

# RULE 3.990(a) SENTENCING GUIDELINES SCORESHEET

1. DATE OF SENTENCE <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> M O D Y Y R	2. PREPARED BY <input type="checkbox"/> DC <input type="checkbox"/> SAO	3. COUNTY	4. SENTENCING JUDGE
5. NAME (LAST, FIRST, M.I.)	6. DOB <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> M O D Y Y R	7. DC# <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	9. RACE <input type="checkbox"/> B <input type="checkbox"/> W <input type="checkbox"/> OTH HISP. <input type="checkbox"/> YES <input type="checkbox"/> NO
		8. OBTS# <input type="text"/> <input type="text"/>	10. GENDER <input type="checkbox"/> M <input type="checkbox"/> F II. <input type="checkbox"/> PLEA <input type="checkbox"/> TRIAL

Check here if this sentencing is for only a revocation of probation or community control.

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

DOCKET#	FELONY DEGREE	F.S. #	OFFENSE LEVEL	OFF. DATE
<input type="text"/>				

Description: \_\_\_\_\_  
 (Level = Pts: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=42, 8=74, 9=91, 10=116)

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

II. ADDITIONAL OFFENSE(S): Supplemental page attached

DOCKET#	FEL/MM	F.S. #	OFFENSE LEVEL	QUALIFY A S C	CNTS	POINTS
<input type="text"/>						

Description: \_\_\_\_\_

<input type="text"/>						
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Description: \_\_\_\_\_

<input type="text"/>						
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Description: \_\_\_\_\_

(Level = Pts: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=7.2, 7=8.4, 8=9.6, 9=10.8, 10=12.0) Supplemental page points \_\_\_\_\_

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

III. VICTIM INJURY:

	Number	Total		Number	Total
2ND Degree Murder	120	X _____ = _____	Slight	4	X _____ = _____
Death	60	X _____ = _____	Sex Penetration	40	X _____ = _____
Severe	40	X _____ = _____	Sex Contact	18	X _____ = _____
Moderate	18	X _____ = _____			

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

IV. PRIOR RECORD: Supplemental page attached

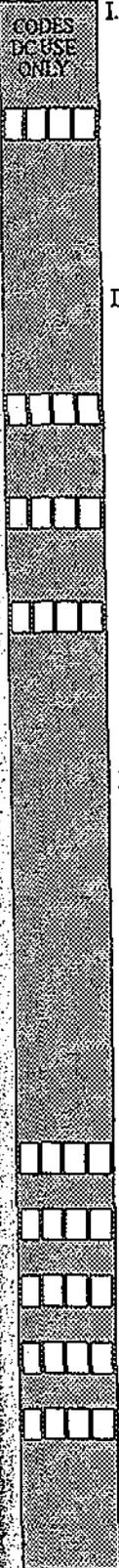
FEL/MM DEGREE	F.S. #	OFFENSE LEVEL	QUALIFY: A S C	DESCRIPTION	NUM	POINTS
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	_____	X	* _____
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	_____	X	= _____
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	_____	X	= _____
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	_____	X	= _____
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	_____	X	= _____

(Level = Pts: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=4.8, 7=5.6, 8=6.4, 9=7.2, 10=8.0)

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

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

Page Subtotal \_\_\_\_\_



- V. Legal Status Violation = 4 Points V. \_\_\_\_\_
  - VI. Release Program Violation - 6 Points X Number of Violations (Max 18 Pts) = VI. \_\_\_\_\_
  - VII. Firearm or Destructive Device = 18 Points VII. \_\_\_\_\_
  - VIII. Semi-Automatic Weapon or Machine Gun = 25 Points VIII. \_\_\_\_\_
- Subtotal Sentence Points. \_\_\_\_\_

IX. Enhancements (only one multiplier may be used)

Law Enforcement Protection

1.5 Multiplier  2.0 Multiplier

Drug Trafficking

1.5 Multiplier

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

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

**SENTENCE COMPUTATION**

• If total sentence points are less than, or equal to 40, the sentencing court may not impose a state prison sentence. The sentencing court may increase total sentence points that are less than or equal to 40 by up to 15 percent and may impose a state prison sentence if the increased total exceeds 40 points.

\_\_\_\_\_ x 1.15 = \_\_\_\_\_  
 Total Sentence Points                      Increased Sentence Points

• If total sentence points are greater than 40 and less than or equal to 52 the decision to incarcerate in a state prison is left to the discretion of the court. If total sentence points are greater than 52 the sentence must be a state prison sentence.

• A state prison sentence is calculated by deducting 28 from total or increased sentence points.

\_\_\_\_\_ minus 28 = \_\_\_\_\_  
 Total Or Increased Sentence Pts.                      State Prison Months

• The sentencing court may increase or decrease state prison months by up to 25 percent except where the total sentence points were less than or equal to 40 but have been increased by up to 15 percent to exceed 40 points. Any state prison sentence must exceed 12 months.

\_\_\_\_\_ { \_\_\_\_\_  
 State Prison Months                      Minimum State Prison Months  
x .75

\_\_\_\_\_ } \_\_\_\_\_  
 State Prison Months                      Maximum State Prison Months  
x 1.25

TOTAL SENTENCE IMPOSED	Years	Months	Days
<input type="checkbox"/> State Prison	_____	_____	_____
<input type="checkbox"/> County Jail	_____	_____	_____
<input type="checkbox"/> Community Control	_____	_____	_____
<input type="checkbox"/> Probation	_____	_____	_____

• Please designate the particular type of sentence where an enhanced or mandatory sentence imposed.

<input type="checkbox"/> Habitual Felony Offender	<input type="checkbox"/> Guidelines Aggravated Departure
<input type="checkbox"/> Habitual Violent Felony Offender	<input type="checkbox"/> Guidelines Mitigated Departure
Mandatory pursuant to: <input type="checkbox"/> s.775.087	<input type="checkbox"/> s.893.13 <input type="checkbox"/> s.893.135

# RULE 3.990(b) SUPPLEMENTAL SENTENCING GUIDELINES SCORESHEET

NAME (LAST, FIRST, M.I.)	DOCKET#	DATE OF SENTENCE M O D Y Y R □ □ □ □ □ □
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CODES  
 DC/USE  
 ONLY

□	□	□	□
□	□	□	□
□	□	□	□
□	□	□	□
□	□	□	□
□	□	□	□
□	□	□	□
□	□	□	□
□	□	□	□
□	□	□	□

**II. ADDITIONAL OFFENSE(S)**

DOCKET#	FEL/MM	F.S. #	LEVEL	QUALIFY A S C	CNTS	POINTS
_____	_____	_____	_____	□□□	_____ X _____	= _____
Description: _____						
_____	_____	_____	_____	□□□	_____ X _____	= _____
Description: _____						
_____	_____	_____	_____	□□□	_____ X _____	= _____
Description: _____						
_____	_____	_____	_____	□□□	_____ X _____	= _____
Description: _____						
_____	_____	_____	_____	□□□	_____ X _____	= _____
Description: _____						

(Level = Pts: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=7.2, 7=8.4, 8=9.6, 9=10.8, 10=12.0)

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

FEL/MM DEGREE	F.S. #	LEVEL	QUALIFY: A S C	DESCRIPTION	NUM	POINTS(s)
_____	_____	_____	□□□	_____	_____ X _____	= _____
_____	_____	_____	□□□	_____	_____ X _____	= _____
_____	_____	_____	□□□	_____	_____ X _____	= _____
_____	_____	_____	□□□	_____	_____ X _____	= _____
_____	_____	_____	□□□	_____	_____ X _____	= _____
_____	_____	_____	□□□	_____	_____ X _____	= _____

(Level = Pts: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=4.8, 7=5.6, 8=6.4, 9=7.2, 10=8.0)

REASONS FOR DEPARTURE \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**If reasons cited for departure are not listed below, please write reasons on the reverse side, in the area specified “Reasons for Departure”**

**Reasons for Departure — Aggravating Circumstances**

- Legitimate, uncoerced, plea bargain.
- Offense was one of violence and was committed in a manner that was especially heinous, atrocious or cruel.
- Offenses arose from separate episodes. Primary offense is at level 4 or higher and the defendant has committed 5 or more offenses within a 180 day period that have resulted in convictions.
- Primary offense is scored at level 3 and the defendant has committed 8 or more offenses within a 180 day period that have resulted in convictions.
- Offense was committed within 6 months of defendant’s discharge from a release program or state prison.
- Defendant occupied a leadership role in a criminal organization.
- Offense committed by a public official under color of office.
- Defendant knew victim to be a law enforcement officer at the time of the offense, the offense was a violent offense; and that status is not an element of the primary offense.
- Offense created substantial risk of death or great bodily harm to many persons or to one or more small children.
- Victim especially vulnerable due to age or physical or mental disability.
- Offense was motivated by prejudice based on race, color, ancestry, ethnicity, religion, sexual orientation or national origin of the victim.
- Victim suffered extraordinary physical or emotional trauma or permanent physical injury, or was treated with particular cruelty.
- Victim was physically attacked by the defendant in the presence of one or more members of the victim’s family.
- Offense resulted in substantial economic hardship to a victim and consisted of an illegal act or acts committed by means of concealment, guile or fraud to obtain money or property, to avoid payment or loss of money or property or to obtain business or professional advantage when two or more of the following circumstances were present:

- Offense involved multiple victims or multiple incidents per victim.
- Offense involved a high degree of sophistication or planning or occurred over a lengthy period of time;
- The defendant used position or status to facilitate the commission of the offense, including positions of trust, confidence, or fiduciary relationship; or
- The defendant was in the past involved in other conduct similar to that involved in the current offense.
  
- Offense committed in order to prevent or avoid arrest, to impede or prevent prosecution for the conduct underlying the arrest, or to effect an escape from custody.
- Defendant is not amenable to rehabilitation or supervision, as evidenced by an escalating pattern of criminal conduct as described in s. 921.001(8).
- Defendant induced a minor to participate in any of the offenses pending before the court for disposition.
- Primary offense is scored at level 7 or higher and the defendant has been convicted of one or more offense that scored, or would have scored, at an offense level 8 or higher.
- Defendant has an extensive unscorable juvenile record.

### **Reasons for Departure — Mitigating Circumstances**

- Legitimate, uncoerced plea bargain.
- 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.
- 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.
- 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.
- Defendant to be sentenced as a youthful offender.