | 22.9% | 98 | 74.8% | 33 | 25.2% |
| Probation | 542 | 84.0% | 103 | 16.0% | 478 | 83.4% | 95 | 16.6% |
| County Jail | 32 | 84.2% | 6 | 15.8% | 23 | 67.6% | 11 | 32.4% |
| Other | 0 | 0.0% | 0 | 0.0% | 43 | 79.6% | 11 | 20.4% |
| 04 (Jacksonville) | 988 | 48.9% | 1,033 | 51.1% | 2,036 | 66.8% | 1,013 | 33.2% |
| Prison | 471 | 34.0% | 915 | 66.0% | 382 | 32.1% | 807 | 67.9% |
| Community Control | 24 | 61.5% | 15 | 38.5% | 41 | 63.1% | 24 | 36.9% |
| Probation | 310 | 81.6% | 70 | 18.4% | 660 | 86.6% | 102 | 13.4% |
| County Jail | 178 | 84.4% | 33 | 15.6% | 953 | 92.3% | 80 | 7.7% |
| Other | 5 | 100.0% | 0 | 0.0% | 0 | 0.0% | 0 | 0.0% |
| 05 (Tavares) | 4,135 | 68.2% | 1,926 | 31.8% | 3,260 | 73.6% | 1,167 | 26.4% |
| Prison | 372 | 19.9% | 1,500 | 80.1% | 273 | 23.7% | 878 | 76.3% |
| Community Control | 185 | 69.5% | 81 | 30.5% | 118 | 76.6% | 36 | 23.4% |
| Probation | 2,388 | 90.7% | 245 | 9.3% | 1,869 | 90.8% | 189 | 9.2% |
| County Jail | 1,125 | 92.6% | 90 | 7.4% | 965 | 94.0% | 62 | 6.0% |
| Other | 65 | 86.7% | 10 | 13.3% | 35 | 94.6% | 2 | 5.4% |
| 06 (Clearwater) | 5,922 | 76.3% | 1,840 | 23.7% | 5,676 | 75.7% | 1,823 | 24.3% |
| Prison | 318 | 19.9% | 1,276 | 80.1% | 323 | 20.6% | 1,242 | 79.4% |
| Community Control | 264 | 72.9% | 98 | 27.1% | 246 | 66.7% | 123 | 33.3% |
| Probation | 2,935 | 89.9% | 329 | 10.1% | 2,842 | 89.8% | 324 | 10.2% |
| County Jail | 2,377 | 94.8% | 130 | 5.2% | 2,241 | 94.8% | 123 | 5.2% |
| Other | 28 | 80.0% | 7 | 20.0% | 24 | 68.6% | 11 | 31.4% |

Table 2
Recommended Sanction Category by Sanction Imposed

| Judicial Circuit / Sanction Imposed | Recommended Sanction Category | | | | | | | |
|--|--|--------------|-----------------------|--------------|--|--------------|-----------------------|--------------|
| | FY 2012-2013 Sentence Dates ¹ | | | | FY 2013-2014 Sentence Dates ² | | | |
| | 44.0 Points or Less | | More than 44.0 Points | | 44.0 Points or Less | | More than 44.0 Points | |
| 07 (Daytona) | 3,119 | 76.9% | 939 | 23.1% | 2,759 | 77.0% | 823 | 23.0% |
| Prison | 340 | 35.4% | 620 | 64.6% | 286 | 35.3% | 525 | 64.7% |
| Community Control | 115 | 70.6% | 48 | 29.4% | 112 | 70.0% | 48 | 30.0% |
| Probation | 1,899 | 91.6% | 175 | 8.4% | 1,765 | 91.3% | 169 | 8.7% |
| County Jail | 736 | 89.1% | 90 | 10.9% | 582 | 88.2% | 78 | 11.8% |
| Other | 29 | 82.9% | 6 | 17.1% | 14 | 82.4% | 3 | 17.6% |
| 08 (Gainesville) | 1,554 | 69.0% | 697 | 31.0% | 1,353 | 68.3% | 627 | 31.7% |
| Prison | 176 | 28.9% | 433 | 71.1% | 158 | 27.3% | 421 | 72.7% |
| Community Control | 79 | 63.2% | 46 | 36.8% | 65 | 67.0% | 32 | 33.0% |
| Probation | 935 | 88.5% | 122 | 11.5% | 814 | 88.4% | 107 | 11.6% |
| County Jail | 326 | 80.7% | 78 | 19.3% | 289 | 82.8% | 60 | 17.2% |
| Other | 38 | 67.9% | 18 | 32.1% | 27 | 79.4% | 7 | 20.6% |
| 09 (Orlando) | 5,312 | 74.5% | 1,822 | 25.5% | 4,475 | 77.5% | 1,301 | 22.5% |
| Prison | 151 | 13.6% | 963 | 86.4% | 131 | 15.4% | 720 | 84.6% |
| Community Control | 188 | 54.7% | 156 | 45.3% | 123 | 58.6% | 87 | 41.4% |
| Probation | 2,959 | 86.7% | 454 | 13.3% | 2,557 | 89.4% | 303 | 10.6% |
| County Jail | 1,989 | 89.1% | 244 | 10.9% | 1,647 | 90.2% | 178 | 9.8% |
| Other | 25 | 83.3% | 5 | 16.7% | 17 | 56.7% | 13 | 43.3% |
| 10 (Bartow) | 2,475 | 77.0% | 740 | 23.0% | 2,312 | 76.3% | 717 | 23.7% |
| Prison | 210 | 29.6% | 499 | 70.4% | 189 | 27.0% | 512 | 73.0% |
| Community Control | 238 | 80.4% | 58 | 19.6% | 199 | 82.9% | 41 | 17.1% |
| Probation | 1,571 | 91.3% | 149 | 8.7% | 1,526 | 92.3% | 127 | 7.7% |
| County Jail | 446 | 93.1% | 33 | 6.9% | 391 | 91.6% | 36 | 8.4% |
| Other | 10 | 90.9% | 1 | 9.1% | 7 | 87.5% | 1 | 12.5% |
| 11 (Miami) | 2,740 | 58.9% | 1,915 | 41.1% | 2,583 | 58.5% | 1,829 | 41.5% |
| Prison | 21 | 4.2% | 478 | 95.8% | 39 | 6.7% | 545 | 93.3% |
| Community Control | 52 | 21.8% | 186 | 78.2% | 58 | 21.5% | 212 | 78.5% |
| Probation | 1,828 | 74.6% | 622 | 25.4% | 1,764 | 76.0% | 556 | 24.0% |
| County Jail | 839 | 57.2% | 629 | 42.8% | 722 | 58.3% | 516 | 41.7% |
| Other | 0 | | 0 | | 0 | 0.0% | 0 | 0.0% |
| 12 (Sarasota) | 2,873 | 86.7% | 442 | 13.3% | 2,476 | 83.8% | 477 | 16.2% |
| Prison | 291 | 48.3% | 311 | 51.7% | 224 | 41.1% | 321 | 58.9% |
| Community Control | 165 | 86.4% | 26 | 13.6% | 157 | 87.2% | 23 | 12.8% |
| Probation | 1,397 | 95.2% | 71 | 4.8% | 1,198 | 92.3% | 100 | 7.7% |
| County Jail | 999 | 96.8% | 33 | 3.2% | 890 | 96.6% | 31 | 3.4% |
| Other | 21 | 95.5% | 1 | 4.5% | 7 | 77.8% | 2 | 22.2% |

Table 2
Recommended Sanction Category by Sanction Imposed

| Judicial Circuit / Sanction Imposed | Recommended Sanction Category | | | | | | | |
|--|--|--------------|-----------------------|--------------|--|--------------|-----------------------|--------------|
| | FY 2012-2013 Sentence Dates ¹ | | | | FY 2013-2014 Sentence Dates ² | | | |
| | 44.0 Points or Less | | More than 44.0 Points | | 44.0 Points or Less | | More than 44.0 Points | |
| 13 (Tampa) | 1,736 | 60.3% | 1,141 | 39.7% | 991 | 56.9% | 751 | 43.1% |
| Prison | 62 | 10.2% | 543 | 89.8% | 33 | 8.8% | 340 | 91.2% |
| Community Control | 58 | 33.0% | 118 | 67.0% | 23 | 21.9% | 82 | 78.1% |
| Probation | 1,267 | 78.3% | 352 | 21.7% | 685 | 77.3% | 201 | 22.7% |
| County Jail | 343 | 73.1% | 126 | 26.9% | 238 | 65.0% | 128 | 35.0% |
| Other | 6 | 75.0% | 2 | 25.0% | 12 | 100.0% | 0 | 0.0% |
| 14 (Panama City) | 1,547 | 71.4% | 620 | 28.6% | 1,504 | 73.1% | 553 | 26.9% |
| Prison | 231 | 37.1% | 392 | 62.9% | 225 | 37.5% | 375 | 62.5% |
| Community Control | 166 | 74.4% | 57 | 25.6% | 168 | 80.8% | 40 | 19.2% |
| Probation | 1,091 | 88.1% | 147 | 11.9% | 1,069 | 89.8% | 122 | 10.2% |
| County Jail | 54 | 72.0% | 21 | 28.0% | 37 | 74.0% | 13 | 26.0% |
| Other | 5 | 62.5% | 3 | 37.5% | 5 | 62.5% | 3 | 37.5% |
| 15 (West Palm Beach) | 2,233 | 72.9% | 831 | 27.1% | 2,169 | 70.1% | 924 | 29.9% |
| Prison | 102 | 15.2% | 571 | 84.8% | 88 | 14.6% | 514 | 85.4% |
| Community Control | 26 | 72.2% | 10 | 27.8% | 18 | 40.0% | 27 | 60.0% |
| Probation | 877 | 87.7% | 123 | 12.3% | 841 | 84.9% | 149 | 15.1% |
| County Jail | 1,222 | 90.7% | 125 | 9.3% | 1,219 | 84.1% | 231 | 15.9% |
| Other | 6 | 0.0% | 2 | 0.0% | 3 | 50.0% | 3 | 50.0% |
| 16 (Key West) | 387 | 78.2% | 108 | 21.8% | 387 | 77.2% | 114 | 22.8% |
| Prison | 17 | 21.3% | 63 | 78.8% | 16 | 19.0% | 68 | 81.0% |
| Community Control | 33 | 67.3% | 16 | 32.7% | 36 | 76.6% | 11 | 23.4% |
| Probation | 267 | 92.1% | 23 | 7.9% | 282 | 92.2% | 24 | 7.8% |
| County Jail | 69 | 92.0% | 6 | 8.0% | 53 | 85.5% | 9 | 14.5% |
| Other | 1 | 100.0% | 0 | 0.0% | 0 | 0.0% | 2 | 100.0% |
| 17 (Ft. Lauderdale) | 3,111 | 68.5% | 1,431 | 31.5% | 2,383 | 68.7% | 1,084 | 31.3% |
| Prison | 87 | 13.8% | 542 | 86.2% | 66 | 12.8% | 451 | 87.2% |
| Community Control | 55 | 33.1% | 111 | 66.9% | 52 | 35.4% | 95 | 64.6% |
| Probation | 2,494 | 79.5% | 644 | 20.5% | 1,954 | 81.5% | 443 | 18.5% |
| County Jail | 465 | 78.0% | 131 | 22.0% | 299 | 75.9% | 95 | 24.1% |
| Other | 10 | 76.9% | 3 | 23.1% | 12 | 100.0% | 0 | 0.0% |
| 18 (Sanford) | 2,941 | 74.9% | 983 | 25.1% | 2,928 | 74.6% | 999 | 25.4% |
| Prison | 128 | 19.3% | 534 | 80.7% | 123 | 17.8% | 567 | 82.2% |
| Community Control | 251 | 60.5% | 164 | 39.5% | 212 | 55.9% | 167 | 44.1% |
| Probation | 1,841 | 90.7% | 188 | 9.3% | 1,926 | 90.6% | 201 | 9.4% |
| County Jail | 705 | 88.2% | 94 | 11.8% | 653 | 91.7% | 59 | 8.3% |
| Other | 16 | 84.2% | 3 | 15.8% | 14 | 73.7% | 5 | 26.3% |

Table 2
Recommended Sanction Category by Sanction Imposed

| Judicial Circuit / Sanction Imposed | Recommended Sanction Category | | | | | | | |
|--|--|---------------|-----------------------|---------------|--|---------------|-----------------------|---------------|
| | FY 2012-2013 Sentence Dates ¹ | | | | FY 2013-2014 Sentence Dates ² | | | |
| | 44.0 Points or Less | | More than 44.0 Points | | 44.0 Points or Less | | More than 44.0 Points | |
| 19 (Ft. Pierce) | 2,102 | 78.2% | 587 | 21.8% | 2,010 | 78.0% | 568 | 22.0% |
| Prison | 258 | 36.8% | 443 | 63.2% | 260 | 37.6% | 432 | 62.4% |
| Community Control | 85 | 84.2% | 16 | 15.8% | 90 | 84.1% | 17 | 15.9% |
| Probation | 1,139 | 92.5% | 92 | 7.5% | 1,033 | 93.4% | 73 | 6.6% |
| County Jail | 614 | 94.6% | 35 | 5.4% | 626 | 93.4% | 44 | 6.6% |
| Other | 6 | 85.7% | 1 | 14.3% | 1 | 33.3% | 2 | 66.7% |
| 20 (Ft. Myers) | 3,195 | 77.2% | 946 | 22.8% | 3,226 | 76.1% | 1,012 | 23.9% |
| Prison | 188 | 21.1% | 702 | 78.9% | 188 | 21.2% | 697 | 78.8% |
| Community Control | 191 | 79.3% | 50 | 20.7% | 200 | 82.0% | 44 | 18.0% |
| Probation | 1,877 | 92.6% | 151 | 7.4% | 1,944 | 90.3% | 210 | 9.7% |
| County Jail | 937 | 95.6% | 43 | 4.4% | 891 | 93.6% | 61 | 6.4% |
| Other | 2 | 100.0% | 0 | 0.0% | 3 | 100.0% | 0 | 0.0% |
| Statewide | 51,592 | 100.0% | 20,183 | 100.0% | 47,687 | 100.0% | 17,710 | 100.0% |

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

¹ Offense dates on or after October 1, 2011.

² Offense dates on or after October 1, 2012.

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

| Circuit/County | FY2012-2013 Sentence Dates1 | | | | | | FY2013-2014 Sentence Dates2 | | | | | |
|-------------------|-----------------------------|---------------|-----------|-------------|----------------|--------|-----------------------------|---------------|-----------|-------------|----------------|--------|
| | State Prison | Comm. Control | Probation | County Jail | Other Sentence | Total | State Prison | Comm. Control | Probation | County Jail | Other Sentence | Total |
| 01 (Pensacola) | 823 | 317 | 2,153 | 881 | 35 | 4,209 | 846 | 310 | 2,267 | 808 | 33 | 4,264 |
| | 19.6% | 7.5% | 51.2% | 20.9% | 0.8% | 100.0% | 19.8% | 7.3% | 53.2% | 18.9% | 0.8% | 100.0% |
| 02 (Tallahassee) | 545 | 115 | 1,103 | 337 | 6 | 2,106 | 413 | 78 | 995 | 318 | 2 | 1,806 |
| | 25.9% | 5.5% | 52.4% | 16.0% | 0.3% | 100.0% | 22.9% | 4.3% | 55.1% | 17.6% | 0.1% | 100.0% |
| 03 (Lake City) | 240 | 166 | 645 | 38 | 0 | 1,089 | 225 | 131 | 573 | 34 | 54 | 1,017 |
| | 22.0% | 15.2% | 59.2% | 3.5% | 0.0% | 100.0% | 22.1% | 12.9% | 56.3% | 3.3% | 5.3% | 100.0% |
| 04 (Jacksonville) | 1,386 | 39 | 380 | 211 | 5 | 2,021 | 1,189 | 65 | 762 | 1,033 | 0 | 3,049 |
| | 68.6% | 1.9% | 18.8% | 10.4% | 0.2% | 100.0% | 39.0% | 2.1% | 25.0% | 33.9% | 0.0% | 100.0% |
| 05 (Tavares) | 1,872 | 266 | 2,633 | 1,215 | 75 | 6,061 | 1,151 | 154 | 2,058 | 1,027 | 37 | 4,427 |
| | 30.9% | 4.4% | 43.4% | 20.0% | 1.2% | 100.0% | 26.0% | 3.5% | 46.5% | 23.2% | 0.8% | 100.0% |
| 06 (Clearwater) | 1,594 | 362 | 3,264 | 2,507 | 35 | 7,762 | 1,565 | 369 | 3,166 | 2,364 | 35 | 7,499 |
| | 20.5% | 4.7% | 42.1% | 32.3% | 0.5% | 100.0% | 20.9% | 4.9% | 42.2% | 31.5% | 0.5% | 100.0% |
| 07 (Daytona) | 960 | 163 | 2,074 | 826 | 35 | 4,058 | 811 | 160 | 1,934 | 660 | 17 | 3,582 |
| | 23.7% | 4.0% | 51.1% | 20.4% | 0.9% | 100.0% | 22.6% | 4.5% | 54.0% | 18.4% | 0.5% | 100.0% |
| 08 (Gainesville) | 609 | 125 | 1,057 | 404 | 56 | 2,251 | 579 | 97 | 921 | 349 | 34 | 1,980 |
| | 27.1% | 5.6% | 47.0% | 17.9% | 2.5% | 100.0% | 29.2% | 4.9% | 46.5% | 17.6% | 1.7% | 100.0% |
| 09 (Orlando) | 1,114 | 344 | 3,413 | 2,233 | 30 | 7,134 | 851 | 210 | 2,860 | 1,825 | 30 | 5,776 |
| | 15.6% | 4.8% | 47.8% | 31.3% | 0.4% | 100.0% | 14.7% | 3.6% | 49.5% | 31.6% | 0.5% | 100.0% |
| 10 (Bartow) | 709 | 296 | 1,720 | 479 | 11 | 3,215 | 701 | 240 | 1,653 | 427 | 8 | 3,029 |
| | 22.1% | 9.2% | 53.5% | 14.9% | 0.3% | 100.0% | 23.1% | 7.9% | 54.6% | 14.1% | 0.3% | 100.0% |

Table 3
Sanction Imposed By Judicial Circuit and County

| Circuit/County | FY2012-2013 Sentence Dates ¹ | | | | | | FY2013-2014 Sentence Dates ² | | | | | |
|----------------------|---|---------------|-----------|-------------|----------------|--------|---|---------------|-----------|-------------|----------------|--------|
| | State Prison | Comm. Control | Probation | County Jail | Other Sentence | Total | State Prison | Comm. Control | Probation | County Jail | Other Sentence | Total |
| 11 (Miami) | 499 | 238 | 2,450 | 1,468 | 0 | 4,655 | 584 | 270 | 2,320 | 1,238 | 0 | 4,412 |
| | 10.7% | 5.1% | 52.6% | 31.5% | 0.0% | 100.0% | 13.2% | 6.1% | 52.6% | 28.1% | 0.0% | 100.0% |
| 12 (Sarasota) | 602 | 191 | 1,468 | 1,032 | 22 | 3,315 | 545 | 180 | 1,298 | 921 | 9 | 2,953 |
| | 18.2% | 5.8% | 44.3% | 31.1% | 0.7% | 100.0% | 18.5% | 6.1% | 44.0% | 31.2% | 0.3% | 100.0% |
| 13 (Tampa) | 605 | 176 | 1,619 | 469 | 8 | 2,877 | 373 | 105 | 886 | 366 | 12 | 1,742 |
| | 21.0% | 6.1% | 56.3% | 16.3% | 0.3% | 100.0% | 21.4% | 6.0% | 50.9% | 21.0% | 0.7% | 100.0% |
| 14 (Panama City) | 623 | 223 | 1,238 | 75 | 8 | 2,167 | 600 | 208 | 1,191 | 50 | 8 | 2,057 |
| | 28.7% | 10.3% | 57.1% | 3.5% | 0.4% | 100.0% | 29.2% | 10.1% | 57.9% | 2.4% | 0.4% | 100.0% |
| 15 (West Palm Beach) | 673 | 36 | 1,000 | 1,347 | 8 | 3,064 | 602 | 45 | 990 | 1,450 | 6 | 3,093 |
| | 22.0% | 1.2% | 32.6% | 44.0% | 0.3% | 100.0% | 19.5% | 1.5% | 32.0% | 46.9% | 0.2% | 100.0% |
| 16 (Key West) | 80 | 49 | 290 | 75 | 1 | 495 | 84 | 47 | 306 | 62 | 2 | 501 |
| | 16.2% | 9.9% | 58.6% | 15.2% | 0.2% | 100.0% | 16.8% | 9.4% | 61.1% | 12.4% | 0.4% | 100.0% |
| 17 (Ft. Lauderdale) | 629 | 166 | 3,138 | 596 | 13 | 4,542 | 517 | 147 | 2,397 | 394 | 12 | 3,467 |
| | 13.8% | 3.7% | 69.1% | 13.1% | 0.3% | 100.0% | 14.9% | 4.2% | 69.1% | 11.4% | 0.3% | 100.0% |
| 18 (Sanford) | 662 | 415 | 2,029 | 799 | 19 | 3,924 | 690 | 379 | 2,127 | 712 | 19 | 3,927 |
| | 16.9% | 10.6% | 51.7% | 20.4% | 0.5% | 100.0% | 17.6% | 9.7% | 54.2% | 18.1% | 0.5% | 100.0% |
| 19 (Ft. Pierce) | 701 | 101 | 1,231 | 649 | 7 | 2,689 | 692 | 107 | 1,106 | 670 | 3 | 2,578 |
| | 26.1% | 3.8% | 45.8% | 24.1% | 0.3% | 100.0% | 26.8% | 4.2% | 42.9% | 26.0% | 0.1% | 100.0% |
| 20 (Ft. Myers) | 890 | 241 | 2,028 | 980 | 2 | 4,141 | 885 | 244 | 2,154 | 952 | 3 | 4,238 |
| | 21.5% | 5.8% | 49.0% | 23.7% | 0.0% | 100.0% | 20.9% | 5.8% | 50.8% | 22.5% | 0.1% | 100.0% |
| Statewide | 15,816 | 4,029 | 34,933 | 16,621 | 376 | 71,775 | 13,903 | 3,546 | 31,964 | 15,660 | 324 | 65,397 |
| | 22.0% | 5.6% | 48.7% | 23.2% | 0.5% | 100.0% | 21.3% | 5.4% | 48.9% | 23.9% | 0.5% | 100.0% |

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

¹ Offense dates on or after October 1, 2011.

² Offense dates on or after October 1, 2012.

**Table 4
Offense Types by Sanction Imposed**

| Offense Type | | FY2012-2013 Sentence Dates ¹ | | | | | | FY2013-2014 Sentence Dates ² | | | | | |
|-----------------------------|----------|---|---------------|---------------|---------------|------------|---------------|---|---------------|---------------|---------------|------------|---------------|
| | | State Prison | Comm. Control | Probation | County Jail | Other | Total | State Prison | Comm. Control | Probation | County Jail | Other | Total |
| Murder/Manslaughter | Attempt | 85 | 4 | 5 | 1 | 0 | 95 | 75 | 3 | 3 | 0 | 0 | 81 |
| | Complete | 107 | 3 | 3 | 1 | 0 | 114 | 105 | 3 | 5 | 0 | 0 | 113 |
| Sexual/Lewd Behavior | Attempt | 44 | 0 | 9 | 3 | 0 | 56 | 48 | 0 | 4 | 0 | 0 | 52 |
| | Complete | 479 | 38 | 144 | 23 | 0 | 684 | 440 | 35 | 177 | 10 | 4 | 666 |
| Robbery | Attempt | 117 | 17 | 74 | 30 | 0 | 238 | 74 | 27 | 62 | 21 | 0 | 184 |
| | Complete | 924 | 148 | 424 | 134 | 3 | 1,633 | 779 | 117 | 332 | 110 | 7 | 1,345 |
| Violent,Other | Attempt | 36 | 8 | 47 | 4 | 0 | 95 | 33 | 6 | 56 | 4 | 0 | 99 |
| | Complete | 2,248 | 607 | 4,870 | 1,658 | 52 | 9,435 | 2,081 | 540 | 4,568 | 1,448 | 42 | 8,679 |
| Burglary | Attempt | 156 | 32 | 239 | 70 | 4 | 501 | 130 | 25 | 162 | 41 | 2 | 360 |
| | Complete | 3,085 | 708 | 3,488 | 1,178 | 44 | 8,503 | 2,447 | 567 | 2,802 | 953 | 42 | 6,811 |
| Property Theft/Fraud/Damage | Attempt | 3 | 1 | 16 | 4 | 0 | 24 | 2 | 2 | 18 | 5 | 0 | 27 |
| | Complete | 2,505 | 915 | 10,359 | 4,511 | 87 | 18,377 | 2,278 | 815 | 9,235 | 4,639 | 71 | 17,038 |
| Drugs | Attempt | 56 | 36 | 165 | 77 | 0 | 334 | 53 | 5 | 116 | 60 | 0 | 234 |
| | Complete | 3,740 | 993 | 10,634 | 5,916 | 110 | 21,393 | 3,325 | 958 | 10,265 | 5,647 | 96 | 20,291 |
| Weapons | Attempt | 4 | 0 | 8 | 3 | 0 | 15 | 3 | 2 | 16 | 2 | 0 | 23 |
| | Complete | 791 | 132 | 980 | 390 | 13 | 2,306 | 736 | 117 | 859 | 319 | 6 | 2,037 |
| Other | Attempt | 11 | 4 | 38 | 15 | 0 | 68 | 15 | 2 | 42 | 15 | 0 | 74 |
| | Complete | 1,425 | 383 | 3,430 | 2,603 | 63 | 7,904 | 1,279 | 322 | 3,242 | 2,386 | 54 | 7,283 |
| Total | | 15,816 | 4,029 | 34,933 | 16,621 | 376 | 71,775 | 13,903 | 3,546 | 31,964 | 15,660 | 324 | 65,397 |

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

¹ Offense dates on or after October 1, 2011.

² Offense dates on or after October 1, 2012.

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

| Offense Severity Level | FY2012-2013 Sentence Dates ¹ | | | | | | FY2013-2014 Sentence Dates ² | | | | | |
|------------------------|---|-----------------------------|-------------------------------|-------------------------------|---------------------------|--------------------------------|---|-----------------------------|-------------------------------|-------------------------------|---------------------------|--------------------------------|
| | State Prison | Comm. Control | Probation | County Jail | Other Sentence | Total | State Prison | Comm. Control | Probation | County Jail | Other Sentence | Total |
| 1 | 831 8.9% | 373 4.0% | 4,443 47.4% | 3,647 38.9% | 76 0.8% | 9,370 100.0% | 767 8.3% | 344 3.7% | 4,283 46.6% | 3,733 40.6% | 59 0.6% | 9,186 100.0% |
| 2 | 698 8.0% | 355 4.1% | 5,480 63.0% | 2,126 24.4% | 43 0.5% | 8,702 100.0% | 714 8.8% | 316 3.9% | 4,882 60.3% | 2,147 26.5% | 37 0.5% | 8,096 100.0% |
| 3 | 1,444 8.6% | 733 4.4% | 9,212 54.7% | 5,347 31.7% | 106 0.6% | 16,842 100.0% | 1,434 8.7% | 681 4.1% | 9,135 55.6% | 5,100 31.0% | 84 0.5% | 16,434 100.0% |
| 4 | 2,066 21.2% | 547 5.6% | 4,902 50.3% | 2,176 22.3% | 48 0.5% | 9,739 100.0% | 1,755 21.0% | 460 5.5% | 4,177 49.9% | 1,924 23.0% | 54 0.6% | 8,370 100.0% |
| 5 | 3,619 29.6% | 791 6.5% | 5,605 45.8% | 2,166 17.7% | 44 0.4% | 12,225 100.0% | 3,154 30.0% | 729 6.9% | 4,722 45.0% | 1,852 17.6% | 40 0.4% | 10,497 100.0% |
| 6 | 1,911 30.4% | 461 7.3% | 3,133 49.8% | 758 12.0% | 32 0.5% | 6,295 100.0% | 1,710 30.1% | 376 6.6% | 3,003 52.9% | 560 9.9% | 27 0.5% | 5,676 100.0% |
| 7 | 3,555 55.9% | 574 9.0% | 1,848 29.0% | 367 5.8% | 20 0.3% | 6,364 100.0% | 2,982 56.3% | 485 9.2% | 1,503 28.4% | 312 5.9% | 16 0.3% | 5,298 100.0% |
| 8 | 873 71.0% | 120 9.8% | 201 16.4% | 28 2.3% | 7 0.6% | 1,229 100.0% | 693 67.9% | 92 9.0% | 202 19.8% | 29 2.8% | 4 0.4% | 1,020 100.0% |
| 9 | 675 80.0% | 64 7.6% | 100 11.8% | 5 0.6% | 0 0.0% | 844 100.0% | 547 81.9% | 60 9.0% | 55 8.2% | 3 0.4% | 3 0.4% | 668 100.0% |
| 10 | 144 87.3% | 11 6.7% | 9 5.5% | 1 0.6% | 0 0.0% | 165 100.0% | 147 96.7% | 3 2.0% | 2 1.3% | 0 0.0% | 0 0.0% | 152 100.0% |
| Total | 15,816 22.0% | 4,029 5.6% | 34,933 48.7% | 16,621 23.2% | 376 0.5% | 71,775 100.0% | 13,903 21.3% | 3,546 5.4% | 31,964 48.9% | 15,660 23.9% | 324 0.5% | 65,397 100.0% |

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

¹ Offense dates on or after October 1, 2011.

² Offense dates on or after October 1, 2012.

Table 6
State Prison Sentence Length by Offense Severity Level

| Offense Severity Level | FY2012-2013 Sentence Dates ¹ | | | | | FY2013-2014 Sentence Dates ² | | | | |
|------------------------|---|-----------------------|-----------------------|--------------------|--------------------------------|---|-----------------------|-----------------------|--------------------|--------------------------------|
| | LE 2* | GT 2-LE 4* | GT 4-LE 10* | GT 10* | Total | LE 2* | GT 2-LE 4* | GT 4-LE 10* | GT 10* | Total |
| 1 | 616 74.1% | 152 18.3% | 60 7.2% | 3 0.4% | 831 100.0% | 592 77.2% | 126 16.4% | 46 6.0% | 3 0.4% | 767 100.0% |
| 2 | 528 75.6% | 127 18.2% | 39 5.6% | 4 0.6% | 698 100.0% | 540 75.6% | 123 17.2% | 46 6.4% | 5 0.7% | 714 100.0% |
| 3 | 1,064 73.7% | 290 20.1% | 88 6.1% | 2 0.1% | 1,444 100.0% | 1,097 76.5% | 260 18.1% | 69 4.8% | 8 0.6% | 1,434 100.0% |
| 4 | 1,365 66.1% | 493 23.9% | 188 9.1% | 20 1.0% | 2,066 100.0% | 1,127 64.2% | 448 25.5% | 170 9.7% | 10 0.6% | 1,755 100.0% |
| 5 | 2,010 55.5% | 1,133 31.3% | 422 11.7% | 54 1.5% | 3,619 100.0% | 1,761 55.8% | 976 30.9% | 370 11.7% | 47 1.5% | 3,154 100.0% |
| 6 | 911 47.7% | 591 30.9% | 328 17.2% | 81 4.2% | 1,911 100.0% | 800 46.8% | 516 30.2% | 323 18.9% | 71 4.2% | 1,710 100.0% |
| 7 | 838 23.6% | 1,425 40.1% | 1,098 30.9% | 194 5.5% | 3,555 100.0% | 748 25.1% | 1,185 39.7% | 865 29.0% | 184 6.2% | 2,982 100.0% |
| 8 | 118 13.5% | 219 25.1% | 389 44.6% | 147 16.8% | 873 100.0% | 125 18.0% | 157 22.7% | 301 43.4% | 110 15.9% | 693 100.0% |
| 9 | 72 10.7% | 93 13.8% | 298 44.1% | 212 31.4% | 675 100.0% | 64 11.7% | 90 16.5% | 207 37.8% | 186 34.0% | 547 100.0% |
| 10 | 22 15.3% | 8 5.6% | 31 21.5% | 83 57.6% | 144 100.0% | 27 18.4% | 7 4.8% | 28 19.0% | 85 57.8% | 147 100.0% |
| Total | 7,544 47.7% | 4,531 28.6% | 2,941 18.6% | 800 5.1% | 15,816 100.0% | 6,881 49.5% | 3,888 28.0% | 2,425 17.4% | 709 5.1% | 13,903 100.0% |

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

¹ Offense dates on or after October 1, 2011.

² Offense dates on or after October 1, 2012.

**Table 7
Number of Prior Offenses***

| Prior Offenses | FY2012-2013 Sentence Dates ¹ | | FY2013-2014 Sentence Dates ² | |
|------------------------|---|---------------|---|---------------|
| | Number | Percent | Number | Percent |
| None | 16,027 | 22.3% | 14,559 | 22.3% |
| Misdemeanor Only | 18,572 | 25.9% | 16,922 | 25.9% |
| One Felony | 13,960 | 19.4% | 12,694 | 19.4% |
| Two Felonies | 9,526 | 13.3% | 8,916 | 13.6% |
| Three Felonies | 6,203 | 8.6% | 5,531 | 8.5% |
| Four Felonies | 3,711 | 5.2% | 3,403 | 5.2% |
| Five Felonies | 1,996 | 2.8% | 1,796 | 2.7% |
| Six Felonies | 984 | 1.4% | 868 | 1.3% |
| Seven or More Felonies | 796 | 1.1% | 708 | 1.1% |
| Total | 71,775 | 100.0% | 65,397 | 100.0% |

* As indicated on the scoresheet.

**Table 8
Number of Additional Offenses***

| Additional Offenses | FY2012-2013 Sentence Dates ¹ | | FY2013-2014 Sentence Dates ² | |
|------------------------|---|---------------|---|---------------|
| | Number | Percent | Number | Percent |
| None | 35,767 | 49.8% | 32,805 | 50.2% |
| Misdemeanor Only | 16,891 | 23.5% | 15,994 | 24.5% |
| One Felony | 12,528 | 17.5% | 11,131 | 17.0% |
| Two Felonies | 3,920 | 5.5% | 3,363 | 5.1% |
| Three Felonies | 1,505 | 2.1% | 1,227 | 1.9% |
| Four Felonies | 563 | 0.8% | 433 | 0.7% |
| Five Felonies | 295 | 0.4% | 252 | 0.4% |
| Six Felonies | 142 | 0.2% | 100 | 0.2% |
| Seven or More Felonies | 164 | 0.2% | 92 | 0.1% |
| Total | 71,775 | 100.0% | 65,397 | 100.0% |

* As indicated on the scoresheet.

¹ Offense dates on or after October 1, 2011.

² Offense dates on or after October 1, 2012.

Table 9
Prior Felony Record* and Sanction Imposed

| Number of Prior Felonies | FY2012-2013 Sentence Dates ¹ | | | | | | FY2013-2014 Sentence Dates ² | | | | | |
|--------------------------|---|-----------------------------|-------------------------------|-------------------------------|---------------------------|--------------------------------|---|-----------------------------|-------------------------------|-------------------------------|---------------------------|--------------------------------|
| | State Prison | Comm. Control | Probation | County Jail | Other Sentence | Total | State Prison | Comm. Control | Probation | County Jail | Other Sentence | Total |
| None | 4,089 11.8% | 2,277 6.6% | 22,440 64.9% | 5,544 16.0% | 249 0.7% | 34,599 100.0% | 3,360 10.7% | 1,947 6.2% | 20,653 65.6% | 5,329 16.9% | 192 0.6% | 31,481 100.0% |
| One | 2,935 21.0% | 777 5.6% | 6,116 43.8% | 4,074 29.2% | 58 0.4% | 13,960 100.0% | 2,602 20.5% | 705 5.6% | 5,573 43.9% | 3,752 29.6% | 62 0.5% | 12,694 100.0% |
| Two | 2,826 29.7% | 483 5.1% | 3,276 34.4% | 2,905 30.5% | 36 0.4% | 9,526 100.0% | 2,583 29.0% | 448 5.0% | 2,965 33.3% | 2,884 32.3% | 36 0.4% | 8,916 100.0% |
| Three | 2,315 37.3% | 251 4.0% | 1,629 26.3% | 1,990 32.1% | 18 0.3% | 6,203 100.0% | 2,068 37.4% | 227 4.1% | 1,483 26.8% | 1,740 31.5% | 13 0.2% | 5,531 100.0% |
| Four | 1,618 43.6% | 149 4.0% | 820 22.1% | 1,116 30.1% | 8 0.2% | 3,711 100.0% | 1,479 43.5% | 121 3.6% | 742 21.8% | 1,050 30.9% | 11 0.3% | 3,403 100.0% |
| Five | 1,024 51.3% | 53 2.7% | 356 17.8% | 558 28.0% | 5 0.3% | 1,996 100.0% | 921 51.3% | 46 2.6% | 324 18.0% | 498 27.7% | 7 0.4% | 1,796 100.0% |
| Six | 547 55.6% | 17 1.7% | 183 18.6% | 236 24.0% | 1 0.1% | 984 100.0% | 479 55.2% | 27 3.1% | 149 17.2% | 211 24.3% | 2 0.2% | 868 100.0% |
| Seven or More | 462 58.0% | 22 2.8% | 113 14.2% | 198 24.9% | 1 0.1% | 796 100.0% | 411 58.1% | 25 3.5% | 75 10.6% | 196 27.7% | 1 0.1% | 708 100.0% |
| Total | 15,816 22.0% | 4,029 5.6% | 34,933 48.7% | 16,621 23.2% | 376 0.5% | 71,775 100.0% | 13,903 21.3% | 3,546 5.4% | 31,964 48.9% | 15,660 23.9% | 324 0.5% | 65,397 100.0% |

* As indicated on the scoresheet

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

¹ Offense dates on or after October 1, 2011.

² Offense dates on or after October 1, 2012.

Table 10
Additional Offenses* and Sanction Imposed

| Number of Additional Felonies | FY2012-2013 Sentence Dates ¹ | | | | | | FY2013-2014 Sentence Dates ² | | | | | |
|-------------------------------|---|---------------|-----------|-------------|----------------|---------------|---|---------------|-----------|-------------|----------------|---------------|
| | State Prison | Comm. Control | Probation | County Jail | Other Sentence | Total | State Prison | Comm. Control | Probation | County Jail | Other Sentence | Total |
| None | 7,956 | 2,610 | 27,950 | 13,840 | 302 | 52,658 | 7,196 | 2,351 | 25,747 | 13,247 | 258 | 48,799 |
| | 15.1% | 5.0% | 53.1% | 26.3% | 0.6% | 100.0% | 14.7% | 4.8% | 52.8% | 27.1% | 0.5% | 100.0% |
| One | 4,148 | 930 | 5,203 | 2,198 | 49 | 12,528 | 3,661 | 775 | 4,744 | 1,898 | 53 | 11,131 |
| | 33.1% | 7.4% | 41.5% | 17.5% | 0.4% | 100.0% | 32.9% | 7.0% | 42.6% | 17.1% | 0.5% | 100.0% |
| Two | 1,924 | 322 | 1,217 | 439 | 18 | 3,920 | 1,661 | 283 | 1,025 | 385 | 9 | 3,363 |
| | 49.1% | 8.2% | 31.0% | 11.2% | 0.5% | 100.0% | 49.4% | 8.4% | 30.5% | 11.4% | 0.3% | 100.0% |
| Three | 937 | 90 | 370 | 103 | 5 | 1,505 | 762 | 82 | 291 | 89 | 3 | 1,227 |
| | 62.3% | 6.0% | 24.6% | 6.8% | 0.3% | 100.0% | 62.1% | 6.7% | 23.7% | 7.3% | 0.2% | 100.0% |
| Four | 379 | 44 | 116 | 23 | 1 | 563 | 286 | 25 | 95 | 26 | 1 | 433 |
| | 67.3% | 7.8% | 20.6% | 4.1% | 0.2% | 100.0% | 66.1% | 5.8% | 21.9% | 6.0% | 0.2% | 100.0% |
| Five | 221 | 21 | 47 | 6 | 0 | 295 | 187 | 17 | 37 | 11 | 0 | 252 |
| | 74.9% | 7.1% | 15.9% | 2.0% | 0.0% | 100.0% | 74.2% | 6.7% | 14.7% | 4.4% | 0.0% | 100.0% |
| Six | 113 | 6 | 19 | 4 | 0 | 142 | 78 | 6 | 13 | 3 | 0 | 100 |
| | 79.6% | 4.2% | 13.4% | 2.8% | 0.0% | 100.0% | 78.0% | 6.0% | 13.0% | 3.0% | 0.0% | 100.0% |
| Seven or More | 138 | 6 | 11 | 8 | 1 | 164 | 72 | 7 | 12 | 1 | 0 | 92 |
| | 84.1% | 3.7% | 6.7% | 4.9% | 0.6% | 100.0% | 78.3% | 7.6% | 13.0% | 1.1% | 0.0% | 100.0% |
| Total | 15,816 | 4,029 | 34,933 | 16,621 | 376 | 71,775 | 13,903 | 3,546 | 31,964 | 15,660 | 324 | 65,397 |
| | 22.0% | 5.6% | 48.7% | 23.2% | 0.5% | 100.0% | 21.3% | 5.4% | 48.9% | 23.9% | 0.5% | 100.0% |

* As indicated on the scoresheet.

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

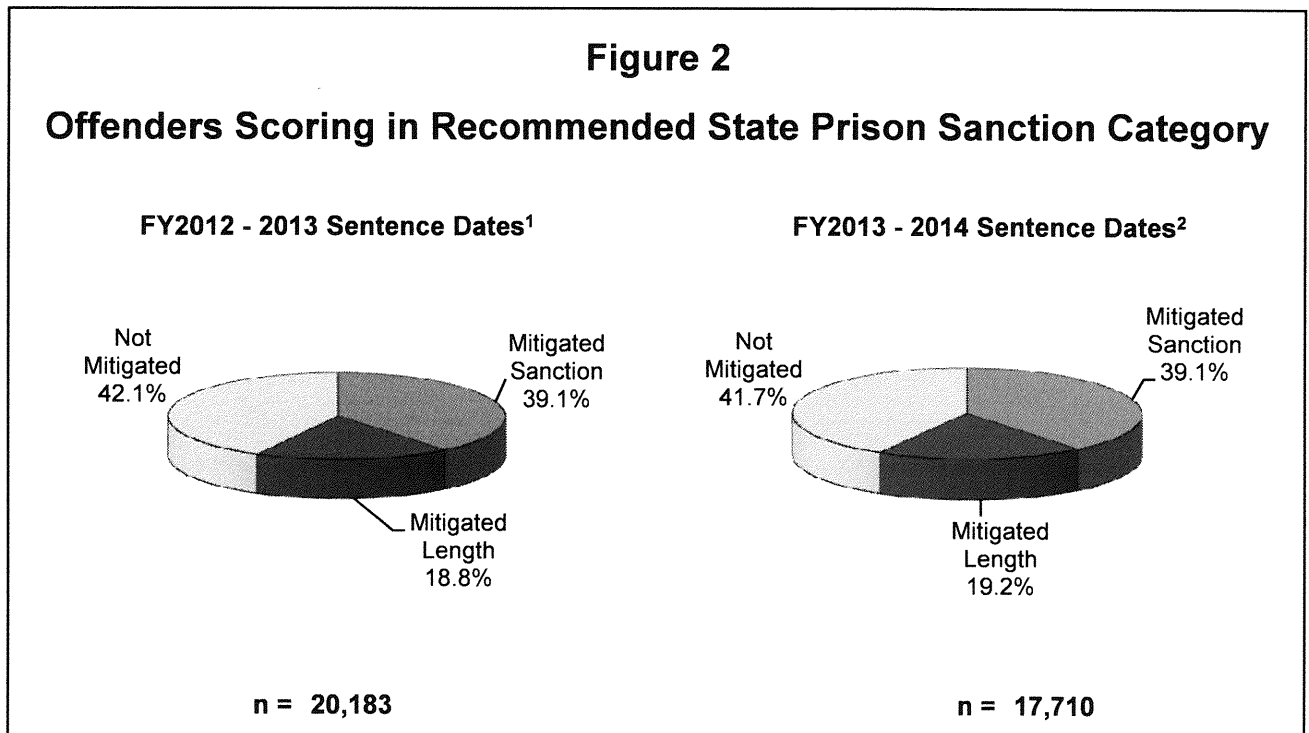
¹ Offense dates on or after October 1, 2011.

² Offense dates on or after October 1, 2012.

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

| Category | FY2012-2013 Sentence Dates ¹ | | FY2013-2014 Sentence Dates ² | |
|--------------------|---|------------------------------------|---|------------------------------------|
| | Number / Percent | Average Mitigated Length in Months | Number / Percent | Average Mitigated Length in Months |
| Mitigated Total | 11,679 57.9% | | 10,324 58.3% | |
| Mitigated Sanction | 7,889 39.1% | | 6,926 39.1% | |
| Mitigated Length | 3,790 18.8% | 25.1 | 3,398 19.2% | 26.7 |
| Not Mitigated | 8,504 42.1% | | 7,386 41.7% | |
| Total | 20,183 100.0% | | 17,710 100.0% | |

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



* Total points exceeding 44.0

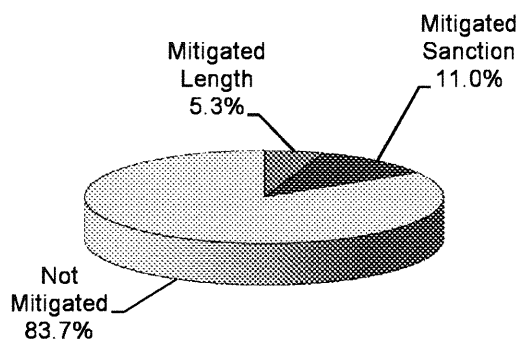
¹ Offense dates on or after October 1, 2011.

² Offense dates on or after October 1, 2012.

Figure 3

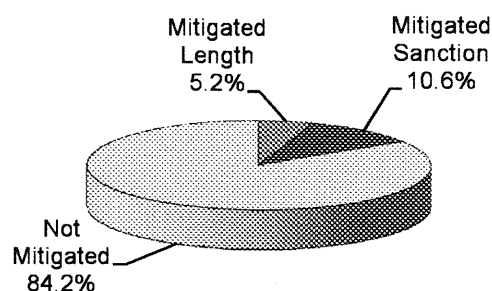
Deviation Rates Below Permitted Sentences Among All Offenders Sentenced

FY 2012 - 2013 Sentence Dates¹



n = 71,775

FY 2013 - 2014 Sentence Dates²



n = 65,397

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

| Judicial Circuit | FY2012-2013 Sentence Dates ¹ | | | FY2013-2014 Sentence Dates ² | | |
|---------------------|---|-----------------------|-----------------|---|-----------------------|-----------------|
| | Scoresheets Exceeding 44.0 Total Points | Scoresheets Mitigated | Mitigation Rate | Scoresheets Exceeding 44.0 Total Points | Scoresheets Mitigated | Mitigation Rate |
| 01- Pensacola | 1,123 | 454 | 40.4% | 1,014 | 342 | 33.7% |
| 02- Tallahassee | 761 | 297 | 39.0% | 600 | 246 | 41.0% |
| 03- Lake City | 298 | 147 | 49.3% | 314 | 147 | 46.8% |
| 04- Jacksonville | 1,033 | 118 | 11.4% | 1,013 | 206 | 20.3% |
| 05- Tavares | 1,926 | 392 | 20.4% | 1,167 | 265 | 22.7% |
| 06- Clearwater | 1,840 | 521 | 28.3% | 1,823 | 535 | 29.3% |
| 07- Daytona | 939 | 305 | 32.5% | 823 | 293 | 35.6% |
| 08- Gainesville | 697 | 262 | 37.6% | 627 | 204 | 32.5% |
| 09- Orlando | 1,822 | 818 | 44.9% | 1,301 | 550 | 42.3% |
| 10- Bartow | 740 | 241 | 32.6% | 717 | 205 | 28.6% |
| 11- Miami | 1,915 | 1,427 | 74.5% | 1,829 | 1,271 | 69.5% |
| 12- Sarasota | 442 | 127 | 28.7% | 477 | 149 | 31.2% |
| 13- Tampa | 1,141 | 598 | 52.4% | 751 | 408 | 54.3% |
| 14- Panama City | 620 | 228 | 36.8% | 553 | 177 | 32.0% |
| 15- West Palm Beach | 831 | 259 | 31.2% | 924 | 410 | 44.4% |
| 16- Key West | 108 | 44 | 40.7% | 114 | 46 | 40.4% |
| 17- Ft. Lauderdale | 1,431 | 821 | 57.4% | 1,084 | 604 | 55.7% |
| 18- Sanford | 983 | 449 | 45.7% | 999 | 425 | 42.5% |
| 19- Ft. Pierce | 587 | 144 | 24.5% | 568 | 136 | 23.9% |
| 20- Ft. Myers | 946 | 237 | 25.1% | 1,012 | 307 | 30.3% |
| Statewide | 20,183 | 7,889 | 39.1% | 17,710 | 6,926 | 39.1% |

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

¹ Offense dates on or after October 1, 2011.

² Offense dates on or after October 1, 2012.

Table 13

Mitigated Sanction Rates and Mitigated Length Rates* By Judicial Circuit

| Judicial Circuit | FY2012-2013 Sentence Dates ¹ | | | FY2013-2014 Sentence Dates ² | | |
|---------------------|---|-----------------------|-----------------|---|-----------------------|-----------------|
| | Scoresheets Exceeding 44.0 Total Points | Scoresheets Mitigated | Mitigation Rate | Scoresheets Exceeding 44.0 Total Points | Scoresheets Mitigated | Mitigation Rate |
| 01- Pensacola | 1,123 | 580 | 51.6% | 1,014 | 461 | 45.5% |
| 02- Tallahassee | 761 | 510 | 67.0% | 600 | 432 | 72.0% |
| 03- Lake City | 298 | 200 | 67.1% | 314 | 204 | 65.0% |
| 04- Jacksonville | 1,033 | 452 | 43.8% | 1,013 | 479 | 47.3% |
| 05- Tavares | 1,926 | 747 | 38.8% | 1,167 | 435 | 37.3% |
| 06- Clearwater | 1,840 | 913 | 49.6% | 1,823 | 931 | 51.1% |
| 07- Daytona | 939 | 517 | 55.1% | 823 | 469 | 57.0% |
| 08- Gainesville | 697 | 446 | 64.0% | 627 | 379 | 60.4% |
| 09- Orlando | 1,822 | 1,164 | 63.9% | 1,301 | 791 | 60.8% |
| 10- Bartow | 740 | 384 | 51.9% | 717 | 345 | 48.1% |
| 11- Miami | 1,915 | 1,750 | 91.4% | 1,829 | 1,655 | 90.5% |
| 12- Sarasota | 442 | 155 | 35.1% | 477 | 195 | 40.9% |
| 13- Tampa | 1,141 | 886 | 77.7% | 751 | 607 | 80.8% |
| 14- Panama City | 620 | 354 | 57.1% | 553 | 288 | 52.1% |
| 15- West Palm Beach | 831 | 393 | 47.3% | 924 | 637 | 68.9% |
| 16- Key West | 108 | 57 | 52.8% | 114 | 74 | 64.9% |
| 17- Ft. Lauderdale | 1,431 | 1,019 | 71.2% | 1,084 | 751 | 69.3% |
| 18- Sanford | 983 | 594 | 60.4% | 999 | 566 | 56.7% |
| 19- Ft. Pierce | 587 | 212 | 36.1% | 568 | 206 | 36.3% |
| 20- Ft. Myers | 946 | 346 | 36.6% | 1,012 | 419 | 41.4% |
| Statewide | 20,183 | 11,679 | 57.9% | 17,710 | 10,324 | 58.3% |

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

¹ Offense dates on or after October 1, 2011.

² Offense dates on or after October 1, 2012.

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

| Offense Type | | FY2012-2013 Sentence Dates ¹ | | | | | FY2013-2014 Sentence Dates ² | | | | |
|-----------------------------|----------|---|--------------------|------------------|---------------|---------------|---|--------------------|------------------|---------------|---------------|
| | | Total Mitigated | Mitigated Sanction | Mitigated Length | Not Mitigated | Total | Total Mitigated | Mitigated Sanction | Mitigated Length | Not Mitigated | Total |
| Murder/Manslaughter | Attempt | 19 | 10 | 9 | 76 | 95 | 22 | 6 | 16 | 59 | 81 |
| | Complete | 54 | 7 | 47 | 60 | 114 | 40 | 8 | 32 | 73 | 113 |
| Sexual/Lewd Behavior | Attempt | 22 | 8 | 14 | 27 | 49 | 19 | 3 | 16 | 30 | 49 |
| | Complete | 318 | 142 | 176 | 272 | 590 | 337 | 156 | 181 | 244 | 581 |
| Robbery | Attempt | 64 | 44 | 20 | 76 | 140 | 57 | 41 | 16 | 46 | 103 |
| | Complete | 533 | 278 | 255 | 583 | 1,116 | 460 | 240 | 220 | 478 | 938 |
| Violent, Other | Attempt | 23 | 12 | 11 | 17 | 40 | 19 | 15 | 4 | 23 | 42 |
| | Complete | 2,458 | 1,869 | 589 | 1,264 | 3,722 | 2,297 | 1,728 | 569 | 1,172 | 3,469 |
| Burglary | Attempt | 108 | 82 | 26 | 108 | 216 | 73 | 51 | 22 | 94 | 167 |
| | Complete | 2,737 | 1,816 | 921 | 1,820 | 4,557 | 2,165 | 1,461 | 704 | 1,475 | 3,640 |
| Property Theft/Fraud/Damage | Attempt | 4 | 3 | 1 | 0 | 4 | 1 | 1 | 0 | 2 | 3 |
| | Complete | 1,381 | 961 | 420 | 1,122 | 2,503 | 1,252 | 887 | 365 | 997 | 2,249 |
| Drugs | Attempt | 58 | 48 | 10 | 27 | 85 | 30 | 18 | 12 | 22 | 52 |
| | Complete | 2,375 | 1,595 | 780 | 1,996 | 4,371 | 2,148 | 1,397 | 751 | 1,715 | 3,863 |
| Weapons | Attempt | 3 | 2 | 1 | 2 | 5 | 0 | 0 | 0 | 3 | 3 |
| | Complete | 359 | 244 | 115 | 424 | 783 | 293 | 207 | 86 | 408 | 701 |
| Other | Attempt | 6 | 3 | 3 | 5 | 11 | 7 | 5 | 2 | 7 | 14 |
| | Complete | 1,157 | 765 | 392 | 625 | 1,782 | 1,104 | 702 | 402 | 538 | 1,642 |
| Total | | 11,679 | 7,889 | 3,790 | 8,504 | 20,183 | 10,324 | 6,926 | 3,398 | 7,386 | 17,710 |

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

** Total Points Exceeding 44.0.

¹ Offense dates on or after October 1, 2011.

² Offense dates on or after October 1, 2012.

APPENDICES

Inmate Prison Admissions by County of Commitment

From July 1, 2013 to June 30, 2014

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 |
|--------------|------------------------------|---------|
| Alachua | 623 | 2.0% |
| Baker | 59 | 0.2% |
| Bay | 842 | 2.7% |
| Bradford | 120 | 0.4% |
| Brevard | 939 | 3.0% |
| Broward | 2,339 | 7.4% |
| Calhoun | 62 | 0.2% |
| Charlotte | 329 | 1.0% |
| Citrus | 293 | 0.9% |
| Clay | 394 | 1.2% |
| Collier | 304 | 1.0% |
| Columbia | 235 | 0.7% |
| Desoto | 109 | 0.3% |
| Dixie | 58 | 0.2% |
| Duval | 1,786 | 5.7% |
| Escambia | 855 | 2.7% |
| Flagler | 128 | 0.4% |
| Franklin | 28 | 0.1% |
| Gadsden | 170 | 0.5% |
| Gilchrist | 45 | 0.1% |
| Glades | 30 | 0.1% |
| Gulf | 40 | 0.1% |
| Hamilton | 6 | 0.0% |
| Hardee | 60 | 0.2% |
| Hendry | 101 | 0.3% |
| Hernando | 416 | 1.3% |
| Highlands | 212 | 0.7% |
| Hillsborough | 2,218 | 7.0% |
| Holmes | 65 | 0.2% |
| Indian River | 201 | 0.6% |
| Jackson | 160 | 0.5% |
| Jefferson | 28 | 0.1% |
| Lafayette | 10 | 0.0% |
| Lake | 421 | 1.3% |
| Lee | 771 | 2.4% |

| County | # Inmates Admitted to Prison | Percent |
|------------------|------------------------------|---------------|
| Leon | 784 | 2.5% |
| Levy | 98 | 0.3% |
| Liberty | 24 | 0.1% |
| Madison | 22 | 0.1% |
| Manatee | 439 | 1.4% |
| Marion | 1,002 | 3.2% |
| Martin | 360 | 1.1% |
| Miami-Dade | 2,042 | 6.5% |
| Monroe | 188 | 0.6% |
| Nassau | 144 | 0.5% |
| Okaloosa | 367 | 1.2% |
| Okeechobee | 196 | 0.6% |
| Orange | 1,283 | 4.1% |
| Osceola | 475 | 1.5% |
| Palm Beach | 1,135 | 3.6% |
| Pasco | 989 | 3.1% |
| Pinellas | 1,780 | 5.6% |
| Polk | 1,691 | 5.4% |
| Putnam | 297 | 0.9% |
| Santa Rosa | 288 | 0.9% |
| Sarasota | 545 | 1.7% |
| Seminole | 205 | 0.6% |
| St. Johns | 558 | 1.8% |
| St. Lucie | 526 | 1.7% |
| Sumter | 80 | 0.3% |
| Suwannee | 162 | 0.5% |
| Taylor | 110 | 0.3% |
| Union | 21 | 0.1% |
| Volusia | 1,074 | 3.4% |
| Wakulla | 29 | 0.1% |
| Walton | 106 | 0.3% |
| Washington | 73 | 0.2% |
| 00-Interstate | 26 | 0.1% |
| Data Unavailable | 866 | |
| Total | 32,442 | 100.0% |

**Inmate Prison Admissions by County of Commitment
From July 1, 2013 to June 30, 2014**

| Circuit | # Inmates Admitted to Prison | Percent | Rank |
|--------------------|---|----------------|-------------|
| 1-Pensacola | 1,616 | 5.1% | 11 |
| 2-Tallahassee | 1,063 | 3.4% | 17 |
| 3-Lake City | 603 | 1.9% | 19 |
| 4-Jacksonville | 2,324 | 7.4% | 3 |
| 5-Tarvares | 2,212 | 7.0% | 5 |
| 6-Clearwater | 2,769 | 8.8% | 1 |
| 7-Daytona | 2,057 | 6.5% | 6 |
| 8-Gainesville | 966 | 3.1% | 18 |
| 9-Orlando | 1,758 | 5.6% | 9 |
| 10-Lakeland | 1,963 | 6.2% | 8 |
| 11-Miami | 2,042 | 6.5% | 7 |
| 12-Sarasota | 1,093 | 3.5% | 16 |
| 13-Tampa | 2,218 | 7.0% | 4 |
| 14-Panama City | 1,242 | 3.9% | 12 |
| 15-West Palm Beach | 1,135 | 3.6% | 15 |
| 16-Key West | 188 | 0.6% | 20 |
| 17-Ft. Lauderdale | 2,339 | 7.4% | 2 |
| 18-Sanford | 1,144 | 3.6% | 14 |
| 19-Ft. Pierce | 1,283 | 4.1% | 13 |
| 20-Ft. Myers | 1,535 | 4.9% | 12 |
| Data Unavailable | 892 | | |
| TOTAL | 32,442 | 100.0% | |

**OFFENSE SEVERITY RANKING CHART
AS OF JULY 1, 2014**

| Florida Statute | Felony Degree | Description |
|------------------------|----------------------|---|
| | | (a) LEVEL 1 |
| 24.118(3)(a) | 3rd | Counterfeit or altered state lottery ticket. |
| 212.054(2)(b) | 3rd | Discretionary sales surtax; limitations, administration, and collection. |
| 212.15(2)(b) | 3rd | Failure to remit sales taxes, amount greater than \$300 but less than \$20,000. |
| 316.1935(1) | 3rd | Fleeing or attempting to elude law enforcement officer. |
| 319.30(5) | 3rd | Sell, exchange, give away certificate of title or identification number plate. |
| 319.35(1)(a) | 3rd | Tamper, adjust, change, etc., an odometer. |
| 320.26(1)(a) | 3rd | Counterfeit, manufacture, or sell registration license plates or validation stickers. |
| 322.212(1)(a)-(c) | 3rd | Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification. |
| 322.212(4) | 3rd | Supply or aid in supplying unauthorized driver license or identification card. |
| 322.212(5)(a) | 3rd | False application for driver 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(5)(a) | 3rd | Offense against intellectual property (i.e., computer programs, data). |
| 817.52(2) | 3rd | Hiring with intent to defraud, motor vehicle services. |
| 817.569(2) | 3rd | Use of public record or public records information to facilitate commission of a felony. |

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| 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) LEVEL 2 |
| 379.2431(1)(e)3. | 3rd | Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act. |
| 379.2431(1)(e)4. | 3rd | Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act. |
| 403.413(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. |

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| 787.04(1) | 3rd | In violation of court order, take, entice, etc., minor beyond state limits. |
| 806.13(1)(b)3. | 3rd | Criminal mischief; damage \$1,000 or more to public communication or any other public service. |
| 810.061(2) | 3rd | Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary. |
| 810.09(2)(e) | 3rd | Trespassing on posted commercial horticulture property. |
| 812.014(2)(c)1. | 3rd | Grand theft, 3rd degree; \$300 or more but less than \$5,000. |
| 812.014(2)(d) | 3rd | Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling. |
| 812.015(7) | 3rd | Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure. |
| 817.234(1)(a)2. | 3rd | False statement in support of insurance claim. |
| 817.481(3)(a) | 3rd | Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300. |
| 817.52(3) | 3rd | Failure to redeliver hired vehicle. |
| 817.54 | 3rd | With intent to defraud, obtain mortgage note, etc., by false representation. |
| 817.60(5) | 3rd | Dealing in credit cards of another. |
| 817.60(6)(a) | 3rd | Forgery; purchase goods, services with false card. |
| 817.61 | 3rd | Fraudulent use of credit cards over \$100 or more within 6 months. |
| 826.04 | 3rd | Knowingly marries or has sexual intercourse with person to whom related. |
| 831.01 | 3rd | Forgery. |
| 831.02 | 3rd | Uttering forged instrument; utters or publishes alteration with intent to defraud. |
| 831.07 | 3rd | Forging bank bills, checks, drafts, or promissory notes. |
| 831.08 | 3rd | Possessing 10 or more forged notes, bills, checks, or drafts. |
| 831.09 | 3rd | Uttering forged notes, bills, checks, drafts, or promissory notes. |
| 831.11 | 3rd | Bringing into the state forged bank bills, checks, drafts, or notes. |
| 832.05(3)(a) | 3rd | Cashing or depositing item with intent to defraud. |
| 843.08 | 3rd | Falsely impersonating an officer. |
| 893.13(2)(a)2. | 3rd | Purchase of any s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs other than cannabis. |
| 893.147(2) | 3rd | Manufacture or delivery of drug paraphernalia. |
| | | (c) LEVEL 3 |

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| 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. |
| 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. |
| 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. |

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| 812.0145(2)(c) | 3rd | Theft from person 65 years of age or older; \$300 or more but less than \$10,000. |
| 815.04(5)(b) | 2nd | Computer offense devised to defraud or obtain property. |
| 817.034(4)(a)3. | 3rd | Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000. |
| 817.233 | 3rd | Burning to defraud insurer. |
| 817.234(8)(b) & (c) | 3rd | Unlawful solicitation of persons involved in motor vehicle accidents. |
| 817.234(11)(a) | 3rd | Insurance fraud; property value less than \$20,000. |
| 817.236 | 3rd | Filing a false motor vehicle insurance application. |
| 817.2361 | 3rd | Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card. |
| 817.413(2) | 3rd | Sale of used goods as new. |
| 817.505(4) | 3rd | Patient brokering. |
| 828.12(2) | 3rd | Tortures any animal with intent to inflict intense pain, serious physical injury, or death. |
| 831.28(2)(a) | 3rd | Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument. |
| 831.29 | 2nd | Possession of instruments for counterfeiting driver 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 |

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| | | related to the practitioner's practice. |
| 893.13(8)(a)2. | 3rd | Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance. |
| 893.13(8)(a)3. | 3rd | Knowingly write a prescription for a controlled substance for a fictitious person. |
| 893.13(8)(a)4. | 3rd | Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner. |
| 918.13(1)(a) | 3rd | Alter, destroy, or conceal investigation evidence. |
| 944.47(1)(a)1 & 2. | 3rd | Introduce contraband to correctional facility. |
| 944.47(1)(c) | 2nd | Possess contraband while upon the grounds of a correctional institution. |
| 985.721 | 3rd | Escapes from a juvenile facility (secure detention or residential commitment facility). |
| | | (d) LEVEL 4 |
| 316.1935(3)(a) | 2nd | Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated. |
| 499.0051(1) | 3rd | Failure to maintain or deliver pedigree papers. |
| 499.0051(2) | 3rd | Failure to authenticate pedigree papers. |
| 499.0051(6) | 2nd | 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. |
| 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. |

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| 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. |
| 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 Families. |
| 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 estreature or bond jumping). |

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| 847.0135(5)(c) | 3rd | Lewd or lascivious exhibition using computer; offender less than 18 years. |
| 874.05(1)(a) | 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. |
| | | (e) LEVEL 5 |
| 316.027(2)(a) | 3rd | Accidents involving personal injuries other than serious bodily injury, 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. |
| 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. |

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| 796.05(1) | 2nd | Live on earnings of a prostitute; 1st offense. |
| 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. |
| 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 intentionally 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. |
| 847.0138(2) & (3) | 3rd | Transmission of material harmful to minors to a minor by electronic device or equipment. |
| 874.05(1)(b) | 2nd | Encouraging or recruiting another to join a criminal gang; second or subsequent offense. |
| 874.05(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. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs). |
| 893.13(1)(c)2. | 2nd | Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs) within 1,000 |

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| | | feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center. |
| 893.13(1)(d)1. | 1st | Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs) within 1,000 feet of university. |
| 893.13(1)(e)2. | 2nd | Sell, manufacture, or deliver cannabis or other drug prohibited under s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) within 1,000 feet of property used for religious services or a specified business site. |
| 893.13(1)(f)1. | 1st | Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), or (2)(a), (2)(b), or (2)(c)4. drugs) within 1,000 feet of public housing facility. |
| 893.13(4)(b) | 2nd | Deliver to minor cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs). |
| 893.1351(1) | 3rd | Ownership, lease, or rental for trafficking in or manufacturing of controlled substance. |
| | | (f) LEVEL 6 |
| 316.027(2)(b) | 2nd | Leaving the scene of a crash involving serious bodily injury. |
| 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. 787.01. |
| 790.115(2)(d) | 2nd | Discharging firearm or weapon on school property. |

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| 790.161(2) | 2nd | Make, possess, or throw destructive device with intent to do bodily harm or damage property. |
| 790.164(1) | 2nd | False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property. |
| 790.19 | 2nd | Shooting or throwing deadly missiles into dwellings, vessels, or vehicles. |
| 794.011(8)(a) | 3rd | Solicitation of minor to participate in sexual activity by custodial adult. |
| 794.05(1) | 2nd | Unlawful sexual activity with specified minor. |
| 800.04(5)(d) | 3rd | Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender less than 18 years. |
| 800.04(6)(b) | 2nd | Lewd or lascivious conduct; offender 18 years of age or older. |
| 806.031(2) | 2nd | Arson resulting in great bodily harm to firefighter or any other person. |
| 810.02(3)(c) | 2nd | Burglary of occupied structure; unarmed; no assault or battery. |
| 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. |

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| 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. |
| | | (g) LEVEL 7 |
| 316.027(2)(c) | 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 st | 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 rd | Vessel BUI resulting in serious bodily injury. |
| 402.319(2) | 2nd | Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfigurement, permanent disability, or death. |
| 409.920(2)(b)1.a. | 3rd | Medicaid provider fraud; \$10,000 or less. |
| 409.920(2)(b)1.b. | 2nd | Medicaid provider fraud; more than \$10,000, but less than \$50,000. |
| 456.065(2) | 3rd | Practicing a health care profession without a license. |
| 456.065(2) | 2nd | Practicing a health care profession without a license which results in serious bodily injury. |
| 458.327(1) | 3rd | Practicing medicine without a license. |
| 459.013(1) | 3rd | Practicing osteopathic medicine without a license. |
| 460.411(1) | 3rd | Practicing chiropractic medicine without a license. |
| 461.012(1) | 3rd | Practicing podiatric medicine without a license. |
| 462.17 | 3rd | Practicing naturopathy without a license. |
| 463.015(1) | 3rd | Practicing optometry without a license. |
| 464.016(1) | 3rd | Practicing nursing without a license. |

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| 465.015(2) | 3rd | Practicing pharmacy without a license. |
| 466.026(1) | 3rd | Practicing dentistry or dental hygiene without a license. |
| 467.201 | 3rd | Practicing midwifery without a license. |
| 468.366 | 3rd | Delivering respiratory care services without a license. |
| 483.828(1) | 3rd | Practicing as clinical laboratory personnel without a license. |
| 483.901(9) | 3rd | Practicing medical physics without a license. |
| 484.013(1)(c) | 3rd | Preparing or dispensing optical devices without a prescription. |
| 484.053 | 3rd | Dispensing hearing aids without a license. |
| 494.0018(2) | 1st | Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims. |
| 560.123(8)(b)1. | 3rd | Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by 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. |
| 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 unborn child 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. |

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| 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)2. | 1st | Human trafficking using coercion for labor and services. |
| 787.06(3)(e)2. | 1st | Human trafficking using coercion for labor and services by the transfer or transport of an adult 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. |
| 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. |
| 796.05(1) | 1st | Live on earnings of a prostitute; 2nd offense. |
| 796.05(1) | 1st | Live on earnings of a prostitute; 3rd and subsequent offense. |
| 800.04(5)(c)1. | 2nd | Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age. |
| 800.04(5)(c)2. | 2nd | Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older. |
| 800.04(5)(e) | 1st | Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense. |
| 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. |

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| 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. |
| 817.234(11)(c) | 1st | Insurance fraud; property value \$100,000 or more. |
| 817.2341(2)(b) & (3)(b) | 1st | Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity. |
| 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 \$10,000 or more, but less than \$50,000. |
| 827.03(2)(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. |

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| 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 st ,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. |
| 893.13(1)(e)1. | 1st | Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4., within 1,000 feet of property used for religious services or a specified business site. |
| 893.13(4)(a) | 1st | Deliver to minor cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs). |
| 893.135(1)(a)1. | 1st | Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs. |
| 893.135(1)(b)1.a. | 1st | Trafficking in cocaine, more than 28 grams, less than 200 grams. |
| 893.135(1)(c)1.a. | 1st | Trafficking in illegal drugs, more than 4 grams, less than 14 grams. |
| 893.135(1)(c)2.a. | 1st | Trafficking in hydrocodone, 14 grams or more, less than 28 grams. |
| 893.135(1)(c)2.b. | 1st | Trafficking in hydrocodone, 28 grams or more, less than 50 grams. |
| 893.135(1)(c)3.a. | 1st | Trafficking in oxycodone, 7 grams or more, less than 14 grams. |
| 893.135(1)(c)3.b. | 1st | Trafficking in oxycodone, 14 grams or more, less than 25 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. |
| 893.135(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. |

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| 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; providing false registration information. |
| 944.607(9) | 3rd | Sexual offender; failure to comply with reporting requirements. |
| 944.607(10)(a) | 3rd | Sexual offender; failure to submit to the taking of a digitized photograph. |
| 944.607(12) | 3rd | Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender. |
| 944.607(13) | 3rd | Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information. |
| 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; providing false registration information. |
| | | (h) LEVEL 8 |
| 316.193(3)(c)3.a. | 2nd | DUI manslaughter. |
| 316.1935(4)(b) | 1st | Aggravated fleeing or attempted eluding with serious bodily injury or death. |
| 327.35(3)(c)3. | 2nd | Vessel BUI manslaughter. |
| 499.0051(7) | 1st | 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. 782.04(3). |
| 782.071(1)(b) | 1st | Committing vehicular homicide and failing to render aid or give information. |
| 782.072(2) | 1st | Committing vessel homicide and failing to render aid or give information. |
| 787.06(3)(a)1. | 1st | Human trafficking for labor and services of a child. |

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| 787.06(3)(b) | 1st | Human trafficking using coercion for commercial sexual activity of an adult. |
| 787.06(3)(c) | 1st | Human trafficking using coercion for labor and services of an unauthorized alien adult. |
| 787.06(3)(e)1. | 1st | Human trafficking for labor and services by the transfer or transport of a child from outside Florida to within the state . |
| 787.06(3)(f)2. | 1st | Human trafficking using coercion for commercial sexual activity by the transfer or transport of any adult 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)(a) | 1st | Sexual battery, victim 12 years of age or older but younger than 18 years, offender 18 years or older; offender does not use physical force likely to cause serious injury. |
| 794.011(5)(b) | 2nd | Sexual battery, victim and offender 18 years of age or older; offender does not use physical force likely to cause serious injury. |
| 794.011(5)(c) | 2nd | Sexual battery, victim 12 years of age or older; offender younger than 18 years; offender does not use physical force likely to cause serious injury. |
| 794.011(5)(d) | 1st | Sexual battery, victim 12 years of age or older; offender does not use physical force likely to cause serious injury; prior conviction for specified sex offense. |
| 794.08(3) | 2nd | Female genital mutilation; removal of a victim younger than 18 years of age from this state. |
| 800.04(4)(b) | 2nd | Lewd or lascivious battery. |
| 800.04(4)(c) | 1st | Lewd or lascivious battery; offender 18 years of age or older; prior conviction for specified sex offense. |
| 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. |

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| 825.103(3)(a) | 1st | Exploiting an elderly person or disabled adult and property is valued at \$50,000 or more. |
| 837.02(2) | 2nd | Perjury in official proceedings relating to prosecution of a capital felony. |
| 837.021(2) | 2nd | Making contradictory statements in official proceedings relating to prosecution of a capital felony. |
| 860.121(2)(c) | 1st | Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm. |
| 860.16 | 1st | Aircraft piracy. |
| 893.13(1)(b) | 1st | Sell or deliver in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b). |
| 893.13(2)(b) | 1st | Purchase in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b). |
| 893.13(6)(c) | 1st | Possess in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b). |
| 893.135(1)(a)2. | 1st | Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs. |
| 893.135(1)(b)1.b. | 1st | Trafficking in cocaine, more than 200 grams, less than 400 grams. |
| 893.135(1)(c)1.b. | 1st | Trafficking in illegal drugs, more than 14 grams, less than 28 grams. |
| 893.135(1)(c)2.c. | 1st | Trafficking in hydrocodone, 50 grams or more, less than 200 grams. |
| 893.135(1)(c)3.c. | 1st | Trafficking in oxycodone, 25 grams or more, less than 100 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. |

| | | (i) LEVEL 9 |
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| 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) | 1 st ,PBL | 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)(c)1. | 1st | Human trafficking for labor and services of an unauthorized alien child. |
| 787.06(3)(d) | 1st | Human trafficking using coercion for commercial sexual activity of an unauthorized adult alien. |
| 787.06(3)(f)1. | 1st,PBL | Human trafficking for commercial sexual activity by the transfer or transport of any child from outside Florida to within the state. |
| 790.161 | 1st | Attempted capital destructive device offense. |
| 790.166(2) | 1st,PBL | Possessing, selling, using, or attempting to use a weapon of mass destruction. |
| 794.011(2) | 1st | Attempted sexual battery; victim less than 12 years of age. |
| 794.011(2) | Life | Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years. |
| 794.011(4)(a) | 1st,PBL | Sexual battery; certain circumstances; victim 12 years of age or older but younger than 18 years; offender 18 years or older. |

| | | |
|-------------------|----------|---|
| 794.011(4)(b) | 1st | Sexual battery; certain circumstances; victim and offender 18 years of age or older. |
| 794.011(4)(c) | 1st | Sexual battery; certain circumstances; victim 12 years of age or older; offender younger than 18 years. |
| 794.011(4)(d) | 1st,PBL | Sexual battery; certain circumstances; victim 12 years of age or older; prior conviction for specified sex offenses. |
| 794.011(8)(b) | 1st ,PBL | Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority. |
| 794.08(2) | 1st | Female genital mutilation; victim younger than 18 years of age. |
| 800.04(5)(b) | Life | Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older. |
| 812.13(2)(a) | 1st,PBL | Robbery with firearm or other deadly weapon. |
| 812.133(2)(a) | 1st,PBL | Carjacking; firearm or other deadly weapon. |
| 812.135(2)(b) | 1st | Home-invasion robbery with weapon. |
| 817.535(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. |
| 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)(c)2.d. | 1st | Trafficking in hydrocodone, 200 grams or more, less than 30 kilograms. |
| 893.135(1)(c)3.d. | 1st | Trafficking in oxycodone, 100 grams or more, less than 30 kilograms. |
| 893.135(1)(d)1.c. | 1st | Trafficking in phencyclidine, more than 400 grams. |
| 893.135(1)(e)1.c. | 1st | Trafficking in methaqualone, more than 25 kilograms. |
| 893.135(1)(f)1.c. | 1st | Trafficking in amphetamine, more than 200 grams. |

| | | |
|-------------------|---------|--|
| 893.135(1)(h)1.c. | 1st | Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more. |
| 893.135(1)(j)1.c. | 1st | Trafficking in 1,4-Butanediol, 10 kilograms or more. |
| 893.135(1)(k)2.c. | 1st | Trafficking in Phenethylamines, 400 grams or more. |
| 896.101(5)(c) | 1st | Money laundering, financial instruments totaling or exceeding \$100,000. |
| 896.104(4)(a)3. | 1st | Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000. |
| | | (j) LEVEL 10 |
| 499.0051(10) | 1st | Knowing sale or purchase of contraband prescription drugs resulting in death. |
| 782.04(2) | 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)(g) | Life | Human trafficking for commercial sexual activity of a child under the age of 18 or mentally defective or incapacitated person. |
| 787.06(4)(a) | Life | Selling or buying of minors into human trafficking. |
| 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/sen_cpcm/index.html

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

Page 1 Subtotal: _____

V. Legal Status violation = 4 Points

- Escape Fleeing Failure to appear Supersedeas bond Incarceration Pretrial intervention or diversion program
- Court imposed or post prison release community supervision resulting in a conviction

V. _____

VI. Community Sanction violation before the court for sentencing

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

VI. _____

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

VII. _____

VIII. Prior Serious Felony - 30 Points

VIII. _____

Subtotal Sentence Points _____

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

| | | | | |
|--|-----------------|---------------------|-----------------------|--|
| Law Enf. Protect. | Drug Trafficker | Motor Vehicle Theft | Criminal Gang Offense | Domestic Violence in the Presence of Related Child <small>(offenses committed on or after 3/12/07)</small> |
| ____ x 1.5 ____ x 2.0 ____ x 2.5 | ____ x 1.5 | ____ x 1.5 | ____ x 1.5 | ____ x 1.5 |

Enhanced Subtotal Sentence Points _____

TOTAL SENTENCE POINTS _____

SENTENCE COMPUTATION

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non-state prison sanction. If the total sentence points are 22 points or less, see Section 775.082(10), Florida Statutes, to determine if the court must sentence the offender to a non-state prison sanction.

If total sentence points are greater than 44:

_____ minus 28 = _____ x .75 = _____

total sentence points

lowest permissible prison sentence in months

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.

_____ maximum sentence in years

TOTAL SENTENCE IMPOSED

| | | |
|-------|--------|------|
| Years | Months | Days |
|-------|--------|------|

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

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

Mitigated Departure Plea Bargain Prison Diversion Program

Other Reason _____

JUDGE'S SIGNATURE

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 OFFENSES(S):

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

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

II. _____

IV. PRIOR RECORD

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

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

IV. _____

REASONS FOR DEPARTURE - MITIGATING CIRCUMSTANCES

(reasons may be checked here or written on the scoresheet)

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