

Florida's Criminal Punishment Code: A Comparative Assessment

Offenses Committed On or After October 1, 1998

Executive Summary

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

From a structured sentencing perspective, the Code provides for a uniform evaluation of relevant factors present at sentencing, such as the offense before the court for sentencing, prior criminal record, victim injury, and others. It also provides for a lowest permissible sentence that the court must impose in any given sentencing event, absent a valid reason for departure.

The Code also contains some characteristics of unstructured sentencing, such as broad judicial discretion and the allowance for the imposition of lengthy terms of incarceration.

The Code is effective for offenses committed on or after October 1, 1998 and is unlike the state's preceding sentencing guidelines, which provided for narrow ranges of permissible sentences in all non-capital sentencing events.

The intent of this report is to address the requirement set forth in Florida Statute 921.002(4)(a) to analyze sentencing events under the Florida Criminal Punishment Code. Each year, the Department of Corrections is required to report on trends in sentencing practices and sentencing score thresholds, and provide an analysis of the sentencing factors considered by the courts. **In this report, a comparison is made between the Criminal Punishment Code sentences received in FY 2008-2009 and FY 2009-2010.**

Since January 1, 1994, the Florida Department of Corrections has collected almost 1.9 million scoresheets on felony offenders sentenced in Florida courts under the state's Sentencing Guidelines and Criminal Punishment Code. This report describes the 113,643 Criminal Punishment Code scoresheets with sentence dates in FY 2009-2010 received by the Florida Department of Corrections through September 1, 2010, for felony offenses committed on or after October 1, 1998. It also compares 81,205 Criminal Punishment Code scoresheets received by the Florida Department of Corrections through September 1, 2010, for felony offenses committed on or after October 1, 2008 and sentence dates in Fiscal Year 2009-2010 with 90,171 Criminal Punishment Code scoresheets with offense dates on or after October 1, 2007 and sentence dates in Fiscal Year 2008-2009.

Heggs V. State

In February 2000, the Florida Supreme Court, in its review of Curtis Leon Heggs, determined Chapter Law 95-184 to be unconstitutional due to a violation of the single subject rule of the Florida Constitution. This Chapter Law contained substantial changes in sentencing law commonly referred to as the "1995 Sentencing Guidelines."

In some cases, the 1995 Sentencing Guidelines provided for greater punishment than the 1994 Sentencing Guidelines. Some enhancements were made to the Guidelines, designed primarily to target offenders with more serious current or prior criminal records. There were a significant number of changes and the nature of the changes had a significant effect on some offenders. However, many offenders sentenced under the 1995 Guidelines would have scored identically under the 1994 version of the law.

In May 2000, the Supreme Court revised and finalized their opinion in this case and further clarified who is eligible for re-sentencing. This decision stated that *"only those persons adversely affected by the amendments made by Chapter Law 95-184 may rely on our decision here to obtain relief. Stated another way, in the guidelines context, we determine that if a person's sentence imposed under the 1995 Guidelines could have been imposed under the 1994 Guidelines (without a departure), then that person shall not be entitled to relief."*

The Supreme Court declined to rule in Heggs as to when the window period closed for offenders claiming their guidelines sentences are invalid due to the amendments contained in Chapter Law 95-184. However, in its review of Xzavier Trapp, the Supreme Court determined that the window period for challenging the Sentencing Guidelines provisions amended in Chapter Law 95-184 opened on October 1, 1995 and closed on May 24, 1997.

Approximately 192,267 sentencing events occurred under the 1995 sentencing structure for offenses committed between October 1, 1995 and May 24, 1997, based on the Guidelines scoresheets received by the Department of Corrections through February 29, 2000. Original analysis indicated that 73,467 of these sentencing events evidenced scores adversely affected by the changes brought about in the 1995 guidelines. This analysis did not determine that the 1995 sentence was outside the range of the 1994 sentence, only that the scoresheet calculation reflected a difference in points.

Due to the potential number of re-sentencing events, it would be inaccurate to attempt to analyze and compare the 1995 sentencing guidelines to other versions of the sentencing scoresheet. As re-sentencing events occur, the original 1995 scoresheet will be replaced in the database with a 1994 scoresheet. This is necessary because the re-sentencing invalidates the original sentencing event. Likewise, the new sentence will overwrite the original sentence in DOC sentence structure and databases. A computerized record of the original sentence is not kept in the database that is used for data analysis.

As such, it is not possible to determine which scoresheets are the result of a re-sentencing or to verify that a re-sentencing event was a result of the Heggs ruling. Therefore, any analysis of this

time period would yield a mixture of offenders sentenced under both the 1994 and 1995 guidelines.

Because it is impossible to compare the Criminal Punishment Code to prior sentencing practices without going back to the 1994 Sentencing Guidelines, the data analysis in this report compares sentences received under the Criminal Punishment Code in FY 2008-2009 to those received in FY 2009-2010.

Notes:

The sentencing scoresheet database is dynamic in that it is constantly being updated. Every effort is made to include scoresheets that are received; however, there is a lag in data entry. While this lag time is generally less than 45 days it may exceed this in some of the larger circuits. As such, as more time is allowed for the data to mature, a more accurate and complete picture of the data may be presented.

TABLE OF CONTENTS

Executive Summary i-iii

I. Introduction 3

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

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

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

II. Offense to Sentence Date Lag Time Comparison 21

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

 2. Comparative Statistics 25-29

III. Comparative Description 31

 1. Narrative on Comparative Statistics 33-36

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

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

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

 5. Prior and Additional Offenses 47-49

 6. Mitigation 50-53

Appendices

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

PART I

INTRODUCTION

Overview of Florida's Sentencing Policies

History of Sentencing Policy

Unstructured Sentencing

Prior to October 1, 1983, courts sentenced in accordance with the provisions of law that permitted a wide range of judicial discretion in the sentencing decision. Sanctions ranged from a fine up to state prison incarceration. The statutory maximum penalties of incarceration in state prison were:

- Five years for a felony of the third degree;
- Fifteen years for a felony of the second degree;
- Thirty years for a felony of the first degree, and;
- Life for a life felony.

This was a form of an indeterminate sentencing policy because most offenders sentenced to prison were, by law, parole eligible. Parole was a discretionary early release policy, which obviously had a significant impact upon both the percentage and the actual amount of time served.

Structured Sentencing/Sentencing Guidelines

The Florida Sentencing Guidelines represent the state's structured policy with respect to the sentencing of non-capital felony offenders. There are three distinct versions of the guidelines currently in operation in Florida. They each:

- Provide for a uniform set of standards to guide the sentencing court in sentencing decisions;
- Evaluate relevant factors present at sentencing relating to the offense or offenses and the defendant's prior criminal behavior;
- Are attempts to provide for "truth in sentencing" and eliminate unwarranted disparity in sentencing decisions;
- Focus on ensuring that the punishment is commensurate with the offenses before the court for sentencing, and;
- Are mathematically based and provide a means to address several policy areas.

Every assessment of points reflects a policy statement regarding the relative severity of a criminal behavior. Each policy is represented on its respective scoresheet, which must be completed for each felony defendant prior to sentencing.

The 1983 Sentencing Guidelines

Due to concerns regarding actual and percent of time served as well as concerns regarding a lack of uniformity in sentencing, the 1983 Florida Sentencing Guidelines were enacted October 1, 1983 and parole eligibility was abolished for almost all offenses committed after that date. These guidelines are currently in effect for all non-capital felony offenses that were committed on or after October 1, 1983 and before January 1, 1994.

The 1983 guideline structure was comprised of nine separate worksheets for specified offense categories such as murder, sexual offenses, drug offenses, etc. All offenses were contained in one of these categories.

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

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

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

The 1994 Sentencing Guidelines

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

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

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

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

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

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

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

The 1995 Sentencing Guidelines

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

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

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

The Criminal Punishment Code

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

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

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

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

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

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

Department of Corrections Responsibilities

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

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

The SAGES (Sentencing Analysis and Guidelines Entry Systems) database

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

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

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

- The information is compiled from a database containing sentencing scoresheets received by the Department of Corrections for offenses with dates of commission on or after January 1, 1994. The information is based on the scoresheets in the database with dates of sentence in Fiscal Year 2009-2010 and offenses on or after October 1, 1998, entered as of September 1, 2010.
- 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 70.0% for Fiscal Year 2009-2010.
- Though the Department retrieves and includes in the database omitted information from a scoresheet that is critical, no effort is made to correct preparation error or errors recorded on scoresheets regarding the sentence imposed. The department does not have the authority to amend an official court document. Conversely, there is a responsibility to record the information as received.
- There is data entry error on the part of department staff. Recent analyses indicate that the rate of data entry error in the fields analyzed in the report is not significant.

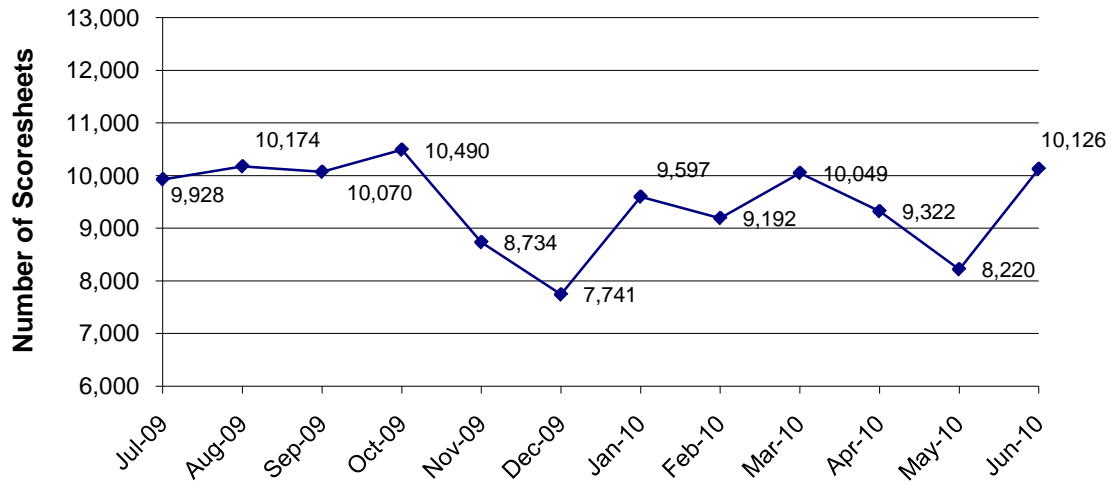
Introductory Statistics

FACT: *There were 113,643 Punishment Code scoresheets with offense dates on or after October 1, 1998 with sentencing dates during FY2009-10 entered into the sentencing scoresheet database, as of September 1, 2010.*

FINDINGS:

- The number of Code scoresheets received by month of sentence fluctuated from a high of 10,490 to a low of 7,741 from July 1, 2009 to June 30, 2010 (Figure 1).
- For the time period July 2009 through June 2010, Code scoresheets represent ninety-nine percent (99.8%) of the total scoresheet submissions. Throughout the fiscal year, more than ninety-nine percent of the scoresheets represented sentencing events under the Florida Criminal Punishment Code (Table 2).
- Thirty percent (30.2%) of the offenders sentenced under the Code were considered “youthful offenders” at the time of sentencing (Table 3). Of the 3,036 true juveniles (under 18 at the time of their offense) transferred to adult court under the Code, 1,152 (37.9%) of the offenders were age sixteen or younger (Table 4).
- There were 1,195 juveniles sentenced under the Code for violent offenses, including, murder/manslaughter, sex offenses, robbery, and other violent personal offenses. These violent offenses represent nearly forty percent (39.4%) of all offenses of juveniles (Table 4). Of the 1,195 violent juvenile offenders, 689 (57.7%) received a state prison sanction (Table 5).
- The gender and race distributions of offenders sentenced under the Code are similar to previous years sentencing events. Almost eighty percent (79.4%) of all scoresheets were for male offenders (Table 6), and 59.6% were for white offenders (Table 7).

**Figure 1
 Scoresheets Received by Month of Sentence
 Criminal Punishment Code**



**Table 1
 Scoresheets Received by Circuit
 Fiscal Year 2009-2010
 Criminal Punishment Code**

Circuit of Sentence	Total	
	Number	Percent
01 (Pensacola)	6,215	5.5%
02 (Tallahassee)	2,310	2.0%
03 (Lake City)	1,295	1.1%
04 (Jacksonville)	5,249	4.6%
05 (Tavares)	6,814	6.0%
06 (Clearwater)	14,682	12.9%
07 (Daytona Beach)	4,721	4.2%
08 (Gainesville)	2,093	1.8%
09 (Orlando)	10,644	9.4%
10 (Bartow)	5,236	4.6%
11 (Miami)	8,383	7.4%
12 (Sarasota)	4,308	3.8%
13 (Tampa)	7,559	6.7%
14 (Panama City)	2,604	2.3%
15 (West Palm Beach)	4,822	4.2%
16 (Key West)	641	0.6%
17 (Ft. Lauderdale)	9,226	8.1%
18 (Sanford)	4,781	4.2%
19 (Ft. Pierce)	4,711	4.1%
20 (Ft. Myers)	7,349	6.5%
Total	113,643	100.0%

Table 2
Sentencing Scoresheets Received by Month of Sentence*
Fiscal Year 2009-2010

Month of Sentence	1994 Sentencing Guidelines Scoresheet		1995 Sentencing Guidelines Scoresheet**		Criminal Punishment Code Scoresheet		Total	
July 2009	4	0.0%	20	0.2%	9,928	99.8%	9,952	8.7%
August 2009	9	0.1%	18	0.2%	10,174	99.7%	10,201	9.0%
September 2009	9	0.1%	17	0.2%	10,070	99.7%	10,096	8.9%
October 2009	6	0.1%	19	0.2%	10,490	99.8%	10,515	9.2%
November 2009	7	0.1%	12	0.1%	8,734	99.8%	8,753	7.7%
December 2009	5	0.1%	12	0.2%	7,741	99.8%	7,758	6.8%
January 2010	3	0.0%	25	0.3%	9,597	99.7%	9,625	8.5%
February 2010	4	0.0%	12	0.1%	9,192	99.8%	9,208	8.1%
March 2010	7	0.1%	11	0.1%	10,049	99.8%	10,067	8.8%
April 2010	5	0.1%	11	0.1%	9,322	99.8%	9,338	8.2%
May 2010	4	0.0%	12	0.1%	8,220	99.8%	8,236	7.2%
June 2010	7	0.1%	13	0.1%	10,126	99.8%	10,146	8.9%
Total	70	0.1%	182	0.2%	113,643	99.8%	113,895	100.0%

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

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

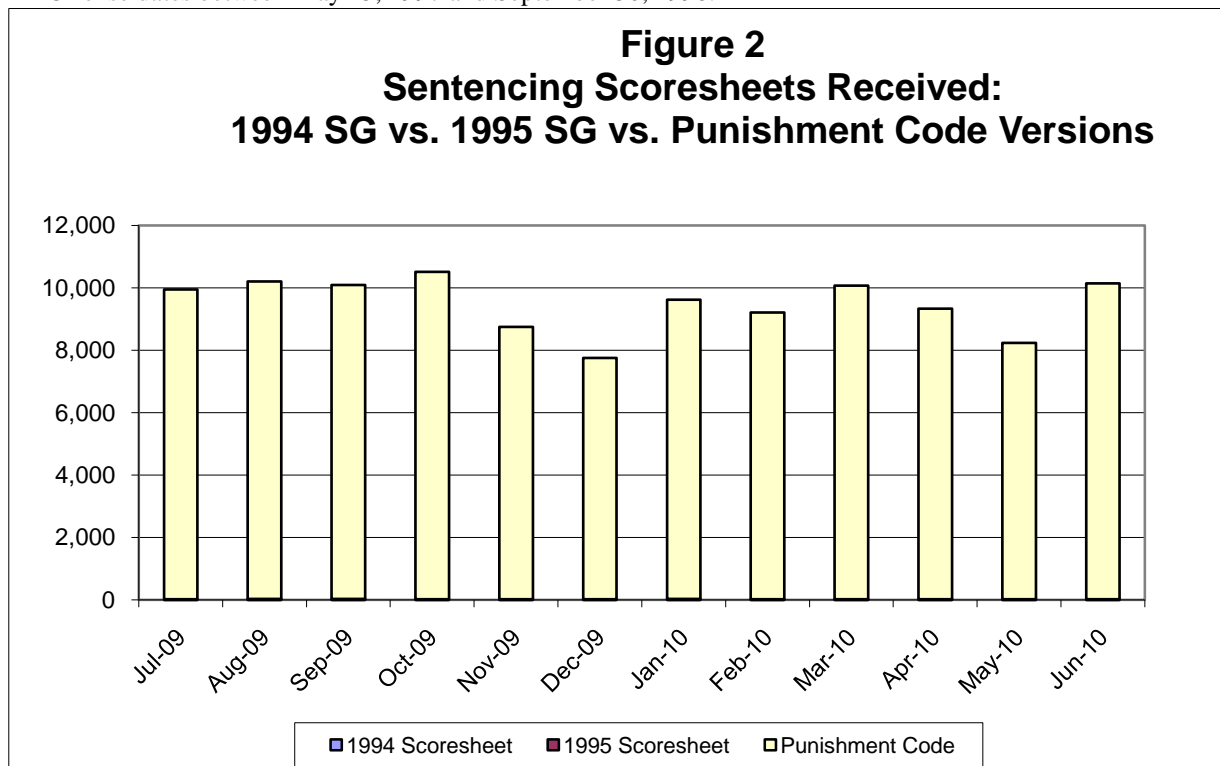


Table 3
Age at Sentencing
Criminal Punishment Code
Fiscal Year 2009-2010

Age	Number	Percent
17 and Below	1,026	0.9%
18 to 24	34,365	30.2%
25 to 29	21,407	18.8%
30 to 34	15,008	13.2%
35 to 39	11,757	10.3%
40 to 44	10,469	9.2%
45 to 49	9,296	8.2%
50 and Over	10,311	9.1%
Unknown	4	
Total	113,643	100.0%

Figure 3
Age at Sentencing Distribution
Criminal Punishment Code

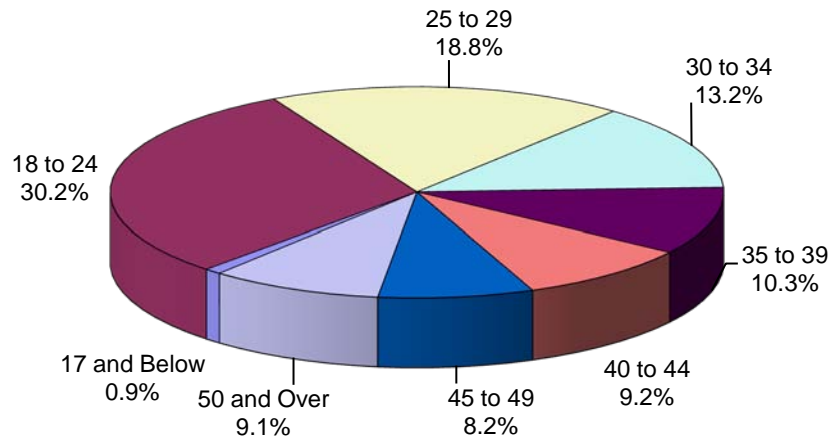


Table 4
Age at Offense for Offenders Under 18
Criminal Punishment Code
Fiscal Year 2009-2010

Primary Offense	15 & Under	16 Years Old	17 Years Old	Total
Murder/Manslaughter	18 5.8%	27 3.2%	38 2.0%	83 2.7%
Sexual Offenses	17 5.5%	27 3.2%	39 2.1%	83 2.7%
Robbery	91 29.4%	183 21.7%	310 16.5%	584 19.2%
Violent Personal Offenses	55 17.7%	115 13.7%	275 14.6%	445 14.7%
Burglary	68 21.9%	265 31.5%	617 32.7%	950 31.3%
Theft, Forgery, Fraud	26 8.4%	63 7.5%	199 10.6%	288 9.5%
Drugs	11 3.5%	69 8.2%	249 13.2%	329 10.8%
Weapons	6 1.9%	57 6.8%	107 5.7%	170 5.6%
Other Offenses	18 5.8%	36 4.3%	50 2.7%	104 3.4%
Total	310 100.0%	842 100.0%	1,884 100.0%	3,036 100.0%

Figure 4
Age at Offense Distribution
Offenders Under 18

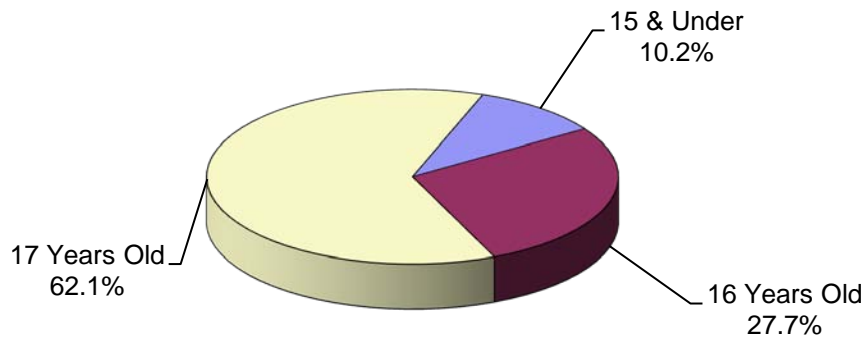


Table 5
Sanction Imposed by Primary Offense For All 11 - 17 Year Olds
Criminal Punishment Code
Fiscal Year 2009-2010

Primary Offense	State Prison	Comm. Control	Probation	County Jail	Other	Total
Murder/Manslaughter	74 5.5%	4 1.3%	5 0.5%	0 0.0%	0 0.0%	83 2.7%
Sexual Offenses	54 4.0%	2 0.6%	19 2.1%	2 0.5%	6 7.1%	83 2.7%
Robbery	359 26.9%	63 19.9%	104 11.3%	41 10.8%	17 20.2%	584 19.2%
Violent Personal Offenses	202 15.1%	50 15.8%	132 14.3%	49 12.9%	12 14.3%	445 14.7%
Burglary	408 30.6%	122 38.6%	302 32.7%	91 24.0%	27 32.1%	950 31.3%
Theft, Forgery, Fraud	67 5.0%	25 7.9%	113 12.2%	75 19.8%	8 9.5%	288 9.5%
Drugs	74 5.5%	31 9.8%	148 16.0%	67 17.7%	9 10.7%	329 10.8%
Weapons	58 4.3%	13 4.1%	59 6.4%	36 9.5%	4 4.8%	170 5.6%
Other Offenses	38 2.8%	6 1.9%	41 4.4%	18 4.7%	1 1.2%	104 3.4%
Total	1,334 100.0%	316 100.0%	923 100.0%	379 100.0%	84 100.0%	3,036 100.0%

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

Figure 5
Sanction Imposed Distribution
Offenders Under 18

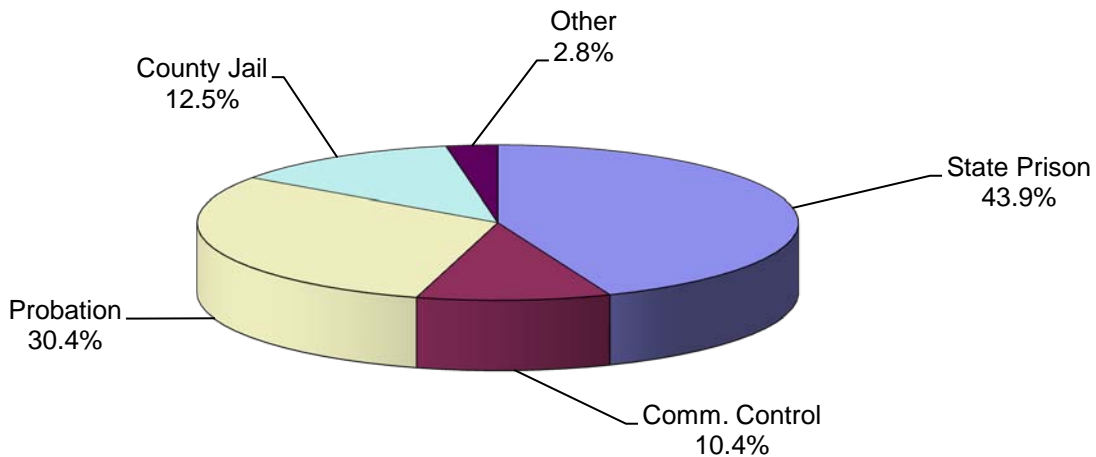


Table 6
Gender by Judicial Circuit
Criminal Punishment Code
Fiscal Year 2009-2010

Judicial Circuit	Gender				Total	
	Male		Female			
01 (Pensacola)	4,766	4.2%	1,449	1.3%	6,215	5.5%
02 (Tallahassee)	1,781	1.6%	529	0.5%	2,310	2.0%
03 (Lake City)	1,013	0.9%	282	0.2%	1,295	1.1%
04 (Jacksonville)	4,286	3.8%	963	0.8%	5,249	4.6%
05 (Tavares)	5,247	4.6%	1,567	1.4%	6,814	6.0%
06 (Clearwater)	10,807	9.5%	3,875	3.4%	14,682	12.9%
07 (Daytona Beach)	3,763	3.3%	958	0.8%	4,721	4.2%
08 (Gainesville)	1,677	1.5%	416	0.4%	2,093	1.8%
09 (Orlando)	8,850	7.8%	1,794	1.6%	10,644	9.4%
10 (Bartow)	4,091	3.6%	1,145	1.0%	5,236	4.6%
11 (Miami)	7,283	6.4%	1,100	1.0%	8,383	7.4%
12 (Sarasota)	3,285	2.9%	1,023	0.9%	4,308	3.8%
13 (Tampa)	6,170	5.4%	1,389	1.2%	7,559	6.7%
14 (Panama City)	2,013	1.8%	591	0.5%	2,604	2.3%
15 (West Palm Beach)	4,053	3.6%	769	0.7%	4,822	4.2%
16 (Key West)	518	0.5%	123	0.1%	641	0.6%
17 (Ft. Lauderdale)	7,462	6.6%	1,764	1.6%	9,226	8.1%
18 (Sanford)	3,770	3.3%	1,011	0.9%	4,781	4.2%
19 (Ft. Pierce)	3,549	3.1%	1,162	1.0%	4,711	4.1%
20 (Ft. Myers)	5,814	5.1%	1,535	1.4%	7,349	6.5%
Total	90,198	79.4%	23,445	20.6%	113,643	100.0%

Table 7
Race by Judicial Circuit
Criminal Punishment Code
Fiscal Year 2009-2010

Judicial Circuit	Race						Total	
	Black		White		Other*			
01 (Pensacola)	2,387	2.1%	3,770	3.3%	58	0.1%	6,215	5.5%
02 (Tallahassee)	1,565	1.4%	723	0.6%	22	0.0%	2,310	2.0%
03 (Lake City)	508	0.4%	770	0.7%	17	0.0%	1,295	1.1%
04 (Jacksonville)	2,782	2.4%	2,409	2.1%	58	0.1%	5,249	4.6%
05 (Tavares)	1,903	1.7%	4,637	4.1%	274	0.2%	6,814	6.0%
06 (Clearwater)	3,869	3.4%	10,556	9.3%	257	0.2%	14,682	12.9%
07 (Daytona Beach)	1,521	1.3%	3,138	2.8%	62	0.1%	4,721	4.2%
08 (Gainesville)	1,094	1.0%	976	0.9%	23	0.0%	2,093	1.8%
09 (Orlando)	4,684	4.1%	5,883	5.2%	77	0.1%	10,644	9.4%
10 (Bartow)	1,811	1.6%	3,144	2.8%	281	0.2%	5,236	4.6%
11 (Miami)	4,382	3.9%	3,993	3.5%	8	0.0%	8,383	7.4%
12 (Sarasota)	1,110	1.0%	3,007	2.6%	191	0.2%	4,308	3.8%
13 (Tampa)	3,326	2.9%	3,721	3.3%	512	0.5%	7,559	6.7%
14 (Panama City)	697	0.6%	1,901	1.7%	6	0.0%	2,604	2.3%
15 (W. Palm Beach)	2,082	1.8%	2,718	2.4%	22	0.0%	4,822	4.2%
16 (Key West)	138	0.1%	475	0.4%	28	0.0%	641	0.6%
17 (Ft. Lauderdale)	4,853	4.3%	4,128	3.6%	245	0.2%	9,226	8.1%
18 (Sanford)	1,585	1.4%	3,069	2.7%	127	0.1%	4,781	4.2%
19 (Ft. Pierce)	1,426	1.3%	3,082	2.7%	203	0.2%	4,711	4.1%
20 (Ft. Myers)	1,710	1.5%	5,589	4.9%	50	0.0%	7,349	6.5%
Total	43,433	38.2%	67,689	59.6%	2,521	2.2%	113,643	100.0%

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

PART II

OFFENSE TO SENTENCE DATE LAG TIME COMPARISON

Offense to Sentence Date Lag Time Comparison

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

FINDINGS:

- There were 81,205 scoresheets submitted to the Department of Corrections with sentence dates in FY2009-2010 and offense dates on or after October 1, 2008. The number of scoresheets submitted to the Department of Corrections with sentence dates in FY2008-2009 and offense dates on or after October 1, 2007 was 90,171.
- **Lag Time** - The average length of time that passes from the date an offender commits a crime to the date the offender is sentenced for that crime is 6.0 months for sentencing events in FY2009-2010 (Table 1).
- More serious and violent crimes typically have much longer lag time than the less serious property or drug crimes. A data file that is constrained by the date of offense must allow for enough time for the serious and violent crimes to be processed and convicted in order to represent a true distribution of sentencing events. The Florida Criminal Punishment Code went into effect for offenses committed on or after October 1, 1998. As of September 1, 2010, the Department of Corrections had received 1,899,968 Code scoresheets. However, because of the long lag time for serious offenses, the information to date is skewed more heavily by the less serious offenses.
- The average lag time for FY2008-2009 sentencing events is 5.9 months. When the lag times are examined by offense severity level and type of primary offense, the average lag time for level 10 offenses (most serious) was 9.8 months for sentencing events during FY2008-2009. In FY2009-2010, the average lag time for level 10 offenses was 10.4 months. Also, for murder/manslaughter, the average lag time from offense to sentence is 10.5 months for sentencing dates in FY2008-2009 and 11.0 months for FY2009-2010 (Table 2).

- Drug offenses comprised the largest group of scoresheets received in both FY2008-2009 (35.2%) and FY2009-2010 (35.0%) (Table 3).
- The more violent, serious offenses represented 15.6% of the scoresheets in FY2008-2009 and 17.0% in FY2009-2010 (Figure 1).

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

Offense Severity Level	FY2008-2009 Sentence Dates ¹	FY2009-2010 Sentence Dates ²
1	5.3	5.1
2	6.0	6.1
3	5.2	5.3
4	5.8	5.8
5	6.2	6.3
6	6.6	6.6
7	7.4	7.4
8	8.5	8.5
9	9.1	9.3
10	9.8	10.4
Overall Average	5.9	6.0

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

Primary Offense	FY2008-2009 Sentence Dates ¹	FY2009-2010 Sentence Dates ²
Murder/Manslaughter	10.5	11.0
Sexual/Lewd Behavior	9.5	9.4
Robbery	7.5	7.6
Violent, Other	6.4	6.4
Burglary	6.1	6.3
Property Theft/Fraud/Damage	6.2	6.2
Drugs	5.5	5.6
Weapons	5.9	6.0
Other	5.4	5.2
Overall Average	5.9	6.0

¹ Offense dates on or after October 1, 2004.

² Offense dates on or after October 1, 2005.

Figure 1
Distribution of Offense Group
Sentence Dates in FY2008-2009 vs. FY2009-2010

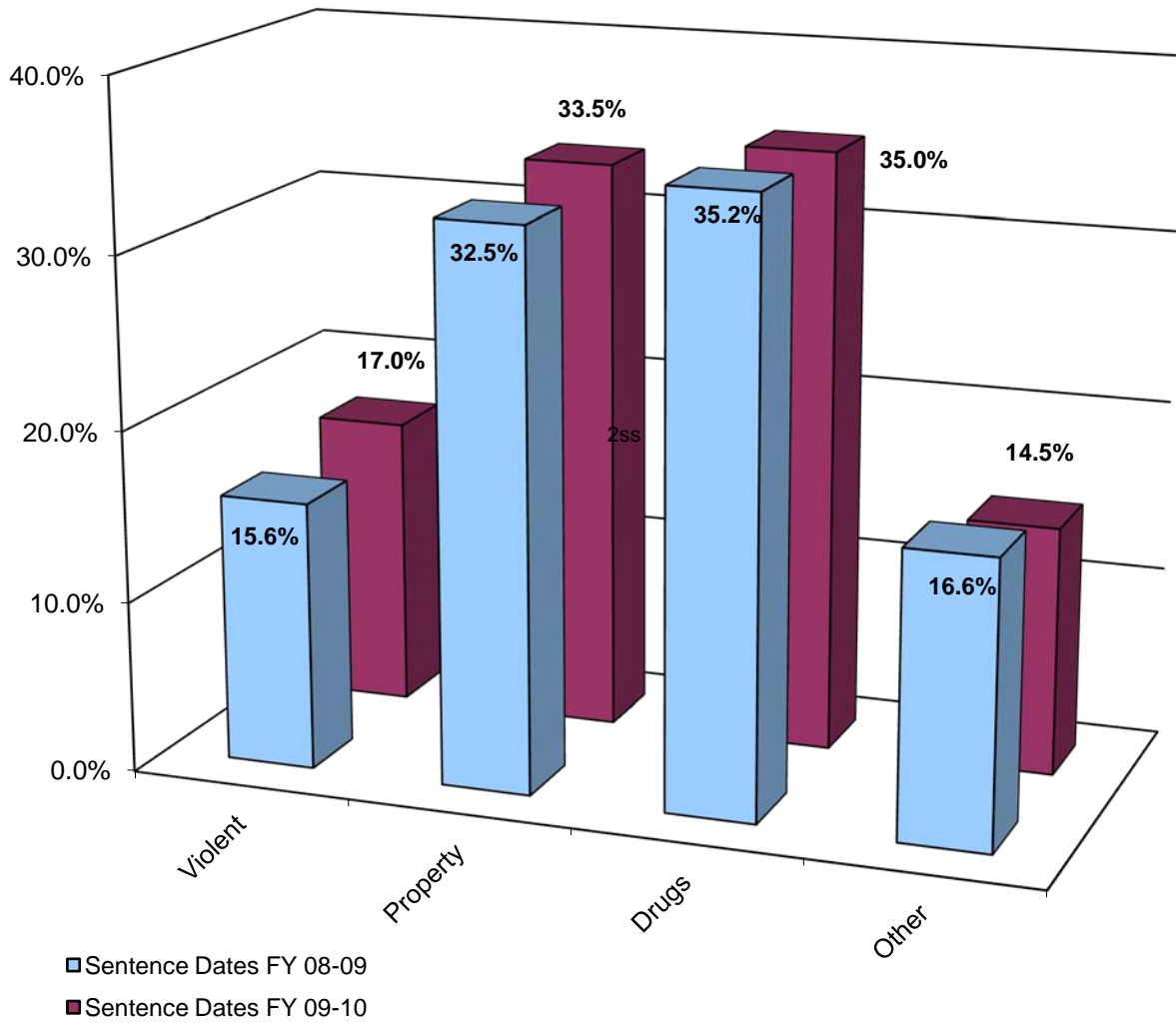


Table 3
Distribution of Offense
Sentence Dates in FY2008-2009 vs. FY2009-2010

Primary Offense	FY2008-2009 Sentence Dates ¹	FY2009-2010 Sentence Dates ²
Murder/Manslaughter	279 0.3%	240 0.3%
Sexual Offenses	609 0.7%	616 0.8%
Robbery	2,646 2.9%	2,462 3.0%
Violent Personal Offenses	10,377 11.5%	10,352 12.7%
Burglary	9,924 11.0%	10,035 12.4%
Theft/Forgery/Fraud	19,419 21.5%	17,129 21.1%
Drugs	31,750 35.2%	28,445 35.0%
Weapons	2,760 3.1%	2,512 3.1%
Other	12,407 13.8%	9,414 11.6%
Total	90,171 100.0%	81,205 100.0%

¹ Offense dates on or after October 1, 2007.

² Offense dates on or after October 1, 2008.

**Table 4
Distribution of Offense**

Primary Offense	FY2008-2009 Sentence Dates¹		FY2009-2010 Sentence Dates²	
Murder/Manslaughter	279	0.3%	240	0.3%
1st Degree Murder	50	0.1%	56	0.1%
2nd Degree Murder	99	0.1%	90	0.1%
3rd Degree Murder	8	0.0%	8	0.0%
Homicide, Other	5	0.0%	2	0.0%
Manslaughter	74	0.1%	40	0.0%
DUI Manslaughter	43	0.0%	44	0.1%
Sexual Offenses	609	0.7%	616	0.8%
Capital Sexual Battery	27	0.0%	32	0.0%
Life Sexual Battery	32	0.0%	31	0.0%
1st Degree Sexual Battery	27	0.0%	32	0.0%
2nd Degree Sexual Battery	96	0.1%	83	0.1%
Sexual Assault, Other	5	0.0%	7	0.0%
Lewd/Lascivious Behavior	422	0.5%	431	0.5%
Robbery	2,646	2.9%	2,462	3.0%
Robbery with Weapon	955	1.1%	947	1.2%
Robbery without Weapon	1,536	1.7%	1,382	1.7%
Home Invasion, Robbery	155	0.2%	133	0.2%
Violent Personal Offenses	10,377	11.5%	10,352	12.7%
Home Invasion, Other	104	0.1%	97	0.1%
Carjacking	1,474	1.6%	1,553	1.9%
Aggravated Assault	1,115	1.2%	1,076	1.3%
Aggravated Battery	1,269	1.4%	1,258	1.5%
Assault/Battery on L.E.O.	843	0.9%	954	1.2%
Assault/Battery, Other	174	0.2%	196	0.2%
Aggravated Stalking	1,503	1.7%	1,478	1.8%
Resisting Arrest with Violence	324	0.4%	304	0.4%
Kidnapping	150	0.2%	159	0.2%
Arson	901	1.0%	788	1.0%
Abuse of Children	2,041	2.3%	2,030	2.5%
Violent, Other	350	0.4%	364	0.4%
Leaving Accident, Injury/Death	95	0.1%	69	0.1%
DUI, Injury	34	0.0%	26	0.0%
Burglary	9,924	11.0%	10,035	12.4%
Burglary, Structure	5,812	6.4%	5,394	6.6%
Burglary, Dwelling	2,943	3.3%	3,580	4.4%
Burglary, Armed	246	0.3%	268	0.3%
Burglary with Assault	235	0.3%	233	0.3%
Burglary/Trespass, Other	688	0.8%	560	0.7%

**Table 4
Distribution of Offense**

Primary Offense	FY2008-2009		FY2009-2010	
	Sentence Dates ¹		Sentence Dates ²	
Theft/Forgery/Fraud	19,419	21.5%	17,129	21.1%
Grand Theft, Other	7,671	8.5%	6,476	8.0%
Grand Theft, Automobile	1,813	2.0%	1,466	1.8%
Stolen Property	2,688	3.0%	2,661	3.3%
Forgery/Counterfeiting	2,937	3.3%	2,391	2.9%
Worthless Checks	281	0.3%	204	0.3%
Fraudulent Practices	2,245	2.5%	1,994	2.5%
Theft/Property Damage, Other	1,784	2.0%	1,937	2.4%
Drugs	31,750	35.2%	28,445	35.0%
Drugs, Manufacture/Sale/Purchase	9,463	10.5%	9,219	11.4%
Drugs, Trafficking	1,322	1.5%	1,381	1.7%
Drugs, Possession/Other	20,965	23.3%	17,845	22.0%
Weapons	2,760	3.1%	2,512	3.1%
Weapons, Discharging	247	0.3%	230	0.3%
Weapons, Possession	2,511	2.8%	2,282	2.8%
Weapons, Other	2	0.0%	0	0.0%
Other	12,407	13.8%	9,414	11.6%
Escape	2,484	2.8%	2,133	2.6%
DUI, No Injury	888	1.0%	782	1.0%
Traffic, Other	6,096	6.8%	3,696	4.6%
Racketeering	13	0.0%	9	0.0%
Pollution/Hazardous Materials	55	0.1%	54	0.1%
Criminal Justice System	2,343	2.6%	2,184	2.7%
Other	528	0.6%	556	0.7%
Total	90,171	100.0%	81,205	100.0%

¹ Offense dates on or after October 1, 2007.

² Offense dates on or after October 1, 2008.

PART III

COMPARATIVE DESCRIPTION

Comparative Description

NOTES: This section examines the sentencing parameters point values, as follows:

- The Criminal Punishment Code allows for a non-state prison sanction for offenders scoring 44.0 or less total points.
- The Code mandates state prison as the sanction, unless the sentence is mitigated, for all those offenders whose total points exceed 44.0.

This means that only those offenders scoring 44 or less points may receive a non-state prison sanction under the Code. All others must receive a state prison sanction, absent downward departure from this structure.

Florida Statute 921.0026 allows for circumstances or factors that reasonably justify the downward departure of Guidelines/Code scoresheet.

In addition, on January 24, 2002 the Supreme Court of Florida ruled in *Jones v. State* that Section 948.01(3) F.S. (supp. 1998), which allows for the sanction of drug offender probation in the case of a chronic substance abuser, provides an alternative sentencing scheme for drug offenders that is outside the Code. It was ruled that the trial court had the discretion to sentence the defendant to drug offender probation even though the Code mandated prison time.

Actual sanctions imposed, including state prison, community control, probation, county jail/time served, and other sanctions are presented and compared to the categories listed above.

FINDINGS:

- Across the state, 23.2% of offenders were sentenced to state prison as the most severe sanction in FY2009-2010. An additional 23.8% were sentenced to incarceration in county jail, or to time already served in jail. Five percent (5.4%) were sentenced to community control, and almost half to probation (46.9%), including drug offender probation, administrative probation, and regular probation. About one percent (0.8%) of offenders were sentenced to “other” sanctions. For sentencing dates in FY2008-2009, 21.9% of offenders were sentenced to state prison and 25.9% were sentenced to county jail or time served. Less than five percent (4.8%) were sentenced to community control, and 46.6% to probation. About one percent (0.8%) of the offenders were sentenced to “other” sanctions (Table 1).

- More than three-quarters of the 81,205 Code scoresheets with sentence date in FY2009-2010 examined (59,063 scoresheets or 72.7%) scored 44 points or less (Table 1). These scoresheets represent sentencing events where the judge has the discretion to sentence the offender to either a non-state prison sanction or a state prison sanction. If the judge chose to sentence the offender to state prison, the judge had the discretion to sentence the offender up to the statutory maximum of the law. For scoresheets with sentence dates in FY2008-2009, there were 68,339 (75.8%) offenders scoring 44 points or less (Table 1).
- For FY2009-2010, of the offenders scoring in the recommended state prison category, 60.8% were sentenced to state prison, with another 11.3% sentenced to county jail or time served. Of those scoring less than 44 points, 9.1 % were sentenced to state prison, and 28.4% to county jail/time served. For FY2008-2009, 61.3% of the offenders scoring above 44 points were sentenced to state prison and another 11.7% of these offenders were sentenced to county jail or time served. Of those scoring less than 44 points, 9.3% were sentenced to state prison, and 30.5% to county jail/time served. (Table 1).
- Scoresheets with a state prison sanction increased almost two percent from 21.9% in FY2008-2009 to 23.2% in FY2009-2010. County jail sanctions decreased from 25.9% in FY2008-2009 to 23.8% in FY2009-2010. Community Control sanctions increased from 4.8% in FY2008-2009 to 5.4% in FY2009-2010 (Table 1).
- Statewide, 71.6% of offenders (13,464 out of 18,818) receiving a prison sanction scored out to a prison sanction. Table 2 presents the scoring distribution of offenders under the Code for FY2008-2009 and FY2009-2010 by circuit and sanction imposed. In FY2009-2010, Circuit 11 (Miami) had the highest percentage (92.6%) of prison sanctioned scoresheets with more than 44 points while Circuit 4 (Jacksonville) has the lowest (50.3%).
- Incarceration rates vary greatly by county and circuit. Jail sanctions also vary greatly depending on the number of beds available and judicial inclination to use the jail sanction. Table 3 presents the distribution of sanction imposed by circuit and county. Although variance in sentencing does exist at the circuit and county level based on the judge involved, variability in the statistics presented in this table could also be as a result of differences in the type of offenders

being sentenced around the state. There are also very small numbers of scoresheets for some of the counties listed in this table. The incarceration rates for counties with less than 100 scoresheets could possibly be misleading (Table 3).

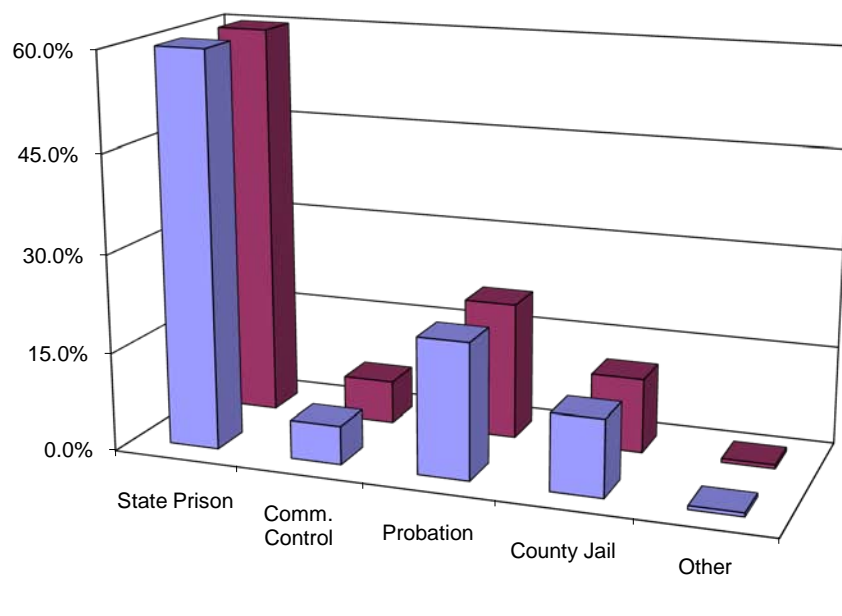
- In both FY2008-2009 and FY2009-2010 the majority of violent offenders received a state prison sanction (Table 4).
- As would be expected, scoresheets with the highest offense severity levels received a state prison sanction, those with the lowest received probation and community control fell in the middle with the majority having levels 3 through 6 (Table 5).
- Consistently in FY2008-2009 and FY2009-2010 , for offenders sentenced to state prison, the majority with offense severity levels of 1 through 6 received less than two years and those with offense level 10 received more than ten years (Table 6).
- From FY2008-2009 to FY2009-2010 the percentage of scoresheets with no prior record increased, with prior misdemeanors decreased, and with four to six or more felonies increased (Table 7).
- From FY2008-2009 to FY2009-2010 the percentage of scoresheets with no additional offenses decreased and those with misdemeanors decreased. The percentage with four or more felonies remained relatively constant (Table 8).
- Within the Code policy, a true mitigation occurs when an offenders scores more than 44 total points and either receives a non-state prison sanction (except drug offender probation) or a state prison sentence length below the 25% permissible discretion. Sanction mitigation occurs when an offender scores more than 44 total points, but receives a non-state prison sanction (except drug offender probation).
- The true mitigation rate for offenders that scored more than 44 total points is 55.5% for FY2008-2009 and 56.1% for FY2009-2010. The sanction mitigation rate (cases that scored to state prison but received a non-state prison sanction) was 37.8% for FY2008-2009 and 38.2% for FY2009-2010 (Table 11).

- For the offenders that received a mitigated prison sentence length, the average reduction in sentence was 23.0 months during FY2008-2009 and 24.7 months during FY2009-2010 (Table 11).
- Departure, as defined here, is not a comment on the legality of the sentence. There are many reasons for departure, which are recognized as legitimate under F. S. 921.0026. In addition, other Statutes, such as F. S. 948.034, establish special conditions allowing for departures from recommended sentences. Database limitations do not allow us to isolate all these reasons for departure.

Table 1
Recommended Sanction Category by Sanction Imposed

Sanction Imposed	Recommended Sanction Category							
	FY 2008-2009 Sentence Dates ¹				FY 2009-2010 Sentence Dates ²			
	22.0 Points or Less	22.1 to 44.0 Points	More than 44.0 Points	Total	22.0 Points or Less	22.1 to 44.0 Points	More than 44.0 Points	Total
State Prison	1,204 3.9%	5,164 13.9%	13,374 61.3%	19,742 21.9%	875 3.5%	4,479 13.3%	13,464 60.8%	18,818 23.2%
Community Control	871 2.8%	2,162 5.8%	1,277 5.8%	4,310 4.8%	768 3.0%	2,161 6.4%	1,440 6.5%	4,369 5.4%
Probation	19,881 63.9%	17,639 47.4%	4,506 20.6%	42,026 46.6%	17,034 67.2%	16,473 48.9%	4,603 20.8%	38,110 46.9%
County Jail	8,915 28.7%	11,923 32.0%	2,551 11.7%	23,389 25.9%	6,529 25.8%	10,262 30.4%	2,506 11.3%	19,297 23.8%
Other	243 0.8%	337 0.9%	124 0.6%	704 0.8%	146 0.6%	336 1.0%	129 0.6%	611 0.8%
Total	31,114 100.0%	37,225 100.0%	21,832 100.0%	90,171 #####	25,352 100.0%	33,711 100.0%	22,142 100.0%	81,205 #####

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



*Total points greater than 44.

¹ Offense dates on or after October 1, 2007.

² Offense dates on or after October 1, 2008.

Table 2
Recommended Sanction Category by Sanction Imposed

Judicial Circuit / Sanction Imposed	Recommended Sanction Category											
	FY 2008-2009 Sentence Dates ¹					FY 2009-2010 Sentence Dates ²						
	22.0 Points or Less		22.1 to 44.0 Points		More than 44.0 Points	22.0 Points or Less		22.1 to 44.0 Points		More than 44.0 Points		
01 (Pensacola)	1,484	33.4%	1,842	41.5%	1,116	25.1%	1,324	31.7%	1,784	42.7%	1,071	25.6%
Prison	78	7.9%	251	25.4%	658	66.7%	37	4.6%	191	23.6%	581	71.8%
Community Control	80	21.9%	190	51.9%	96	26.2%	87	21.0%	209	50.5%	118	28.5%
Probation	1,051	46.3%	973	42.8%	248	10.9%	923	44.7%	919	44.5%	223	10.8%
County Jail	221	31.8%	375	54.0%	99	14.2%	257	30.8%	440	52.8%	137	16.4%
Other	54	44.3%	53	43.4%	15	12.3%	20	35.1%	25	43.9%	12	21.1%
02 (Tallahassee)	477	32.2%	572	38.6%	432	29.2%	384	26.0%	561	38.0%	533	36.1%
Prison	11	3.4%	79	24.2%	236	72.4%	12	3.1%	60	15.7%	309	81.1%
Community Control	17	23.0%	34	45.9%	23	31.1%	8	11.4%	34	48.6%	28	40.0%
Probation	374	42.9%	352	40.4%	146	16.7%	297	37.5%	335	42.3%	160	20.2%
County Jail	71	35.9%	103	52.0%	24	12.1%	62	28.6%	124	57.1%	31	14.3%
Other	4	36.4%	4	36.4%	3	27.3%	5	27.8%	8	44.4%	5	27.8%
03 (Lake City)	262	30.4%	352	40.8%	249	28.9%	214	27.1%	301	38.1%	276	34.9%
Prison	27	9.5%	85	30.0%	171	60.4%	18	6.7%	60	22.3%	191	71.0%
Community Control	27	24.5%	55	50.0%	28	25.5%	16	13.2%	73	60.3%	32	26.4%
Probation	205	46.1%	196	44.0%	44	9.9%	178	46.0%	160	41.3%	49	12.7%
County Jail	2	11.8%	10	58.8%	5	29.4%	2	14.3%	8	57.1%	4	28.6%
Other	1	12.5%	6	75.0%	1	12.5%	0	0.0%	0	0.0%	0	0.0%
04 (Jacksonville)	2,618	41.1%	2,441	38.3%	1,314	20.6%	1,252	29.0%	1,598	37.0%	1,465	34.0%
Prison	233	11.1%	873	41.5%	997	47.4%	292	11.4%	979	38.3%	1,285	50.3%
Community Control	35	37.6%	40	43.0%	18	19.4%	18	34.6%	22	42.3%	12	23.1%
Probation	446	53.1%	308	36.7%	86	10.2%	254	47.6%	202	37.8%	78	14.6%
County Jail	1,900	57.0%	1,219	36.6%	212	6.4%	686	58.6%	394	33.7%	90	7.7%
Other	4	66.7%	1	16.7%	1	16.7%	2	66.7%	1	33.3%	0	0.0%
05 (Tavares)	1,671	33.9%	2,162	43.9%	1,096	22.2%	1,436	29.2%	2,169	44.0%	1,320	26.8%
Prison	78	7.1%	275	25.0%	748	67.9%	36	3.1%	212	18.1%	924	78.8%
Community Control	58	21.6%	159	59.3%	51	19.0%	52	19.3%	148	55.0%	69	25.7%
Probation	1,232	44.7%	1,274	46.3%	248	9.0%	1,035	41.0%	1,226	48.6%	264	10.5%
County Jail	279	38.0%	420	57.1%	36	4.9%	298	33.6%	541	61.0%	48	5.4%
Other	24	33.8%	34	47.9%	13	18.3%	15	20.8%	42	58.3%	15	20.8%
06 (Clearwater)	3,295	33.6%	4,329	44.1%	2,190	22.3%	3,115	31.3%	4,581	46.0%	2,254	22.7%
Prison	59	3.1%	337	17.7%	1,503	79.1%	48	2.4%	386	19.2%	1,574	78.4%
Community Control	73	18.9%	213	55.0%	101	26.1%	82	16.8%	310	63.4%	97	19.8%
Probation	2,121	47.0%	2,032	45.0%	361	8.0%	2,025	47.1%	1,913	44.5%	357	8.3%
County Jail	1,000	35.2%	1,651	58.2%	187	6.6%	929	31.3%	1,850	62.4%	187	6.3%
Other	42	23.9%	96	54.5%	38	21.6%	31	16.1%	122	63.5%	39	20.3%

Table 2
Recommended Sanction Category by Sanction Imposed

Judicial Circuit / Sanction Imposed	Recommended Sanction Category											
	FY 2008-2009 Sentence Dates ¹						FY 2009-2010 Sentence Dates ²					
	22.0 Points or Less		22.1 to 44.0 Points		More than 44.0 Points		22.0 Points or Less		22.1 to 44.0 Points		More than 44.0 Points	
07 (Daytona)	1,331	33.8%	1,726	43.8%	882	22.4%	1,100	30.0%	1,617	44.1%	946	25.8%
Prison	67	6.5%	375	36.5%	585	57.0%	25	3.0%	214	25.8%	589	71.1%
Community Control	55	27.6%	107	53.8%	37	18.6%	31	14.7%	132	62.6%	48	22.7%
Probation	878	48.7%	765	42.4%	160	8.9%	759	43.5%	793	45.5%	192	11.0%
County Jail	306	35.8%	454	53.2%	94	11.0%	279	32.9%	457	53.9%	112	13.2%
Other	25	44.6%	25	44.6%	6	10.7%	6	18.8%	21	65.6%	5	15.6%
08 (Gainesville)	370	25.2%	546	37.2%	553	37.6%	441	29.1%	567	37.5%	506	33.4%
Prison	14	3.5%	65	16.1%	324	80.4%	22	5.2%	87	20.5%	315	74.3%
Community Control	10	14.7%	26	38.2%	32	47.1%	12	16.0%	34	45.3%	29	38.7%
Probation	277	40.4%	287	41.9%	121	17.7%	315	45.1%	284	40.7%	99	14.2%
County Jail	62	22.5%	148	53.8%	65	23.6%	85	30.2%	146	52.0%	50	17.8%
Other	7	18.4%	20	52.6%	11	28.9%	7	19.4%	16	44.4%	13	36.1%
09 (Orlando)	3,611	39.8%	3,738	41.2%	1,726	19.0%	2,502	34.6%	3,031	41.9%	1,708	23.6%
Prison	85	5.4%	395	25.1%	1,093	69.5%	50	3.7%	274	20.1%	1,042	76.3%
Community Control	93	21.8%	219	51.4%	114	26.8%	76	21.2%	172	47.9%	111	30.9%
Probation	2,406	54.5%	1,660	37.6%	349	7.9%	1,643	47.7%	1,432	41.5%	372	10.8%
County Jail	1,006	38.5%	1,441	55.2%	164	6.3%	722	35.3%	1,144	56.0%	177	8.7%
Other	21	42.0%	23	46.0%	6	12.0%	11	42.3%	9	34.6%	6	23.1%
10 (Bartow)	1,248	30.1%	1,839	44.4%	1,058	25.5%	938	27.8%	1,502	44.5%	934	27.7%
Prison	67	5.4%	417	33.3%	768	61.3%	41	3.9%	289	27.8%	708	68.2%
Community Control	74	21.1%	194	55.3%	83	23.6%	49	19.9%	136	55.3%	61	24.8%
Probation	955	45.8%	960	46.1%	169	8.1%	707	42.8%	796	48.2%	149	9.0%
County Jail	151	33.6%	261	58.0%	38	8.4%	138	32.0%	277	64.3%	16	3.7%
Other	1	12.5%	7	87.5%	0	0.0%	3	42.9%	4	57.1%	0	0.0%
11 (Miami)	1,684	27.1%	2,129	34.3%	2,394	38.6%	2,271	31.8%	2,242	31.4%	2,618	36.7%
Prison	8	1.2%	40	5.8%	638	93.0%	11	1.5%	43	5.9%	673	92.6%
Community Control	6	3.3%	31	17.1%	144	79.6%	14	6.2%	41	18.1%	171	75.7%
Probation	967	39.1%	856	34.6%	653	26.4%	1,632	45.5%	1,187	33.1%	768	21.4%
County Jail	703	24.5%	1,202	42.0%	959	33.5%	614	23.7%	971	37.5%	1,006	38.8%
Other	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
12 (Sarasota)	1,269	37.4%	1,477	43.6%	645	19.0%	1,189	38.2%	1,340	43.0%	587	18.8%
Prison	28	4.2%	137	20.6%	499	75.2%	48	8.2%	155	26.4%	385	65.5%
Community Control	62	33.3%	90	48.4%	34	18.3%	67	30.3%	108	48.9%	46	20.8%
Probation	766	55.1%	567	40.8%	58	4.2%	671	52.1%	526	40.8%	91	7.1%
County Jail	413	35.9%	682	59.4%	54	4.7%	396	40.2%	530	53.8%	60	6.1%
Other	0	0.0%	1 #####		0	0.0%	7	21.2%	21	63.6%	5	15.2%

Table 2
Recommended Sanction Category by Sanction Imposed

Judicial Circuit / Sanction Imposed	Recommended Sanction Category											
	FY 2008-2009 Sentence Dates ¹						FY 2009-2010 Sentence Dates ²					
	22.0 Points or Less		22.1 to 44.0 Points		More than 44.0 Points		22.0 Points or Less		22.1 to 44.0 Points		More than 44.0 Points	
13 (Tampa)	1,790	26.2%	2,696	39.5%	2,342	34.3%	1,277	23.6%	2,114	39.0%	2,031	37.5%
Prison	69	4.2%	333	20.3%	1,240	75.5%	39	3.0%	236	17.9%	1,042	79.1%
Community Control	15	5.4%	89	31.8%	176	62.9%	17	5.1%	91	27.2%	227	67.8%
Probation	1,235	36.0%	1,530	44.7%	661	19.3%	935	33.9%	1,261	45.7%	562	20.4%
County Jail	449	31.3%	729	50.9%	255	17.8%	271	27.8%	513	52.6%	191	19.6%
Other	22	46.8%	15	31.9%	10	21.3%	15	40.5%	13	35.1%	9	24.3%
14 (Panama City)	549	29.7%	841	45.5%	458	24.8%	401	22.6%	811	45.7%	562	31.7%
Prison	40	6.8%	235	39.8%	316	53.5%	19	3.4%	166	29.5%	378	67.1%
Community Control	34	16.3%	133	63.6%	42	20.1%	31	17.1%	108	59.7%	42	23.2%
Probation	439	45.8%	442	46.1%	78	8.1%	342	34.7%	513	52.0%	131	13.3%
County Jail	35	43.2%	28	34.6%	18	22.2%	7	19.4%	21	58.3%	8	22.2%
Other	1	12.5%	3	37.5%	4	50.0%	2	25.0%	3	37.5%	3	37.5%
15 (West Palm Beach)	1,445	34.7%	1,782	42.7%	943	22.6%	1,036	27.2%	1,701	44.7%	1,069	28.1%
Prison	11	1.7%	111	16.9%	534	81.4%	5	0.6%	140	16.3%	714	83.1%
Community Control	5	12.2%	17	41.5%	19	46.3%	10	12.0%	36	43.4%	37	44.6%
Probation	461	36.4%	563	44.5%	241	19.1%	395	34.8%	559	49.2%	182	16.0%
County Jail	968	43.8%	1,091	49.4%	149	6.7%	625	36.3%	964	56.0%	133	7.7%
Other	0	0.0%	0	0.0%	0	0.0%	1	16.7%	2	33.3%	3	50.0%
16 (Key West)	121	30.3%	191	47.8%	88	22.0%	116	29.4%	200	50.6%	79	20.0%
Prison	1	3.1%	8	25.0%	23	71.9%	5	9.1%	15	27.3%	35	63.6%
Community Control	1	9.1%	6	54.5%	4	36.4%	3	18.8%	5	31.3%	8	50.0%
Probation	107	34.5%	150	48.4%	53	17.1%	85	32.8%	146	56.4%	28	10.8%
County Jail	11	26.2%	24	57.1%	7	16.7%	20	36.4%	29	52.7%	6	10.9%
Other	1	20.0%	3	60.0%	1	20.0%	3	30.0%	5	50.0%	2	20.0%
17 (Ft. Lauderdale)	2,535	35.4%	2,907	40.6%	1,723	24.0%	2,069	32.4%	2,569	40.2%	1,756	27.5%
Prison	52	3.9%	239	17.8%	1,050	78.3%	21	2.0%	167	15.8%	872	82.3%
Community Control	25	11.2%	95	42.4%	104	46.4%	24	8.5%	113	40.1%	145	51.4%
Probation	2,158	47.7%	1,874	41.5%	488	10.8%	1,774	44.2%	1,662	41.4%	580	14.4%
County Jail	289	28.0%	675	65.5%	67	6.5%	245	24.5%	604	60.5%	150	15.0%
Other	11	22.4%	24	49.0%	14	28.6%	5	13.5%	23	62.2%	9	24.3%
18 (Sanford)	1,525	37.9%	1,735	43.1%	763	19.0%	1,152	33.2%	1,575	45.3%	746	21.5%
Prison	35	4.5%	190	24.6%	546	70.8%	17	2.3%	196	27.1%	511	70.6%
Community Control	74	21.0%	202	57.2%	77	21.8%	47	14.1%	177	53.2%	109	32.7%
Probation	1,246	51.9%	1,027	42.8%	127	5.3%	963	48.3%	916	46.0%	114	5.7%
County Jail	169	33.9%	316	63.5%	13	2.6%	125	29.6%	286	67.6%	12	2.8%
Other	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%

Table 2
Recommended Sanction Category by Sanction Imposed

Judicial Circuit / Sanction Imposed	Recommended Sanction Category											
	FY 2008-2009 Sentence Dates ¹					FY 2009-2010 Sentence Dates ²						
	22.0 Points or Less		22.1 to 44.0 Points		More than 44.0 Points		22.0 Points or Less		22.1 to 44.0 Points		More than 44.0 Points	
19 (Ft. Pierce)	1,458	41.0%	1,396	39.3%	700	19.7%	1,233	39.0%	1,279	40.5%	647	0.0%
Prison	183	14.7%	470	37.7%	594	47.6%	80	8.4%	362	37.9%	512	53.7%
Community Control	74	44.6%	73	44.0%	19	11.4%	57	36.5%	78	50.0%	21	13.5%
Probation	841	60.3%	495	35.5%	58	4.2%	739	57.2%	474	36.7%	79	6.1%
County Jail	345	48.5%	339	47.6%	28	3.9%	349	48.1%	345	47.5%	32	4.4%
Other	15	42.9%	19	54.3%	1	2.9%	8	25.8%	20	64.5%	3	9.7%
20 (Ft. Myers)	2,371	39.2%	2,524	41.7%	1,160	19.2%	1,902	37.3%	2,168	42.5%	1,034	20.3%
Prison	58	5.0%	249	21.5%	851	73.5%	49	4.4%	247	22.1%	824	73.6%
Community Control	53	16.7%	189	59.6%	75	23.7%	67	29.1%	134	58.3%	29	12.6%
Probation	1,716	53.6%	1,328	41.5%	157	4.9%	1,362	51.3%	1,168	44.0%	125	4.7%
County Jail	535	39.1%	755	55.2%	77	5.6%	419	38.3%	618	56.5%	56	5.1%
Other	9	75.0%	3	25.0%	0	0.0%	5	83.3%	1	16.7%	0	0.0%
Statewide	31,114	100.0%	37,225	100.0%	21,832	100.0%	25,352	100.0%	33,710	100.0%	22,142	100.0%

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

¹ Offense dates on or after October 1, 2007.

² Offense dates on or after October 1, 2008.

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

Circuit/County	FY2008-2009 Sentence Dates ¹						FY2009-2010 Sentence Dates ²					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
01 (Pensacola)	987 22.2%	366 8.2%	2,272 51.1%	695 15.6%	122 2.7%	4,442 100.0%	809 19.4%	414 9.9%	2,065 49.4%	834 20.0%	57 1.4%	4,179 100.0%
02 (Tallahassee)	326 22.0%	74 5.0%	872 58.9%	198 13.4%	11 0.7%	1,481 100.0%	381 25.8%	70 4.7%	793 53.6%	217 14.7%	18 1.2%	1,479 100.0%
03 (Lake City)	283 32.8%	110 12.7%	445 51.6%	17 2.0%	8 0.9%	863 100.0%	269 34.0%	121 15.3%	387 48.9%	14 1.8%	0 0.0%	791 100.0%
04 (Jacksonville)	2,103 33.0%	93 1.5%	840 13.2%	3,331 52.3%	6 0.1%	6,373 100.0%	2,556 59.2%	52 1.2%	534 12.4%	1,170 27.1%	3 0.1%	4,315 100.0%
05 (Tavares)	1,101 22.3%	268 5.4%	2,754 55.9%	735 14.9%	71 1.4%	4,929 100.0%	1,172 23.8%	269 5.5%	2,525 51.3%	887 18.0%	72 1.5%	4,925 100.0%
06 (Clearwater)	1,899 19.3%	387 3.9%	4,514 46.0%	2,838 28.9%	176 1.8%	9,814 100.0%	2,008 20.2%	489 4.9%	4,295 43.2%	2,966 29.8%	192 1.9%	9,950 100.0%
07 (Daytona)	1,027 26.1%	199 5.1%	1,803 45.8%	854 21.7%	56 1.4%	3,939 100.0%	828 22.6%	211 5.8%	1,744 47.6%	848 23.2%	32 0.9%	3,663 100.0%
08 (Gainesville)	403 27.4%	68 4.6%	685 46.6%	275 18.7%	38 2.6%	1,469 100.0%	424 28.0%	75 5.0%	698 46.1%	281 18.6%	36 2.4%	1,514 100.0%
09 (Orlando)	1,573 17.3%	426 4.7%	4,415 48.7%	2,611 28.8%	50 0.6%	9,075 100.0%	1,366 18.9%	359 5.0%	3,447 47.6%	2,043 28.2%	26 0.4%	7,241 100.0%
10 (Bartow)	1,252 30.2%	351 8.5%	2,084 50.3%	450 10.9%	8 0.2%	4,145 100.0%	1,038 30.8%	246 7.3%	1,652 49.0%	431 12.8%	7 0.2%	3,374 100.0%

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

Circuit/County	FY2008-2009 Sentence Dates ¹						FY2009-2010 Sentence Dates ²					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
11 (Miami)	686 11.1%	181 2.9%	2,476 39.9%	2,864 46.1%	0 0.0%	6,207 100.0%	727 10.2%	226 3.2%	3,587 50.3%	2,591 36.3%	0 0.0%	7,131 100.0%
12 (Sarasota)	664 19.6%	186 5.5%	1,391 41.0%	1,149 33.9%	1 0.0%	3,391 100.0%	588 18.9%	221 7.1%	1,288 41.3%	986 31.6%	33 1.1%	3,116 100.0%
13 (Tampa)	1,642 24.0%	280 4.1%	3,426 50.2%	1,433 21.0%	47 0.7%	6,828 100.0%	1,317 24.3%	335 6.2%	2,758 50.9%	975 18.0%	37 0.7%	5,422 100.0%
14 (Panama City)	591 32.0%	209 11.3%	959 51.9%	81 4.4%	8 0.4%	1,848 100.0%	563 31.7%	181 10.2%	986 55.6%	36 2.0%	8 0.5%	1,774 100.0%
15 (West Palm Beach)	656 15.7%	41 1.0%	1,265 30.3%	2,208 52.9%	0 0.0%	4,170 100.0%	859 22.6%	83 2.2%	1,136 29.8%	1,722 45.2%	6 0.2%	3,806 100.0%
16 (Key West)	32 8.0%	11 2.8%	310 77.5%	42 10.5%	5 1.3%	400 100.0%	55 13.9%	16 4.1%	259 65.6%	55 13.9%	10 2.5%	395 100.0%
17 (Ft. Lauderdale)	1,341 18.7%	224 3.1%	4,520 63.1%	1,031 14.4%	49 0.7%	7,165 100.0%	1,060 16.6%	282 4.4%	4,016 62.8%	999 15.6%	37 0.6%	6,394 100.0%
18 (Sanford)	771 19.2%	353 8.8%	2,400 59.7%	498 12.4%	1 0.0%	4,023 100.0%	724 20.8%	333 9.6%	1,993 57.4%	423 12.2%	0 0.0%	3,473 100.0%
19 (Ft. Pierce)	1,247 35.1%	166 4.7%	1,394 39.2%	712 20.0%	35 1.0%	3,554 100.0%	954 30.2%	156 4.9%	1,292 40.9%	726 23.0%	31 1.0%	3,159 100.0%
20 (Ft. Myers)	1,158 19.1%	317 5.2%	3,201 52.9%	1,367 22.6%	12 0.2%	6,055 100.0%	1,120 21.9%	230 4.5%	2,655 52.0%	1,093 21.4%	6 0.1%	5,104 100.0%
Statewide	19,742 21.9%	4,310 4.8%	42,026 46.6%	23,389 25.9%	704 0.8%	90,171 100.0%	18,818 23.2%	4,369 5.4%	38,110 46.9%	19,297 23.8%	611 0.8%	81,205 100.0%

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

¹ Offense dates on or after October 1, 2007.

² Offense dates on or after October 1, 2008.

**Table 4
Offense Types by Sanction Imposed**

Offense Type		FY2008-2009 Sentence Dates ¹						FY2009-2010 Sentence Dates ²					
		State Prison	Comm. Control	Probation	County Jail	Other	Total	State Prison	Comm. Control	Probation	County Jail	Other	Total
Murder/Manslaughter	Attempt	86	1	7	1	0	95	77	4	7	1	0	89
	Complete	160	6	18	0	0	184	140	4	7	0	0	151
Sexual/Lewd Behavior	Attempt	45	4	8	0	0	57	63	1	10	0	0	74
	Complete	367	35	135	11	4	552	351	28	151	10	2	542
Robbery	Attempt	195	25	109	46	2	377	161	25	85	34	2	307
	Complete	1,323	168	561	208	9	2,269	1,308	185	463	186	13	2,155
Violent,Other	Attempt	30	6	43	5	0	84	34	3	29	7	0	73
	Complete	2,681	587	5,307	1,640	78	10,293	2,681	603	5,280	1,646	69	10,279
Burglary	Attempt	136	28	168	59	2	393	190	27	238	74	3	532
	Complete	3,099	635	4,180	1,546	71	9,531	3,385	795	3,913	1,345	65	9,503
Property Theft/Fraud/Damage	Attempt	4	1	19	4	0	28	5	5	14	4	0	28
	Complete	2,881	807	10,713	4,780	210	19,391	2,618	748	9,307	4,261	167	17,101
Drugs	Attempt	105	24	302	240	3	674	110	35	255	150	3	553
	Complete	5,603	1,216	14,098	9,947	212	31,076	5,068	1,277	13,284	8,062	201	27,892
Weapons	Attempt	4	2	10	4	0	20	1	3	5	2	0	11
	Complete	810	164	1,209	543	14	2,740	837	138	1,075	434	17	2,501
Other	Attempt	12	4	42	18	0	76	13	2	29	17	0	61
	Complete	2,201	597	5,097	4,337	99	12,331	1,776	486	3,958	3,064	69	9,353
Total		19,742	4,310	42,026	23,389	704	90,171	18,818	4,369	38,110	19,297	611	81,205

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

¹ Offense dates on or after October 1, 2007.

² Offense dates on or after October 1, 2008.

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

Offense Severity Level	FY2008-2009 Sentence Dates ¹						FY2009-2010 Sentence Dates ²					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
1	1,355 11.0%	525 4.3%	5,615 45.5%	4,739 38.4%	114 0.9%	12,348 100.0%	1,040 10.5%	401 4.1%	4,603 46.7%	3,722 37.8%	92 0.9%	9,858 100.0%
2	1,020 9.9%	368 3.6%	6,242 60.8%	2,516 24.5%	122 1.2%	10,268 100.0%	925 11.0%	323 3.8%	5,080 60.4%	2,012 23.9%	73 0.9%	8,413 100.0%
3	2,521 10.0%	892 3.5%	12,513 49.7%	9,065 36.0%	200 0.8%	25,191 100.0%	2,041 9.3%	920 4.2%	11,549 52.6%	7,244 33.0%	190 0.9%	21,944 100.0%
4	2,689 22.3%	607 5.0%	5,823 48.3%	2,847 23.6%	98 0.8%	12,064 100.0%	2,467 22.3%	645 5.8%	5,350 48.3%	2,528 22.8%	86 0.8%	11,076 100.0%
5	4,210 30.9%	777 5.7%	5,766 42.3%	2,805 20.6%	84 0.6%	13,642 100.0%	4,200 31.7%	791 6.0%	5,670 42.8%	2,521 19.0%	80 0.6%	13,262 100.0%
6	2,337 31.3%	469 6.3%	3,685 49.3%	932 12.5%	48 0.6%	7,471 100.0%	2,293 31.8%	503 7.0%	3,522 48.8%	848 11.8%	51 0.7%	7,217 100.0%
7	3,642 54.9%	487 7.3%	2,021 30.5%	446 6.7%	34 0.5%	6,630 100.0%	3,925 57.1%	588 8.5%	1,957 28.5%	378 5.5%	30 0.4%	6,878 100.0%
8	916 72.4%	87 6.9%	240 19.0%	21 1.7%	1 0.1%	1,265 100.0%	925 69.5%	111 8.3%	259 19.5%	32 2.4%	4 0.3%	1,331 100.0%
9	870 79.8%	91 8.3%	110 10.1%	16 1.5%	3 0.3%	1,090 100.0%	842 80.4%	80 7.6%	110 10.5%	11 1.1%	4 0.4%	1,047 100.0%
10	182 90.1%	7 3.5%	11 5.4%	2 1.0%	0 0.0%	202 100.0%	160 89.4%	7 3.9%	10 5.6%	1 0.6%	1 0.6%	179 100.0%
Total	19,742 21.9%	4,310 4.8%	42,026 46.6%	23,389 25.9%	704 0.8%	90,171 100.0%	18,818 23.2%	4,369 5.4%	38,110 46.9%	19,297 23.8%	611 0.8%	81,205 100.0%

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

¹ Offense dates on or after October 1, 2007.

² Offense dates on or after October 1, 2008.

Table 6
State Prison Sentence Length by Offense Severity Level

Offense Severity Level	FY2008-2009 Sentence Dates ¹					FY2009-2010 Sentence Dates ²				
	LE 2*	GT 2-LE 4*	GT 4-LE 10*	GT 10*	Total	LE 2*	GT 2-LE 4*	GT 4-LE 10*	GT 10*	Total
1	1,121 82.7%	153 11.3%	75 5.5%	6 0.4%	1,355 100.0%	817 78.6%	167 16.1%	53 5.1%	3 0.3%	1,040 100.0%
2	815 79.9%	144 14.1%	58 5.7%	3 0.3%	1,020 100.0%	709 76.6%	165 17.8%	48 5.2%	3 0.3%	925 100.0%
3	1,993 79.1%	401 15.9%	119 4.7%	8 0.3%	2,521 100.0%	1,575 77.2%	361 17.7%	99 4.9%	6 0.3%	2,041 100.0%
4	1,820 67.7%	608 22.6%	240 8.9%	21 0.8%	2,689 100.0%	1,586 64.3%	576 23.3%	273 11.1%	32 1.3%	2,467 100.0%
5	2,542 60.4%	1,120 26.6%	472 11.2%	76 1.8%	4,210 100.0%	2,453 58.4%	1,195 28.5%	458 10.9%	94 2.2%	4,200 100.0%
6	1,123 48.1%	695 29.7%	404 17.3%	115 4.9%	2,337 100.0%	1,126 49.1%	654 28.5%	429 18.7%	84 3.7%	2,293 100.0%
7	931 25.6%	1,536 42.2%	933 25.6%	242 6.6%	3,642 100.0%	987 25.1%	1,642 41.8%	1,054 26.9%	242 6.2%	3,925 100.0%
8	122 13.3%	253 27.6%	378 41.3%	163 17.8%	916 100.0%	140 15.1%	252 27.2%	367 39.7%	166 17.9%	925 100.0%
9	125 14.4%	126 14.5%	385 44.3%	234 26.9%	870 100.0%	101 12.0%	109 12.9%	370 43.9%	262 31.1%	842 100.0%
10	26 14.3%	9 4.9%	49 26.9%	98 53.8%	182 100.0%	18 11.3%	16 10.0%	40 25.0%	86 53.8%	160 100.0%
Total	10,618 53.8%	5,045 25.6%	3,113 15.8%	966 4.9%	19,742 100.0%	9,512 50.5%	5,137 27.3%	3,191 17.0%	978 5.2%	18,818 100.0%

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

¹ Offense dates on or after October 1, 2007.

² Offense dates on or after October 1, 2008.

**Table 7
Number of Prior Offenses***

Prior Offenses	FY2008-2009 Sentence Dates ¹		FY2009-2010 Sentence Dates ²	
	Number	Percent	Number	Percent
None	21,415	23.7%	19,509	24.0%
Misdemeanor Only	23,875	26.5%	20,614	25.4%
One Felony	17,661	19.6%	15,757	19.4%
Two Felonies	11,678	13.0%	10,607	13.1%
Three Felonies	7,205	8.0%	6,644	8.2%
Four Felonies	4,182	4.6%	3,915	4.8%
Five Felonies	2,271	2.5%	2,162	2.7%
Six Felonies	1,052	1.2%	1,107	1.4%
Seven or More Felonies	832	0.9%	890	1.1%
Total	90,171	100.0%	81,205	100.0%

* As indicated on the scoresheet.

**Table 8
Number of Additional Offenses***

Additional Offenses	FY2008-2009 Sentence Dates ¹		FY2009-2010 Sentence Dates ²	
	Number	Percent	Number	Percent
None	48,643	53.9%	42,091	51.8%
Misdemeanor Only	20,697	23.0%	18,498	22.8%
One Felony	14,338	15.9%	14,091	17.4%
Two Felonies	4,158	4.6%	4,046	5.0%
Three Felonies	1,352	1.5%	1,461	1.8%
Four Felonies	482	0.5%	503	0.6%
Five Felonies	251	0.3%	276	0.3%
Six Felonies	113	0.1%	104	0.1%
Seven or More Felonies	137	0.2%	135	0.2%
Total	90,171	100.0%	81,205	100.0%

* As indicated on the scoresheet.

¹ Offense dates on or after October 1, 2007.

² Offense dates on or after October 1, 2008.

Table 9
Prior Felony Record* and Sanction Imposed

Number of Prior Felonies	FY2008-2009 Sentence Dates ¹						FY2009-2010 Sentence Dates ²					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
None	5,435 12.0%	2,366 5.2%	28,339 62.6%	8,663 19.1%	487 1.1%	45,290 100.0%	5,221 13.0%	2,454 6.1%	25,273 63.0%	6,764 16.9%	411 1.0%	40,123 100.0%
One	3,873 21.9%	899 5.1%	7,090 40.1%	5,699 32.3%	100 0.6%	17,661 100.0%	3,713 23.6%	867 5.5%	6,495 41.2%	4,581 29.1%	101 0.6%	15,757 100.0%
Two	3,547 30.4%	494 4.2%	3,460 29.6%	4,107 35.2%	70 0.6%	11,678 100.0%	3,291 31.0%	523 4.9%	3,348 31.6%	3,382 31.9%	63 0.6%	10,607 100.0%
Three	2,753 38.2%	280 3.9%	1,734 24.1%	2,417 33.5%	21 0.3%	7,205 100.0%	2,595 39.1%	283 4.3%	1,592 24.0%	2,153 32.4%	21 0.3%	6,644 100.0%
Four	1,932 46.2%	140 3.3%	834 19.9%	1,261 30.2%	15 0.4%	4,182 100.0%	1,796 45.9%	133 3.4%	772 19.7%	1,205 30.8%	9 0.2%	3,915 100.0%
Five	1,183 52.1%	77 3.4%	337 14.8%	668 29.4%	6 0.3%	2,271 100.0%	1,107 51.2%	61 2.8%	378 17.5%	611 28.3%	5 0.2%	2,162 100.0%
Six	559 53.1%	35 3.3%	131 12.5%	322 30.6%	5 0.5%	1,052 100.0%	618 55.8%	25 2.3%	154 13.9%	309 27.9%	1 0.1%	1,107 100.0%
Seven or More	460 55.3%	19 2.3%	101 12.1%	252 30.3%	0 0.0%	832 100.0%	477 53.6%	23 2.6%	98 11.0%	292 32.8%	0 0.0%	890 100.0%
Total	19,742 21.9%	4,310 4.8%	42,026 46.6%	23,389 25.9%	704 0.8%	90,171 100.0%	18,818 23.2%	4,369 5.4%	38,110 46.9%	19,297 23.8%	611 0.8%	81,205 100.0%

* As indicated on the scoresheet

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

¹ Offense dates on or after October 1, 2007.

² Offense dates on or after October 1, 2008.

Table 10
Additional Offenses* and Sanction Imposed

Number of Additional Felonies	FY2008-2009 Sentence Dates ¹						FY2009-2010 Sentence Dates ²					
	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total	State Prison	Comm. Control	Probation	County Jail	Other Sentence	Total
None	11,421 16.5%	2,936 4.2%	34,252 49.4%	20,154 29.1%	577 0.8%	69,340 100.0%	10,377 17.1%	2,876 4.7%	30,719 50.7%	16,151 26.7%	466 0.8%	60,589 100.0%
One	4,702 32.8%	948 6.6%	5,985 41.7%	2,616 18.2%	87 0.6%	14,338 100.0%	4,841 34.4%	995 7.1%	5,646 40.1%	2,500 17.7%	109 0.8%	14,091 100.0%
Two	2,058 49.5%	275 6.6%	1,310 31.5%	481 11.6%	34 0.8%	4,158 100.0%	1,990 49.2%	305 7.5%	1,232 30.4%	500 12.4%	19 0.5%	4,046 100.0%
Three	850 62.9%	82 6.1%	313 23.2%	105 7.8%	2 0.1%	1,352 100.0%	880 60.2%	117 8.0%	343 23.5%	109 7.5%	12 0.8%	1,461 100.0%
Four	337 69.9%	29 6.0%	91 18.9%	22 4.6%	3 0.6%	482 100.0%	337 67.0%	40 8.0%	101 20.1%	22 4.4%	3 0.6%	503 100.0%
Five	175 69.7%	22 8.8%	46 18.3%	8 3.2%	0 0.0%	251 100.0%	201 72.8%	19 6.9%	43 15.6%	11 4.0%	2 0.7%	276 100.0%
Six	84 74.3%	10 8.8%	17 15.0%	1 0.9%	1 0.9%	113 100.0%	87 83.7%	7 6.7%	8 7.7%	2 1.9%	0 0.0%	104 100.0%
Seven or More	115 83.9%	8 5.8%	12 8.8%	2 1.5%	0 0.0%	137 100.0%	105 77.8%	10 7.4%	18 13.3%	2 1.5%	0 0.0%	135 100.0%
Total	19,742 21.9%	4,310 4.8%	42,026 46.6%	23,389 25.9%	704 0.8%	90,171 100.0%	18,818 23.2%	4,369 5.4%	38,110 46.9%	19,297 23.8%	611 0.8%	81,205 100.0%

* As indicated on the scoresheet.

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

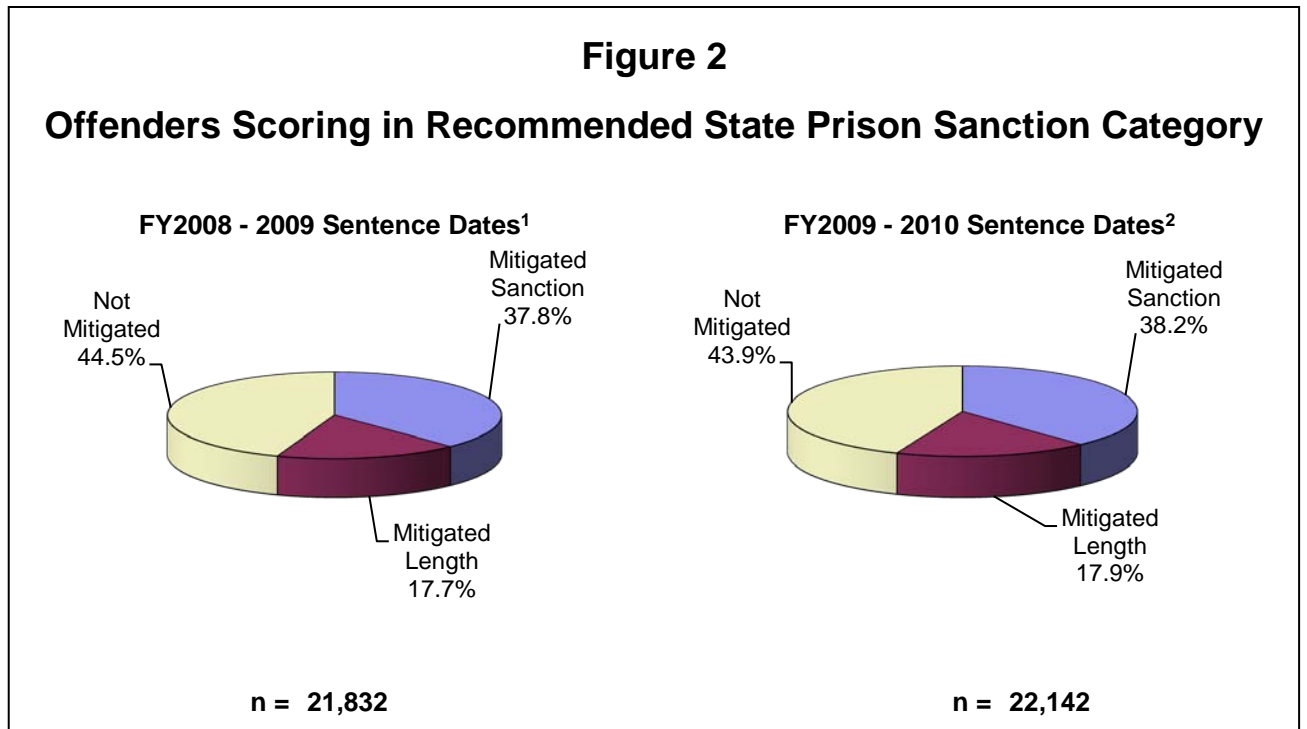
¹ Offense dates on or after October 1, 2007.

² Offense dates on or after October 1, 2008.

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

Category	FY2008-2009 Sentence Dates ¹		FY2009-2010 Sentence Dates ²	
	Number / Percent	Average Mitigated Length in Months	Number / Percent	Average Mitigated Length in Months
Mitigated Total	12,125 55.5%		12,423 56.1%	
Mitigated Sanction	8,261 37.8%		8,469 38.2%	
Mitigated Length	3,864 17.7%	23.0	3,954 17.9%	24.7
Not Mitigated	9,707 44.5%		9,719 43.9%	
Total	21,832 100.0%		22,142 100.0%	

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



* Total points exceeding 44.0

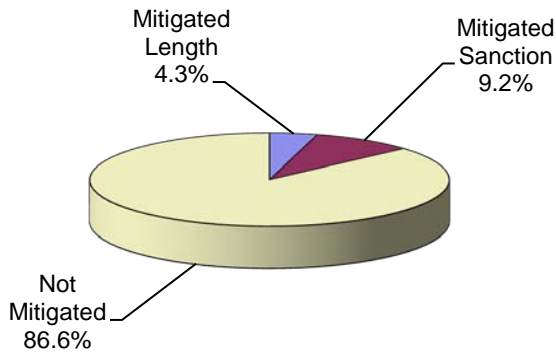
¹ Offense dates on or after October 1, 2007.

² Offense dates on or after October 1, 2008.

Figure 3

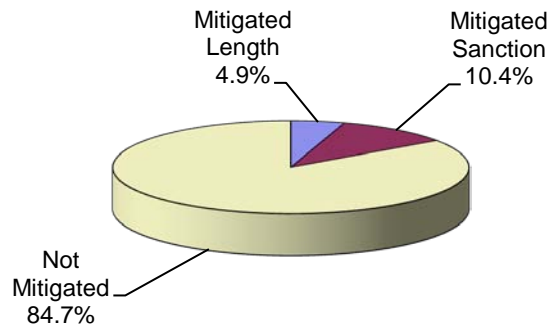
Deviation Rates Below Permitted Sentences Among All Offenders Sentenced

FY2008 - 2009 Sentence Dates¹



n = 90,171

FY2009 - 2010 Sentence Dates²



n = 81,205

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

Judicial Circuit	FY2008-2009 Sentence Dates ¹			FY2009-2010 Sentence Dates ²		
	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate
01- Pensacola	1,116	456	40.9%	1,071	490	45.8%
02- Tallahassee	432	196	45.4%	533	224	42.0%
03- Lake City	249	78	31.3%	276	85	30.8%
04- Jacksonville	1,314	317	24.1%	1,465	180	12.3%
05- Tavares	1,096	325	29.7%	1,320	352	26.7%
06- Clearwater	2,190	625	28.5%	2,254	643	28.5%
07- Daytona	882	286	32.4%	946	352	37.2%
08- Gainesville	553	227	41.0%	506	190	37.5%
09- Orlando	1,726	627	36.3%	1,708	664	38.9%
10- Bartow	1,058	290	27.4%	934	226	24.2%
11- Miami	2,394	1,746	72.9%	2,618	1,918	73.3%
12- Sarasota	645	145	22.5%	587	201	34.2%
13- Tampa	2,342	1,079	46.1%	2,031	951	46.8%
14- Panama City	458	142	31.0%	562	184	32.7%
15- West Palm Beach	943	409	43.4%	1,069	354	33.1%
16- Key West	88	52	59.1%	79	37	46.8%
17- Ft. Lauderdale	1,723	643	37.3%	1,756	844	48.1%
18- Sanford	763	217	28.4%	746	235	31.5%
19- Ft. Pierce	700	106	15.1%	647	135	20.9%
20- Ft. Myers	1,160	295	25.4%	1,034	204	19.7%
Statewide	21,832	8,261	37.8%	22,142	8,469	38.2%

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

¹ Offense dates on or after October 1, 2007.

² Offense dates on or after October 1, 2008.

Table 13

Mitigated Sanction Rates and Mitigated Length Rates* By Judicial Circuit

Judicial Circuit	FY2008-2009 Sentence Dates ¹			FY2009-2010 Sentence Dates ²		
	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate	Scoresheets Exceeding 44.0 Total Points	Scoresheets Mitigated	Mitigation Rate
01- Pensacola	1,116	568	50.9%	1,071	588	54.9%
02- Tallahassee	432	319	73.8%	533	403	75.6%
03- Lake City	249	125	50.2%	276	152	55.1%
04- Jacksonville	1,314	538	40.9%	1,465	484	33.0%
05- Tavares	1,096	457	41.7%	1,320	578	43.8%
06- Clearwater	2,190	1,039	47.4%	2,254	1,096	48.6%
07- Daytona	882	485	55.0%	946	597	63.1%
08- Gainesville	553	426	77.0%	506	370	73.1%
09- Orlando	1,726	926	53.7%	1,708	935	54.7%
10- Bartow	1,058	493	46.6%	934	355	38.0%
11- Miami	2,394	2,201	91.9%	2,618	2,389	91.3%
12- Sarasota	645	250	38.8%	587	265	45.1%
13- Tampa	2,342	1,664	71.1%	2,031	1,432	70.5%
14- Panama City	458	229	50.0%	562	295	52.5%
15- West Palm Beach	943	560	59.4%	1,069	504	47.1%
16- Key West	88	59	67.0%	79	48	60.8%
17- Ft. Lauderdale	1,723	873	50.7%	1,756	1,095	62.4%
18- Sanford	763	307	40.2%	746	316	42.4%
19- Ft. Pierce	700	171	24.4%	647	203	31.4%
20- Ft. Myers	1,160	435	37.5%	1,034	318	30.8%
Statewide	21,832	12,125	55.5%	22,142	12,423	56.1%

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

¹ Offense dates on or after October 1, 2007.

² Offense dates on or after October 1, 2008.

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

Offense Type		FY2008-2009 Sentence Dates ¹					FY2009-2010 Sentence Dates ²				
		Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total	Total Mitigated	Mitigated Sanction	Mitigated Length	Not Mitigated	Total
Murder/Manslaughter	Attempt	24	9	15	71	95	181	12	14	62	88
	Complete	95	24	71	89	184	344	11	53	87	151
Sexual/Lewd Behavior	Attempt	26	9	17	27	53	97	9	12	51	72
	Complete	227	109	118	228	455	801	131	148	177	456
Robbery	Attempt	82	44	38	118	200	356	52	30	106	188
	Complete	631	338	293	881	1,512	2,686	337	306	855	1,498
Violent,Other	Attempt	16	11	5	17	33	55	13	6	22	41
	Complete	2,532	1,928	604	1,504	4,036	6,144	1,977	640	1,513	4,130
Burglary	Attempt	58	45	13	106	164	283	53	22	138	213
	Complete	2,539	1,782	757	1,755	4,294	6,806	1,993	895	1,960	4,848
Property Theft/Fraud/Damage	Attempt	2	1	1	3	5	9	0	0	3	3
	Complete	1,128	772	356	945	2,073	3,374	780	348	988	2,116
Drugs	Attempt	80	65	15	44	124	183	58	20	60	138
	Complete	2,993	1,972	1,021	2,765	5,758	9,544	2,023	943	2,590	5,556
Weapons	Attempt	1	1	0	4	5	9	1	0	1	2
	Complete	338	241	97	411	749	1,257	209	101	433	743
Other	Attempt	10	8	2	7	17	26	6	4	6	16
	Complete	1,343	902	441	732	2,075	3,248	804	412	667	1,883
Total		12,125	8,261	3,864	9,707	21,832	35,403	8,469	3,954	9,719	22,142

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

** Total Points Exceeding 44.0.

¹ Offense dates on or after October 1, 2007.

² Offense dates on or after October 1, 2008.

APPENDICES

**Total Admissions To Prison
Fiscal Year 2009-2010
By County of Commitment**

County	Total	Percent
ALACHUA	716	2.0%
BAKER	56	0.2%
BAY	917	2.5%
BRADFORD	59	0.2%
BREVARD	1,179	3.2%
BROWARD	2,598	7.1%
CALHOUN	38	0.1%
CHARLOTTE	402	1.1%
CITRUS	273	0.7%
CLAY	409	1.1%
COLLIER	412	1.1%
COLUMBIA	311	0.9%
MIAMI-DADE	2,198	6.0%
DESOTO	122	0.3%
DIXIE	66	0.2%
DUVAL	2,513	6.9%
ESCAMBIA	1,062	2.9%
FLAGLER	76	0.2%
FRANKLIN	53	0.1%
GADSDEN	173	0.5%
GILCHRIST	31	0.1%
GLADES	26	0.1%
GULF	32	0.1%
HAMILTON	34	0.1%
HARDEE	66	0.2%
HENDRY	109	0.3%
HERNANDO	318	0.9%
HIGHLANDS	255	0.7%
HILLSBOROUGH	2,908	8.0%
HOLMES	62	0.2%
INDIAN RIVER	237	0.7%
JACKSON	115	0.3%
JEFFERSON	57	0.2%
LAFAYETTE	24	0.1%
LAKE	635	1.7%
LEE	987	2.7%

County	Total	Percent
LEON	747	2.1%
LEVY	155	0.4%
LIBERTY	28	0.1%
MADISON	36	0.1%
MANATEE	563	1.5%
MARION	891	2.4%
MARTIN	452	1.2%
MONROE	195	0.5%
NASSAU	148	0.4%
OKALOOSA	312	0.9%
OKEECHOBEE	193	0.5%
ORANGE	1,876	5.2%
OSCEOLA	527	1.4%
PALM BEACH	1,461	4.0%
PASCO	963	2.6%
PINELLAS	2,240	6.2%
POLK	1,845	5.1%
PUTNAM	240	0.7%
ST. JOHNS	291	0.8%
ST. LUCIE	860	2.4%
SANTA ROSA	336	0.9%
SARASOTA	505	1.4%
SEMINOLE	404	1.1%
SUMTER	116	0.3%
SUWANNEE	197	0.5%
TAYLOR	82	0.2%
UNION	31	0.1%
VOLUSIA	939	2.6%
WAKULLA	70	0.2%
WALTON	87	0.2%
WASHINGTON	76	0.2%
Other States	19	0.1%
Data Unavailable	580	
TOTAL	36,994	

**Total Admissions To Prison
Fiscal Year 2009-2010
By Circuit**

CIRCUIT 1	1,797
CIRCUIT 2	1,128
CIRCUIT 3	750
CIRCUIT 4	3,070
CIRCUIT 5	2,233
CIRCUIT 6	3,203
CIRCUIT 7	1,546
CIRCUIT 8	1,048
CIRCUIT 9	2,403
CIRCUIT 10	2,166

CIRCUIT 11	2,198
CIRCUIT 12	1,190
CIRCUIT 13	2,908
CIRCUIT 14	1,240
CIRCUIT 15	1,461
CIRCUIT 16	195
CIRCUIT 17	2,598
CIRCUIT 18	1,583
CIRCUIT 19	1,742
CIRCUIT 20	1,936

**OFFENSE SEVERITY RANKING CHART
AS OF JULY 1, 2009**

Florida Statute	Felony Degree	Description
		(a) LEVEL 1
<u>24.118(3)(a)</u>	3rd	Counterfeit or altered state lottery ticket.
<u>212.054(2)(b)</u>	3rd	Discretionary sales surtax; limitations, administration, and collection.
<u>212.15(2)(b)</u>	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
<u>316.1935(1)</u>	3rd	Fleeing or attempting to elude law enforcement officer.
<u>319.30(5)</u>	3rd	Sell, exchange, give away certificate of title or identification number plate.
<u>319.35(1)(a)</u>	3rd	Tamper, adjust, change, etc., an odometer.
<u>320.26(1)(a)</u>	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
<u>322.212(1)(a)-(c)</u>	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver's license; possession of simulated identification.
<u>322.212(4)</u>	3rd	Supply or aid in supplying unauthorized driver's license or identification card.
<u>322.212(5)(a)</u>	3rd	False application for driver's license or identification card.
<u>414.39(2)</u>	3rd	Unauthorized use, possession, forgery, or alteration of food stamps, Medicaid ID, value greater than \$200.
<u>414.39(3)(a)</u>	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
<u>443.071(1)</u>	3rd	False statement or representation to obtain or increase unemployment compensation benefits.
<u>509.151(1)</u>	3rd	Defraud an innkeeper, food or lodging value greater than \$300.
<u>517.302(1)</u>	3rd	Violation of the Florida Securities and Investor Protection Act.
<u>562.27(1)</u>	3rd	Possess still or still apparatus.
<u>713.69</u>	3rd	Tenant removes property upon which lien has accrued, value more than \$50.
<u>812.014(3)(c)</u>	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
<u>812.081(2)</u>	3rd	Unlawfully makes or causes to be made a reproduction of a trade secret.
<u>815.04(4)(a)</u>	3rd	Offense against intellectual property (i.e., computer programs, data).
<u>817.52(2)</u>	3rd	Hiring with intent to defraud, motor vehicle services.
<u>817.569(2)</u>	3rd	Use of public record or public records information to facilitate commission of a felony.

<u>826.01</u>	3rd	Bigamy.
<u>828.122(3)</u>	3rd	Fighting or baiting animals.
<u>831.04(1)</u>	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. <u>92.28</u> .
<u>831.31(1)(a)</u>	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. <u>893.03(5)</u> drugs.
<u>832.041(1)</u>	3rd	Stopping payment with intent to defraud \$150 or more.
<u>832.05(2)(b) & (4)(c)</u>	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
<u>838.15(2)</u>	3rd	Commercial bribe receiving.
<u>838.16</u>	3rd	Commercial bribery.
<u>843.18</u>	3rd	Fleeing by boat to elude a law enforcement officer.
<u>847.011(1)(a)</u>	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
<u>849.01</u>	3rd	Keeping gambling house.
<u>849.09(1)(a)-(d)</u>	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
<u>849.23</u>	3rd	Gambling-related machines; "common offender" as to property rights.
<u>849.25(2)</u>	3rd	Engaging in bookmaking.
<u>860.08</u>	3rd	Interfere with a railroad signal.
<u>860.13(1)(a)</u>	3rd	Operate aircraft while under the influence.
<u>893.13(2)(a)2.</u>	3rd	Purchase of cannabis.
<u>893.13(6)(a)</u>	3rd	Possession of cannabis (more than 20 grams).
<u>934.03(1)(a)</u>	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
		(b) LEVEL 2
<u>379.2431(1)(e)3.</u>	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
<u>379.2431(1)(e)4.</u>	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
<u>403.413(5)(c)</u>	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
<u>517.07</u>	3rd	Registration of securities and furnishing of prospectus required.
^[1] <u>590.28(1)</u>	3rd	Willful, malicious, or intentional burning.
<u>784.05(3)</u>	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.

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

<u>119.10(2)(b)</u>	3rd	Unlawful use of confidential information from police reports.
<u>316.066(6)(b)-(d)</u>	3rd	Unlawfully obtaining or using confidential crash reports.
<u>316.193(2)(b)</u>	3rd	Felony DUI, 3rd conviction.
<u>316.1935(2)</u>	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
<u>319.30(4)</u>	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
<u>319.33(1)(a)</u>	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
<u>319.33(1)(c)</u>	3rd	Procure or pass title on stolen vehicle.
<u>319.33(4)</u>	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
<u>327.35(2)(b)</u>	3rd	Felony BUI.
<u>328.05(2)</u>	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
<u>328.07(4)</u>	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
<u>376.302(5)</u>	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
<u>379.2431(1)(e)5.</u>	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
<u>379.2431(1)(e)6.</u>	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
^[2] <u>400.9935(4)</u>	3rd	Operating a clinic without a license or filing false license application or other required information.
<u>440.1051(3)</u>	3rd	False report of worker's compensation fraud or retaliation for making such a report.
<u>501.001(2)(b)</u>	2nd	Tampers with a consumer product or the container using materially false/misleading information.
<u>624.401(4)(a)</u>	3rd	Transacting insurance without a certificate of authority.
<u>624.401(4)(b)1.</u>	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
<u>626.902(1)(a) & (b)</u>	3rd	Representing an unauthorized insurer.
<u>697.08</u>	3rd	Equity skimming.
<u>790.15(3)</u>	3rd	Person directs another to discharge firearm from a vehicle.
<u>796.05(1)</u>	3rd	Live on earnings of a prostitute.
<u>806.10(1)</u>	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
<u>806.10(2)</u>	3rd	Interferes with or assaults firefighter in performance of duty.
<u>810.09(2)(c)</u>	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.

<u>812.014(2)(c)2.</u>	3rd	Grand theft; \$5,000 or more but less than \$10,000.
<u>812.0145(2)(c)</u>	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
<u>815.04(4)(b)</u>	2nd	Computer offense devised to defraud or obtain property.
<u>817.034(4)(a)3.</u>	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
<u>817.233</u>	3rd	Burning to defraud insurer.
<u>817.234(8)(b)-(c)</u>	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
<u>817.234(11)(a)</u>	3rd	Insurance fraud; property value less than \$20,000.
<u>817.236</u>	3rd	Filing a false motor vehicle insurance application.
<u>817.2361</u>	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
<u>817.413(2)</u>	3rd	Sale of used goods as new.
<u>817.505(4)</u>	3rd	Patient brokering.
<u>828.12(2)</u>	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
<u>831.28(2)(a)</u>	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
<u>831.29</u>	2nd	Possession of instruments for counterfeiting drivers' licenses or identification cards.
<u>838.021(3)(b)</u>	3rd	Threatens unlawful harm to public servant.
<u>843.19</u>	3rd	Injure, disable, or kill police dog or horse.
<u>860.15(3)</u>	3rd	Overcharging for repairs and parts.
<u>870.01(2)</u>	3rd	Riot; inciting or encouraging.
<u>893.13(1)(a)2.</u>	3rd	Sell, manufacture, or deliver cannabis (or other s. <u>893.03(1)(c)</u> , (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs).
<u>893.13(1)(d)2.</u>	2nd	Sell, manufacture, or deliver s. <u>893.03(1)(c)</u> , (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs within 1,000 feet of university.
<u>893.13(1)(f)2.</u>	2nd	Sell, manufacture, or deliver s. <u>893.03(1)(c)</u> , (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs within 1,000 feet of public housing facility.
<u>893.13(6)(a)</u>	3rd	Possession of any controlled substance other than felony possession of cannabis.
<u>893.13(7)(a)8.</u>	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
<u>893.13(7)(a)9.</u>	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
<u>893.13(7)(a)10.</u>	3rd	Affix false or forged label to package of controlled substance.
<u>893.13(7)(a)11.</u>	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.

<u>893.13(8)(a)1.</u>	3rd	Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.
<u>893.13(8)(a)2.</u>	3rd	Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.
<u>893.13(8)(a)3.</u>	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
<u>893.13(8)(a)4.</u>	3rd	Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.
<u>918.13(1)(a)</u>	3rd	Alter, destroy, or conceal investigation evidence.
<u>944.47(1)(a)1.-2.</u>	3rd	Introduce contraband to correctional facility.
<u>944.47(1)(c)</u>	2nd	Possess contraband while upon the grounds of a correctional institution.
<u>985.721</u>	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
		(d) LEVEL 4
<u>316.1935(3)(a)</u>	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
<u>499.0051(1)</u>	3rd	Failure to maintain or deliver pedigree papers.
<u>499.0051(2)</u>	3rd	Failure to authenticate pedigree papers.
<u>499.0051(6)</u>	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
<u>784.07(2)(b)</u>	3rd	Battery of law enforcement officer, firefighter, intake officer, etc.
<u>784.074(1)(c)</u>	3rd	Battery of sexually violent predators facility staff.
<u>784.075</u>	3rd	Battery on detention or commitment facility staff.
<u>784.078</u>	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
<u>784.08(2)(c)</u>	3rd	Battery on a person 65 years of age or older.
<u>784.081(3)</u>	3rd	Battery on specified official or employee.
<u>784.082(3)</u>	3rd	Battery by detained person on visitor or other detainee.
<u>784.083(3)</u>	3rd	Battery on code inspector.
<u>784.085</u>	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
<u>787.03(1)</u>	3rd	Interference with custody; wrongly takes minor from appointed guardian.
<u>787.04(2)</u>	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
<u>787.04(3)</u>	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.

<u>790.115(1)</u>	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
<u>790.115(2)(b)</u>	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
<u>790.115(2)(c)</u>	3rd	Possessing firearm on school property.
<u>800.04(7)(c)</u>	3rd	Lewd or lascivious exhibition; offender less than 18 years.
<u>810.02(4)(a)</u>	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
<u>810.02(4)(b)</u>	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
<u>810.06</u>	3rd	Burglary; possession of tools.
<u>810.08(2)(c)</u>	3rd	Trespass on property, armed with firearm or dangerous weapon.
<u>812.014(2)(c)3.</u>	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
<u>812.014(2)(c)4.-10.</u>	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
<u>812.0195(2)</u>	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
<u>817.563(1)</u>	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. <u>893.03(5)</u> drugs.
<u>817.568(2)(a)</u>	3rd	Fraudulent use of personal identification information.
<u>817.625(2)(a)</u>	3rd	Fraudulent use of scanning device or reencoder.
<u>828.125(1)</u>	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
<u>837.02(1)</u>	3rd	Perjury in official proceedings.
<u>837.021(1)</u>	3rd	Make contradictory statements in official proceedings.
<u>838.022</u>	3rd	Official misconduct.
<u>839.13(2)(a)</u>	3rd	Falsifying records of an individual in the care and custody of a state agency.
<u>839.13(2)(c)</u>	3rd	Falsifying records of the Department of Children and Family Services.
<u>843.021</u>	3rd	Possession of a concealed handcuff key by a person in custody.
<u>843.025</u>	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
<u>843.15(1)(a)</u>	3rd	Failure to appear while on bail for felony (bond estreatment or bond jumping).
<u>847.0135(5)(c)</u>	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
<u>874.05(1)</u>	3rd	Encouraging or recruiting another to join a criminal gang.
<u>893.13(2)(a)1.</u>	2nd	Purchase of cocaine (or other s. <u>893.03(1)(a)</u> , (b), or (d), (2)(a), (2)(b), or (2)(c)4. drugs).

<u>914.14(2)</u>	3rd	Witnesses accepting bribes.
<u>914.22(1)</u>	3rd	Force, threaten, etc., witness, victim, or informant.
<u>914.23(2)</u>	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
<u>918.12</u>	3rd	Tampering with jurors.
<u>934.215</u>	3rd	Use of two-way communications device to facilitate commission of a crime.
		(e) LEVEL 5
<u>316.027(1)(a)</u>	3rd	Accidents involving personal injuries, failure to stop; leaving scene.
<u>316.1935(4)(a)</u>	2nd	Aggravated fleeing or eluding.
<u>322.34(6)</u>	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
<u>327.30(5)</u>	3rd	Vessel accidents involving personal injury; leaving scene.
<u>381.0041(11)(b)</u>	3rd	Donate blood, plasma, or organs knowing HIV positive.
<u>440.10(1)(g)</u>	2nd	Failure to obtain workers' compensation coverage.
<u>440.105(5)</u>	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
<u>440.381(2)</u>	2nd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
<u>624.401(4)(b)2.</u>	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
<u>626.902(1)(c)</u>	2nd	Representing an unauthorized insurer; repeat offender.
<u>790.01(2)</u>	3rd	Carrying a concealed firearm.
<u>790.162</u>	2nd	Threat to throw or discharge destructive device.
<u>790.163(1)</u>	2nd	False report of deadly explosive or weapon of mass destruction.
<u>790.221(1)</u>	2nd	Possession of short-barreled shotgun or machine gun.
<u>790.23</u>	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
<u>800.04(6)(c)</u>	3rd	Lewd or lascivious conduct; offender less than 18 years.
<u>800.04(7)(b)</u>	2nd	Lewd or lascivious exhibition; offender 18 years or older.
<u>806.111(1)</u>	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
<u>812.0145(2)(b)</u>	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
<u>812.015(8)</u>	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.

<u>812.019(1)</u>	2nd	Stolen property; dealing in or trafficking in.
<u>812.131(2)(b)</u>	3rd	Robbery by sudden snatching.
<u>812.16(2)</u>	3rd	Owning, operating, or conducting a chop shop.
<u>817.034(4)(a)2.</u>	2nd	Communications fraud, value \$20,000 to \$50,000.
<u>817.234(11)(b)</u>	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
<u>817.234(1), (2)(a) & (3)(a)</u>	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
<u>817.568(2)(b)</u>	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more individuals.
<u>817.625(2)(b)</u>	2nd	Second or subsequent fraudulent use of scanning device or reencoder.
<u>825.1025(4)</u>	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
<u>827.071(4)</u>	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.
<u>827.071(5)</u>	3rd	Possess any photographic material, motion picture, etc., which includes sexual conduct by a child.
<u>839.13(2)(b)</u>	2nd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.
<u>843.01</u>	3rd	Resist officer with violence to person; resist arrest with violence.
<u>847.0135(5)(b)</u>	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
<u>847.0137(2) & (3)</u>	3rd	Transmission of pornography by electronic device or equipment.
<u>847.0138(2) & (3)</u>	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
<u>874.05(2)</u>	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
<u>893.13(1)(a)1.</u>	2nd	Sell, manufacture, or deliver cocaine (or other s. <u>893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.</u> drugs).
<u>893.13(1)(c)2.</u>	2nd	Sell, manufacture, or deliver cannabis (or other s. <u>893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4)</u> drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
<u>893.13(1)(d)1.</u>	1st	Sell, manufacture, or deliver cocaine (or other s. <u>893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.</u> drugs) within 1,000 feet of university.
<u>893.13(1)(e)2.</u>	2nd	Sell, manufacture, or deliver cannabis or other drug prohibited under s. <u>893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4)</u> within 1,000 feet of property used for religious services or a specified business site.
<u>893.13(1)(f)1.</u>	1st	Sell, manufacture, or deliver cocaine (or other s. <u>893.03(1)(a), (1)(b), (1)(d), or (2)(a), (2)(b), or (2)(c)4.</u> drugs) within 1,000 feet of public housing facility.
<u>893.13(4)(b)</u>	2nd	Deliver to minor cannabis (or other s. <u>893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4)</u> drugs).
<u>893.1351(1)</u>	3rd	Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.

		(f) LEVEL 6
<u>316.193(2)(b)</u>	3rd	Felony DUI, 4th or subsequent conviction.
<u>499.0051(3)</u>	2nd	Knowing forgery of pedigree papers.
<u>499.0051(4)</u>	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
<u>499.0051(5)</u>	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
<u>775.0875(1)</u>	3rd	Taking firearm from law enforcement officer.
<u>784.021(1)(a)</u>	3rd	Aggravated assault; deadly weapon without intent to kill.
<u>784.021(1)(b)</u>	3rd	Aggravated assault; intent to commit felony.
<u>784.041</u>	3rd	Felony battery; domestic battery by strangulation.
<u>784.048(3)</u>	3rd	Aggravated stalking; credible threat.
<u>784.048(5)</u>	3rd	Aggravated stalking of person under 16.
<u>784.07(2)(c)</u>	2nd	Aggravated assault on law enforcement officer.
<u>784.074(1)(b)</u>	2nd	Aggravated assault on sexually violent predators facility staff.
<u>784.08(2)(b)</u>	2nd	Aggravated assault on a person 65 years of age or older.
<u>784.081(2)</u>	2nd	Aggravated assault on specified official or employee.
<u>784.082(2)</u>	2nd	Aggravated assault by detained person on visitor or other detainee.
<u>784.083(2)</u>	2nd	Aggravated assault on code inspector.
<u>787.02(2)</u>	3rd	False imprisonment; restraining with purpose other than those in s. <u>787.01</u> .
<u>790.115(2)(d)</u>	2nd	Discharging firearm or weapon on school property.
<u>790.161(2)</u>	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
<u>790.164(1)</u>	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.
<u>790.19</u>	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
<u>794.011(8)(a)</u>	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
<u>794.05(1)</u>	2nd	Unlawful sexual activity with specified minor.
<u>800.04(5)(d)</u>	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender less than 18 years.
<u>800.04(6)(b)</u>	2nd	Lewd or lascivious conduct; offender 18 years of age or older.

<u>806.031(2)</u>	2nd	Arson resulting in great bodily harm to firefighter or any other person.
<u>810.02(3)(c)</u>	2nd	Burglary of occupied structure; unarmed; no assault or battery.
<u>812.014(2)(b)1.</u>	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
<u>812.014(6)</u>	2nd	Theft; property stolen \$3,000 or more; coordination of others.
<u>812.015(9)(a)</u>	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
<u>812.015(9)(b)</u>	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.
<u>812.13(2)(c)</u>	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
<u>817.034(4)(a)1.</u>	1st	Communications fraud, value greater than \$50,000.
<u>817.4821(5)</u>	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
<u>825.102(1)</u>	3rd	Abuse of an elderly person or disabled adult.
<u>825.102(3)(c)</u>	3rd	Neglect of an elderly person or disabled adult.
<u>825.1025(3)</u>	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
<u>825.103(2)(c)</u>	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.
<u>827.03(1)</u>	3rd	Abuse of a child.
<u>827.03(3)(c)</u>	3rd	Neglect of a child.
<u>827.071(2) & (3)</u>	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
<u>836.05</u>	2nd	Threats; extortion.
<u>836.10</u>	2nd	Written threats to kill or do bodily injury.
<u>843.12</u>	3rd	Aids or assists person to escape.
<u>847.011</u>	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.
<u>847.012</u>	3rd	Knowingly using a minor in the production of materials harmful to minors.
<u>847.0135(2)</u>	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
<u>914.23</u>	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
<u>944.35(3)(a)2.</u>	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.
<u>944.40</u>	2nd	Escapes.
<u>944.46</u>	3rd	Harboring, concealing, aiding escaped prisoners.

<u>944.47(1)(a)5.</u>	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
<u>951.22(1)</u>	3rd	Intoxicating drug, firearm, or weapon introduced into county facility.
		(g) LEVEL 7
<u>316.027(1)(b)</u>	1st	Accident involving death, failure to stop; leaving scene.
<u>316.193(3)(c)2.</u>	3rd	DUI resulting in serious bodily injury.
<u>316.1935(3)(b)</u>	1 st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
<u>327.35(3)(c)2.</u>	3 rd	Vessel BUI resulting in serious bodily injury.
<u>402.319(2)</u>	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfigurement, permanent disability, or death.
<u>409.920(2)(b)1.a.</u>	3rd	Medicaid provider fraud; \$10,000 or less.
<u>409.920(2)(b)1.b.</u>	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
<u>456.065(2)</u>	3rd	Practicing a health care profession without a license.
<u>456.065(2)</u>	2nd	Practicing a health care profession without a license which results in serious bodily injury.
<u>458.327(1)</u>	3rd	Practicing medicine without a license.
<u>459.013(1)</u>	3rd	Practicing osteopathic medicine without a license.
<u>460.411(1)</u>	3rd	Practicing chiropractic medicine without a license.
<u>461.012(1)</u>	3rd	Practicing podiatric medicine without a license.
<u>462.17</u>	3rd	Practicing naturopathy without a license.
<u>463.015(1)</u>	3rd	Practicing optometry without a license.
<u>464.016(1)</u>	3rd	Practicing nursing without a license.
<u>465.015(2)</u>	3rd	Practicing pharmacy without a license.
<u>466.026(1)</u>	3rd	Practicing dentistry or dental hygiene without a license.
<u>467.201</u>	3rd	Practicing midwifery without a license.
<u>468.366</u>	3rd	Delivering respiratory care services without a license.
<u>483.828(1)</u>	3rd	Practicing as clinical laboratory personnel without a license.
<u>483.901(9)</u>	3rd	Practicing medical physics without a license.
<u>484.013(1)(c)</u>	3rd	Preparing or dispensing optical devices without a prescription.

<u>484.053</u>	3rd	Dispensing hearing aids without a license.
<u>494.0018(2)</u>	1st	Conviction of any violation of ss. <u>494.001-494.0077</u> in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
<u>560.123(8)(b)1.</u>	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
<u>560.125(5)(a)</u>	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
<u>655.50(10)(b)1.</u>	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
<u>775.21(10)(a)</u>	3rd	Sexual predator; failure to register; failure to renew driver's license or identification card; other registration violations.
<u>775.21(10)(b)</u>	3rd	Sexual predator working where children regularly congregate.
<u>775.21(10)(g)</u>	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
<u>782.051(3)</u>	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
<u>782.07(1)</u>	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
<u>782.071</u>	2nd	Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).
<u>782.072</u>	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
<u>784.045(1)(a)1.</u>	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
<u>784.045(1)(a)2.</u>	2nd	Aggravated battery; using deadly weapon.
<u>784.045(1)(b)</u>	2nd	Aggravated battery; perpetrator aware victim pregnant.
<u>784.048(4)</u>	3rd	Aggravated stalking; violation of injunction or court order.
<u>784.048(7)</u>	3rd	Aggravated stalking; violation of court order.
<u>784.07(2)(d)</u>	1st	Aggravated battery on law enforcement officer.
<u>784.074(1)(a)</u>	1st	Aggravated battery on sexually violent predators facility staff.
<u>784.08(2)(a)</u>	1st	Aggravated battery on a person 65 years of age or older.
<u>784.081(1)</u>	1st	Aggravated battery on specified official or employee.
<u>784.082(1)</u>	1st	Aggravated battery by detained person on visitor or other detainee.
<u>784.083(1)</u>	1st	Aggravated battery on code inspector.
<u>790.07(4)</u>	1st	Specified weapons violation subsequent to previous conviction of s. <u>790.07(1)</u> or (2).
<u>790.16(1)</u>	1st	Discharge of a machine gun under specified circumstances.
<u>790.165(2)</u>	2nd	Manufacture, sell, possess, or deliver hoax bomb.

<u>790.165(3)</u>	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
<u>790.166(3)</u>	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
<u>790.166(4)</u>	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
<u>790.23</u>	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. <u>874.04</u> .
<u>794.08(4)</u>	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
<u>796.03</u>	2nd	Procuring any person under 16 years for prostitution.
<u>800.04(5)(c)1.</u>	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
<u>800.04(5)(c)2.</u>	2nd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender 18 years or older.
<u>806.01(2)</u>	2nd	Maliciously damage structure by fire or explosive.
<u>810.02(3)(a)</u>	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
<u>810.02(3)(b)</u>	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
<u>810.02(3)(d)</u>	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
<u>810.02(3)(e)</u>	2nd	Burglary of authorized emergency vehicle.
<u>812.014(2)(a)1.</u>	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
<u>812.014(2)(b)2.</u>	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
<u>812.014(2)(b)3.</u>	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
<u>812.014(2)(b)4.</u>	2nd	Property stolen; law enforcement equipment from authorized emergency vehicle.
<u>812.0145(2)(a)</u>	1st	Theft from person 65 years of age or older; \$50,000 or more.
<u>812.019(2)</u>	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
<u>812.131(2)(a)</u>	2nd	Robbery by sudden snatching.
<u>812.133(2)(b)</u>	1st	Carjacking; no firearm, deadly weapon, or other weapon.
<u>817.234(8)(a)</u>	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
<u>817.234(9)</u>	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
<u>817.234(11)(c)</u>	1st	Insurance fraud; property value \$100,000 or more.
<u>817.2341(2)(b) & (3)(b)</u>	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.

<u>825.102(3)(b)</u>	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
<u>825.103(2)(b)</u>	2nd	Exploiting an elderly person or disabled adult and property is valued at \$20,000 or more, but less than \$100,000.
<u>827.03(3)(b)</u>	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
<u>827.04(3)</u>	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
<u>837.05(2)</u>	3rd	Giving false information about alleged capital felony to a law enforcement officer.
<u>838.015</u>	2nd	Bribery.
<u>838.016</u>	2nd	Unlawful compensation or reward for official behavior.
<u>838.021(3)(a)</u>	2nd	Unlawful harm to a public servant.
<u>838.22</u>	2nd	Bid tampering.
<u>847.0135(3)</u>	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
<u>847.0135(4)</u>	2nd	Traveling to meet a minor to commit an unlawful sex act.
<u>872.06</u>	2nd	Abuse of a dead human body.
<u>874.10</u>	1 st ,PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
<u>893.13(1)(c)1.</u>	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. <u>893.03(1)(a)</u> , (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
<u>893.13(1)(e)1.</u>	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. <u>893.03(1)(a)</u> , (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4., within 1,000 feet of property used for religious services or a specified business site.
<u>893.13(4)(a)</u>	1st	Deliver to minor cocaine (or other s. <u>893.03(1)(a)</u> , (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
<u>893.135(1)(a)1.</u>	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
<u>893.135(1)(b)1.a.</u>	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
<u>893.135(1)(c)1.a.</u>	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
<u>893.135(1)(d)1.</u>	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
<u>893.135(1)(e)1.</u>	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
<u>893.135(1)(f)1.</u>	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
<u>893.135(1)(g)1.a.</u>	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
<u>893.135(1)(h)1.a.</u>	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
<u>893.135(1)(j)1.a.</u>	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.

<u>893.135(1)(k)2.a.</u>	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
<u>893.1351(2)</u>	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
<u>896.101(5)(a)</u>	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
<u>896.104(4)(a)1.</u>	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
<u>943.0435(4)(c)</u>	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
<u>943.0435(8)</u>	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
<u>943.0435(9)(a)</u>	3rd	Sexual offender; failure to comply with reporting requirements.
<u>943.0435(13)</u>	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
<u>943.0435(14)</u>	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
<u>944.607(9)</u>	3rd	Sexual offender; failure to comply with reporting requirements.
<u>944.607(10)(a)</u>	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
<u>944.607(12)</u>	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
<u>944.607(13)</u>	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
<u>985.4815(10)</u>	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
<u>985.4815(12)</u>	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
<u>985.4815(13)</u>	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
		(h) LEVEL 8
<u>316.193(3)(c)3.a.</u>	2nd	DUI manslaughter.
<u>316.1935(4)(b)</u>	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
<u>327.35(3)(c)3.</u>	2nd	Vessel BUI manslaughter.
<u>499.0051(7)</u>	1st	Knowing trafficking in contraband prescription drugs.
<u>499.0051(8)</u>	1st	Knowing forgery of prescription labels or prescription drug labels.
<u>560.123(8)(b)2.</u>	2nd	Failure to report currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000 by money transmitter.
<u>560.125(5)(b)</u>	2nd	Money transmitter business by unauthorized person, currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000.
<u>655.50(10)(b)2.</u>	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
<u>777.03(2)(a)</u>	1st	Accessory after the fact, capital felony.

<u>782.04(4)</u>	2nd	Killing of human without design when engaged in act or attempt of any felony other than arson, sexual battery, robbery, burglary, kidnapping, aircraft piracy, or unlawfully discharging bomb.
<u>782.051(2)</u>	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. <u>782.04(3)</u> .
<u>782.071(1)(b)</u>	1st	Committing vehicular homicide and failing to render aid or give information.
<u>782.072(2)</u>	1st	Committing vessel homicide and failing to render aid or give information.
<u>790.161(3)</u>	1st	Discharging a destructive device which results in bodily harm or property damage.
<u>794.011(5)</u>	2nd	Sexual battery, victim 12 years or over, offender does not use physical force likely to cause serious injury.
<u>794.08(3)</u>	2nd	Female genital mutilation; removal of a victim younger than 18 years of age from this state.
<u>800.04(4)</u>	2nd	Lewd or lascivious battery.
<u>806.01(1)</u>	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
<u>810.02(2)(a)</u>	1st,PBL	Burglary with assault or battery.
<u>810.02(2)(b)</u>	1st,PBL	Burglary; armed with explosives or dangerous weapon.
<u>810.02(2)(c)</u>	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
<u>812.014(2)(a)2.</u>	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
<u>812.13(2)(b)</u>	1st	Robbery with a weapon.
<u>812.135(2)(c)</u>	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
<u>817.568(6)</u>	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
<u>825.102(2)</u>	1st	Aggravated abuse of an elderly person or disabled adult.
<u>825.1025(2)</u>	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
<u>825.103(2)(a)</u>	1st	Exploiting an elderly person or disabled adult and property is valued at \$100,000 or more.
<u>837.02(2)</u>	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
<u>837.021(2)</u>	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
<u>860.121(2)(c)</u>	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
<u>860.16</u>	1st	Aircraft piracy.
<u>893.13(1)(b)</u>	1st	Sell or deliver in excess of 10 grams of any substance specified in s. <u>893.03(1)(a)</u> or (b).
<u>893.13(2)(b)</u>	1st	Purchase in excess of 10 grams of any substance specified in s. <u>893.03(1)(a)</u> or (b).
<u>893.13(6)(c)</u>	1st	Possess in excess of 10 grams of any substance specified in s. <u>893.03(1)(a)</u> or (b).

<u>893.135(1)(a)2.</u>	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
<u>893.135(1)(b)1.b.</u>	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
<u>893.135(1)(c)1.b.</u>	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
<u>893.135(1)(d)1.b.</u>	1st	Trafficking in phencyclidine, more than 200 grams, less than 400 grams.
<u>893.135(1)(e)1.b.</u>	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
<u>893.135(1)(f)1.b.</u>	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
<u>893.135(1)(g)1.b.</u>	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
<u>893.135(1)(h)1.b.</u>	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
<u>893.135(1)(j)1.b.</u>	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
<u>893.135(1)(k)2.b.</u>	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
<u>893.1351(3)</u>	1st	Possession of a place used to manufacture controlled substance when minor is present or resides there.
<u>895.03(1)</u>	1st	Use or invest proceeds derived from pattern of racketeering activity.
<u>895.03(2)</u>	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
<u>895.03(3)</u>	1st	Conduct or participate in any enterprise through pattern of racketeering activity.
<u>896.101(5)(b)</u>	2nd	Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.
<u>896.104(4)(a)2.</u>	2nd	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$20,000 but less than \$100,000.
		(i) LEVEL 9
<u>316.193(3)(c)3.b.</u>	1st	DUI manslaughter; failing to render aid or give information.
<u>327.35(3)(c)3.b.</u>	1st	BUI manslaughter; failing to render aid or give information.
<u>409.920(2)(b)1.c.</u>	1st	Medicaid provider fraud; \$50,000 or more.
<u>499.0051(9)</u>	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
<u>560.123(8)(b)3.</u>	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
<u>560.125(5)(c)</u>	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
<u>655.50(10)(b)3.</u>	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
<u>775.0844</u>	1st	Aggravated white collar crime.
<u>782.04(1)</u>	1st	Attempt, conspire, or solicit to commit premeditated murder.

<u>782.04(3)</u>	1st,PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, and other specified felonies.
<u>782.051(1)</u>	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. <u>782.04(3)</u> .
<u>782.07(2)</u>	1st	Aggravated manslaughter of an elderly person or disabled adult.
<u>787.01(1)(a)1.</u>	1st,PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
<u>787.01(1)(a)2.</u>	1st,PBL	Kidnapping with intent to commit or facilitate commission of any felony.
<u>787.01(1)(a)4.</u>	1st,PBL	Kidnapping with intent to interfere with performance of any governmental or political function.
<u>787.02(3)(a)</u>	1st	False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
<u>790.161</u>	1st	Attempted capital destructive device offense.
<u>790.166(2)</u>	1st,PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
<u>794.011(2)</u>	1st	Attempted sexual battery; victim less than 12 years of age.
<u>794.011(2)</u>	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
<u>794.011(4)</u>	1st	Sexual battery; victim 12 years or older, certain circumstances.
<u>794.011(8)(b)</u>	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
<u>794.08(2)</u>	1st	Female genital mutilation; victim younger than 18 years of age.
<u>800.04(5)(b)</u>	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
<u>812.13(2)(a)</u>	1st,PBL	Robbery with firearm or other deadly weapon.
<u>812.133(2)(a)</u>	1st,PBL	Carjacking; firearm or other deadly weapon.
<u>812.135(2)(b)</u>	1st	Home-invasion robbery with weapon.
<u>817.568(7)</u>	2nd,PBL	Fraudulent use of personal identification information of an individual under the age of 18 by his or her parent, legal guardian, or person exercising custodial authority.
<u>827.03(2)</u>	1st	Aggravated child abuse.
<u>847.0145(1)</u>	1st	Selling, or otherwise transferring custody or control, of a minor.
<u>847.0145(2)</u>	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
<u>859.01</u>	1st	Poisoning or introducing bacteria, radioactive materials, viruses, or chemical compounds into food, drink, medicine, or water with intent to kill or injure another person.
<u>893.135</u>	1st	Attempted capital trafficking offense.
<u>893.135(1)(a)3.</u>	1st	Trafficking in cannabis, more than 10,000 lbs.

<u>893.135(1)(b)1.c.</u>	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
<u>893.135(1)(c)1.c.</u>	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
<u>893.135(1)(d)1.c.</u>	1st	Trafficking in phencyclidine, more than 400 grams.
<u>893.135(1)(e)1.c.</u>	1st	Trafficking in methaqualone, more than 25 kilograms.
<u>893.135(1)(f)1.c.</u>	1st	Trafficking in amphetamine, more than 200 grams.
<u>893.135(1)(h)1.c.</u>	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.
<u>893.135(1)(j)1.c.</u>	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
<u>893.135(1)(k)2.c.</u>	1st	Trafficking in Phenethylamines, 400 grams or more.
<u>896.101(5)(c)</u>	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
<u>896.104(4)(a)3.</u>	1st	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.
		(j) LEVEL 10
<u>499.0051(10)</u>	1st	Knowing sale or purchase of contraband prescription drugs resulting in death.
<u>782.04(2)</u>	1st,PBL	Unlawful killing of human; act is homicide, unpremeditated.
<u>787.01(1)(a)3.</u>	1st,PBL	Kidnapping; inflict bodily harm upon or terrorize victim.
<u>787.01(3)(a)</u>	Life	Kidnapping; child under age 13, perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
<u>782.07(3)</u>	1st	Aggravated manslaughter of a child.
<u>794.011(3)</u>	Life	Sexual battery; victim 12 years or older, offender uses or threatens to use deadly weapon or physical force to cause serious injury.
<u>812.135(2)(a)</u>	1st,PBL	Home-invasion robbery with firearm or other deadly weapon.
<u>876.32</u>	1st	Treason against the state.

Rule 3.992(a) Criminal Punishment Code Scoresheet

The Criminal Punishment Code Scoresheet Preparation Manual is available at: http://www.dc.state.fl.us/pub/sen_cpcm/index.html

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

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

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
_____ / _____ / _____	_____ / _____	_____ / _____ / _____	_____ / _____	_____ / _____
(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)				
Prior capital felony triples Primary Offense points <input type="checkbox"/>				I. _____

II. ADDITIONAL OFFENSE(S): Supplemental page attached

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

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

Prior capital felony triples Additional Offense points Supplemental page points _____ **II.** _____

III. VICTIM INJURY:

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

III. _____

IV. PRIOR RECORD: Supplemental page attached

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

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

Supplemental page points _____

IV. _____

Page 1 Subtotal: _____

RULE 3.992(b) Supplemental Criminal Punishment Code Scoresheet

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

II. ADDITIONAL OFFENSES(S):

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

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

II. _____

IV. PRIOR RECORD

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

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

IV. _____

REASONS FOR DEPARTURE - MITIGATING CIRCUMSTANCES (reasons may be checked here or written on the scoresheet)

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

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

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

For additional copies or more information contact:

Research Manager
Bureau of Research and Data Analysis
Florida Department of Corrections
2601 Blair Stone Road
Tallahassee, FL 32399
850-488-1801
dcresearch@mail.dc.state.fl.us