

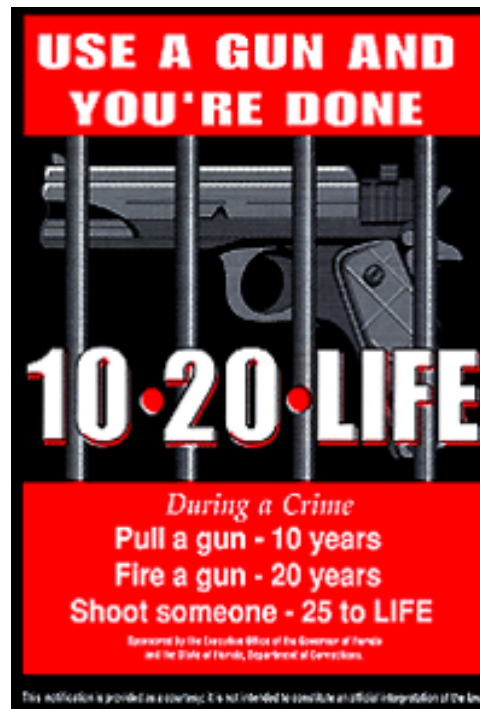
James R. McDonough
Secretary



10-20-LIFE CRIMINALS SENTENCED TO FLORIDA PRISONS

July 2007

- Background and Methods
- Felons admitted to Prison
- Demographics of Felons
- Crime and Sentencing



Prepared by:
Florida Department of Corrections
Bureau of Research and Data Analysis
Inmate Information and Analysis Section
September 2007

Background and Methods

Mandatory Sentences Under the 10-20-Life Law

The legislation (Chapter 99-12) enacted to implement the Governor's proposal provided mandatory sentences for felons convicted of crimes in which they used a gun. The following provisions [Section 775.087 (2)-(4), Florida Statutes] became effective for crimes committed on or after July 1, 1999.

For pulling a gun during a crime, a mandatory minimum sentence of **10 years** is imposed. For certain felony crimes or attempted felonies, the 10 year mandatory sentence is authorized if the criminal possessed a gun (or destructive device). For firing the gun during a crime the mandatory minimum sentence is **20 years**. For injuring or killing a victim by firing the gun during a crime, a mandatory minimum sentence from **25 years to life** in prison is authorized.

For many years, it has been a felony crime in Florida for felons to possess guns. Recognizing that felons who possess guns, despite this violation of law, may intend to commit other serious crimes using guns, the 10-20-Life legislation provided for a mandatory minimum prison sentence of **3 years** for such known felons who possess a gun. This provision alone has affected many felons sentenced to prison in Florida.

The legislation also increased to **15 years** the minimum prison term when the offender possesses a semiautomatic firearm and its high-capacity detachable box magazine or a machine gun. However, so few of these convictions and sentences have occurred that this report does not examine them separately.

Felon possessing a gun	3 Years
Pulling a gun to commit a crime	10 Years
Pulling the trigger during a crime	20 Years
Injuring or killing a victim by firing a gun during a crime.	25 Years to Life

Identifying Felons Sentenced Under the Law

Felons sentenced under these provisions are selected from the Department of Corrections Offender-Based Information System database for this report. All convictions with offense dates on or after July 1, 1999 and where the inmate was in our custody as of June 30, 2006 with at least one crime that meets either of the qualifying criteria below is detailed in this report. Except for the Admission Tables, only inmates currently in our custody are included in this

study. For example, inmates temporarily out to court at the time of this report are not included in the non-admission data.

Two criteria are used to identify crimes that qualify as affected by the 10-20-Life legislation for this report. First, the crime of felon possessing a gun is captured using three indicators simultaneously: 1) a Department of Corrections offense code (8771) that refers only to this offense, 2) a special provision code (FA) indicating a firearm mandatory sentence, and 3) a mandatory sentence of 3 years. Second, other offenses must have two indicators to qualify: 1) the special provision code (FA), and 2) a mandatory sentence of 10 or more years.

Reporting Requirements

There are no statutory requirements the Department of Corrections must meet in reporting information about 10-20-Life legislation effects. This report is designed by the Department simply to describe those felons for whom and the crimes for which the law has had sentencing consequences. In an attempt to present this information to the general public in the clearest way, the report focuses on criminals rather than their offenses. One felon may have been sentenced for multiple crimes affected by the law.

This report identifies the offense for which the longest mandatory sentence provided by the 10-20-Life law was imposed. Breaking down the data by the longest mandatory term an inmate received shows information in terms of the gun-related nature of the crime committed whether the gun was fired or a victim was injured. The report combines into one category those whose longest mandatory minimum sentence is 25 years or more (excluding life) because the law provides for a range of sentences from 25 years to life for those who fire a gun resulting in injury or death. A separate category for life is provided.

The Department of Corrections has not compared data reported here with information reported by each State Attorney. Nevertheless, the Department believes the data reported here, reflecting information transmitted to us by the Florida courts on sentence and judgment forms, provides a fair and accurate description of the sentencing effects of the 10-20-Life law.

The report is not intended to formally evaluate the initiative, but simply to advise Floridians about the serious justice consequences of using guns to commit crimes.

10-20-Life Felons Admitted to Prison

Cumulative Admissions by Quarter

The 10-20-Life legislation imposed mandatory minimum sentences for crimes committed on or after July 1, 1999. The delay between the effective date of the legislation and the beginning of substantial prison admissions with the new sentences reflects the time required to arrest, try, and sentence felons for the crimes they committed.

LONGEST MANDATORY MINIMUM SENTENCE						
CUMULATIVE ADMISSIONS BY YEAR-QUARTER	3 YR	10 YR	20 YR	25 YR-LIFE	LIFE	TOTAL
1999 JUL-SEP	1	0	0	0	0	1
1999 OCT-DEC	8	0	0	1	0	9
2000 JAN-MAR	35	9	1	2	0	47
2000 APR-JUN	101	45	4	6	0	156
2000 JUL-SEP	178	90	7	10	1	286
2000 OCT-DEC	253	142	10	16	2	423
2001 JAN-MAR	329	205	22	29	2	587
2001 APR-JUN	413	279	29	40	7	768
2001 JUL-SEP	479	341	34	56	8	918
2001 OCT-DEC	560	425	39	71	8	1,103
2002 JAN-MAR	633	513	51	82	9	1,288
2002 APR-JUN	708	593	58	94	10	1,463
2002 JUL-SEP	784	678	67	111	14	1,654
2002 OCT-DEC	866	767	76	123	19	1,851
2003 JAN-MAR	942	831	86	135	21	2,015
2003 APR-JUN	1,018	924	102	162	27	2,233
2003 JUL-SEP	1,123	1,012	119	175	30	2,459
2003 OCT-DEC	1,208	1,100	129	194	33	2,664
2004 JAN-MAR	1,313	1,187	143	209	34	2,886
2004 APR-JUN	1,414	1,275	153	236	40	3,118

2004 JUL-SEP	1,494	1,364	165	259	43	3,325
2004 OCT-DEC	1,578	1,452	178	282	48	3,538
2005 JAN-MAR	1,646	1,537	189	306	54	3,732
2005 APR-JUN	1,732	1,639	201	334	59	3,965
2005 JUL-SEP	1,822	1,733	213	360	64	4,192
2005 OCT-DEC	1,909	1,815	231	380	70	4,405
2006 JAN-MAR	2,000	1,896	243	403	77	4,619
2006 APR-JUN	2,082	1,981	258	421	83	4,825

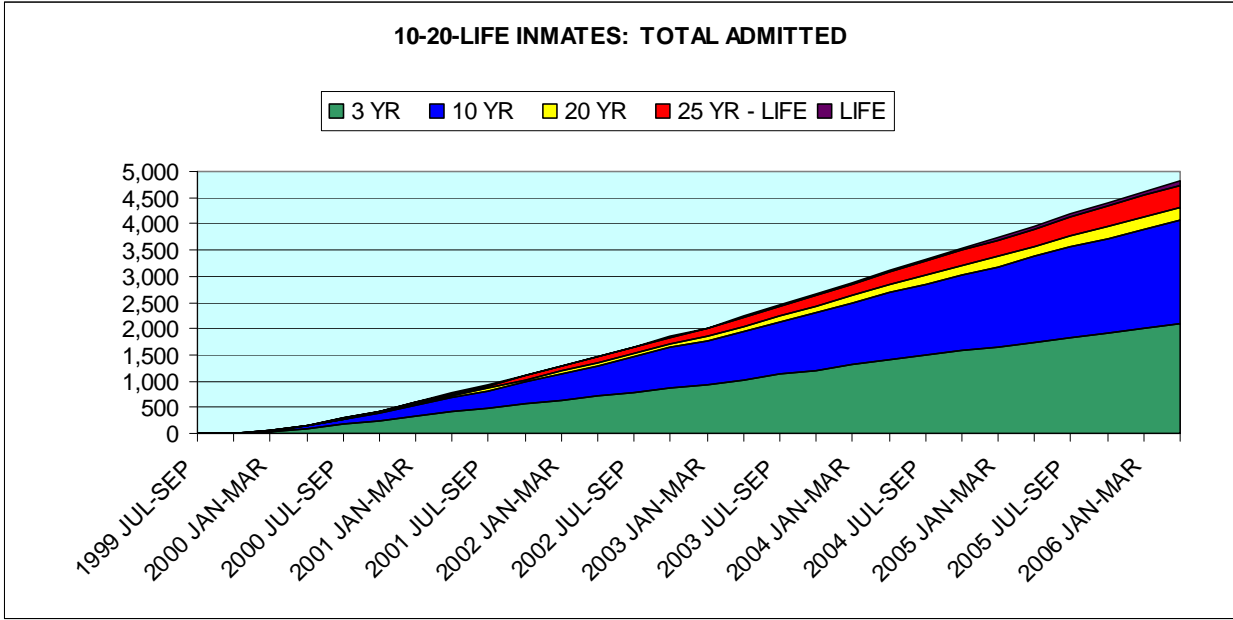
Through June 2006, a total of 4,825 inmates have been admitted to prison with a sentence imposed under the 10-20-Life legislation.

The largest group of inmates sentenced under the legislation to date 2,082 or (43.2%) was convicted as felons in possession of a gun, receiving the 3-year mandatory minimum prison term.

Inmates sentenced to the longer mandatory sentences include: 1,981 inmates (41.1%) received 10 years, 258 (5.3%) received 20 years, 421 (8.7%) received 25 years or longer, and 83 (1.7%) received Life.

For this report inmates are categorized based on the longest mandatory minimum sentence they have received. An inmate sentenced for more than one crime may have received more than one mandatory sentence.

This report combines into one category those whose longest mandatory minimum sentence is 25 years or more (excluding life), because the law provides for a range of sentences from 25 years to life for those who fire a gun resulting in injury or death. A separate category for Life is provided as well.



Admissions by Quarter

Analyzing 10-20-Life sentencing using prison admissions each quarter identifies trends in the effect of the legislation.

The admissions trends for the 3-, 10-, and 20-year mandatory sentences remain fairly stable.

The admission trend for the 25-to-Life mandatory sentences appears to have leveled, although recent numbers are much higher compared to the initial quarters.

LONGEST MANDATORY MINIMUM SENTENCE						
ADMISSIONS BY YEAR-QUARTER	3 YR	10 YR	20 YR	25 YR-LIFE	LIFE	TOTAL
1999 JUL-SEP	1	0	0	0	0	1
1999 OCT-DEC	7	0	0	1	0	8
2000 JAN-MAR	27	9	1	1	0	38
2000 APR-JUN	66	36	3	4	0	109
2000 JUL-SEP	77	45	3	4	1	130
2000 OCT-DEC	75	52	3	6	1	137
2001 JAN-MAR	76	63	12	13	0	164

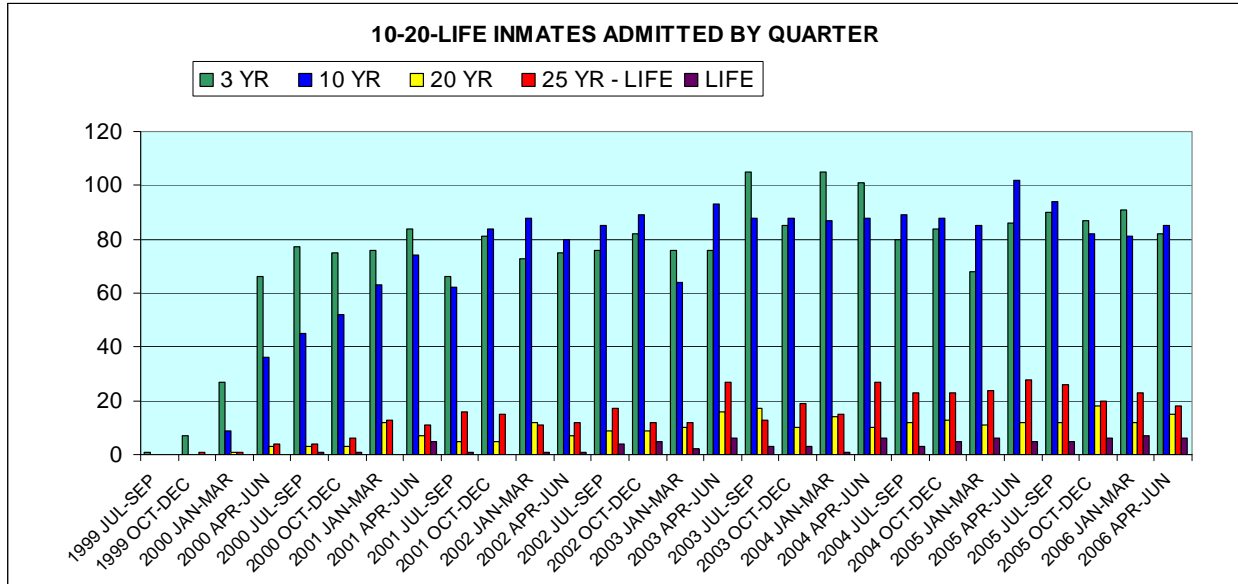
2001 APR-JUN	84	74	7	11	5	181
2001 JUL-SEP	66	62	5	16	1	150
2001 OCT-DEC	81	84	5	15	0	185
2002 JAN-MAR	73	88	12	11	1	185
2002 APR-JUN	75	80	7	12	1	175
2002 JUL-SEP	76	85	9	17	4	191
2002 OCT-DEC	82	89	9	12	5	197
2003 JAN-MAR	76	64	10	12	2	164
2003 APR-JUN	76	93	16	27	6	218
2003 JUL-SEP	105	88	17	13	3	226
2003 OCT-DEC	85	88	10	19	3	205
2004 JAN-MAR	105	87	14	15	1	222
2004 APR-JUN	101	88	10	27	6	232
2004 JUL-SEP	80	89	12	23	3	207
2004 OCT-DEC	84	88	13	23	5	213
2005 JAN-MAR	68	85	11	24	6	194
2005 APR-JUN	86	102	12	28	5	233
2005 JUL-SEP	90	94	12	26	5	227
2005 OCT-DEC	87	82	18	20	6	213
2006 JAN-MAR	91	81	12	23	7	214
2006 APR-JUN	82	85	15	18	6	206

During Fiscal Year 2005-06 (July 2005-June 2006), an average of 215 felons per quarter were admitted to prison with sentences imposed under the 10-20-Life law.

The average number of quarterly admissions for inmates sentenced as felons in possession of a gun (3-year term) was 87.5 per quarter since July 2005.

Quarterly admissions with the 10-year mandatory minimum have stabilized at 84.6 per quarter on average since April 2001.

Average Fiscal Year 2005-06 quarterly admissions of inmates with 20-year mandatory sentences were 14.25, 21.75 for inmates with mandatory sentences of 25-Life, and 6.0 for Life sentences.



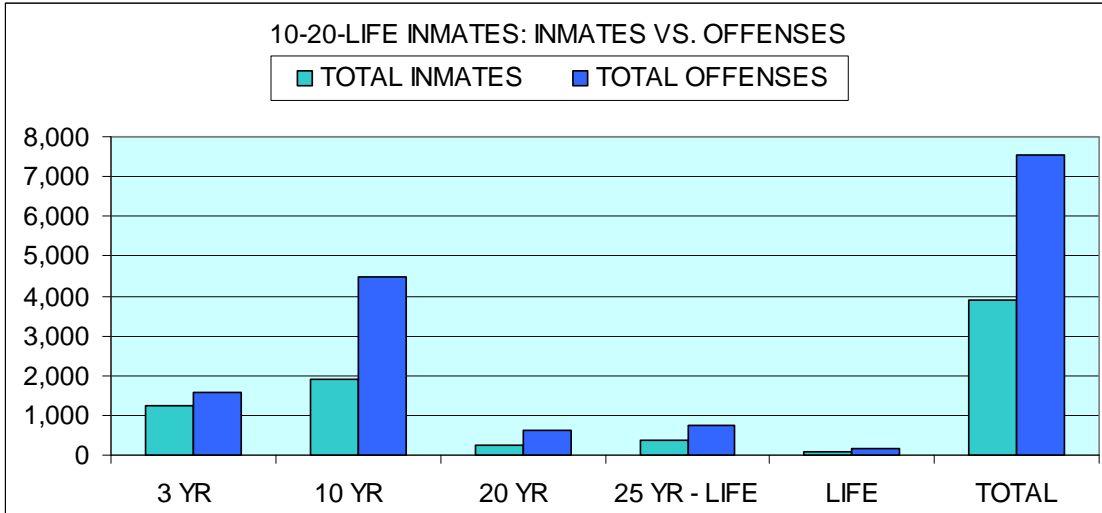
Inmates vs. Crimes

This report categorizes inmates based on the longest mandatory minimum sentence they have received under the 10-20-Life law, because many felons have committed more than one qualifying crime.

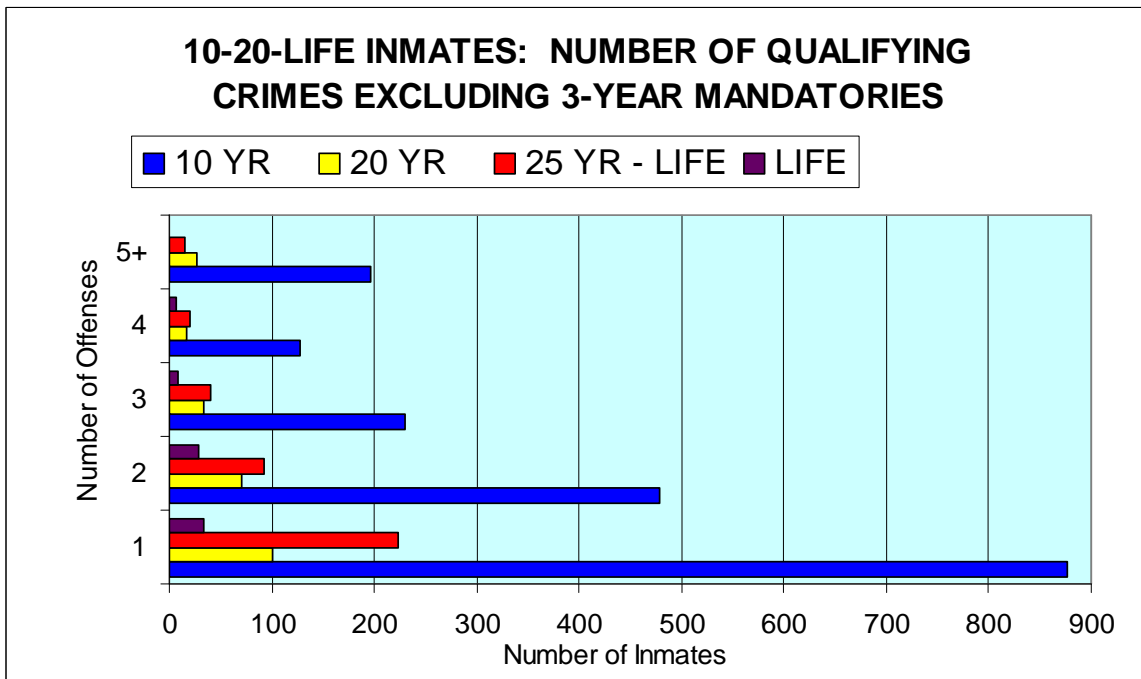
Of the 4,825 felons admitted to prison with a mandatory minimum sentence under the 10-20-Life legislation, 3,887 are currently in the Department's custody and have been convicted of 7,536 crimes for which a 10-20-Life sentence was imposed.

QUALIFYING OFFENSES BY INMATE	MAXIMUM MANDATORY SENTENCE					TOTAL
	3 YR	10 YR	20 YR	25 YR - LIFE	LIFE	
1	1,083	876	100	223	33	2,315
2	131	479	70	92	28	800
3	28	230	34	41	9	342
4	9	127	17	20	6	179
5+	10	197	27	15	2	251
TOTAL INMATES	1,261	1,909	248	391	78	3,887
TOTAL OFFENSES	1,556	4,464	614	751	151	7,536

Of inmates whose longest mandatory minimum sentence was 3 years, most (85.9%) committed only one crime that qualified for an enhanced sentence, although they may have committed other non-qualifying crimes.



The average number of qualifying crimes per inmate was 2.4 for those whose longest mandatory term was at least 10 years and less than 25 years.



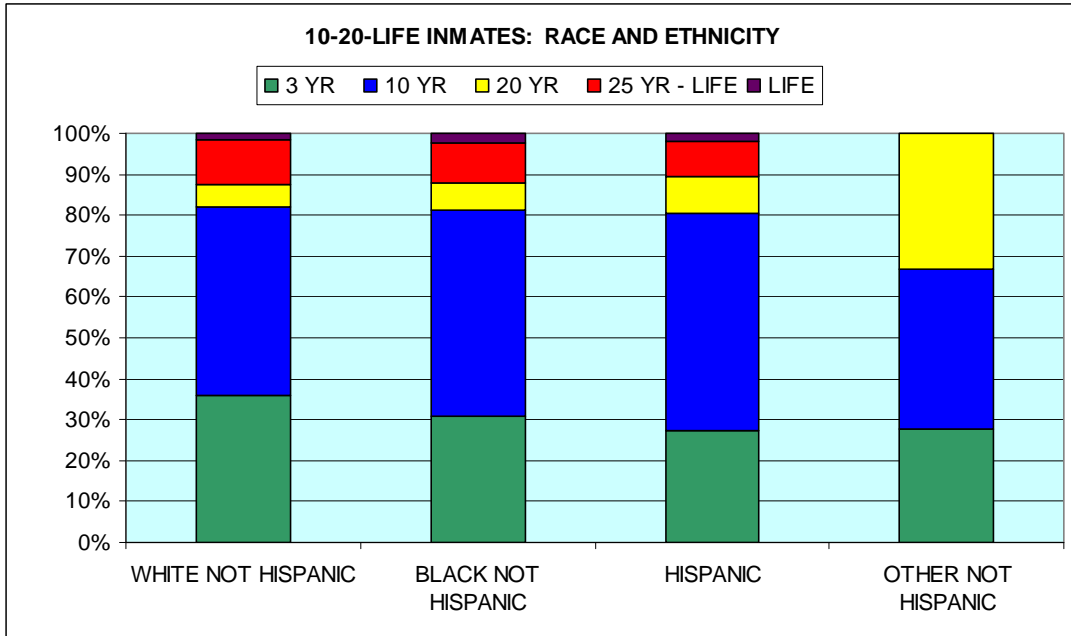
Demographics of 10-20-Life Felons

Gender/Race/Ethnicity of All Qualifying Inmates

Of all 10-20-Life felons, two-thirds (67.6%) received the longest term for **using a gun** in a crime. About one-third (32.4%) were sentenced for the crime of **felon possessing a gun**.

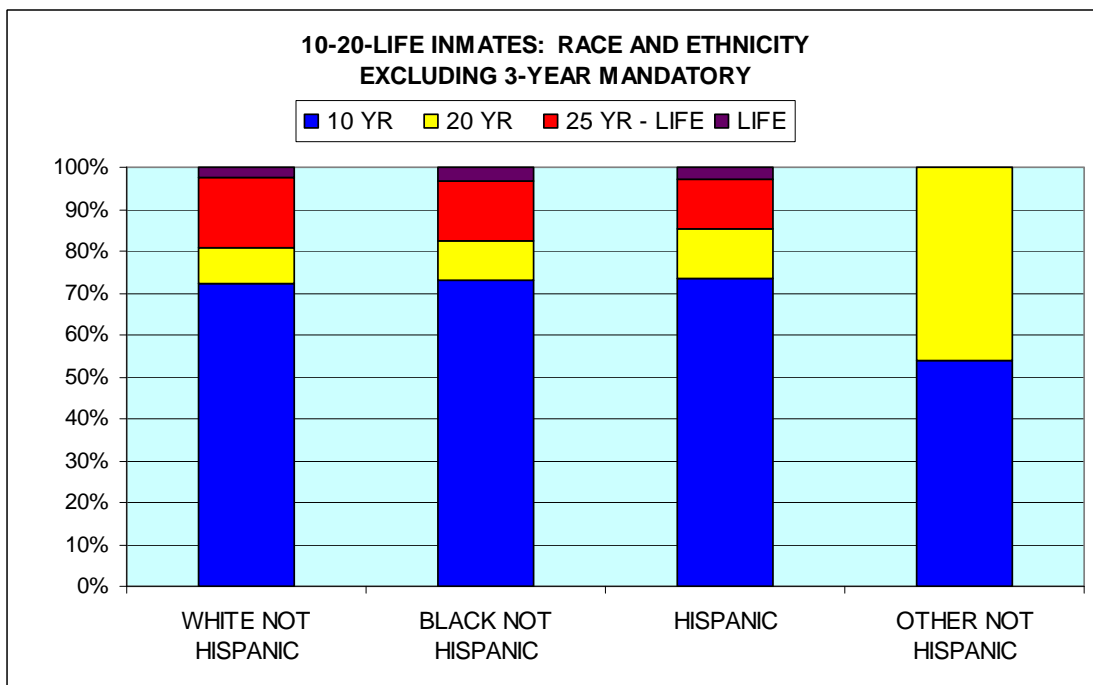
Likewise, among the small number of female 10-20-Life felons (93), almost three-fourths (73.1%) received their longest term for **using a gun** in a crime and (26.9%) were sentenced for the crime of **felon possessing a gun**.

MAXIMUM MANDATORY SENTENCE						
	3 YR	10 YR	20 YR	25 YR - LIFE	LIFE	TOTAL
GENDER						
MALES	1,236	1,868	238	374	78	3,794
FEMALES	25	41	10	17	0	93
TOTAL	1,261	1,909	248	391	78	3,887
RACE / ETHNICITY						
WHITE NOT HISPANIC	463	592	70	140	19	1,284
BLACK NOT HISPANIC	765	1,255	163	242	57	2,482
HISPANIC	28	55	9	9	2	103
OTHER NOT HISPANIC	5	7	6	0	0	18
TOTAL	1,261	1,909	248	391	78	3,887



Using a gun in a crime accounted for the longest 10-20-Life mandatory sentence for 63.9% of white not Hispanics, for 69.2% of black not Hispanics, and for 72.8% of Hispanics.

Among 10-20-Life felons who **used a gun** in a crime, those whose longest mandatory term was 10 years comprised 72.1% of white not Hispanics, 73.1% of black not Hispanics, and 73.3% of all Hispanics.



Current Age of Inmates under 10-20-Life

Sentencing under the 10-20-Life law suggests differences among felons in the way gun-related crime occurs according to age group.

CURRENT AGE	MAXIMUM MANDATORY SENTENCE					TOTAL
	3 YR	10 YR	20 YR	25 YR - LIFE	LIFE	
Less than 18	2	13	2	2	0	19
18-24	212	701	66	103	17	1,099
25-34	597	842	117	165	34	1,755
35-49	371	300	46	75	19	811
50-59	65	45	12	28	6	156
60+	14	8	5	18	2	47
TOTAL	1,261	1,909	248	391	78	3,887

Of felons who received any 10-20-Life sentence, only 19 are under the age of 18.

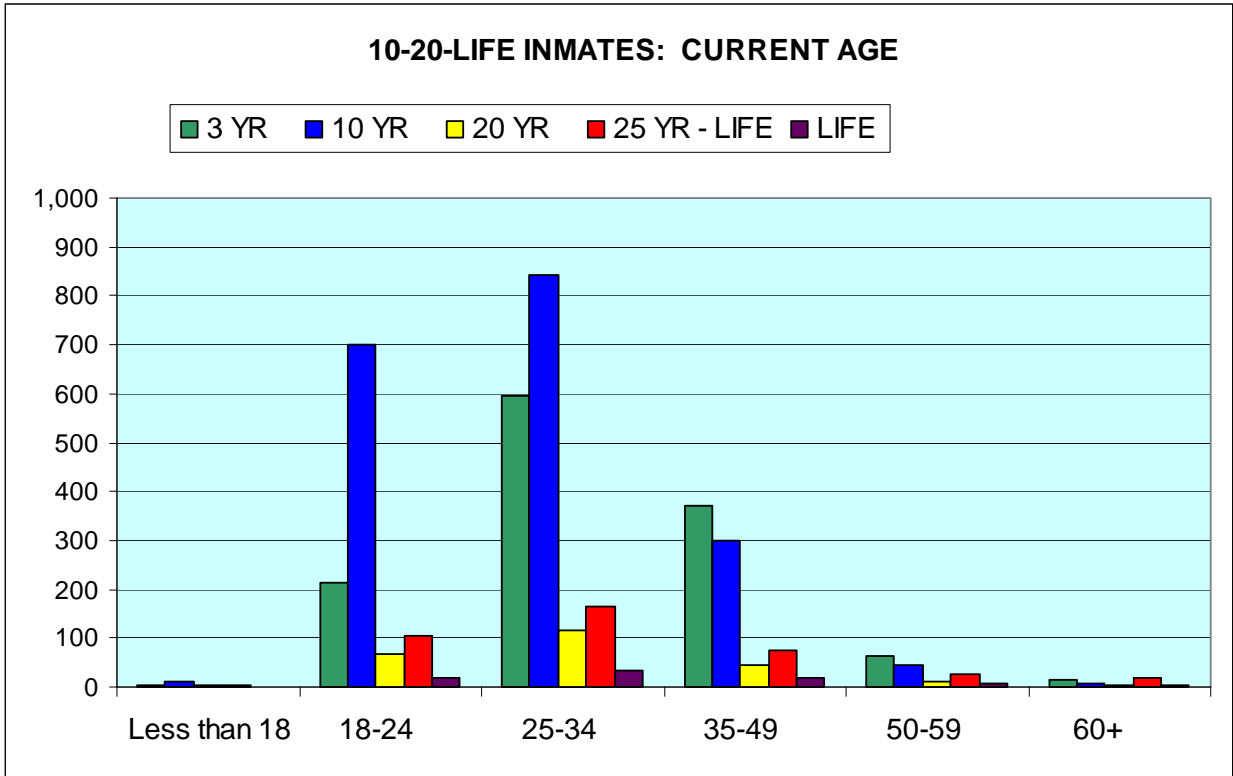
Of felons whose longest 10-20-Life sentence was for **using a gun** in a crime, 33.8% are between ages 18 and 24, 44.1% are between ages 25 and 34, and 16.8% are between ages 35 and 49.

Of felons whose longest 10-20-Life sentence was for felon **possessing a gun**, 47.3% are between ages 25 and 34, 16.8% are between ages 18 and 24, and 29.4% are between ages 35 and 49.

Of 10-20-Life felons sentenced for **using a gun** in a crime, only 23.5% of those under age 18 fired the gun, whereas 37.4% of those age 35 or older did.

Of 10-20-Life felons ages 18 to 24, most (76.8%) displayed the gun during the crime, whereas about one-fourth (23.2%) were convicted as felons possessing a gun.

Older 10-20-Life felons are more likely to be convicted as felons possessing a gun as compared with displaying the gun: 59.8% of those ages 50 and above, and 55.3% of those ages 35 to 49. However, because this charge depends on having a prior felony conviction, this may simply be the result of older felons being more likely to have a prior felony.



County of Conviction

COUNTY OF CONVICTION (Of Longest Mandatory Sentence Offense)	MAXIMUM MANDATORY SENTENCE					TOTAL
	3 YR	10 YR	20 YR	25 YR- LIFE	LIFE	
ALACHUA	24	29	1	4	1	59
BAKER	5	5	0	0	0	10
BAY	3	7	0	2	0	12
BRADFORD	1	1	1	0	0	3
BREVARD	14	26	3	1	0	44
BROWARD	129	224	24	28	8	413
CALHOUN	4	1	0	0	0	5
CHARLOTTE	4	8	0	0	0	12
CITRUS	14	15	1	2	0	32
CLAY	5	10	1	1	1	18

COLLIER	6	9	0	3	0	18
COLUMBIA	10	9	1	2	0	22
DADE	148	249	45	40	19	501
DESOTO	3	1	0	1	0	5
DIXIE	1	1	0	0	0	2
DUVAL	61	163	25	54	11	314
ESCAMBIA	29	36	6	7	3	81
FLAGLER	1	0	0	0	0	1
FRANKLIN	0	0	1	0	0	1
GADSDEN	11	12	0	0	1	24
GILCHRIST	0	0	0	0	0	0
GLADES	1	0	0	0	0	1
GULF	0	0	0	0	0	0
HAMILTON	3	0	0	2	0	5
HARDEE	4	2	0	1	0	7
HENDRY	2	1	1	0	0	4
HERNANDO	16	13	0	4	0	33
HIGHLANDS	20	13	1	0	0	34
HILLSBOROUGH	108	172	27	33	11	351
HOLMES	0	2	0	0	0	2
INDIAN RIVER	7	4	3	0	1	15
JACKSON	6	6	0	2	0	14
JEFFERSON	1	3	0	1	0	5
LAFAYETTE	0	0	0	0	0	0
LAKE	40	25	0	8	0	73
LEE	27	27	5	15	0	74
LEON	38	65	8	8	2	121
LEVY	5	6	0	0	0	11
LIBERTY	1	0	0	1	0	2
MADISON	0	5	0	1	0	6
MANATEE	12	27	2	13	1	55

MARION	31	26	3	9	0	69
MARTIN	12	1	0	0	0	13
MONROE	2	6	0	0	0	8
NASSAU	1	5	0	1	1	8
OKALOOSA	8	20	1	3	0	32
OKEECHOBEE	5	1	1	2	0	9
ORANGE	75	169	25	41	4	314
OSCEOLA	11	17	0	4	0	32
PALM BEACH	69	96	11	34	8	218
PASCO	11	8	3	2	0	24
PINELLAS	76	123	22	22	5	248
POLK	81	67	4	10	0	162
PUTNAM	2	12	0	2	0	16
SANTA ROSA	5	7	0	3	0	15
SARASOTA	22	34	5	7	1	69
SEMINOLE	3	6	2	0	0	11
ST. JOHNS	15	19	2	3	0	39
ST. LUCIE	21	33	3	6	0	63
SUMTER	10	7	1	2	0	20
SUWANNEE	3	6	0	0	0	9
TAYLOR	1	4	3	0	0	8
UNION	1	1	0	0	0	2
VOLUSIA	27	56	5	4	0	92
WAKULLA	0	3	0	1	0	4
WALTON	2	3	1	1	0	7
WASHINGTON	3	2	0	0	0	5
TOTAL	1,261	1,909	248	391	78	3,887

Criminal History Prior Florida Supervision Terms

Most, but not all prior felonies committed in Florida result in a sentence to supervision or prison with the Florida Department of Corrections.

Therefore, the data for this report only gives a partial indication of the criminal history of felons admitted to the Department.

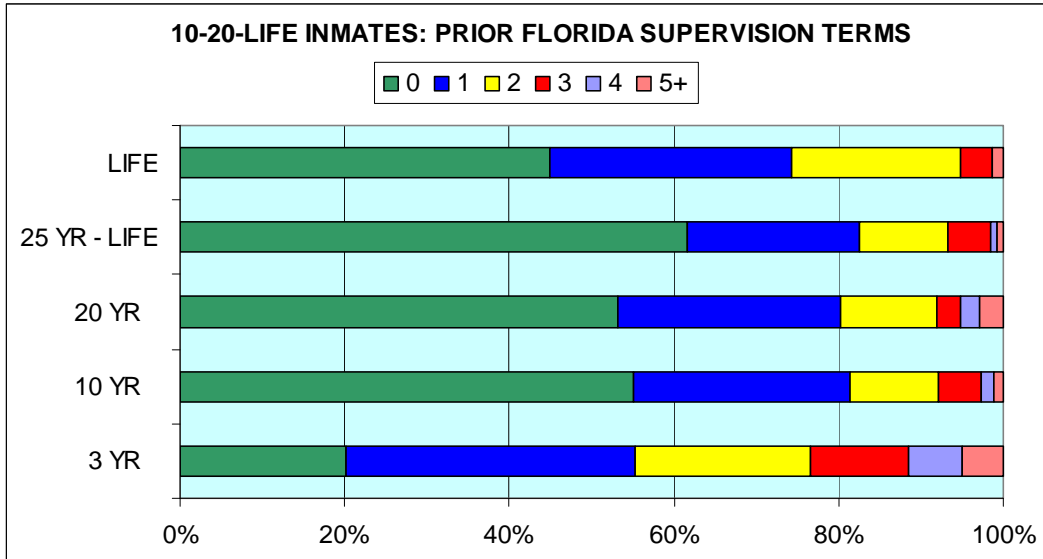
It does not include prior felonies committed in other states, those resulting in Federal convictions, or Florida felonies that resulted only in local jail terms.

PRIOR SUPERVISION TERMS	MAXIMUM MANDATORY SENTENCE					TOTAL
	3 YR	10 YR	20 YR	25 YR-LIFE	LIFE	
0	254	1,053	132	241	35	1,715
1	444	499	67	82	23	1,115
2	268	208	29	42	16	563
3	150	96	7	20	3	276
4	81	31	6	3	0	121
5+	64	22	7	3	1	97
TOTAL	1,261	1,909	248	391	78	3,887

Many felons (44.4%) who received a 10-20-Life sentence of 10 years or longer had at least one prior supervision term in Florida for a previous felony conviction.

Most felons (79.9%) who received a 3-year mandatory minimum sentence for felon possessing a gun had at least one prior supervision term in Florida for a previous felony conviction. All of these have been previously convicted of a felony in Florida or elsewhere.

Of all 3,887 10-20-Life felons in the Department's custody, 1,057 (27.2%) had two or more prior supervision terms with the Florida Department of Corrections.



Criminal History Prior Florida Prison Terms

PRIOR PRISON TERMS	MAXIMUM MANDATORY SENTENCE					TOTAL
	3 YR	10 YR	20 YR	25 YR-LIFE	LIFE	
0	500	1,456	172	303	46	2,477
1	405	258	39	56	17	775
2	191	104	20	24	7	346
3	77	44	7	5	2	135
4	44	31	5	3	4	87
5+	44	16	5	0	2	67
TOTAL	1,261	1,909	248	391	78	3,887

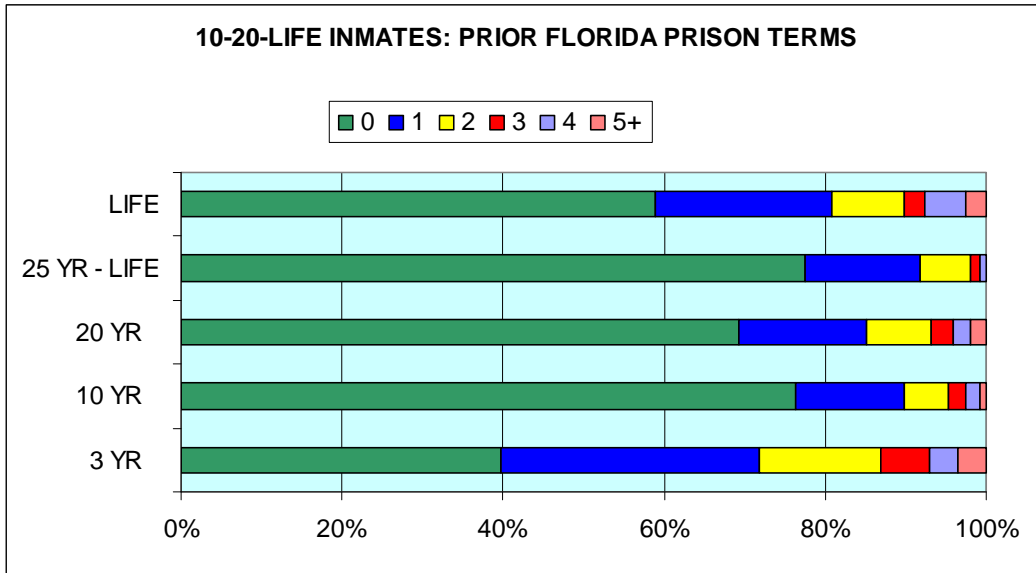
Over one-third of felons (36.3%) who received any mandatory minimum sentence under 10-20-Life had at least one prior prison term in Florida for a previous felony conviction.

Most felons (60.3%) who received a 3-year mandatory minimum sentence for felon possessing a gun had at least one prior prison term in Florida for a previous felony conviction. All of these have been previously convicted of a felony in Florida or elsewhere.

Of felons whose longest mandatory minimum term was 10 years, 453 (23.7%) had at least one prior prison term in Florida for a previous felony conviction.

Of felons whose longest mandatory minimum term was 20 years or longer, 196 (27.3%) had at least one prior prison term in Florida for previous felonies.

Of all 10-20-Life felons, 635 (16.3%) had two or more prior prison terms with the Florida Department of Corrections.



Crimes and Sentencing of 10-20-Life Felons

Types of Crime Committed

OFFENSE TYPE	MAXIMUM MANDATORY SENTENCE					TOTAL
	3 YR	10 YR	20 YR	25 YR-LIFE	LIFE	
MURDER / MANSLAUGHTER	1	142	93	294	64	594
SEXUAL / LEWD BEHAVIOR	0	17	2	2	0	21
ROBBERY	2	1,170	75	35	8	1,290
OTHER VIOLENT	6	264	67	54	5	396
BURGLARY	1	268	9	6	1	285
PROPERTY / THEFT	0	0	0	0	0	0
DRUGS	0	26	1	0	0	27
WEAPONS	1,251	22	1	0	0	1,274
OTHER	0	0	0	0	0	0
TOTAL	1,261	1,909	248	391	78	3,887

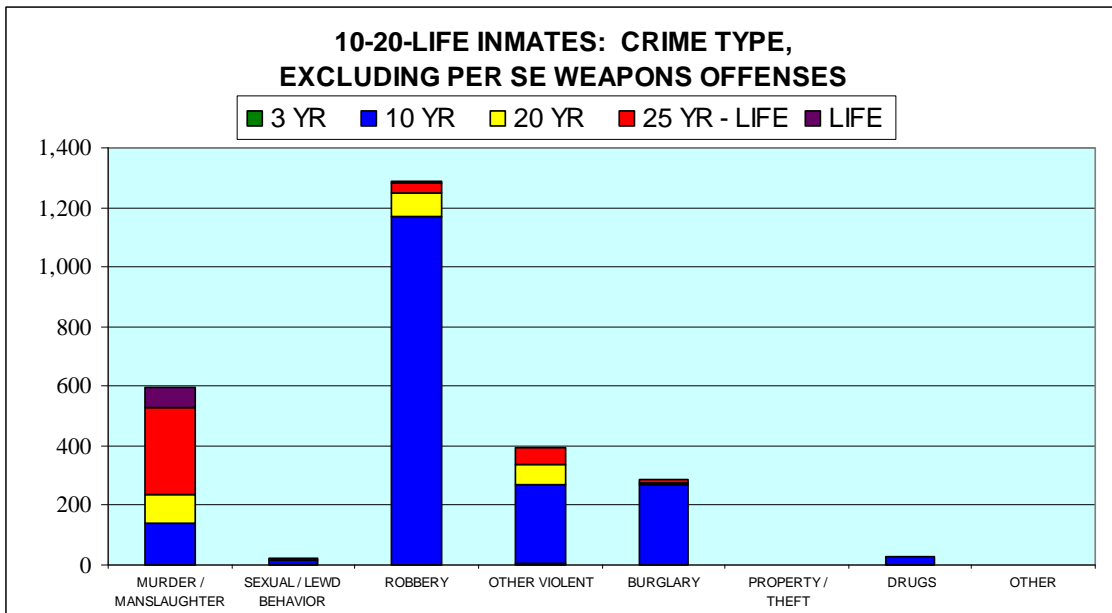
Less than one-third (32.4%) of the 3,887 felons currently in the Department's custody with a mandatory minimum sentence under the 10-20-Life legislation received the longest mandatory term for the crime of felon possessing a gun.

Only 10 other inmates committed another kind of offense besides a weapons crime that accounts for a crime of felony possession of a gun.

Robbery accounts for the longest 10-20-Life mandatory sentence for 49.1% of the 2,626 felons who used a gun in a crime.

Other violent crime (aggravated assault, aggravated battery, carjacking, etc.) accounts for the longest mandatory sentence for 14.9% of felons who used a gun in a crime; murder or manslaughter for about 22.6%; and burglary for 10.8%.

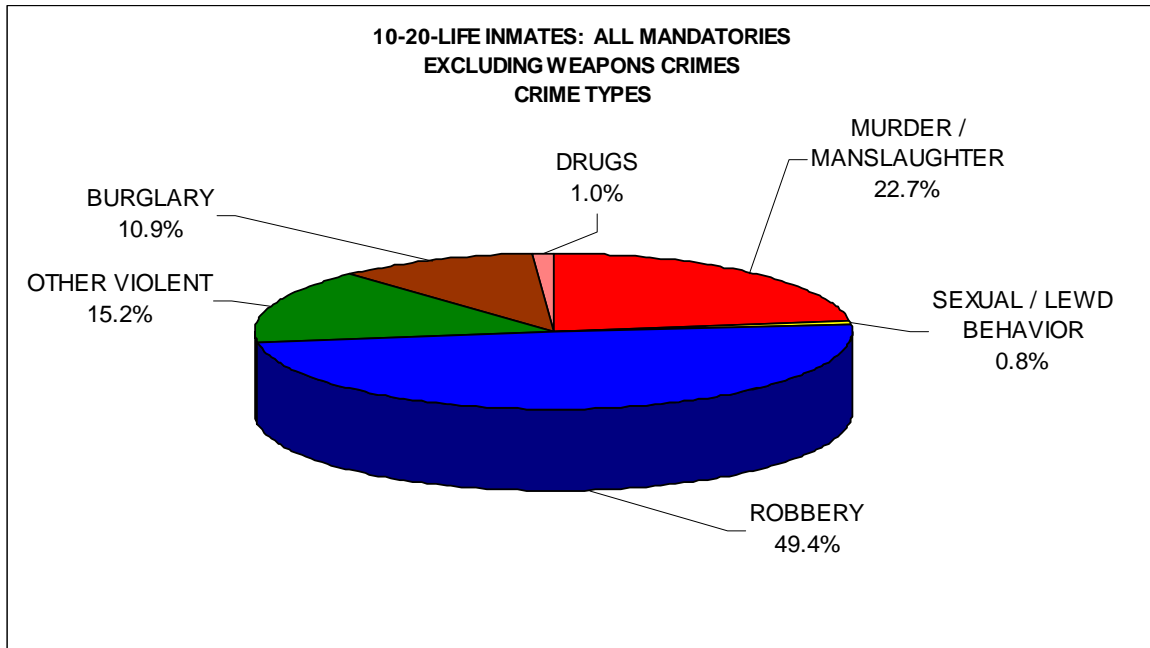
Sexual or lewd behavior and drug crimes account for very few (21) of the longest mandatory terms imposed under 10-20-Life.



Crime Type Excluding Per Se Weapons Crimes

Per se weapons crimes are those that involve the illegal firing, possession, carrying, transporting, dealing, or purchasing of certain guns, regardless of any use or intended use in another crime. The 10-20-Life law imposes a 3-year mandatory minimum prison sentence for those criminals previously convicted of felonies who possess guns.

For specific numbers please refer to the previous data table on [Types of Crime Committed](#).



Of the 1,274 felons who received their longest mandatory minimum 10-20-Life term for a *per se* weapons crime, all but 23 received that sentence for felon possessing a gun. Excluding *per se* weapons crimes shows what kind of crimes 10-20-Life felons used a gun to commit.

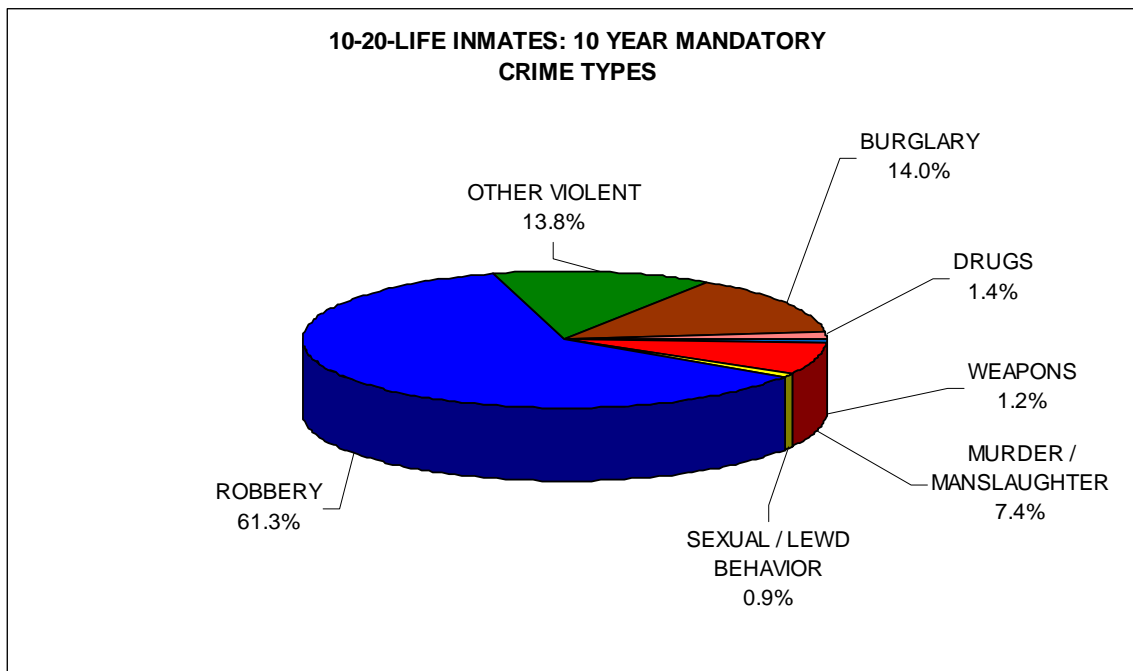
Robbery accounts for the longest mandatory sentence for most 10-20-Life felons (49.4%), excluding *per se* weapons crimes.

Murder or manslaughter accounts for the longest mandatory sentence for 22.7% of 10-20-Life felons, excluding *per se* weapons crimes.

Other violent crime (aggravated assault, aggravated battery, carjacking, etc.) accounts for the longest mandatory sentence for 15.2% of 10-20-Life felons and burglary accounts for the longest mandatory sentence for 10.9%, excluding *per se* weapons crimes.

Crime Type 10-Year Mandatory Minimum Sentence

The 10-20-Life law provides a 10-year mandatory minimum prison sentence for those who pull a gun while committing a crime.



Of the 3,887 felons currently in the Department's custody with a 10-20-Life sentence, 1,909 (49.1%) received 10 years as their longest mandatory minimum term.

Robbery accounts for 1,170 (61.3%) of the 1,909 whose longest mandatory sentence is 10 years.

Other violent crime (aggravated assault, aggravated battery, carjacking, etc.) accounts for 264 (13.8%) of the 1,909 whose longest mandatory sentence is 10 years.

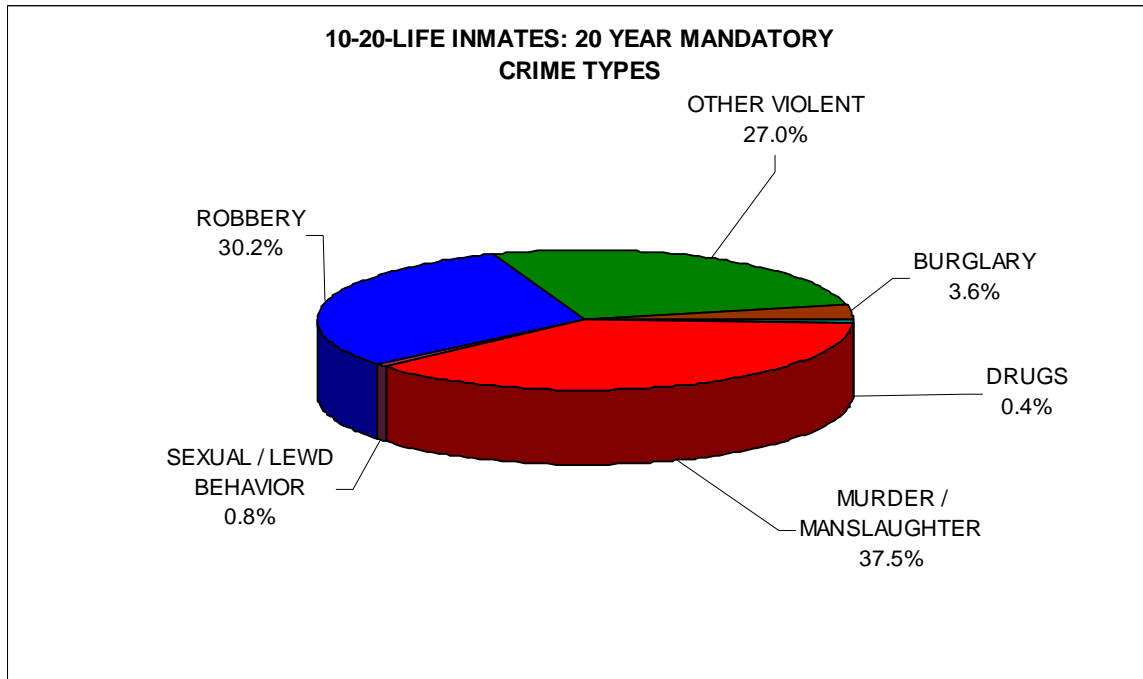
Burglary accounts for 268 (14.0%) of the 1,909 whose longest mandatory sentence is 10 years.

Murder or manslaughter accounts for 142 (7.4%) of the felons whose longest mandatory sentence is 10 years. This category includes crimes of attempt, accessory, and conspiracy to commit the crime of murder.

Sexual or lewd behavior accounts for 17 (0.9%) of the 10-year mandatory felons.

Crime Type 20-Year Mandatory Minimum Sentence

The 10-20-Life law provides a 20-year mandatory minimum prison sentence for those who fire a gun while committing a crime.



Of the 3,887 felons currently in the Department's custody with a 10-20-Life sentence, 248 (6.4%) received 20 years as their longest mandatory minimum term.

Robbery accounts for 75 (30.2%) of the 248 whose longest mandatory sentence is 20 years.

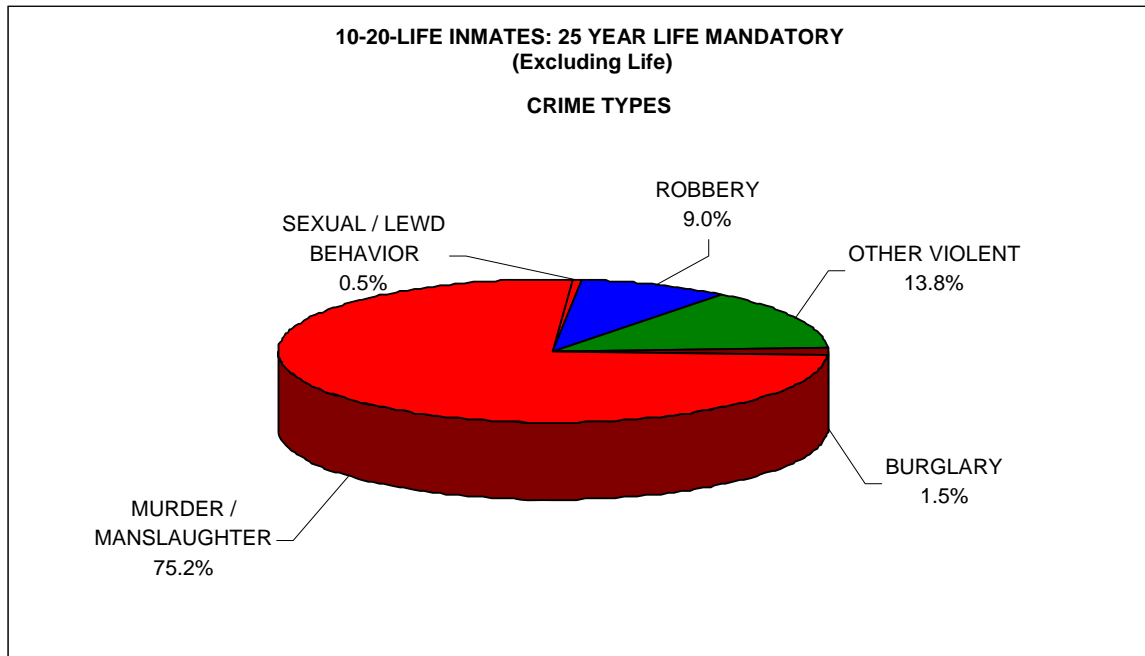
Other violent crime (aggravated assault, aggravated battery, carjacking, etc.) accounts for 67 (27.0%) of the 248 whose longest mandatory sentence is 20 years.

Murder or manslaughter accounts for 93 (37.5%) of the felons whose longest mandatory sentence is 20 years. This category includes crimes of attempt, accessory, and conspiracy to commit the crime of murder.

Burglary accounts for 9 (3.6%), of the 248 whose longest mandatory sentence is 20 years.

Crime Type 25-Year to Life Mandatory Minimum Sentence (Excluding Life)

The 10-20-Life law provides a mandatory minimum prison sentence from 25 years to life in prison for those who injure or kill a victim by firing a gun while committing a crime.



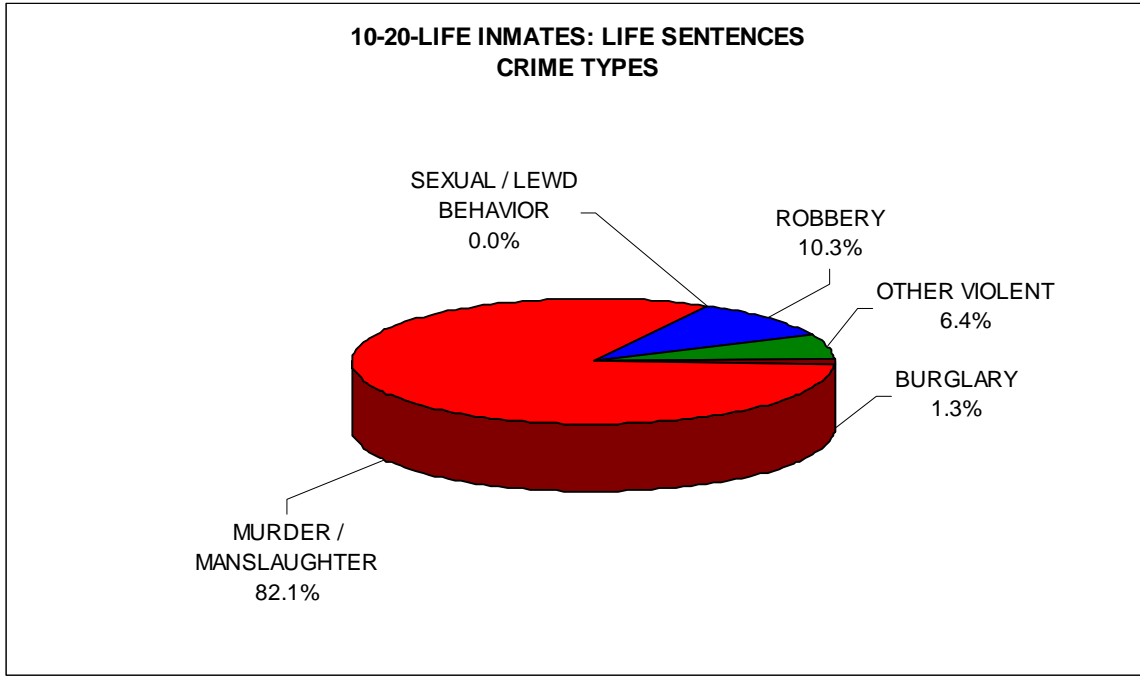
Of the 3,887 felons currently in the Department's custody with a 10-20-Life sentence, 391 (10.1%) received from 25 years to life (excluding life) as their longest mandatory minimum term.

Robbery accounts for 35 (9.0%) of the 391 whose longest mandatory sentence is from 25 years to life.

Other violent crime (aggravated assault, aggravated battery, carjacking, etc.) accounts for 54 (13.8%) of the 391 whose longest mandatory sentence is 25 years to life.

Murder or manslaughter accounts for 294 (75.2%) of the felons whose longest mandatory sentence is 25 years to life.

Crime Type Life Mandatory Minimum Sentence



Of the 3,887 felons currently in the Department's custody with a 10-20-Life sentence, 78 (2.0%) received life as their longest mandatory minimum term.

Robbery accounts for 8 (10.3%) of the 78 whose longest mandatory sentence is life.

Other violent crime (aggravated assault, aggravated battery, carjacking, etc.) accounts for 5 (6.4%) of the 78 whose longest mandatory sentence is life.

Murder or manslaughter accounts for 64 (82.1%) of the felons whose longest mandatory sentence is life.

Mandatory Minimum Sentences by Crime Type

For those felons who used a gun to commit a crime, examining the type of crime that generated their longest mandatory minimum sentence reveals information about how they used the gun while committing that kind of crime.

OFFENSE TYPE	MAXIMUM MANDATORY SENTENCE					TOTAL
	LIFE	25 YR - LIFE	20 YR	10 YR	3 YR	
MURDER / MANSLAUGHTER	10.8%	49.5%	15.7%	23.9%	0.2%	100.0%
SEXUAL / LEWD BEHAVIOR	0.0%	9.5%	9.5%	81.0%	0.0%	100.0%
ROBBERY	0.6%	2.7%	5.8%	90.7%	0.2%	100.0%
OTHER VIOLENT	1.3%	13.6%	16.9%	66.7%	1.5%	100.0%
BURGLARY	0.4%	2.1%	3.2%	94.0%	0.4%	100.0%
PROPERTY / THEFT	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%
DRUGS	0.0%	0.0%	3.7%	96.3%	0.0%	100.0%
WEAPONS	0.0%	0.0%	0.1%	1.7%	98.2%	100.0%
OTHER	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%
TOTAL	2.0%	10.1%	6.4%	49.1%	32.4%	100.0%

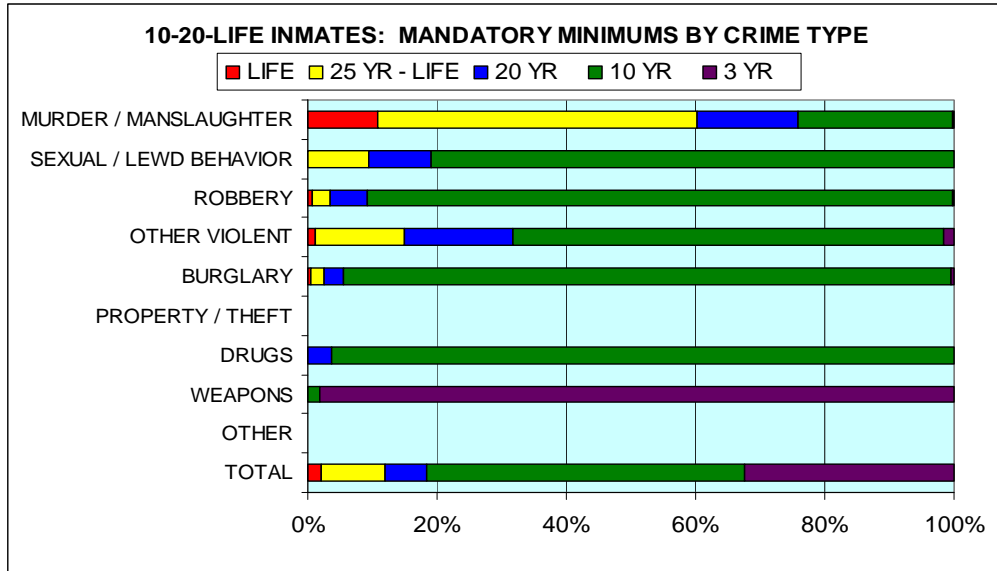
Over three-fourths (76.0%) of the 594 murder or manslaughter felons received a mandatory minimum sentence of 20 years or longer, indicating that the gun was fired; and almost three-fifths (60.3%) received a mandatory sentence of 25 years or longer, indicating a victim was injured or killed. (Note: Categories include crimes of attempt, accessory, and conspiracy to commit the crime also.)

In contrast, only 9.1% of the 1,290 robbery felons received a mandatory sentence of 20 years or longer. In other words, 90.7% of robbery felons pulled the gun but did not pull the trigger.

Among the 396 other violent crime felons (for example, aggravated assaulters and batterers), 31.8% fired the gun and 14.9% injured the victim.

Almost all (94.4%) of the burglars who received a 10-20-Life sentence only pulled or had a gun during the commission of the crime. Only 2.5% shot and injured a victim.

To date, an insufficient number of 10-20-Life cases occur in the crime categories of sexual or lewd behavior (21) or drugs (27) to support this kind of analysis of criminal gun use.



The Florida Department of Corrections
Bureau of Research and Data Analysis
Direct questions to David Ensley or Todd Gregory
or email us at: dcresearch@mail.dc.state.fl.us
(850) 488-1801 SC 278-1801
2601 Blair Stone Road
Tallahassee, Florida 32399-2500