

# FLORIDA DEPARTMENT OF CORRECTIONS

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

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*Mark S. Inch, Secretary*

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

# TABLE OF CONTENTS

<b>Executive Summary</b> .....	3
<b>I. Introduction</b> .....	4
1. Overview of Florida’s Sentencing Policies .....	5-11
2. Narrative on Introductory Statistics.....	12
3. Introductory Statistics.....	13
<b>II. Fiscal Year Scoresheet Data</b> .....	14
1. Scoresheets Received by Circuit .....	15
2. Age Data .....	16
3. Gender Data .....	17
4. Race Data.....	18
5. Statute Reference .....	19-20
6. Offense Type .....	21-22
7. Points by Sanction Imposed .....	23
8. Points by Circuit .....	24-27
9. Sanction Imposed by Judicial Circuit.....	28
10. Sanction Imposed by County of Sentence.....	29-31
11. Offense Type-Qualifier by Sanction Imposed.....	32-34
<b>III. Trends in Inmate Admissions</b> .....	35
1. Trends in Inmate Admissions .....	36
2. Total Admissions to Prison by County of Commitment .....	37
3. Total Admissions to Prison by Circuit of Commitment.....	38
4. Counties with Most Inmate Admissions.....	39
5. Prior Inmate Admissions .....	40
<b>Appendices</b> .....	41
Criminal Punishment Code Scoresheet.....	42-46

# **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. On October 1, 2018, the digitized criminal punishment code scoresheet system was implemented statewide. The Department’s primary areas of focus in quality control are accounting for all scoresheets and correctly entering scoresheets into the Department’s database. Additional information regarding the digitized scoresheet is located under “Department of Corrections Responsibilities” in Part I.

Since January 1, 1994, the Florida Department of Corrections has collected over 2.8 million scoresheets on felony offenders sentenced in Florida courts under the state’s Sentencing Guidelines and Criminal Punishment Code. This report details the 92,730 scoresheets received with sentence dates in FY 2018-2019 received by the Florida Department of Corrections, for felony offenses committed on or after October 1, 1998.

# 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.

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

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

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

## **Department of Corrections Responsibilities**

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

- Develop the scoresheet and any revisions of the scoresheet for approval by the Supreme Court and supply Sentencing Guidelines and Criminal Punishment Code scoresheets to the appropriate criminal justice entities in the state;
- Prior to July 1, 2001, the Department had a coequal responsibility to prepare scoresheets with the state attorneys. However, the Department of Corrections continued to complete scoresheets which had been ordered by the courts prior to July 1, 2001. In addition, there were transitional issues involved in transferring this responsibility to the state attorneys. This resulted in 9.7% of scoresheets received during FY 2001-02 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. It does not attempt to match a scoresheet with a specific admission event.**

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 2018-2019 and offenses on or after October 1, 1998, entered as of September 1, 2019.
- 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 **63.8%** for Fiscal Year 2018-2019.
- 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.

### **The Digitized Scoresheet**

Beginning October 1, 2018, the Department of Corrections shall make available the digitized Criminal Punishment Code scoresheets to those persons charged with the responsibility for preparing scoresheets. The clerk of the circuit court shall transmit a complete and accurate digitized copy of the Criminal Punishment Code scoresheet used in each sentencing proceeding to the Department of Corrections. Scoresheets must be electronically transmitted no less frequently than monthly, by the first of each month, and may be sent collectively.

A digitized sentencing scoresheet must be prepared for every defendant who is sentenced for a felony offense. The individual offender's digitized Criminal Punishment Code scoresheet and any attachments thereto prepared pursuant to Rule 3.701, Rule 3.702, or Rule 3.703, Florida Rules of Criminal Procedure, or any other rule pertaining to the preparation and submission of felony sentencing scoresheets, must be included with the uniform judgment and sentence form provided to the Department of Corrections.

The Department of Corrections, in consultation with the Office of the State Courts Administrator, state attorneys, and public defenders, must develop and submit the revised digitized Criminal Punishment Code scoresheet to the Supreme Court for approval by June 15 of each year, as necessary. The digitized scoresheet shall have individual, structured data cells for each data field on the scoresheet. Upon the Supreme Court's approval of the revised digitized scoresheet, the Department of Corrections shall produce and provide the revised digitized scoresheets by September 30 of each year, as necessary.

Digitized scoresheets must include individual data cells to indicate whether any prison sentence imposed includes a mandatory minimum sentence or the sentence imposed was a downward departure from the lowest permissible sentence under the Criminal Punishment Code.

### **Quality Control Procedures**

Quality control procedures have been implemented and will continue to be modified as needed to provide valid and reliable sentencing information to aid the Criminal Justice Estimating Conference and the Department of Corrections with legislative mandates.

The Department's primary areas of focus in quality control are accounting for all scoresheets and correctly entering scoresheets into the Department's database. The Department monitors the receipt of scoresheets and prepares a report each year detailing the compliance rate of each judicial circuit in providing scoresheets to the Department. Inquiries regarding scoresheet submission compliance should be directed to the Department of Corrections, Bureau of Probation and Parole Field Services (850) 717-3444.

Scoresheet accuracy is an area of concern. This manual (and previous manuals) serve as a resource document for scoresheet preparers and in conjunction with Florida Statutes contain sufficient information to complete scoresheets under the appropriate sentencing law. If a scoresheet preparer has a need for legal or statutory information other than what is provided in the manuals, they may contact the Office of the State Courts Administrator at (850) 413-7321. If technical or coding information is needed to complete a scoresheet, contact the Department of Corrections Bureau of Probation and Parole Field Services at (850) 717-3444.

Scoresheets missing key information is also an area of concern. All items contained on the scoresheet relevant to a particular sentencing event are required to be completed.

### **Introductory Statistics**

**FACT:** This report reflects the 92,730 scoresheets with offense dates on or after October 1, 1998 with sentencing dates of July 1, 2018 through June 30, 2019 received by the Department of Corrections.

### **FINDINGS:**

The following tables reflect the data from the scoresheets received. Due to the change in reporting method, a comparison of FY 2018-19 data with FY 2017-18 data will not be provided.

## PART II

# FISCAL YEAR SCORESHEET DATA

## Fiscal Year 2018-2019

### Scoresheets Received by Circuit by Type

Judicial Circuit of Sentence	1994 Sentencing Guidelines Scoresheet	1995 Sentencing Guidelines Scoresheet*	Criminal Punishment Code Scoresheet	Total
01 (Pensacola)	31	5	5,135	5,171
02 (Tallahassee)	1	1	943	945
03 (Lake City)	5	1	2,186	2,192
04 (Jacksonville)	-	2	1,419	1,421
05 (Tavares)	19	7	5,789	5,815
06 (Clearwater)	49	8	10,347	10,404
07 (Daytona Beach)	4	2	4,659	4,665
08 (Gainesville)	5	-	3,113	3,118
09 (Orlando)	12	3	5,622	5,637
10 (Bartow)	7	1	5,370	5,378
11 (Miami)	5	1	5,377	5,383
12 (Sarasota)	9	4	5,077	5,090
13 (Tampa)	27	11	7,658	7,696
14 (Panama City)	11	2	2,871	2,884
15 (West Palm Beach)	3	5	4,568	4,576
16 (Key West)	2	-	843	845
17 (Ft. Lauderdale)	21	4	6,129	6,154
18 (Sanford)	35	4	6,835	6,874
19 (Ft. Pierce)	8	5	2,095	2,108
20 (Ft. Myers)	13	2	6,291	6,306
Data Unavailable	1	-	67	68
<b>Total</b>	<b>268</b>	<b>68</b>	<b>92,394</b>	<b>92,730</b>

### Scoresheets Received by Month by Type

Month of Sentence	1994 Sentencing Guidelines Scoresheet	1995 Sentencing Guidelines Scoresheet*	Criminal Punishment Code Scoresheet	Total
July 2018	6	9	9,781	9,796
August 2018	3	6	10,628	10,637
September 2018	4	6	8,524	8,534
October 2018	38	4	9,809	9,851
November 2018	33	6	7,577	7,616
December 2018	19	10	5,997	6,026
January 2019	31	8	7,430	7,469
February 2019	30	-	7,358	7,388
March 2019	33	3	6,866	6,902
April 2019	31	7	6,955	6,993
May 2019	15	-	5,846	5,861
June 2019	25	9	5,623	5,657
<b>Total</b>	<b>268</b>	<b>68</b>	<b>92,394</b>	<b>92,730</b>

Note: 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.

## Fiscal Year 2018-2019

### Age at Offense on Scoresheets Received

Age Group	Total
17 & Under	567
18-24	21,205
25-29	17,211
30-34	15,992
35-39	12,698
40-44	7,964
45-49	6,492
50-54	4,825
55-59	3,190
60-64	1,497
65-69	535
70-74	199
75-79	62
80-84	17
85-89	4
90-94	1
95-99	1
Data Unavailable	270
<b>Total</b>	<b>92,730</b>

### Age at Sentencing on Scoresheets Received

Age Group	Total
17 & Under	242
18-24	17,589
25-29	17,492
30-34	16,961
35-39	13,459
40-44	8,659
45-49	6,763
50-54	5,158
55-59	3,631
60-64	1,805
65-69	609
70-74	171
75-79	92
80-84	21
85-89	4
90-94	1
Data Unavailable	73
<b>Total</b>	<b>92,730</b>



## Fiscal Year 2018-2019

### Gender by Judicial Circuit on Scoresheets Received

Judicial Circuit	Male	Female	Unknown	Total
01 (Pensacola)	3,806	1,365	-	5,171
02 (Tallahassee)	735	210	-	945
03 (Lake City)	1,501	691	-	2,192
04 (Jacksonville)	1,055	366	-	1,421
05 (Tavares)	4,370	1,445	-	5,815
06 (Clearwater)	7,698	2,706	-	10,404
07 (Daytona Beach)	3,520	1,145	-	4,665
08 (Gainesville)	2,429	689	-	3,118
09 (Orlando)	4,609	1,028	-	5,637
10 (Bartow)	4,043	1,335	-	5,378
11 (Miami)	4,602	781	-	5,383
12 (Sarasota)	3,782	1,307	1	5,090
13 (Tampa)	6,166	1,529	1	7,696
14 (Panama City)	2,117	767	-	2,884
15 (West Palm Beach)	3,785	791	-	4,576
16 (Key West)	709	135	1	845
17 (Ft. Lauderdale)	4,864	1,289	1	6,154
18 (Sanford)	4,990	1,883	1	6,874
19 (Ft. Pierce)	1,544	564	-	2,108
20 (Ft. Myers)	4,970	1,336	-	6,306
Data Unavailable	55	13	-	68
<b>Total</b>	<b>71,350</b>	<b>21,375</b>	<b>5</b>	<b>92,730</b>

## Fiscal Year 2018-2019

### Race by Judicial Circuit on Scoresheets Received

Judicial Circuit	Race							Total
	Asian	Black	Hispanic	American Indian	Other	Unknown	White	
01 (Pensacola)	2	1,688	1	-	22	37	3,421	5,171
02 (Tallahassee)	-	568	1	-	6	1	369	945
03 (Lake City)	-	716	3	-	12	-	1,461	2,192
04 (Jacksonville)	-	652	-	-	13	3	753	1,421
05 (Tavares)	-	1,286	69	1	61	-	4,398	5,815
06 (Clearwater)	13	2,612	47	1	102	234	7,395	10,404
07 (Daytona Beach)	-	1,221	1	-	23	135	3,285	4,665
08 (Gainesville)	-	1,143	1	-	12	440	1,522	3,118
09 (Orlando)	1	2,063	5	-	3	339	3,226	5,637
10 (Bartow)	-	1,466	10	-	19	262	3,621	5,378
11 (Miami)	-	2,637	3	-	10	4	2,729	5,383
12 (Sarasota)	-	1,415	-	-	33	1	3,641	5,090
13 (Tampa)	5	3,137	135	1	43	119	4,256	7,696
14 (Panama City)	-	614	9	-	16	135	2,110	2,884
15 (West Palm Beach)	-	2,394	-	-	2	-	2,180	4,576
16 (Key West)	1	166	54	-	17	-	607	845
17 (Ft. Lauderdale)	-	3,328	12	5	20	262	2,527	6,154
18 (Sanford)	5	2,149	157	3	57	39	4,464	6,874
19 (Ft. Pierce)	-	589	44	2	37	67	1,369	2,108
20 (Ft. Myers)	2	1,311	7	4	3	687	4,292	6,306
Data Unavailable	-	20	1	-	-	3	44	68
<b>Total</b>	<b>29</b>	<b>31,175</b>	<b>560</b>	<b>17</b>	<b>511</b>	<b>2,768</b>	<b>57,670</b>	<b>92,730</b>

## Fiscal Year 2018-2019

### Statute Reference on Scoresheets Received

Statute Reference	Total
893.13	29,062
812.014	11,009
Unknown	10,062
810.02	6,751
812.019	2,832
322.34	2,304
790.23	1,911
316.1935	1,801
784.021	1,626
812.13	1,428
843.01	1,393
784.041	1,365
827.03	1,285
790.01	1,223
784.045	1,220
784.07	1,207
784.03	1,194
893.135	1,100
817.568	943
951.22	659
316.193	656
800.04	566
817.034	551
943.0435	522
316.027	430
918.13	422
806.13	413
831.09	392
784.08	379
794.011	379
782.04	375
817.61	365
539.001	320
414.39	314
787.02	257
812.131	234
914.22	233
784.048	228
790.19	225
827.071	182
831	182
843.15	175
812.015	172
784.082	167
847.0135	162

Statute Reference	Total
806.01	142
812.133	135
944.4	126
893.1351	124
831.01	117
836.1	111
812.135	108
934.215	103
944.47	98
812.155	95
825.103	94
782.07	91
812.0145	88
322.212	80
796.07	75
787.01	74
790.221	73
817.52	70
895.03	69
817.234	68
775.21	66
777.03	62
828.12	58
655.0322	57
817.611	56
787.03	55
825.102	50
212.15	46
790	46
794.05	44
784.075	43
810.06	43
817	42
775.261	41
316	40
810.145	40
810.09	39
440.105	38
832	38
893.149	37
782.071	35
790.15	34
838.021	34
810.08	32
316.192	30

Statute Reference	Total
790.07	30
790.163	28
784.081	27
806.1	27
832.05	26
316.8	25
319.33	25
831.08	25
836.05	25
843.23	23
538.04	21
817.563	21
782.051	20
790.165	20
843.021	20
847.0138	20
443.071	18
901.36	18
489.127	17
403.413	15
843.08	15
790.115	14
831.28	14
896.101	14
914.23	14
509.151	13
379	12
796.05	12
509.162	11
787.06	11
790.162	11
812.145	11
790.161	10
815.06	10
837.021	10
39.205	9
741.31	9
817.2361	9
817.505	9
384.34	8
817.5685	8
828.122	8
849	8
17.568	7
843.18	7

## Fiscal Year 2018-2019

### Statute Reference on Scoresheets Received

Statute Reference	Total
316.066	6
327.3	6
812.0195	6
843.025	6
24.118	5
322.032	5
538.23	5
784.062	5
784.078	5
784.085	5
817.535	5
817.625	5
831.032	5
837.05	5
838.022	5
847.011	5
847.0137	5
918.12	5
320.26	4
327.35	4
328.05	4
440	4
560.125	4
812.16	4
831.31	4
838.016	4
849.09	4
877.111	4
212.12	3
3.135	3
319.3	3
499.0051	3
713.345	3
775.0844	3
784.047	3
784.074	3
790.401	3
806.111	3
823.1	3
826.04	3
847.012	3
847.0133	3
874.1	3

Statute Reference	Total
893.147	3
948.11	3
117.105	2
267.13	2
319.35	2
365.172	2
456.065	2
499.03	2
540.11	2
590.28	2
782.072	2
800.09	2
806.101	2
810.061	2
810.095	2
815.04	2
817.23	2
817.564	2
826	2
828.125	2
838.015	2
838.21	2
839.13	2
843.02	2
843.0855	2
843.14	2
847	2
872.02	2
872.06	2
874.05	2
896.104	2
104.011	1
210.185	1
316.6135	1
328.07	1
337.135	1
379.404	1
379.411	1
393.135	1
400.408	1
409.92	1
429.08	1
458.327	1

Statute Reference	Total
464.016	1
465.015	1
466.026	1
474.213	1
489.143	1
496	1
496.415	1
517.301	1
517.302	1
585.145	1
590	1
633.171	1
775.0875	1
775.13	1
782.11	1
784.05	1
787.04	1
790.164	1
790.166	1
790.235	1
794.041	1
817.155	1
817.22	1
817.233	1
817.236	1
817.545	1
827.04	1
828.42	1
843.03	1
843.19	1
849.086	1
856.021	1
860.05	1
877.08	1
934.03	1
944.35	1
985.721	1

## Fiscal Year 2018-2019

### Offense Type Based on Best Match to Statute or Primary Offense Code on Scoresheet using Offense Categories Specific to the Department of Corrections

Primary Offense	Total*
<b>Murder/Manslaughter</b>	<b>589</b>
Capital Murder	117
2nd Degree Murder	246
3rd Degree Murder	12
Homicide, Other	15
Manslaughter	124
DUI Manslaughter	75
<b>Sexual Offenses</b>	<b>1,265</b>
Capital Sexual Battery	34
Life Sexual Battery	121
1st Degree Sexual Battery	176
2nd Degree Sexual Battery	566
Sexual Assault, Other	24
Lewd/Lascivious Behavior	344
<b>Robbery</b>	<b>1,832</b>
Robbery With Weapon	789
Robbery Without Weapon	934
Home Invasion, Robbery	109
<b>Violent Personal Offenses</b>	<b>12,377</b>
Carjacking	138
Aggravated Assault	1,679
Aggravated Battery	1,269
Assault/Battery On L.E.O.	1,237
Assault/Battery, Other	1,302
Aggravated Stalking	237
Resisting Arrest With Violence	1,425
Kidnapping	403
Arson	197
Abuse Of Children	1,408
Leave Accident With Injury/Death	447
DUI, Injury	90
Violent, Other	2,545

**Note: Data reflects only matches or best possible matches using statute or primary offense code, if available.**

## Fiscal Year 2018-2019

### Offense Type Based on Best Match to Statute or Primary Offense Code on Scoresheet using Offense Categories Specific to the Department of Corrections

Primary Offense	Total*
<b>Burglary</b>	<b>7,643</b>
Burglary, Structure	3,882
Burglary, Dwelling	2,497
Burglary, Armed	372
Burglary With Assault	304
Burglary/Trespass, Other	588
<b>Theft/Forgery/Fraud</b>	<b>18,778</b>
Grand Theft, Other	7,312
Grand Theft, Automobile	1,826
Stolen Property	2,989
Forgery/Counterfeiting	1,799
Worthless Checks	66
Fraudulent Practices	2,392
Other Theft/Property Damage	2,394
<b>Drugs</b>	<b>29,062</b>
Drugs, Manufacture/Sale/Purchase	5,116
Drugs, Trafficking	1,239
Drugs, Possession/Other	22,707
<b>Weapons</b>	<b>1,911</b>
Weapons, Discharging	282
Weapons, Possession	1,619
Weapons, Other	10
<b>Other</b>	<b>7,932</b>
Escape	2,014
DUI, No Injury	656
Traffic, Other	2,380
Racketeering	74
Pollution/Hazardous Materials	21
Criminal Justice System	2,291
Other	496
Data Undetermined	11,341
<b>Total</b>	<b>92,730</b>

**Note: Data reflects only matches or best possible matches using statute or primary offense code, if available.**

## Fiscal Year 2018-2019

### Points by Sanction Imposed on Scoresheets Received

Sanction Imposed	Data Unavailable	22.0 Points or Less	22.1 to 44.0 Points	More than 44.0 Points	Total
<b>State Prison</b>	-	375	3,601	17,560	21,536
<b>Community Control</b>	-	589	2,207	2,226	5,022
<b>Probation</b>	-	14,412	16,347	7,403	38,162
<b>County Jail</b>	32	6,189	12,561	4,518	23,300
<b>Other</b>	-	61	99	155	315
<b>Sanction Undetermined</b>	20	1,278	1,617	1,480	4,395
<b>Total</b>	<b>52</b>	<b>22,904</b>	<b>36,432</b>	<b>33,342</b>	<b>92,730</b>

## Fiscal Year 2018-2019

### Points by Judicial Circuit by Sanction Imposed on Scoresheets Received

Judicial Circuit	Sanction Imposed	Data Unavailable	22.0 Points or Less	22.1 to 44.0 Points	More than 44.0 Points	Total
01 (Pensacola)	Missing	-	6	8	10	24
	County Jail	-	433	1,089	144	1,666
	Probation	-	945	905	204	2,054
	Community Control	-	63	184	71	318
	State Prison	-	16	236	811	1,063
	Other	-	10	19	17	46
02 (Tallahassee)	Missing	-	1	2	.	3
	County Jail	2	61	123	53	239
	Probation	2	152	176	92	422
	Community Control	-	3	15	18	36
	State Prison	1	4	33	204	242
	Other	-	-	1	2	3
03 (Lake City)	Missing	-	10	39	34	83
	County Jail	-	48	117	52	217
	Probation	-	266	518	130	914
	Community Control	-	6	96	73	175
	State Prison	-	8	244	538	790
	Other	-	10	2	1	13
04 (Jacksonville)	County Jail	.	259	305	74	638
	Probation	.	142	214	62	418
	Community Control	.	4	8	3	15
	State Prison	.	4	85	260	349
	Other	1	-	-	-	1
05 (Tavares)	Missing	1	10	12	5	28
	County Jail	8	544	924	129	1,605
	Probation	1	861	1,115	207	2,184
	Community Control	-	47	150	84	281
	State Prison	3	10	353	1,326	1,692
	Other	-	3	10	12	25
06 (Clearwater)	Missing	-	61	72	50	183
	County Jail	-	1,251	2,024	628	3,903
	Probation	-	1,431	1,659	820	3,910
	Community Control	-	24	70	79	173
	State Prison	-	114	278	1,800	2,192
	Other	-	10	19	14	43



## Fiscal Year 2018-2019

### Points by Judicial Circuit by Sanction Imposed on Scoresheets Received

Judicial Circuit	Sanction Imposed	Data Unavailable	22.0 Points or Less	22.1 to 44.0 Points	More than 44.0 Points	Total
07 (Daytona Beach)	Missing	-	26	58	62	146
	County Jail	-	234	499	126	859
	Probation	-	952	1,005	366	2,323
	Community Control	-	48	122	102	272
	State Prison	-	32	271	740	1,043
	Other	-	11	5	6	22
08 (Gainesville)	Missing	.	9	14	12	35
	County Jail	.	158	325	141	624
	Probation	.	498	591	255	1,344
	Community Control	.	21	73	47	141
	State Prison	.	19	234	686	939
	Other	.	18	13	4	35
09 (Orlando)	Missing	-	715	680	464	1,859
	County Jail	-	429	713	216	1,358
	Probation	-	716	573	214	1,503
	Community Control	-	12	46	60	118
	State Prison	-	10	76	668	754
	Other	-	8	18	19	45
10 (Bartow)	Missing	-	2	2	3	7
	County Jail	-	245	733	123	1,101
	Probation	-	949	1,029	184	2,162
	Community Control	-	31	157	88	276
	State Prison	-	15	395	1,404	1,814
	Other	-	5	15	7	27
11 (Miami)	Missing	-	11	18	22	51
	County Jail	-	294	517	633	1,444
	Probation	-	914	887	731	2,532
	Community Control	-	11	43	219	273
	State Prison	-	10	117	956	1,083
12 (Sarasota)	Missing	-	10	22	22	54
	County Jail	-	240	698	261	1,199
	Probation	-	639	1,072	647	2,358
	Community Control	-	36	197	204	437
	State Prison	-	16	109	904	1,029
	Other	-	.	6	7	13

## Fiscal Year 2018-2019

### Points by Judicial Circuit by Sanction Imposed on Scoresheets Received

Judicial Circuit	Sanction Imposed	Data Unavailable	22.0 Points or Less	22.1 to 44.0 Points	More than 44.0 Points	Total
13 (Tampa)	Missing	3	335	463	562	1,363
	County Jail	1	528	960	687	2,176
	Probation	-	541	872	644	2,057
	Community Control	-	20	89	320	429
	State Prison	-	6	198	1,461	1,665
	Other	-	3	1	2	6
14 (Panama City)	Missing	-	23	53	56	132
	County Jail	-	36	83	36	155
	Probation	-	453	681	223	1,357
	Community Control	-	44	253	126	423
	State Prison	-	24	215	549	788
	Other	-	9	16	4	29
15 (West Palm Beach)	Missing	-	7	16	21	44
	County Jail	1	438	975	599	2,013
	Probation	-	401	471	379	1,251
	Community Control	-	4	15	35	54
	State Prison	-	6	121	1,086	1,213
	Other	-	1	-	-	1
16 (Key West)	Missing	-	2	5	5	12
	County Jail	-	19	40	12	71
	Probation	-	162	135	248	545
	Community Control	-	3	16	1	20
	State Prison	-	3	29	156	188
	Other	-	2	7	-	9
17 (Ft. Lauderdale)	Missing	2	4	5	4	15
	County Jail	.	76	281	174	531
	Probation	3	1,588	1,550	954	4,095
	Community Control	.	18	85	216	319
	State Prison	.	14	58	1,117	1,189
	Other	.	2	3	-	5
18 (Sanford)	Missing	1	32	74	49	155
	County Jail	4	249	907	184	1,340
	Probation	5	1,362	1,321	614	3,297
	Community Control	-	70	288	333	691
	State Prison	7	9	201	1,153	1,363
	Other	-	10	13	5	28

## Fiscal Year 2018-2019

### Points by Judicial Circuit by Sanction Imposed on Scoresheets Received

Judicial Circuit	Sanction Imposed	Data Unavailable	22.0 Points or Less	22.1 to 44.0 Points	More than 44.0 Points	Total
19 (Ft. Pierce)	Missing	-	1	3	5	9
	County Jail	-	216	282	69	567
	Probation	-	387	255	98	740
	Community Control	-	31	53	22	106
	State Prison	-	14	199	469	682
	Other	-	-	1	3	4
20 (Ft. Myers)	Missing	1	16	69	100	185
	County Jail	-	441	958	178	1,577
	Probation	2	1,082	1,328	436	2,846
	Community Control	-	28	134	85	247
	State Prison	-	23	234	1,185	1,442
	Other	-	-	1	8	9
<b>Total</b>		<b>49</b>	<b>22,904</b>	<b>36,455</b>	<b>33,283</b>	<b>92,671</b>

# Sanctions by Judicial Circuit

(All Scoresheets Received for Offenders Sentenced between July 1, 2018 and June 30, 2019)

Judicial Circuit	Sanction on All Scoresheets Received*						Total
	County Jail	Probation	Community Control	State Prison	Other Disposition**	Sanction Undetermined*	
1 (Pensacola)	1,666	2,088	318	1,063	10	26	5,171
2 (Tallahassee)	239	425	36	242	-	3	945
3 (Lake City)	217	744	345	790	13	83	2,192
4 (Jacksonville)	638	418	15	349	-	1	1,421
5 (Tavares)	1,605	2,184	281	1,692	25	28	5,815
6 (Clearwater)	3,903	3,910	173	2,192	43	183	10,404
7 (Daytona)	859	2,323	272	1,043	22	146	4,665
8 (Gainesville)	624	1,344	141	939	35	35	3,118
9 (Orlando)	1,358	1,503	118	754	45	1,859	5,637
10 (Bartow)	1,101	2,162	276	1,814	18	7	5,378
11 (Miami)	1,444	2,532	273	1,083	-	51	5,383
12 (Sarasota)	1,199	2,343	452	1,029	13	54	5,090
13 (Tampa)	2,176	2,057	429	1,665	6	1,363	7,696
14 (Panama City)	155	1,357	423	788	29	132	2,884
15 (West Palm Beach)	2,013	1,251	54	1,213	1	44	4,576
16 (Key West)	71	513	52	188	9	12	845
17 (Ft. Lauderdale)	531	4,095	319	1,189	5	15	6,154
18 (Sanford)	1,340	3,297	691	1,363	28	155	6,874
19 (Ft. Pierce)	567	740	106	682	4	9	2,108
20 (Ft. Myers)	1,577	2,846	247	1,442	9	185	6,306
Missing*	17	30	1	16	-	4	68
Statewide	23,300	38,162	5,022	21,536	315	4,395	92,730

Note: County jail includes time served and state prison includes life sentences.

\* Total number of all scoresheets received by the Department, including those with offense dates between October 1, 1995 and May 24, 1997. This includes those with missing judicial circuit and sanction undetermined.

\*\* "Other Disposition" includes fines, county and non-reporting probation, and termination of probation.

# Sanctions by County

(All Scoresheets Received for Offenders Sentenced between July 1, 2018 and June 30, 2019)

Judicial Circuit Number / County	Sanction on All Scoresheets Received*						Total
	County Jail	Probation	Community Control	State Prison	Other Disposition**	Sanction Undetermined*	
1 Escambia Okaloosa Santa Rosa Walton	942	1,064	140	693	6	18	2,863
	131	288	69	103	4	2	597
	522	670	99	228	-	6	1,525
	71	66	10	39	-	-	186
2 Franklin Gadsden Jefferson Leon Liberty Wakulla	6	28	-	11	-	-	45
	6	15	-	10	-	-	31
	1	2	-	2	-	1	6
	217	371	36	218	-	2	844
	1	-	-	-	-	-	1
	8	9	-	1	-	-	18
3 Columbia Dixie Hamilton Lafayette Madison Suwannee Taylor	57	305	70	276	-	22	730
	8	85	24	74	2	2	195
	27	98	32	45	-	6	208
	4	36	11	19	2	9	81
	31	95	7	83	4	19	239
	52	188	19	204	4	3	470
	38	107	12	89	1	22	269
4 Clay Duval Nassau	70	37	6	35	-	-	148
	481	348	6	284	-	1	1,120
	87	33	3	30	-	-	153
5 Citrus Hernando Lake Marion Sumter	192	410	82	357	-	5	1,046
	114	165	54	235	4	-	572
	180	319	26	121	-	6	652
	891	1,057	92	730	21	13	2,804
	228	233	27	249	-	4	741
6 Pasco Pinellas	1,232	1,585	87	775	9	51	3,739
	2,671	2,325	86	1,417	34	132	6,665
7 Flagler Putnam St. Johns Volusia	170	214	28	129	5	14	560
	186	327	74	282	2	7	878
	232	374	23	254	-	10	893
	271	1,408	147	378	15	115	2,334

# Sanctions by County

(All Scoresheets Received for Offenders Sentenced between  
July 1, 2018 and June 30, 2019)

Judicial Circuit Number / County	Sanction on All Scoresheets Received*						Total
	County Jail	Probation	Community Control	State Prison	Other Disposition**	Sanction Undetermined*	
8 Alachua	364	744	77	548	25	19	1,777
Baker	24	168	28	125	-	2	347
Bradford	85	135	8	94	4	6	332
Gilchrist	28	64	5	34	3	2	136
Levy	113	169	11	74	1	6	374
Union	10	64	12	64	2	-	152
9 Orange	970	934	44	413	39	1,566	3,966
Osceola	388	569	74	341	6	293	1,671
10 Hardee	62	113	13	67	-	-	255
Highlands	219	316	55	218	6	3	817
Polk	820	1,733	208	1,529	12	4	4,306
11 Miami-Dade	1,444	2,532	273	1,083	-	51	5,383
12 Desoto	79	181	21	131	-	8	420
Manatee	627	1,078	170	433	4	29	2,341
Sarasota	493	1,099	246	465	9	17	2,329
13 Hillsborough	2,176	2,057	429	1,665	6	1,363	7,696
14 Bay	107	907	243	524	7	17	1,805
Calhoun	2	44	12	35	-	2	95
Gulf	3	59	17	17	-	-	96
Holmes	11	113	79	61	6	22	292
Jackson	21	130	39	103	-	51	344
Washington	11	104	33	48	16	40	252
15 Palm Beach	2,013	1,251	54	1,213	1	44	4,576
16 Monroe	71	545	20	188	9	12	845
17 Broward	531	4,095	319	1,189	5	15	6,154
18 Brevard	959	1,960	473	985	14	141	4,532
Seminole	381	1,337	218	378	14	14	2,342
19 Indian River	69	72	16	77	-	-	234
Martin	238	331	46	290	4	5	914
Okeechobee	110	185	16	187	-	-	498
St. Lucie	150	152	28	128	-	4	462

# Sanctions by County

(All Scoresheets Received for Offenders Sentenced between July 1, 2018 and June 30, 2019)

Judicial Circuit Number / County	Sanction on All Scoresheets Received*						Total
	County Jail	Probation	Community Control	State Prison	Other Disposition**	Sanction Undetermined*	
20 Charlotte	366	419	41	215	1	11	1,053
Collier	240	475	23	179	2	1	920
Glades	28	49	11	42	1	2	133
Hendry	113	177	20	104	-	-	414
Lee	830	1,726	152	902	5	171	3,786
<b>Missing</b>	17	30	1	16	-	4	68
<b>Statewide</b>	<b>23,300</b>	<b>38,379</b>	<b>4,805</b>	<b>21,536</b>	<b>315</b>	<b>4,395</b>	<b>92,730</b>

Note: County jail includes time served and state prison includes life sentences.

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

\*\* "Other Disposition" includes fines, county and non-reporting probation, and termination of probation.

**Fiscal Year 2018-2019**

**Offense Type Based on Best Match to Statute or Primary Offense Code on Scoresheet using Offense Categories Specific to the Department of Corrections**

Offense Type	Attempted VS Completed Qualifier	Sanction Imposed						Total
		Sanction Undetermined	County Jail	Probation	Community Control	State Prison	Other	
01-Capital Murder	Attempt	1	-	2	-	43	-	46
	Complete	-	-	4	1	65	-	70
02-2nd Degree Murder	Attempt	1	1	-	2	48	-	52
	Complete	1	1	1	3	197	-	203
03-3rd Degree Murder	Attempt	-	-	-	-	1	-	1
	Complete	1	-	1	-	9	1	12
04-Homicide, Other	Complete	1	2	6	1	5	-	15
05-Manslaughter	Attempt	-	-	1	-	5	-	6
	Complete	3	4	9	5	96	1	118
06-DUI Manslaughter	Complete	2	1	4	1	67	-	75
07-Capital Sexual Battery	Attempt	-	1	2	2	15	1	21
	Complete	-	-	-	1	11	-	12
08-Life Sexual Battery	Attempt	5	2	1	1	41	2	52
	Complete	-	5	2	-	63	-	70
09-1st Degree Sexual Battery	Attempt	-	1	-	-	9	-	10
	Complete	4	2	18	3	138	3	168
10-2nd Degree Sexual Battery	Attempt	1	1	3	-	8	-	13
	Complete	6	8	46	12	126	1	199
11-Sexual Assault, Other	Complete	4	7	8	3	2	-	24
12-Lewd/Lascivious Behavior	Attempt	3	4	8	1	27	-	43
	Complete	32	32	170	48	504	12	798
13-Robbery With Weapon	Attempt	4	4	15	2	48	1	74
	Complete	14	22	48	37	588	6	715
14-Robbery Without Weapon	Attempt	4	13	36	12	36	1	102
	Complete	52	94	275	62	339	10	832



**Fiscal Year 2018-2019**

**Offense Type Based on Best Match to Statute or Primary Offense Code on Scoresheet using Offense Categories Specific to the Department of Corrections**

Offense Type	Attempted VS Completed Qualifier	Sanction Imposed						Total
		Sanction Undetermined	County Jail	Probation	Community Control	State Prison	Other	
15-Home Invasion, Robbery	Attempt	-	-	-	-	1	-	1
	Complete	1	3	5	6	91	2	108
17-Carjacking	Attempt	-	1	2	2	8	-	13
	Complete	-	4	12	11	98	3	128
18-Aggravated Assault	Attempt	-	-	4	-	6	-	10
	Complete	76	219	787	113	449	5	1,649
19-Aggravated Battery	Attempt	-	1	5	-	3	-	9
	Complete	46	97	412	136	551	18	1,260
20-Assault/Battery On L.E.O.	Attempt	-	-	-	-	3	-	3
	Complete	66	316	530	49	265	8	1,234
21-Assault/Battery, Other	Attempt	-	1	3	-	3	-	7
	Complete	63	267	558	54	338	10	1,290
22-Aggravated Stalking	Attempt	-	-	1	1	5	-	7
	Complete	20	16	103	23	64	4	230
23-Resisting Arrest With Violence	Complete	67	331	654	53	308	12	1,425
24-Kidnapping	Attempt	-	-	1	2	10	-	13
	Complete	19	42	143	25	158	3	390
25-Arson	Attempt	-	-	2	-	5	-	7
	Complete	1	22	75	15	73	4	190
26-Abuse Of Children	Attempt	-	-	2	-	2	-	4
	Complete	50	137	717	140	333	7	1,384
27-Violent, Other	Attempt	-	-	2	1	4	-	7
	Complete	97	626	1,066	165	545	1	2,500
28-Burglary, Structure	Attempt	1	16	30	6	14	1	68
	Complete	96	840	1,439	228	1,031	5	3,639

**Fiscal Year 2018-2019**

**Offense Type Based on Best Match to Statute or Primary Offense Code on Scoresheet using Offense Categories Specific to the Department of Corrections**

Offense Type	Attempted VS Completed Qualifier	Sanction Imposed						Total
		Sanction Undetermined	County Jail	Probation	Community Control	State Prison	Other	
29-Burglary, Dwelling	Attempt	4	15	43	7	66	1	136
	Complete	68	193	587	201	1,149	3	2,201
30-Burglary, Armed	Attempt	1	-	6	2	7	-	16
	Complete	5	6	31	18	295	1	356
31-Burglary With Assault	Attempt	-	1	-	-	3	-	4
	Complete	3	7	25	9	255	1	300
32-Burglary/Trespass, Other	Attempt	-	-	1	-	1	-	2
	Complete	23	129	273	31	119	11	586
33-Grand Theft, Other	Attempt	-	1	2	-	7	1	11
	Complete	438	1,945	3,751	312	777	5	7,228
34-Grand Theft, Automobile	Attempt	-	-	2	-	1	-	3
	Complete	71	433	810	93	409	7	1,823
35-Stolen Property	Attempt	-	-	3	-	1	-	4
	Complete	179	567	1,187	196	840	16	2,985
36-Forgery/Counterfeiting	Attempt	-	-	-	-	1	-	1
	Complete	58	435	899	89	290	27	1,798
37-Worthless Checks	Complete	4	20	33	2	7	-	66
38-Fraudulent Practices	Attempt	-	2	5	-	-	-	7
	Complete	101	558	1,320	119	249	2	2,349
39-Other Theft/Property Damage	Attempt	-	-	1	-	-	-	1
	Complete	108	1,107	757	95	311	2	2,380
40-Drugs, Manufacture/Sale/Purchase	Attempt	9	10	25	4	13	1	62
	Complete	218	1,075	2,065	399	1,630		5,387

**Fiscal Year 2018-2019**

**Offense Type Based on Best Match to Statute or Primary Offense Code on Scoresheet using Offense Categories Specific to the Department of Corrections**

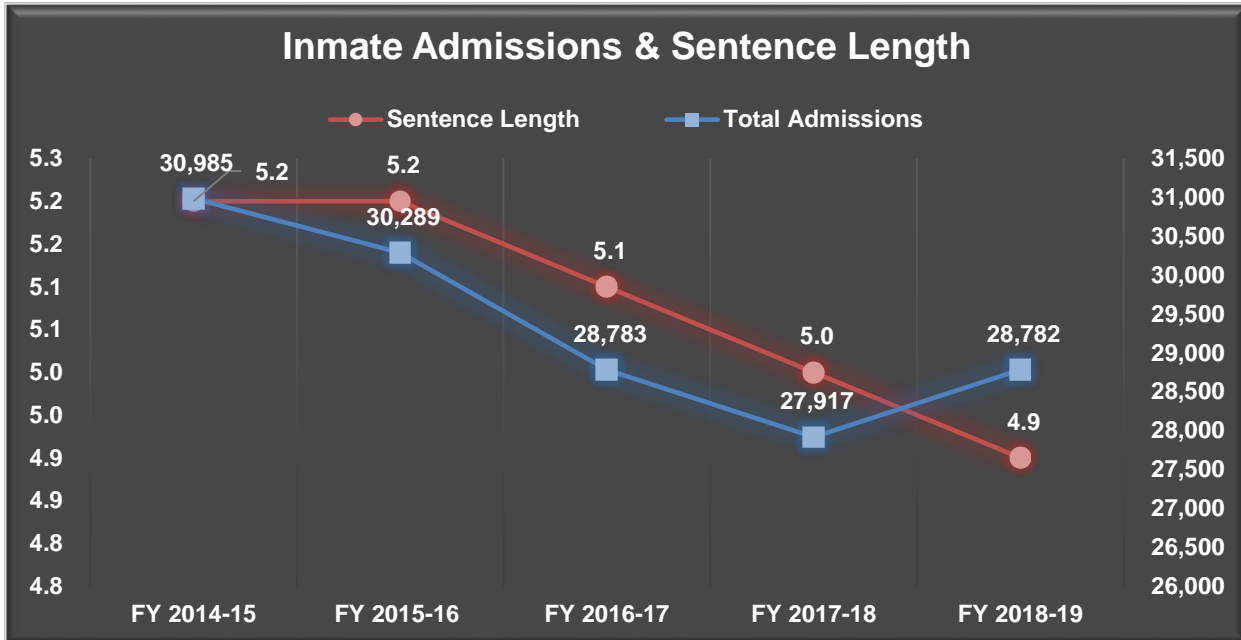
Offense Type	Attempted VS Completed Qualifier	Sanction Imposed						Total
		Sanction Undetermined	County Jail	Probation	Community Control	State Prison	Other	
41-Drugs, Trafficking	Attempt	4	3	16	8	20	-	51
	Complete	69	46	149	97	819		1,180
42-Drugs, Possession/Other	Attempt	-	44	11	2	10	-	67
	Complete	1,033	8,188	10,077	966	2,050		22,314
43-Weapons, Discharging	Attempt	1	-	6	1	2	1	11
	Complete	12	26	115	24	91	3	271
44-Weapons, Possession	Attempt	-	3	6	1	5	1	16
	Complete	185	550	1,288	177	1,101	3	3,304
45-Weapons, Other	Complete	-	-	8	1	1	1	11
46-Escape	Attempt	21	7	6	-	4	1	39
	Complete	45	583	732	117	487	1	1,965
47-Leave Accident With Injury/Death	Complete	21	59	211	40	114	5	450
48-DUI, No Injury	Complete	18	68	255	48	123	-	512
49-DUI, Injury	Complete	2	4	35	15	32	1	89
50-Traffic, Other	Complete	51	1,076	932	98	201	7	2,365
51-Racketeering	Attempt	-	1	3	-	2	1	7
	Complete	4	1	11	5	46	3	70
52-Pollution/Hazardous Materials	Complete	2	4	14	-	1	-	21
53-Criminal Justice System	Attempt	3	9	25	4	13	4	58
	Complete	77	556	775	144	661	9	2,222
54-Other	Attempt	-	1	3	-	-	5	9
	Complete	15	79	316	25	52	12	499
Data Unavailable	Attempt	16	48	30	2	82	-	178
	Complete	784	2,296	4,099	443	2,329	57	10,008
<b>Total</b>		<b>4,395</b>	<b>23,300</b>	<b>38,162</b>	<b>5,022</b>	<b>21,536</b>	<b>315</b>	<b>92,730</b>

# PART III

## TRENDS IN INMATE ADMISSIONS

## Fiscal Year 2018-2019

### Trends in Inmate Admissions



### Top Five Offenses Admitted to Prison FY 2018-2019

Offense	Inmates Admitted in FY 2018-19	Percent of Total Admissions	Mean Sentence Length in Years
Felon w/Gun/Concealed Weapon/Ammo	1,838	6.4%	3.2
Burglary Unoccupied Structure/Conveyance	1,289	4.5%	2.5
Traffic in Stolen Property	1,222	4.3%	2.5
Cocaine-Sale/Manufacture/Deliver	989	3.4%	2.7
Possession Controlled Substance/Other	956	3.3%	1.7

### Offenses of Inmates Admitted to Prison Ten (10) Years Ago

Offense	Inmates Admitted in FY 2010-11	Percent of Total Admissions	Mean Sentence Length in Years
Burglary Dwelling/Occupied Structure/Conveyance	2,895	8.3%	4.6
Cocaine-Sale/Manufacture/Deliver	2,306	6.6%	2.9
Burglary Unoccupied Structure/Conveyance	1,780	5.1%	2.5
Traffic in Stolen Property	1,514	4.3%	2.8
Cocaine Possession	1,350	3.9%	1.8

## Inmate Prison Admissions by County of Commitment

July 1, 2018 through June 30, 2019

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.

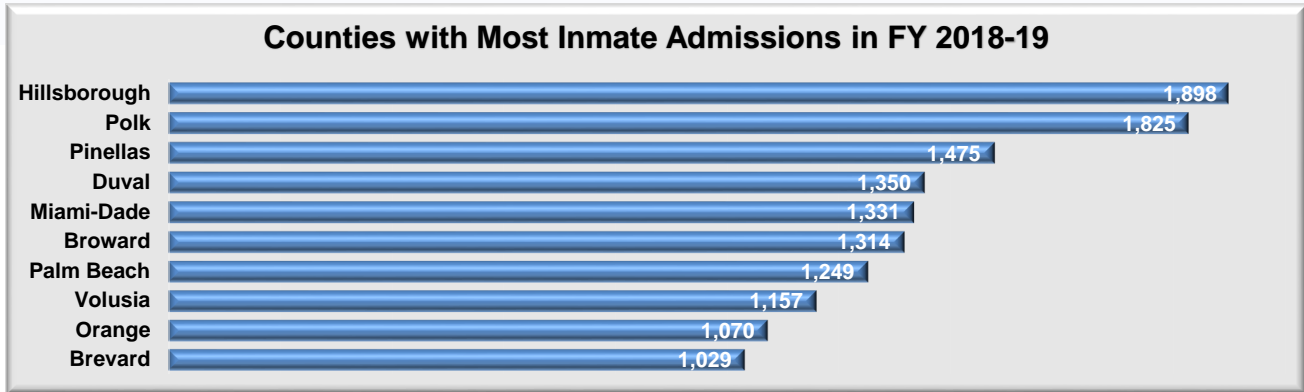
County	# of Inmates Admitted to Prison	%	Rank
Alachua	642	2.2%	17
Baker	170	0.6%	41
Bay	973	3.4%	11
Bradford	88	0.3%	53
Brevard	1,029	3.6%	10
Broward	1,314	4.6%	6
Calhoun	55	0.2%	57
Charlotte	266	0.9%	30
Citrus	309	1.1%	26
Clay	195	0.7%	39
Collier	237	0.8%	33
Columbia	286	1.0%	28
Miami-Dade	1,331	4.6%	5
Desoto	145	0.5%	43
Dixie	92	0.3%	51
Duval	1,350	4.7%	4
Escambia	959	3.3%	12
Flagler	141	0.5%	44
Franklin	34	0.1%	64
Gadsden	60	0.2%	56
Gilchrist	42	0.1%	62
Glades	43	0.1%	61
Gulf	35	0.1%	63
Hamilton	54	0.2%	58
Hardee	81	0.3%	55
Hendry	93	0.3%	50
Hernando	448	1.6%	22
Highlands	248	0.9%	32
Hillsborough	1,898	6.6%	1
Holmes	97	0.3%	48
Indian River	277	1.0%	29
Jackson	150	0.5%	42
Jefferson	32	0.1%	65
Lafayette	20	0.1%	67
Lake	304	1.1%	27

County	# of Inmates Admitted to Prison	%	Rank
Lee	859	3.0%	13
Leon	658	2.3%	16
Levy	95	0.3%	49
Liberty	22	0.1%	66
Madison	87	0.3%	54
Manatee	454	1.6%	21
Marion	712	2.5%	15
Martin	227	0.8%	35
Monroe	198	0.7%	38
Nassau	122	0.4%	46
Okaloosa	457	1.6%	20
Okeechobee	183	0.6%	40
Orange	1,070	3.7%	9
Osceola	438	1.5%	23
Palm Beach	1,249	4.3%	7
Pasco	793	2.8%	14
Pinellas	1,475	5.1%	3
Polk	1,825	6.3%	2
Putnam	253	0.9%	31
St. Johns	341	1.2%	25
St. Lucie	609	2.1%	18
Santa Rosa	230	0.8%	34
Sarasota	480	1.7%	19
Seminole	401	1.4%	24
Sumter	213	0.7%	36
Suwannee	212	0.7%	37
Taylor	109	0.4%	47
Union	53	0.2%	59
Volusia	1,157	4.0%	8
Wakulla	43	0.1%	61
Walton	138	0.5%	45
Washington	89	0.3%	52
00-Interstate	10	0.0%	68
Data Unavailable	22		
<b>Total</b>	<b>28,782</b>		

**Inmate Prison Admissions by Circuit of Commitment  
July 1, 2018 through June 30, 2019**

<b>Judicial Circuit</b>	<b>Number of Inmates Admitted to Prison</b>	<b>Percent</b>	<b>Rank FY 2018-19</b>
1 (Pensacola)	1,784	6.2%	6
2 (Tallahassee)	849	3.0%	19
3 (Lake City)	860	3.0%	18
4 (Jacksonville)	1,667	5.8%	7
5 (Tavares)	1,986	6.9%	3
6 (Clearwater)	2,268	7.9%	1
7 (Daytona)	1,892	6.6%	5
8 (Gainesville)	1,090	3.8%	16
9 (Orlando)	1,508	5.2%	8
10 (Bartow)	2,154	7.5%	2
11 (Miami)	1,331	4.6%	12
12 (Sarasota)	1,079	3.8%	17
13 (Tampa)	1,898	6.6%	4
14 (Panama City)	1,399	4.9%	11
15 (West Palm Beach)	1,249	4.3%	15
16 (Key West)	198	0.7%	20
17 (Ft. Lauderdale)	1,314	4.6%	13
18 (Sanford)	1,430	5.0%	10
19 (Ft. Pierce)	1,296	4.5%	14
20 (Ft. Myers)	1,498	5.2%	9
Data Unavailable	32		
<b>Total</b>	<b>28,782</b>		

## Inmate Prison Admissions



Felony cases are processed through judicial circuits. A circuit can consist of one large county (Circuit 11: Miami-Dade) or several smaller counties (Circuit 3: Columbia, Dixie, Hamilton, Lafayette, Madison, Suwannee, and Taylor counties). The county that an inmate is admitted from is generally the county in which the inmate committed his or her crime. Inmates are not necessarily incarcerated in or near the county where they committed their crime.

The top ten counties of admission, as shown above, provide approximately 47.6% of all prison admissions statewide. Accordingly, these were among the most populated counties in the state.

Admissions by Judicial Circuit FY 2018-19					
Judicial Circuit	Admissions	Percent	Rank FY18-19	Rank FY17-18	Counties in Circuit
1	1,784	6.2	6	7	Escambia, Okaloosa, Santa Rosa, Walton
2	849	3.0	19	18	Franklin, Gadsden, Jefferson, Leon, Liberty, Wakulla
3	860	3.0	18	19	Columbia, Dixie, Hamilton, Lafayette, Madison, Suwannee, Taylor
4	1,667	5.8	7	2	Clay, Duval, Nassau
5	1,986	6.9	3	4	Citrus, Hernando, Lake, Marion, Sumter
6	2,268	7.9	1	1	Pasco, Pinellas
7	1,892	6.6	5	6	Flagler, Putnam, St. Johns, Volusia
8	1,090	3.8	16	16	Alachua, Baker, Bradford, Gilchrist, Levy, Union
9	1,508	5.2	8	8	Orange, Osceola
10	2,154	7.5	2	3	Hardee, Highlands, Polk
11	1,331	4.6	12	15	Miami-Dade
12	1,079	3.8	17	17	Desoto, Manatee, Sarasota
13	1,898	6.6	4	5	Hillsborough
14	1,399	4.9	11	12	Bay, Calhoun, Gulf, Holmes, Jackson, Washington
15	1,249	4.3	15	13	Palm Beach
16	198	0.7	20	20	Monroe
17	1,314	4.6	13	11	Broward
18	1,430	5.0	10	9	Brevard, Seminole
19	1,296	4.5	14	14	Indian River, Martin, Okeechobee, St. Lucie
20	1,498	5.2	9	10	Charlotte, Collier, Glades, Hendry, Lee
	32	Data Unavailable			
	<b>28,782</b>	<b>Total Admissions</b>			



## Inmate Prison Admissions

**49% of admissions during FY 2018-19 were new to Florida prisons**

Inmate Admissions w/ Prior Commitments* to the Florida Department of Corrections FY 2018-19									
Priors	White Males	White Females	Black Males	Black Females	Hispanic Males	Hispanic Females	Other Males	Other Females	Total
None	5,509	1,730	4,303	461	1,836	157	75	18	14,089
1	2,655	563	2,610	160	692	36	17	7	6,740
2	1,413	179	1,562	79	294	10	7	2	3,546
3	730	71	930	27	126	2	6	-	1,892
4+	815	51	1,487	32	105	-	9	2	2,501
Unavailable	2	2	8	2	-	-	-	-	14
<b>Total</b>	<b>11,124</b>	<b>2,596</b>	<b>10,900</b>	<b>761</b>	<b>3,053</b>	<b>205</b>	<b>114</b>	<b>29</b>	<b>28,782</b>

\*Prior commitments refers to any previous occasion an inmate served time in the Florida prison system.

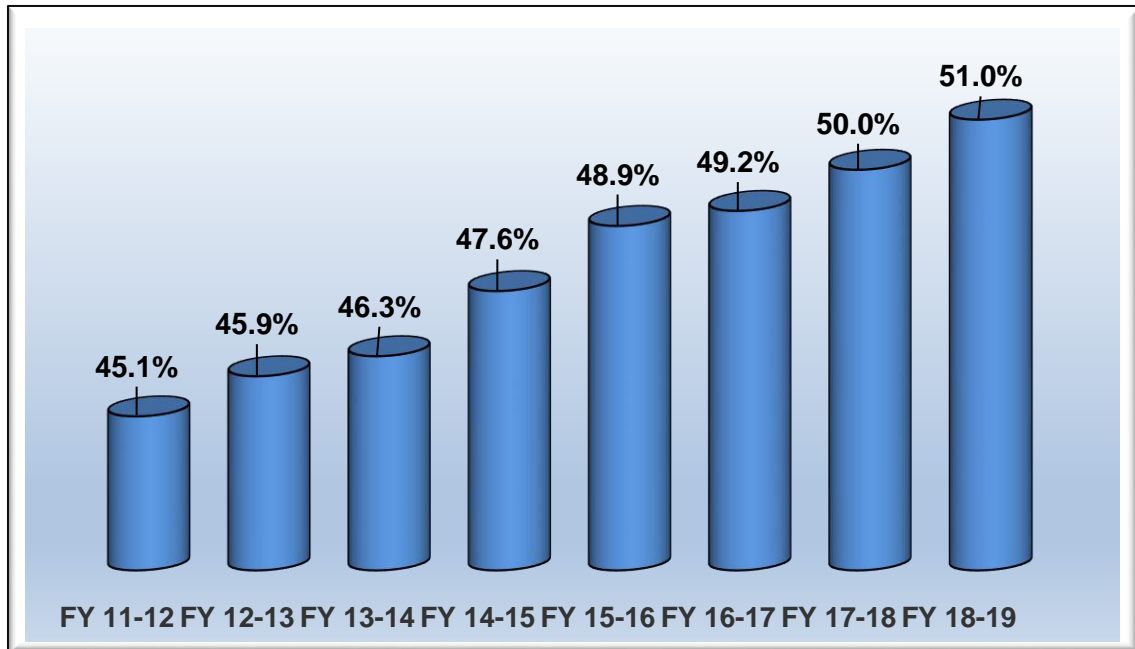
Supervision, such as probation, is not included, nor does it include inmates who may have been in Florida county jails, other state systems or Federal prison system.

Approximately 51.0% of the inmates who were admitted to the Florida prison system in FY 2018-19, had prior commitments in a Florida state prison.

During FY 2018-19, 23.4% of the inmates who were admitted to the Florida prison system only had one prior commitment in Florida. About 12.3% had two prior commitments, 6.6% had three, and 8.7% of admissions returned the Florida prison system with four or more prior commitments.

In FY 2018-19, 66% of female offenders had no previous Florida prison commitments, and 46.6% of male offenders had no previous Florida state prison commitments.

**Admissions with Prior Commitments Compared Over Eight Fiscal Years**



The graph illustrates the consistent growth of inmate admissions with prior commitments over the past eight fiscal years, with an average growth of 47.9%. The largest percentage increase occurring from FY 13-14 to FY 14-15 and FY 15-16 to FY 16-17, increasing by approximately 1.3% each time.

# APPENDICES

# APPENDIX A

## RULE 3.992

### CRIMINAL PUNISHMENT CODE SCORESHEET

#### Rule 3.992(a) Criminal Punishment Code Scoresheet

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

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

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

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

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ / \_\_\_\_\_/

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

Prior capital felony triples Primary Offense points

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

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

DOCKET#	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY A S C R	COUNTS	POINTS	TOTAL
---------	---------------	-------	---------------	-----------------	--------	--------	-------

_____/_____/_____ / _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____ x _____	= _____
---------------------------	---	---------------	---------

DESCRIPTION \_\_\_\_\_

_____/_____/_____ / _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____ X _____	= _____
---------------------------	---	---------------	---------

DESCRIPTION \_\_\_\_\_

_____/_____/_____ / _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____ X _____	= _____
---------------------------	---	---------------	---------

DESCRIPTION \_\_\_\_\_

_____/_____/_____ / _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____ x _____	= _____
---------------------------	---	---------------	---------

DESCRIPTION \_\_\_\_\_

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

Prior capital felony triples Additional Offense points

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

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

**III. VICTIM INJURY:**

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

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

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

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

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

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

V. Legal Status violation = 4 Points

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

**V.** \_\_\_\_\_

VI. Community Sanction violation before the court for sentencing

- 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 (offenses committed on or after 3/12/07)	Adult-on-Minor Sex Offense (offenses committed on or after 10/1/14)
___ x 1.5 ___ x 2.0 ___ x 2.5	___ x 1.5	___ x 1.5	___ x 1.5	___ x 1.5	___ x 2.0

Enhanced Subtotal Sentence Points **IX.** \_\_\_\_\_

**TOTAL SENTENCE POINTS** \_\_\_\_\_

## SENTENCE COMPUTATION

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

$$\frac{\text{total sentence points}}{\text{total sentence points}} \text{ minus } 28 = \text{_____} \times .75 = \text{_____} \text{ lowest permissible prison sentence in months}$$

If total sentence points are 60 points or less and court makes findings pursuant to both Florida Statutes 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"/> County Jail	_____	_____	_____
<input type="checkbox"/> Community Control	_____	_____	_____
<input type="checkbox"/> Probation	_____	_____	_____
<input type="checkbox"/> Modified	_____	_____	_____

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

Mitigated Departure     Plea Bargain     Prison Diversion Program

Other Reason \_\_\_\_\_

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

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

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

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

**II. ADDITIONAL 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.