### **APPENDIX B**

## **RULE 3.992**

## CRIMINAL PUNISHMENT CODE SCORESHEET

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

The Crimin			mual is available at: http://www		pub/sen_cpcm/index.html	l	
1. DATE OF SENTENCE	2. PREPARER	'S NAME	3. COUNTY	3. COUNTY		4. SENTENCING JUDGE	
5. NAME (LAST, FIRST, MI.I.)		6. DOB	8. RACE		10. PRIMARY OFF. DA	· ·	
			$\Box_{B} \ \Box_{W} \ \Box$	OTHER		PLEA	
		7. DC#	9. GENDER		11. PRIMARY DOCKE	T# TRIAL	
l. PRIMARY OFFENSE:	If Qualifier places shoot	A S C I	☐ M ☐ F  R (A=Attempt, S=Solicitation, C=C	Companies av. D. D.	alassification)		
FELONY F.S.# DEGREE	DESCRIPTION		(A=Auempt, S=Souchauon, C=C	OFF	FENSE POINTENEL	NTS	
	_/		/	/			
(Level - Points: 1=4, 2=10, 3=16,							
Prior capital felony triples Primary Off	ense points				I		
II. ADDITIONAL OFFEN DOCKET# FEL/M. DEGRE	M F.S.# EE	OFFENSE LEVEL	QUALIFY COUNTS A S C R	POIN x	TS TOTAL _ =		
DESCRIPTION				Х	=		
	_/			х	_ =		
/		<i></i>		х	_ =		
(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=3	7, 9=46, 10=58)				
Prior capital felony triples Addit	ional Offense points			Supplemen	tal page points		
III. VICTIM INJURY:					ш		
2nd Degree Murder	Number 240 x	Total	Slight 4 x Sex Penetration 80 x	Number	Total –		
Death	120 x	=		:	=		
Severe Moderate	40 x 18 x	_ =	Sex Contact 40 x	:	=		
					III.		

DEGREE	LEVEL	QUALIFY: A S C R	DESCRIPTION	NUMBER PO	DINTS TOTAL
/_				X	_ =
/					<u> </u>
/_					
/_				X	_ =
/_				X	<u> </u>
/_				X	_ =
/_				X	=
/_					=
/_				X	=
(Level = Points: $M=0.2$ , $1=0$	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 p	points
				IV.	
				Page 1	Subtotal:
ctive Date: For offenses committee	d under the Crimina	l Punishment Code et	ffective for offenses committee on or after O	o o	
AME (LAST, FIRST, MI)				DOCKET #	!
Escape   Fleeing   Failure			Incarceration $\square$ Pretrial intervention	or diversion program	
Court imposed or post prison re  Community Sanction violatice Probation	on before the coutrol Pretrial Ir any violation oth conviction = 12   same time as sen each suconcern when the conviction = 24	rt for sentencing tervention or diverser than new felony points xe tence for violation for iolation is not bas points xe	rsion  conviction x each successive ach successive violation if new offense of probation OR  or a violent felony offender ed solely on failure to pay costs, fines, each successive violation for a violent f	e violation OR e results in conviction or restitution OR elony offender of	V VI
Court imposed or post prison re  Community Sanction violatic  Probation	on before the coutrol Pretrial In any violation oth conviction = 12   same time as sen each suconcern when the conviction = 24   cern if new offens	rt for sentencing tervention or diverser than new felony points xe tence for violation for violation is not bas points xe e results in a convi	rsion conviction xeach successive ach successive violation if new offense of probation OR or a violent felony offender ed solely on failure to pay costs, fines,	e violation OR e results in conviction or restitution OR elony offender of	VI
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Community Sanction violation of Probation    Community Sanction violation of Probation    Community Control    Com	on before the coutrol Pretrial In any violation other conviction = 12 part time as sen each succoncern when the conviction = 24 part from Machine Gun = 1 points	rt for sentencing tervention or diver er than new felony points xe tence for violation cessive violation for violation is not bas points xe e results in a convi 8 or 25 Points  Motor Vehicle Thefi	rsion  conviction xeach successive ach successive violation if new offense of probation OR  or a violent felony offender ed solely on failure to pay costs, fines, each successive violation for a violent for interest of the same time for violetion before or at the same time for violetion before or at the same time for violetic forms.  Criminal Gang Offense Domestic (offenses)	e violation OR e results in conviction or restitution OR elony offender of olation of probation  Subtotal Sentence Point Violence in the Presence of Related Child committed on or after 3/12/07)	VII.  VIII.  VIII.  Adult-on-Minor Sex Offense (offenses committed on or after 10/1
Community Sanction violation of Probation   Community Sanction violation   Community Cont   Cont   Community Cont   Cont	on before the coutrol Pretrial In any violation other conviction = 12 same time as sen each succoncern when the conviction = 24 cern if new offens Machine Gun = 1 points	rt for sentencing tervention or diverser than new felony points x etence for violation ressive violation is not base points x etence for violation is not base points x etence for violation for production is not base points x etence for violation is not base points x etence for solution is not base points and all files for enhance for solution is not base points and all files for enhance for solution is not base points and all files for enhance for solution is not base points and solutio	rsion  conviction x each successive ach successive violation if new offense of probation OR  or a violent felony offender ed solely on failure to pay costs, fines, each successive violation for a violent felotion before or at the same time for violetic ment)  continued to the same time for violetic ment of the same time for violetic ment)	e violation OR e results in conviction  or restitution OR elony offender of olation of probation  Subtotal Sentence Point  Violence in the Presence of Related Child a committed on or after 3/12/07)  x 1.5	VII.  VIII.  VIII.  Adult-on-Minor Sex Offense

### SENTENCE COMPUTATION

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

If total sentence points are greater than 44:					
minus 28 = x .75 =					
total sentence points lowest permissible prison sentence in months					
If total sentence points are 60 points or less and court makes findings pursuant to both Florida Statutes 948.20 and 397.334(3), the court may place the defendant into a treatment-based drug court program.					
The maximum sentence is up to the statutory maximum for the primary and any additional offenses as provided in s. 775.082, F.S., unless the lowest permissible sentence under the Code exceeds the statutory maximum. Such sentences may be imposed concurrently or consecutively. If total sentence points are greater than or equal to 363, a life sentence may be imposed.					
maximum sentence In years					
TOTAL SENTENCE IMPOSED					
Years Months Days					
□ State Prison □ Life					
□ County Jail □ Time Served					
□ Community Control					
□ Probation □ Modified					
Please check if sentenced as □ habitual offender, □ habitual violent offender, □ violent career criminal, □ prison releasee reoffender,					
or a □ mandatory minimum applies.					
☐ Mitigated Departure ☐ Plea Bargain ☐ Prison Diversion Program					
Other Reason					
JUDGE'S SIGNATURE					

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

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

	NAME (LAST, 1	FIRST, MI.I)				DOCKET#			DATE OF SENTENCE
II.	ADDITIONA	L OFFENSES(	S):						
	DOCKET#	FEL/MM DEGREE	F.S#		FFENSE LEVEL	QUALIFY A S C R	COUNTS		POINTS TOTAL
	/ DESCRIPTION			/ _				X	=
	/	/		/ _				х	=
	DESCRIPTIO	Ν							-
	/ DESCRIPTIO			/ _				X	=
	/	/		/ _				X	=
	DESCRIPTIO								
	/ DESCRIPTIO							X	=
	(Level - Points		2=1.2, 3=2.4, 4	1=3.6, 5=5.4, 6=	18, 7=28, 8=3	7, 9=46, 10=58)			п
	FEL/MM	F.S.#	OFFENSE	QUALIFY:	DES	SCRIPTION		NUMB	ER POINTS TOTAL
	DEGREE	/	LEVEL	A S C R					V
		//			-			<del></del>	X = X =
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	(Laval – Dain	// .to: M=0.2, 1=0.6	5 2-0 9 2-1 6	1-245-264					X =
	(Level – Folk	us. M=0.2, 1=0	5, 2=0.8, 3=1.0	, 4–2.4, 3–3.0, (	0-9, 7-14, 6-	19, 9=23, 10=29)			IV
			RE	ASONS FOR	R DEPARTU	JRE - MITIGATING	CIRCUMST	ANCES	
				(reasons m	ay be check	ed here or written on	the scoreshe	et)	
	Legitimate, unc	oerced plea bargai	n.						
	The defendant	was an accomplice	to the offense an	d was a relatively	minor participar	nt in the criminal conduct.			
						onform that conduct to the rec	-		
	The defendant i		I treatment for a i	mental disorder th	at is unrelated to	substance abuse or addiction	n, or for a physical	l disability, a	and the defendant is
	The need for pa	yment of restitutio	n to the victim or	utweighs the need	for a prison sent	tence.			
	The victim was	an initiator, willing	g participant, agg	ressor, or provoke	er of the incident	i.			
	The defendant a	acted under extrem	e duress or under	the domination of	f another person				
	Before the iden	tity of the defendar	nt was determined	d, the victim was s	substantially con	npensated.			
	The defendant of	cooperated with the	e State to resolve	the current offens	e or any other of	ffense.			
	The offense wa	s committed in an	unsophisticated n	nanner and was an	isolated incider	nt for which the defendant has	s shown remorse.		
П	At the time of t	ha offense the defe	ndant was too vo	ung to appreciate	the consequence	as of the offense			

The defendant is to be sentenced as a youthful offender.
The defendant is amenable to the services of a postadjudicatory treatment-based drug court program and is otherwise qualified to participate in the program.
The defendant was making a good faith effort to obtain or provide medical assistance for an individual experiencing a drug-related overdose.
Pursuant to 921.0026(3) the defendant's substance abuse or addiction does not justify a downward departure from the lowest permissible sentence, except for the provisions of s. 921.0026(2)(m).