

Constitutional Amendment 4



Matthews, Maria I.

Gov DeSantis
Request for
SCT Opinion

From: Matthews, Maria I.
Sent: Friday, August 9, 2019 2:22 PM
To: Brown, Toshia; Marconnet, Amber; Morley, Tiffany M.; Modrow, Janet
Subject: FW: AP: Florida governor asks high court to rule on felon voting
Attachments: Other Miscellaneous Document Not Listed.pdf

Just an FYI.

From: Rivera, Stephanie <Stephanie.Rivera@dos.myflorida.com>
Sent: Friday, August 9, 2019 2:04 PM
To: Lee, Laurel M. <Laurel.Lee@dos.myflorida.com>; Kennedy, Jennifer L. <Jennifer.Kennedy@DOS.MyFlorida.com>; Revell, Sarah W. <Sarah.Revell@dos.myflorida.com>; Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>; Fitz-Patrick, Christie <Christie.Fitz-Patrick@dos.myflorida.com>; Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>; McVay, Brad R. <Brad.McVay@dos.myflorida.com>
Subject: AP: Florida governor asks high court to rule on felon voting

EMAIL RECEIVED FROM EXTERNAL SOURCE

[Florida governor asks high court to rule on felon voting](#)

Associated Press
Mike Schneider
August 9, 2019

ORLANDO, Fla. (AP) — Florida's Republican governor is asking the state's high court to rule on whether convicted felons must pay all fines and fees before getting their voting rights restored in a move that competes with ongoing litigation in federal court on that same question.

Gov. Ron DeSantis on Friday asked the Florida Supreme Court justices to issue an opinion on whether felons must pay all fines and fees before they are eligible to register to vote.

Last year, Florida voters approved Amendment 4, restoring voting rights for felons other than convicted murderers and sex offenders.

In response, the Republican-dominated Florida Legislature passed a bill this spring that requires felons to pay all fines and fees before their voting rights are restored. Amendment 4 supporters are challenging the new law in federal court.



RON DESANTIS
GOVERNOR

August 9, 2019

Honorable Charles T. Canady
Chief Justice and
the Justices of the Supreme Court of Florida
Tallahassee, Florida

Dear Chief Justice Canady and Justices of the Supreme Court of Florida:

Pursuant to Article IV, section 1(c) of the Florida Constitution, I hereby request your opinion on a question involving the interpretation of a portion of the Constitution affecting my executive powers and duties. The question pertains to the meaning of Article VI, section 4 of the Florida Constitution as it affects my constitutional power as the supreme executive to take care that the laws be faithfully executed and to transact all necessary business with the officers of the government under Article IV, section 1(a) of the Florida Constitution. This question also affects my direct administration and supervision of the Department of State under Article IV, section 6 of the Florida Constitution to ensure the proper administration of voter registration and disqualification.

On November 6, 2018, Florida voters approved a constitutional amendment, known as Amendment 4, to automatically restore voting rights for some convicted felons—namely, felons who have been convicted of offenses other than murder or a “felony sexual offense” upon “completion of all terms of sentence including parole or probation.” *See* Art. VI, § 4, Fla. Const. (2018). I request your interpretation of whether “completion of all terms of sentence” encompasses financial obligations, such as fines, fees and restitution (“legal financial obligations” or “LFOs”) imposed by the court in the sentencing order.

Prior to Amendment 4’s placement on the ballot, this Court was asked to determine whether the amendment met the legal requirements under Florida’s Constitution. On March 6, 2017, during a colloquy between the justices and Amendment 4’s sponsor, Floridians for a Fair Democracy (“Sponsor”), this Court was assured the Amendment presented a “fair question” and “clear explanation” to voters. Transcript of Oral Argument at 2, *Advisory Op. to the Attorney General Re: Voting Restoration Amend.*, 215 So. 3d 1202 (Fla. 2017) (Nos. SC16-1785 and

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SC16-1981).¹ Addressing a question posed by Justice Polston as to whether “completion of [all] terms” included “full payment of any fines,” the Sponsor responded, “Yes, sir . . . All terms means all terms within the four corners.” *Id.* at 4. Justice Lawson similarly asked, “You said that terms of sentence includes fines and costs . . . that’s the way it’s generally pronounced in criminal court, would it also include restitution when it was ordered to the victim as part of the sentence?” *Id.* at 10. The Sponsor answered, “Yes.” *Id.* Justice Pariente posited the inclusion of fees, fines, and restitution as part of the completion of sentence “would actually help the state because if fines, costs and restitution are a requirement . . . for those that want to vote, there’s a big motivation to pay unpaid costs, fines and restitution.” *Id.* at 11. Ultimately, the Court found Amendment 4 clearly and unambiguously informed voters the chief purpose of the proposed amendment was to “automatically restore voting rights to felony offenders, except those convicted of murder or felony sexual offenses, *upon completion of all terms of their sentence.*” *Advisory Op.*, 215 So. 3d at 1208 (emphasis added).

In alignment with the colloquy with the Florida Supreme Court, after Amendment 4 was approved by voters, the ACLU of Florida, League of Women Voters of Florida, LatinoJustice, and the Florida Rights Restoration Coalition delivered a letter to former Secretary of State Ken Detzner regarding implementation of Amendment 4. Exhibit 1, December 13, 2018 Letter. In part, the letter explained,

The phrase “completion of all terms of sentence” includes any period of incarceration, probation, parole and financial obligations imposed as part of an individual’s sentence. *The financial obligations may include restitution and fines, imposed as part of a sentence or a condition of probation under existing Florida statute. Fees not specifically identified as part of a sentence or a condition of probation are therefore not necessary for ‘completion of sentence’ and thus, do not need to be paid before an individual may register.* We urge the Department to take this view in reviewing eligibility of individuals registered to vote as outlined in Chapter 98, Florida Statutes.

Ex. 1, p. 3 (emphasis added).

During the 2019 Legislative Session, legislators in both chambers debated legislative implementation of Amendment 4. Ultimately, both chambers passed CS/SB 7066 and, on June 28, 2019, I signed it into law. *See* Ch. 2019-162, Laws of Fla. In relevant part, chapter 2019-162, section 25, Laws of Florida, creating section 98.0751, Florida Statutes, provided guidance on restoration of voting rights and determination of ineligibility pursuant to the amendment of Article VI, section 4 of the Florida Constitution. Section 98.0751, Florida Statutes, defines

¹ The transcript of oral argument is available here:

https://wfsu.org/gavel2gavel/transcript/pdfs/16-1785_16-1981.pdf. A video of the oral argument is available here: <https://wfsu.org/gavel2gavel/viewcase.php?eid=2421&jwsourc=cl>.

“[c]ompletion of all terms of sentence” as “any portion of a sentence that is contained in the four corners of the sentencing document.” § 98.0751(2)(a), Fla. Stat. (2019). The Legislature provided five categories of terms included in the sentencing document: (1) release from any term of imprisonment; (2) termination of any term of probation or community control; (3) fulfillment of any term ordered by the court as part of the sentence; (4) termination from any term of supervision monitored by the Florida Commission on Offender Review; and (5) full payment of LFOs ordered by the court as part of the sentence. *See* § 98.0751(2)(a)1.-5., Fla. Stat. (2019).

On June 15, 2019, Luis Mendez filed a complaint in the Northern District of Florida seeking injunctive and declaratory relief and mandamus challenging chapter 2019-162, Laws of Florida. In part, Mendez alleges chapter 2019-162, Laws of Florida, violates Article VI, section 4 of the Florida Constitution because it adds requirements for the restoration of voting rights above what was prescribed in the Florida Constitution. Additional complaints were filed by numerous plaintiffs, including organizations referenced above, alleging provisions of chapter 2019-162, Laws of Florida violate the First, Eighth, Fourteenth and Twenty-Fourth Amendments of the United States Constitution. These challenges are only directed at chapter 2019-162, Laws of Florida, and do not question the constitutionality of Article VI, section 4 of the Florida Constitution.

Article IV, section 1(a) of the Florida Constitution prescribes the supreme executive power shall be vested in the Governor, that he “shall take care that the laws be faithfully executed” and “transact all necessary business with the officers of government.” Article IV, section 6 of the Florida Constitution places direct administration and supervision of all functions of the executive branch, including the Department of State, under the constitutional authority of the Governor. *See also* § 20.02(3), Fla. Stat. (the administration of any executive branch entity shall at all times be under the constitutional executive authority of the Governor"); § 20.10, Fla. Stat. (creating the Department of State, headed by the Secretary of State who is appointed by the Governor). Furthermore, the Secretary of State is the chief elections officer with the responsibility to maintain uniformity in the interpretation and implementation of voter registration and election laws. *See* § 97.012, Fla. Stat.

The Executive Branch is entrusted with implementing voter registration. *See* Part II of chapter 97 and chapter 98, Fla. Stat. Specifically, section 98.075(5), Florida Statutes, directs the Department of State to identify registered voters for eligibility under Article VI, section 4 of the Florida Constitution and section 98.0751, Florida Statutes. It is ultimately my responsibility, through the Department of State, to “protect the integrity of the electoral process” by maintaining accurate and current voter registration records, including ensuring only eligible voters remain on the statewide voter registration system. *See also* §§ 98.075(1), 98.035, Fla. Stat. Essential to my duty is a proper interpretation of Article VI, section 4 of the Florida Constitution.

I, as Governor of Florida, have the constitutional responsibility and duty to take care that the Constitution and laws of Florida are faithfully executed. I, as Governor of Florida, have the constitutional duty to transact business with officers of government, including, but not limited to, local supervisors of elections, local clerks of court, the Florida Department of Corrections, the

Honorable Charles T. Canady
and the Justices of the Supreme Court of Florida
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Florida Department of Law Enforcement, the Florida Commission on Offender Review and the Florida Department of State regarding the collection of information related to the eligibility of voters under Article VI, section 4 of the Florida Constitution. We share the task of protecting the integrity of elections throughout Florida. I, as Governor of Florida, want to ensure the proper implementation of Article VI, section 4 of the Florida Constitution and, if applicable, chapter 2019-162, Laws of Florida. This includes the ability to direct the Department of State to fully implement Article VI, section 4 of the Florida Constitution by determining whether a convicted felon has completed *all* terms of their sentence, including the satisfaction of LFOs. I will not infringe on the proper restoration of an individual's right to vote under the Florida Constitution.

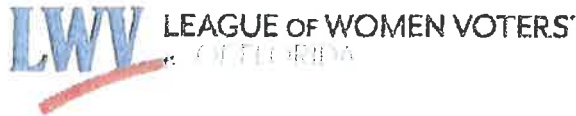
Understanding there is ongoing litigation in federal court challenging chapter 2019-162, Laws of Florida under the First, Eighth, Fourteenth and Twenty-Fourth Amendments of the United States Constitution, I do not ask this Court to address any issues regarding chapter 2019-162, Laws of Florida or the United States Constitution.

Therefore, I respectfully request an opinion of the Justices of the Supreme Court of Florida as to the question of whether "completion of all terms of sentence" under Article VI, section 4 of the Florida Constitution includes the satisfaction of all legal financial obligations—namely fees, fines and restitution ordered by the court as part of a felony sentence that would otherwise render a convicted felon ineligible to vote.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ron DeSantis", with a stylized flourish at the end.

Ron DeSantis



December 13, 2018

The Honorable Ken Detzner
Secretary of State
State of Florida
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Re: Implementation of Amendment 4, the Voting Restoration Amendment

Dear Secretary Detzner:

On November 6, 2018, Florida voters approved Amendment 4, the Voting Restoration Amendment with a vote of 64.55 % in support, reflecting the clear will of the people of Florida that those individuals with felony convictions who have paid their debt to society have their eligibility to vote restored to them. We write to request that you take immediate administrative action to coordinate with relevant state and local agencies as required by Chapter 98 Florida Statutes and to provide guidance to relevant state and local agencies on the proper administration of voting registration for this newly enfranchised population of Florida's citizens as soon as possible. To that end, we would like to take this opportunity to share our analysis and views on various provisions of the Amendment and corresponding issues.

Amendment 4 is Self-Executing

Amendment 4 is self-executing in that the mandatory provisions of the amendment are effective on the implementation date (Jan. 8, 2019). This is the very position that the State of Florida has acknowledged in its own legal filings in the *Hand v. Scott* case. The Amendment alters Florida Constitution Article VI, Section 4. Disqualifications, to state as follows:

(a) No person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent, shall be qualified to vote or hold office until restoration of civil rights or removal of disability. Except as provided in subsection (b) of this section, any disqualification from voting arising from a felony conviction shall terminate and voting rights shall be restored upon completion of all terms of sentence including parole or probation.

(b) No person convicted of murder or a felony sexual offense shall be qualified to vote until restoration of civil rights. [...].

That language is specific and unambiguous. As the Florida Supreme Court stated in its unanimous opinion approving the amendment for placement on the ballot, “Read together, the title and summary would reasonably lead voters to understand that the chief purpose of the amendment is to *automatically restore voting rights to felony offenders*, except those convicted of murder or felony sexual offences, upon completion of all terms of their sentence. (emphasis added.) *Advisory Opinion to the Attorney General Re: Voting Restoration Amendment*, 215 So. 2d 1202, 1208 (Fla. 2017).

Since these mandatory provisions will now be in the Florida constitution, the Legislature does not need to pass implementing legislation in order for the amendment to go into effect. That said, the Legislature should exercise its normal and proper oversight function of relevant state agencies to ensure that they implement the amendment in accordance with the will of Florida’s voters and without delay.

The burden is on the state, not the individual, to establish whether a voter is ineligible utilizing current administrative practices, databases and resources as defined in Chapter 98 and other relevant provisions of the Florida Statutes.

The plain language of the Amendment makes clear that it restores the voting rights of Floridians with felony convictions after they complete “all terms of their sentence including parole or probation.” The Amendment does not apply to those who have completed a sentence for murder or a felony sex offense. Individuals in those categories can only have their right to vote restored by the Governor and the Board of Executive Clemency.

Pursuant to Article XI, Section 5 (3), the Amendment goes into effect on January 8, 2019. Thus, starting January 8th, any individual with a felony conviction who has completed all the terms of their sentence should register to vote by completing a voter registration form.

Completion of all terms of Sentence

The phrase “completion of all terms of sentence” includes any period of incarceration, probation, parole and financial obligations imposed as part of an individual’s sentence. These financial obligations may include restitution and fines, imposed as part of a sentence or a condition of probation under existing Florida statute. Fees not specifically identified as part of a sentence or a condition of probation are therefore not necessary for ‘completion of sentence’ and thus, do not need to be paid before an individual may register. We urge the Department to take this view in reviewing the eligibility of individuals registered to vote as outlined in Chapter 98, Florida Statutes.

Existing Voter Registration Forms are Sufficient

We assert that the uniform stateside voter registration application is sufficient to immediately register individuals impacted by the Amendment’s provisions. Question #2 of that form asks individuals to “*affirm that I am not a convicted felon, or if I am, my right to vote has been restored.*” The responsibility of the citizen is to honestly affirm that, by completing the terms of their sentence, their voting rights have been restored. Individuals may also register via the Florida Online Voter Registration System at <https://registertovoteflorida.gov/>.

Process to Confirm Eligibility is Already in Place

The existing provisions of Chapter 98 of the Florida Statutes provide the Department with sufficient authority to coordinate across state and local agency databases to identify impacted individuals, to promptly and efficiently register to vote those individuals who wish to do so, and to confirm their eligibility in the same way the Department confirms the eligibility of all other Florida residents when they complete a voter registration application.

We understand that the current registration process includes the following steps:

- An individual returns a completed voter registration form to the Supervisor of Elections;
- The Supervisor transmits an electronic copy of the application to the Department of State Division of Elections;
- The individual who completed the form is at that time considered registered and will receive a voter ID card in the mail;
- The Department of State then has the duty to review the voter’s registration to determine if there is credible information that the voter is ineligible;

This is the very same process that should be used to register those impacted by Amendment 4.

In closing, we appreciate the difficult task you face in administering elections in Florida. We hope that the discussion above will help you ensure that Amendment 4 is implemented in a timely and smooth fashion, without delay or undue burden on individual eligible voters. Florida's citizens spoke clearly on election day and we look forward to working with you to ensure their will is carried out.

Thank you for your attention to this important matter.

Sincerely,

Desmond Meade,
Executive Director, Florida Rights
Restoration Coalition

Melba Pearson,
Interim Executive Director
ACLU of Florida

Patricia Brigham,
President
League of Women Voters of Florida

Kira Romero-Craft,
Managing Attorney
LatinoJustice PRLDEF

cc: Maria Matthews, Director, Division of Elections
Florida State Association of Supervisor of Elections



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Initiative
Amend 4

Voting Restoration Amendment 14-01

Reference:

Article VI, Section 4

Summary:

[View Full Text \(pdf\)](#)

This amendment restores the voting rights of Floridians with felony convictions after they complete all terms of their sentence including parole or probation. The amendment would not apply to those convicted of murder or sexual offenses, who would continue to be permanently barred from voting unless the Governor and Cabinet vote to restore their voting rights on a case by case basis.

Related Links:

[Financial Impact](#)
[Financial Information](#)
[Additional Information](#)

Sponsor:

[Floridians for a Fair Democracy, Inc.](#)
 3000 Gulf-to-Bay Boulevard
 Suite 503
 Clearwater, FL 33759-
 (727) 726-8617

Contact: Desmond Meade, Chairperson
 450 Godwin Street
 Oviedo, FL 32765-0000

Signatures:

Statewide total needed for judicial and financial impact review:	76,632
Statewide total needed to make ballot position:	766,200
Signatures expired prior to ballot position (Signatures expire after two years, but will not expire once ballot position is made):	47,327
Statewide total currently valid:	842,796*

Congressional district totals needed for judicial and economic reviews and ballot placement, with currently valid signatures:

[View by District by County](#)

***Statewide and congressional district totals for ballot position are NOT OFFICAL until an initiative petition is certified to have made ballot. Once an initiative petition is certified for ballot position, total currently valid may exceed the official totals at time of certification. For status on ballot position, see Status Table below.**

Two signature thresholds must first be met for ballot position: 1) statewide total [8 percent of the votes cast in the last presidential election], and 2) Congressional District signature totals in at least 14 of Florida's 27 Congressional Districts [8 percent of the votes cast in each Congressional District in the last presidential election]. See section 3, Article XI, Fla. Const., section 100.371, Fla. Stat.

A Congressional District may consist of one or more counties and a county may be part of more than one congressional district. To find out the signature threshold required in each Congressional District for review and ballot position, the current number of verified signatures in each Congressional District by county, and how many Congressional Districts may have met or exceeded signature thresholds, click the link above titled "View by District by County".

Status: Passed

Approval Date:	10/31/2014
Undue Burden:	07/02/2015
Made Review:	09/14/2016
Attorney General:	09/15/2016
Sent to Supreme Court:	10/04/2016
Supreme Court Ruling:	Constitutional
SC Ruling Date:	04/20/2017
Financial Impact Statement Date:	10/28/2016
SC Approval of Financial Impact Statement:	04/20/2017
Made Ballot:	01/23/2018
Ballot Number:	4
Election Date:	11/06/2018
Votes For:	5,148,926
Votes Against:	2,828,339

CONSTITUTIONAL AMENDMENT PETITION FORM

Note:

- All information on this form, including your signature, becomes a public record upon receipt by the Supervisor of Elections
- Under Florida Law, it is a first degree misdemeanor, punishable as provided in s. 775.082 or s. 775.08, Florida Statutes, to knowingly sign more than one petition for an issue. [Section 104.185, Florida Statutes]
- If all requested information on this form is not completed, the form will not be valid.

Your name: _____
Please Print Name as it appears on your Voter Information Card

Your address: _____

City: _____ Zip: _____ County: _____

☐ Please change my legal address on my voter registration record to the above residence address (check box, if applicable).

Voter Registration Number: _____ or Date of Birth: _____

I am a registered voter of Florida and hereby petition the Secretary of State to place the following proposed amendment to the Florida Constitution on the ballot in the general election:

BALLOT TITLE: Voting Restoration Amendment

BALLOT SUMMARY: This amendment restores the voting rights of Floridians with felony convictions after they complete all terms of their sentence including parole or probation. The amendment would not apply to those convicted of murder or sexual offenses, who would continue to be permanently barred from voting unless the Governor and Cabinet vote to restore their voting rights on a case by case basis.

ARTICLE AND SECTION BEING CREATED OR AMENDED: Article VI, § 4.

FULL TEXT OF THE PROPOSED CONSTITUTIONAL AMENDMENT:

Article VI, Section 4. Disqualifications.—

(a) No person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent, shall be qualified to vote or hold office until restoration of civil rights or removal of disability. Except as provided in subsection (b) of this section, any disqualification from voting arising from a felony conviction shall terminate and voting rights shall be restored upon completion of all terms of sentence including parole or probation.

(b) No person convicted of murder or a felony sexual offense shall be qualified to vote until restoration of civil rights.

(c) No person may appear on the ballot for re-election to any of the following offices:

- (1) Florida representative,
- (2) Florida senator,
- (3) Florida Lieutenant governor,
- (4) any office of the Florida cabinet,
- (5) U.S. Representative from Florida, or
- (6) U.S. Senator from Florida

if, by the end of the current term of office, the person will have served (or, but for resignation, would have served) in that office for eight consecutive years.

DATE OF SIGNATURE

X

SIGNATURE OF REGISTERED VOTER

Initiative petition sponsored by Floridians for a Fair Democracy, Inc., 3000 Gulf-to-Bay Blvd., Suite 503, Clearwater, FL 33759

If paid petition circulator is used:

Circulator's name _____

Circulator's address _____

RETURN TO:

Floridians for a Fair Democracy, Inc.
3000 Gulf-to-Bay Blvd., Suite 503
Clearwater, FL 33759

For Official Use Only:

Serial Number: 14-01

Date Approved: 10/31/2014

FL-SOS-19-0813-D-000013

DOSG-0084994

FINANCIAL IMPACT ESTIMATING CONFERENCE
SUMMARY OF INITIATIVE FINANCIAL INFORMATION STATEMENT
VOTING RESTORATION AMENDMENT (14-01)

Under the current voter registration process, a felon who registers to vote must affirm that his or her voting rights have been restored. The Department of State must identify when this is not the case and work with the supervisor of elections to remove the felon's name from the statewide voter registration system. This process is primarily outlined in Chapter 98 of the Florida Statutes. The Conference believes existing law accommodates implementation of the amendment.

Assuming the amendment is implemented under current law, the Conference determined that, at a minimum, this results in:

1. Additional costs to the Department of State due to a higher volume of felons registering to vote, and greater administrative responsibilities. These costs will be even higher if research on financial obligations is required.
2. Reduced costs to the Board of Executive Clemency and the Florida Commission on Offender Review as some felons who would have previously sought to restore their civil rights are diverted to the new process for voter registration and do not pursue restoration of their remaining civil rights.
3. Increased costs to the Department of Corrections due to the high volume of felons registering to vote who would not have sought restoration of their civil rights.
4. Increased costs to the clerks of the circuit court due to the high volume of felons registering to vote who would not have sought restoration of their civil rights. There will also be decreased record production costs for the clerks of the circuit court as some persons who would have previously applied for the restoration of civil rights are diverted to the new process for voter registration and do not pursue restoration of their remaining civil rights. The increased costs will likely outweigh the savings.

Taking all of the increased and reduced costs into consideration, it is probable that the amendment will result in increased costs to state and local governments due to the higher volume of felons registering to vote; however, the specific dollar amount cannot be determined. The Conference notes that the increased costs will be higher in the earlier years of implementation due to the amendment's retroactive application.

Alternatively, the Legislature may decide to change the current process. What direction the Legislature would take in lieu of the current-law scenario is uncertain. Given the many possible avenues that additional legislation could take, the fiscal impact of any future action by the Legislature is unknown in regard to direction (increased or reduced costs) or magnitude (amount of savings or costs relative to the existing clemency process).

Currently, a felon seeking restoration of civil rights does not pay a fee, and the amendment will not change this.

It is unclear whether the phrase "terms of sentence" includes payment of court-ordered restitution, fines, and court costs. If these payments are not included, there will be a potential loss of revenues. However, if these payments are included, it will result in additional revenues to state and local governments. The revenue impact, if any, cannot be determined.

Currently, a felon seeking restoration of civil rights does not pay a fee, and the amendment will not change this.

It is unclear whether the phrase “terms of sentence” includes payment of court-ordered restitution, fines, and court costs. If these payments are not included, there will be a potential loss of revenues. However, if these payments are included, it will result in additional revenues to state and local governments. The revenue impact, if any, cannot be determined.

FINANCIAL IMPACT STATEMENT

The precise effect of this amendment on state and local government costs cannot be determined, but the operation of current voter registration laws, combined with an increased number of felons registering to vote, will produce higher overall costs relative to the processes in place today. The impact, if any, on state and local government revenues cannot be determined. The fiscal impact of any future legislation that implements a different process cannot be reasonably determined.

SUBSTANTIVE ANALYSIS

A. Proposed Amendment

Ballot Title:

Voting Restoration Amendment.

Ballot Summary:

This amendment restores the voting rights of Floridians with felony convictions after they complete all terms of their sentence including parole or probation. The amendment would not apply to those convicted of murder or sexual offenses, who would continue to be permanently barred from voting unless the Governor and Cabinet vote to restore their voting rights on a case by case basis.

Full Text of the Proposed Constitutional Amendment:

Article VI, Section 4. Disqualifications. –

(a) No person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent, shall be qualified to vote or hold office until restoration of civil rights or removal of disability. Except as provided in subsection (b) of this section, any disqualification from voting arising from a felony conviction shall terminate and voting rights shall be restored upon completion of all terms of sentence including parole or probation.

(b) No person convicted of murder or a felony sexual offense shall be qualified to vote until restoration of civil rights.

(~~b~~ c) No person may appear on the ballot for re-election to any of the following offices:

(1) Florida representative,

- (2) Florida senator,
- (3) Florida Lieutenant governor,
- (4) any office of the Florida cabinet,
- (5) U.S. Representative from Florida, or
- (6) U.S. Senator from Florida

if, by the end of the current term of office, the person will have served (or, but for resignation, would have served) in that office for eight consecutive years.

B. Effective Date

Article XI, Section 5(e), of the Florida Constitution states that, unless otherwise specified in the constitution or in the proposed amendment, the amendment will become effective on the first Tuesday after the first Monday in January following the election. Assuming the proposed amendment passes in 2018, the effective date will be January 8, 2019.

C. Substantive Effect of Proposed Amendment

Input Received from Proponents and Opponents

The Conference sought input from those groups who were on record as supporting or opposing the petition initiative. The sponsor presented at the Conference on October 5, 2016, and followed-up by forwarding a written fiscal argument in addition to a copy of a Florida Parole Commission report, dated July 1, 2011, entitled *Status Update: Restoration of Civil Rights' (RCR) Cases Granted 2009 and 2010*. No written materials or testimony were received from persons identifying themselves as opponents.

D. Background

Current Voting Status of Felons in Florida

The Florida Constitution currently states that: "No person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent, shall be qualified to vote or hold office until restoration of civil rights or removal of disability."¹ Section 944.292, F.S., provides: "Upon conviction of a felony as defined in s. 10, Art. X of the State Constitution, the civil rights of the person convicted shall be suspended in Florida until such rights are restored by a full pardon, conditional pardon, or restoration of civil rights granted pursuant to s. 8, Art. IV of the State Constitution." According to s. 8, Art. IV, "Except in cases of treason and in cases where impeachment results in conviction, the governor may, by executive order filed with the custodian of state records, suspend collection of fines and forfeitures, grant reprieves not exceeding sixty days and, with the approval of two members of the cabinet, grant full or conditional pardons, restore civil rights, commute punishment, and remit fines and forfeitures for offenses."²

¹ Art VI, § 4, Fla. Const.

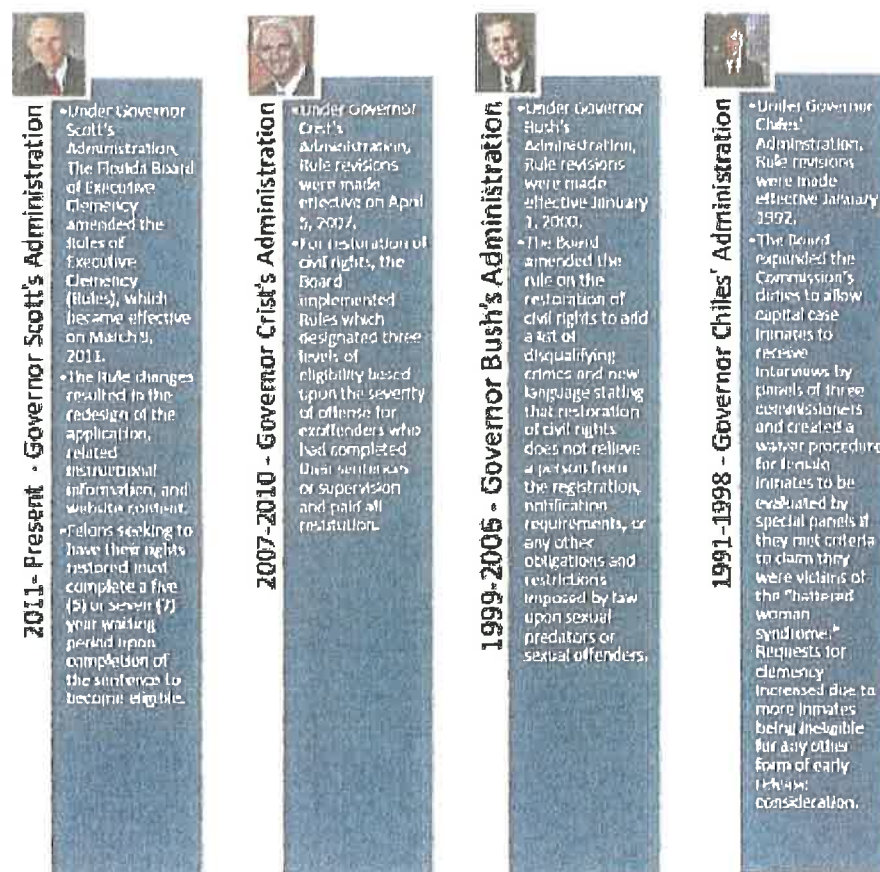
² Art IV, § 8, Fla. Const.

This language permanently removes a felon's civil rights, including the right to vote, until the Florida Board of Executive Clemency restores such rights. According to the Florida Commission on Offender Review's 2015 Annual Report:

Restoration of Civil Rights (RCR) investigations are classified as: Without a Hearing and With a Hearing. Without a Hearing investigations are those where offenders, depending on the offense of conviction, are eligible for consideration only after five years have passed since the date of completion of all sentences and conditions of supervision imposed for all felony convictions, if no crimes have been committed and if the applicant has not been arrested for a misdemeanor or felony for the five years prior to the date the application is being reviewed. With a Hearing investigations are those where offenders with more serious offenses are eligible for consideration only after seven years have passed since the date of completion of all sentences and conditions of supervision imposed for all felony convictions.³

In Florida, clemency rules have changed between and during different gubernatorial administrations. A synopsis is shown in the following chart, which was excerpted from the Florida Commission on Offender Review, Executive Clemency Timeline 1991-2015.

Executive Clemency Timeline: 1991-2015



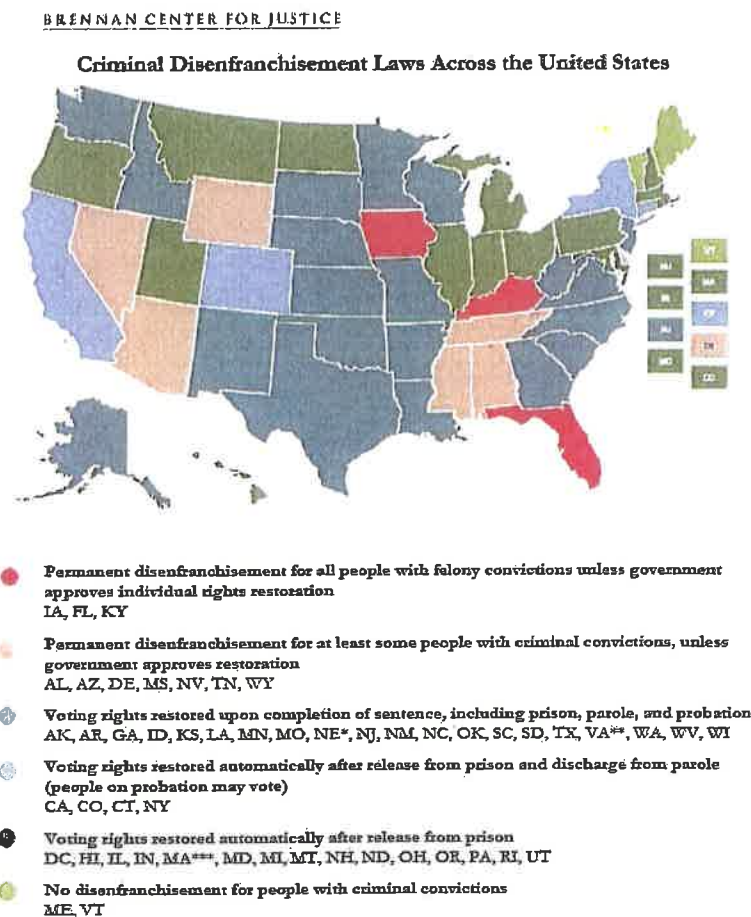
³ Florida Commission on Offender Review, 2015 Annual Report, Page 15.

Florida's civil rights restoration process for felons restores the rights to vote, serve on a jury and hold public office. There is not a separate process that solely restores a felon's right to vote.

Felon Voting Rights in Other States

Florida, along with Kentucky and Iowa, are the three states with permanent disenfranchisement for all felony offenders. There are seven additional states with permanent disenfranchisement for specific criminal convictions. Further, a large number of states disenfranchise felons only while they are serving their sentences. In the latter case, the ease of how the rights are restored varies across states. Two states, Maine and Vermont, do not disenfranchise people with criminal convictions.

The following map, from the Brennan Center for Justice, shows how criminal disenfranchisement laws vary across the United States.



States have a range of policies as to whether citizens with pending legal financial obligations (LFOs) relating to their conviction are eligible to vote, and also as to whether and in what circumstances misdemeanors are disenfranchising. These policies are not reflected in the above graphic.

* Nebraska imposes a two-year waiting period after completion of sentence. Nebraska also disenfranchises persons with treason convictions until they have their civil rights individually restored.

** Virginia's constitution imposes permanent disenfranchisement, but allows the governor to restore rights. The current governor's policy individually restores voting rights to those who have completed their sentences, prioritizing those with the earliest completed sentences and those who apply. See below for more details.

*** Massachusetts disenfranchises persons with convictions for "corrupt practices in respect to elections" until they have their civil rights individually restored.

Voting Restoration Amendment

The proposed amendment would provide for the restoration of voting rights to felons who have completed all terms of their sentences, including parole or probation, except for those convicted of murder or felony sexual offenses. Therefore, if the proposed amendment is approved, eligible felons will not be required to seek an act of clemency in order to lawfully register to vote. Those felons that are not eligible (i.e. those convicted of murder and felony sexual offenses) will continue to need an act of clemency in order to lawfully register to vote.

E. Fiscal Impact of Proposed Amendment

Section 100.371(5)(a), F.S., requires that the Financial Impact Estimating Conference "...complete an analysis and financial impact statement to be placed on the ballot of the estimated increase or decrease in any revenues or costs to state or local governments resulting from the proposed initiative."

As part of determining the fiscal impact of this proposed amendment, the Conference held five public meetings:

- Public Workshop on October 5, 2016
- Principals' Workshop October 17, 2016
- Formal Conference on October 26, 2016
- Formal Conference on October 27, 2016
- Formal Conference on October 28, 2016

Requested Information from State Entities and Other Organizations

Presenter	Date	Summary of Information
David Ensley Florida Department of Corrections, Bureau of Research and Data Analysis	9/21/2016	Provided data on the percentage of inmates released in August 2016 who either had a Florida ID or were ID prepared.
Ion Sancho Leon County Supervisor of Elections	10/5/2016	Discussed the possible financial savings to county supervisors of elections from reducing the number of notices of potential ineligibility that are mailed and provided supplemental materials showing the large number of mailed forms and the average price to mail each form (approximately \$5.12).
Desmond Meade Floridians for a Fair Democracy, Inc.	10/5/2016	Discussed the impact of lower recidivism rates among those who have had their rights restored and argued that it would lead to fewer prison beds, which would save the state money. He also provided a fiscal analysis using 3 years of FDOC recidivism data and 1 year of FCOR recidivism data.
Julia McCall Office of Executive Clemency, Florida Commission on Offender Review	10/5/2016	Presented information regarding the current process for clemency and explained the two types of restoration of civil rights. Also pointed out that there are many subsets of murder and no definition of felony sexual offenses, such that the definitions of what is excluded under the amendment may need clarification.
David Ensley Florida Department of Corrections, Bureau of Research and Data Analysis	10/6/2016	Provided recidivism rate data for inmates released in each calendar year between 2006 and 2014, displaying recidivism rates for inmates released from and returning to DOC prisons for each year following release up to five years.

Presenter	Date	Summary of Information
Susan Burton, Florida Department of Law Enforcement, Office of Planning, Policy and Data Analysis	10/6/2016	Provided data on the number of individuals arrested since 2000 under s. 104.011, F.S. There were 78 individuals arrested from July 2000, through June 2016, for falsely swearing to or submitting false voter registration information.
Susan Burton, Florida Department of Law Enforcement, Office of Planning, Policy and Data Analysis	10/7/2016	Provided a link to the FDLE website that discusses Voter Felony Conviction Verification Procedures.
Julia McCall Office of Executive Clemency, Florida Commission on Offender Review	10/12/2016	Provided a list of databases with descriptions (see Appendix A) that are currently used by the Office of Executive Clemency to determine eligibility status.
Stephen E. Hebert, Office of Clemency Investigations, Florida Commission on Offender Review	10/12/2016	Provided three tables with information on the following: Restoration of Civil Rights Applications Received (2003 through 2015), Restoration of Civil Rights Granted by Year (2003 through 2015), and the number of restoration of civil rights applications granted for those offenders released by FDOC in 2008.
Stephen E. Hebert, Office of Clemency Investigations, Florida Commission on Offender Review	10/13/2016	Provided an additional table showing the recidivism rates through June 1, 2016, for those felons granted civil rights restoration in 2009 and 2010.
Julia McCall Office of Executive Clemency, Florida Commission on Offender Review	10/14/2016	Provided a checklist that is used by FCOR for clemency investigations/eligibility review, in addition to data for calendar year 2015 indicating the reasons RCR applications were determined ineligible.
Susan Burton, Florida Department of Law Enforcement, Office of Planning, Policy and Data Analysis	10/14/2016	Elaborated on the 78 individuals arrested under s. 104.011, F.S., stating that only 28 of these individuals had prior felony convictions.
Julia McCall Office of Executive Clemency, Florida Commission on Offender Review	10/17/2016	Presented information indicating that level 1 cases reviewed during the mid-2000 time period took approximately 0.8 of an hour to review on average, which might be reflective of what is anticipated by the amendment. Also provided data on the number (377,149) of civil rights restorations on record for the Office of Executive Clemency.
David Ensley Florida Department of Corrections, Bureau of Research and Data Analysis	10/17/2016	Database goes back to the 1980's, however it is more reliable from the early 1990's. The database has information on inmates completing sentence and offenders completing supervision. This was used by Governor Crist's Administration to review prior felons.
Maria Matthews Department of State, Division of Elections	10/17/2016	Fiscal impact will depend upon what enabling statutes may be enacted. Discussed the current and historical processes. Section 98.093, F.S., lists the sources used to identify and obtain the documentation necessary to make a credible and reliable match of potentially ineligible voters. The 2006 law was very specific as to the process for noticing ineligible voters.
Jennifer Cook Pritt, Joe White, Charles Schaeffer Florida Department of Law Enforcement	10/17/2016	Indicated that they would work with all partners to ensure data are up-to-date. Provided an overview of how matches are done currently.

Presenter	Date	Summary of Information
Molly Kellogg-Schmauch and Fred Baggett Florida Clerks of Courts and Comptrollers	10/17/2016	Stated that the clerks currently provide information to felons applying for clemency at no charge to the felon. The amendment would increase workload and would have an indeterminate cost impact. Currently, they estimate it costs about \$5 per request for a medium-sized county in the state.
Thomas A. David Office of the State Courts Administrator (OSCA)	10/17/2016	Explained that OSCA currently has very little involvement in the restoration of civil rights process. However unless there is a process change, there would not be a large effect on the judicial branch.
Matt Dunagan Florida Sheriffs Association	10/17/2016	Confirmed that the clerks have data indicating when a person completes a jail sentence. Also indicated that some jails are run by the county, while others are run by the sheriffs.
Jennifer Pritt Florida Department of Law Enforcement, Public Safety Services	10/17/2016	Provided the total number (1,111,706) of individuals with felony convictions from January 1, 1950, through October 15, 2016.
Julia McCall Office of Executive Clemency, Florida Commission on Offender Review	10/18/2016	Elaborated further on how many restorations (1,818) of civil rights were granted before 1950.
David Ensley Florida Department of Corrections, Bureau of Research and Data Analysis	10/18/2016	Provided inmate and supervision release information from Fiscal Year 2013-14 through Fiscal Year 2015-16.
David Ensley Florida Department of Corrections, Bureau of Research and Data Analysis	10/19/2016	Provided inmate and supervision release information from Fiscal Year 2010-11 through Fiscal Year 2012-13.
Toshia Brown Florida Department of State, Division of Elections Bureau of Voter Registration Services	10/20/2016	Provided copies of a form (DS DE #118) containing county data on notices of potential ineligibility from January of 2014 through June of 2016.
Thomas A. David Office of the State Courts Administrator	10/20/2016	Indicated that outstanding court costs and restitution are converted into civil judgments upon sentence completion.
Matt Dunagan Florida Sheriffs Association	10/21/2016	Explained how voting works for those in jail for misdemeanors or awaiting trial.
Julia McCall Office of Executive Clemency, Florida Commission on Offender Review	10/24/2016	Explained that for someone with his or her civil rights restored, a subsequent felony conviction does not invalidate the restoration of civil rights certificate since it represents felony offenses prior to the date granted. The person would still need to apply regarding the subsequent felony in order to be able to vote, serve on a jury, and hold public office.
Howard Simon American Civil Liberties Union of Florida	10/25/2016	Presented their opinion that the proposed amendment will result in cost savings and provided a draft financial impact statement to that effect.
Julia McCall Office of Executive Clemency, Florida Commission on Offender Review	10/26/2016	Provided budget numbers related to the clemency process.
Kenneth A. Kent Florida Court Clerks and Comptrollers	10/26/2016	Clarified the capability of the CCIS database.
Jose Diez-Arguelles Florida Senate, Finance and Tax Committee	10/26/2016	Provided an article that has an overview of types of criminal sentences: "Types of sentences include probation, fines, short-term incarceration, suspended sentences, which only take effect if the convict fails to meet certain conditions, payment of restitution to the victim, community service, or drug and alcohol rehabilitation for minor crimes."
Julia McCall Office of Executive Clemency, Florida Commission on Offender Review	10/27/2016	Corrected a previous email on how many restorations of civil rights were granted before 1950. The number (1,818) was actually from the 1960's and 1970's.

I. Increase or Decrease in State and Local Revenues

There is currently no application fee imposed on a person seeking restoration of civil rights with the Office of Executive Clemency, nor is there a fee to obtain court documents from a clerk of the circuit court.⁴ The proposed amendment does not contemplate any changes to this situation.

Under current practice, one of the requirements a person must meet to be eligible for restoration of civil rights is payment of “all restitution pursuant to a court order or civil judgment and obligations pursuant to Chapter 960, Florida Statutes.”⁵ The proposed amendment restores voting rights upon completion of all terms of sentence including parole or probation.

It is not clear to the Conference whether the phrase “terms of sentence” includes payment of court-ordered restitution, fines, and court costs. If these payments are not included, there may be a potential loss of revenues as some felons who wish to have their voting rights restored will not make these payments when they otherwise would have made them. However, if these payments are included, the potential exists that some felons who wish to have their voting rights restored will make these payments when they otherwise would not have made them, resulting in additional revenues to state and local governments.

The net impact, if any, in state and local government revenues of following current practice cannot be determined, nor can the impact of any future legislation that implements a different approach.

II. Increase or Decrease in State and Local Costs

Summary of the Process

Section 98.075(5), F.S., requires the Department of State to:

“...identify those registered voters who have been convicted of a felony and whose rights have not been restored by comparing information received from, but not limited to, a clerk of the circuit court, the Board of Executive Clemency, the Department of Corrections, the Department of Law Enforcement, or a United States Attorney’s Office, as provided in s. 98.093. The department shall review such information and make an initial **determination as to whether the information is credible and reliable**. If the department determines that the information is credible and reliable, the department shall notify the supervisor and provide a copy of the supporting documentation indicating the potential ineligibility of the voter to be registered. Upon receipt of the notice that the department has made a determination of initial credibility and reliability, the supervisor shall adhere to the procedures set forth in subsection (7) prior to the

⁴ The Office of Executive Clemency requires a person applying for restoration of civil rights to provide certified copies of his or her court documents.

⁵ Rules 9 and 10, Rules of Executive Clemency.

removal of a registered voter's name from the statewide voter registration system.”
[emphasis added]

Section 98.075(7), F.S., requires the supervisor of elections to notify a registered voter of his or her potential ineligibility by certified mail first, and then by a public notice in a newspaper if the mailed notice is returned as undeliverable. The affected supervisor must also provide an opportunity for a hearing if the voter denies the accuracy of the information. Once a final determination of ineligibility is made by the supervisor, he or she must remove the name of the registered voter from the statewide voter registration system, and provide notification of this action to the person.

The Conference determined that, absent a law change, these responsibilities will remain intact and not be affected by the proposed amendment. This means that a feasible implementation path consistent with current law would entail the following steps:

1. A person convicted of a felony registers to vote, affirming that his or her right to vote has been restored.
2. The provisions of s. 98.075(5), F.S., become operational as they exist today.
3. The Board of Executive Clemency is limited to responding on the availability of certificates for previously approved restoration of civil rights applications since its investigation process is no longer strictly required by the proposed amendment. The restoration of voting rights pursuant to the proposed amendment is not an act of mercy.
4. For any person who has not had his or her rights previously restored through the clemency process, the Department of State would need to establish new procedures with the clerks of the circuit court and the Department of Corrections in order to determine whether all terms of the sentence have been completed and that the person has never been convicted of murder or a felony sexual offense.
5. If the Department of State determines by credible and reliable information that the person has failed to complete all terms of the sentence or that he or she has been convicted of murder or a felony sexual offense, the provisions of s. 98.075(7), F.S., become operational as they exist today.

At a minimum, the Conference believes that this implementation path would result in:

1. Additional costs to the Department of State due to a higher volume of persons convicted of felonies registering to vote, and greater administrative responsibilities. These costs will be even higher if research on restitution and other financial obligations is required.
2. Reduced costs to the Board of Executive Clemency and the Florida Commission on Offender Review as some felons who would have previously sought to restore their civil rights are diverted to the new process for voter registration and do not pursue restoration of their remaining civil rights.

3. Increased costs to the Department of Corrections due to the high volume of persons convicted of felonies registering to vote who would not have sought restoration of their civil rights.
4. Increased costs to the clerks of the circuit court due to the high volume of persons convicted of felonies registering to vote who would not have sought restoration of their civil rights. There will also be decreased record production costs for the clerks of the circuit court as some persons who would have previously applied for the restoration of civil rights are diverted to the new process for voter registration and do not pursue restoration of their remaining civil rights. The increased costs will likely outweigh the savings.

Taking all of the positive and negative costs into consideration, the Conference has determined that if this path is followed, it is probable that the proposed amendment will result in increased costs to state and local governments due to the higher volume of persons convicted of felonies seeking to register to vote; however, the specific dollar amount cannot be determined. The Conference notes that the increased costs will be higher in the earlier years of implementation due to the proposed amendment's retroactive application.

Alternatively, the Legislature may decide to alter this process. What direction the Legislature would take in lieu of the current-law scenario is uncertain. Given the many possible avenues that additional legislation could take, the fiscal impact of any future action by the Legislature is unknown in regard to direction (added costs or reduced costs) or magnitude (amount of savings or costs relative to the existing clemency process).

Additional explanation of the various aspects of this analysis is provided in the sections below.

- *Retroactive Application of the Process*

The Conference believes that the proposed amendment applies not only to felons exiting the criminal justice system in the future, but to all existing felons who have not had their civil rights restored. According to the Florida Department of Law Enforcement, there have been a total of 1,111,706 individuals convicted of felonies since January 1, 1950. The Office of Executive Clemency has granted the restoration of civil rights to 377,149 individuals, nearly all of whom came from the 1,111,706 felons. Assuming a one-to-one relationship, 734,557 felons in Florida have not had their rights restored through July 2016.⁶ However, there are multiple underlying issues with this number that make reliance on it problematic. First, this number may be smaller because a significant number of these people may have died or moved out of the state. Conversely, the number may be bigger to the extent that felons have had their voting rights restored and subsequently lost them due to another felony conviction. It also does not capture those felons who were convicted in other states and remained disenfranchised when they migrated to Florida. Furthermore, it is not known how many of these felons have completed the terms of their sentences, nor what number of these

⁶ Other studies have variously estimated between 600,000 and 1.5 million using different timeframes and methodologies.

felons have been convicted of a murder or sexual offense, which would leave them under the current rules of clemency. All of this means that while the specific number of individuals eligible under the proposed amendment cannot be determined, it is clear that a relatively large number of felons currently live in Florida who would be subject to its provisions.

Depending on the specific approach used to implement the proposed amendment, the size of the likely pool of felons for cost purposes could further change. In the event that the Legislature does not act and the implementation path consistent with current law described above prevails, the pool of relevant felons will further contract through the voter registration process. Prior research has shown that only 23.7% of the newly eligible male felons in Florida may actually register to vote.⁷ This percentage is reasonable to provide the lower bound of the estimate. While the maximum percentage registered in a state was 58.9% in Michigan, the other three states in the study averaged 35%, providing the potential upper bound for voter registrations by felons in Florida. Assuming the initial pool of eligible felons equals 736,375 (meaning all other factors were essentially offsetting), the potential one-time voter registration pool of felons with records in need of review ranges between 174,090 and 257,095 individuals.

It should be noted that under Governor Crist's Administration the executive clemency rules were amended to create an automatic restoration of civil rights for felons who had completed their sentences and committed certain nonviolent felonies. The first step resulting from the rule change was a search of the Florida Department of Corrections' database to determine how many felons previously subject to state incarceration and supervision would be eligible for automatic restoration. This search resulted in nearly 300,000 offender cases being reviewed and processed. Florida Commission on Offender Review (FCOR) reports from that time period describe the need for additional positions and funding to account for this growth in workload. Accordingly, a significant one-time funding need may develop from the obligation to investigate the eligibility of several decades-worth of felons registering to vote.

- *Steady State Going Forward*

Once the retroactive impact of the proposed amendment is addressed, there is expected to be a continuous flow of felons released from local, state, and federal custody and control each year. This group forms the basis of the constant or "steady-state" workload flow expected in the future. Between Fiscal Year 2013-14 and Fiscal Year 2015-16, the Florida Department of Corrections released 179,606 offenders from incarceration and supervision, for an average of 59,869 per year. This number represents the majority of the expected workload for voting rights restoration each year. Federal inmates released to Florida during this same time period totaled 8,011,

⁷ See Traci Burch, Turnout and Party Registration among Criminal Offenders in the 2008 General Election, 45(3), LAW AND SOCIETY, 699-730 (2011)

for an average of 2,670 per year.⁸ Although data is not available on felons released from jail who were serving sentences of 364 days or less, the average population in Fiscal Year 2014-15 was 7,205 felons incarcerated at the county level with sentences less than a year.⁹ Therefore, there are approximately 69,744 individuals released each year. By way of contrast, Florida Commission on Offender Review received 2,301 applications for restoration of civil rights in the 2015 calendar year, and granted 428.

The proposed amendment has a narrower field of exclusion than today's clemency process, including many violent felonies that were previously excluded. However, it is unknown how many of the 69,744 individuals have felonies in the murder and sexual offense categories that would prevent them from receiving voting rights restoration in accordance with the proposed amendment.

Similar to what was discussed for retroactivity, the workload issues will depend on the specific implementation path. In the event that the Legislature does not act and the implementation path consistent with current law described above prevails, the pool of relevant felons will further contract through the voter registration process. Assuming 69,744 total releases, a potential registration pool of felons with records in need of review would range between 16,529 and 24,410 annually.

- *Clerks of the Circuit Court*

The Florida Court Clerks and Comptrollers believe that the proposed amendment could potentially cause a significant increase in workload and produce an indeterminate cost impact on local governments. Today, the clerks provide information and records to felons applying for clemency (restoration of civil rights) at no charge to the felon.¹⁰ They estimate that this service currently costs about \$5 per request for a medium-sized county in the state. They also indicated that the current Comprehensive Case Information System (CCIS) database is updated at irregular intervals by some of the counties.

Regardless of the specific implementation path ultimately chosen, the Conference believes that increased costs to the clerks of the circuit court are likely as they will probably be involved in determining whether a felon has completed the terms of his or her sentence; it is anticipated that the volume of these determinations will be high. Assuming the Legislature does not act and the implementation path consistent with current law described above prevails, there will also be decreased record production costs for the clerks of the circuit court as some persons who would have previously applied for the restoration of civil rights are diverted to the new process for voter registration and do not pursue restoration of their remaining civil rights. The increased costs will likely outweigh the savings.

⁸ Source: https://www.bop.gov/about/statistics/statistics_inmate_releases.jsp

⁹ Source: <http://www.dc.state.fl.us/pub/jails/> Data through June of 2016 is not yet available.

¹⁰ Section 940.04, F.S.

- *Supervisors of Elections*

The Supervisor of Elections for Leon County and the Florida Department of State's Division of Elections noted the impact of the proposed amendment on notices of potential ineligibility. The supervisor of elections said that this proposed amendment would decrease the number of notices sent to felons, reducing the cost to send the letters. Currently the average cost of mailing the notice by certified mail is approximately \$5.12. The representative for the Division of Elections added at a later meeting that if a notice is not deliverable, the supervisor of elections must publish the notice in a newspaper, which costs upwards of \$27.00 per name. Many counties will publish these notices in batches to save on cost. Data retrieved from the Division of Elections shows a yearly average of 25,285 notices of ineligibility mailed between Fiscal Year 2014-15 and Fiscal Year 2015-16, and a yearly average of 13,893 notices published during that same time period.¹¹ This amounts to a potential mailing cost of \$129,459.20 across all counties each fiscal year. The potential cost for publishing cannot be estimated due to the practice of batching multiple notices in newspapers.

Although it has been argued that these costs could be reduced by having fewer non-qualifying felons registering to vote who would receive these notices of ineligibility, it could be that more notices will be generated if the Legislature does not act and the implementation path consistent with current law described above prevails. In this case, the process of seeking "credible and reliable" information from very old records by the Department of State and the various supervisors may generate additional notices. There might also be a bidirectional effect, where both types of actions occur and result in the same cost for counties. The net result is unclear.

- *The Effect on Recidivism*

The sponsor indicated that there would be a savings to the state due to lower recidivism rates among felons who have their voting rights restored. For example, with lower recidivism rates, the state could expect to fund fewer prison beds. However, the reports published by the Florida Commission on Offender Review (FCOR) show that recidivism rates among felons receiving civil rights restoration in 2009 through 2010 have generally followed the same growth patterns as inmates released by the Florida Department of Corrections (FDOC) across a similar time period (See Appendix B). Of note is that while FDOC recidivism rates continue to steadily increase, FCOR recidivism begins to level out by the second or third year after receiving civil rights restoration. Unfortunately, due to peculiarities in the data provided by FCOR, actual comparisons between the two datasets cannot be made. This is because felons receiving civil rights restoration have been released at different time periods and from different types of sentences. Additionally, FDOC only includes prison inmate releases in their recidivism numbers, while FCOR includes both prison and supervision releases. These

¹¹ One county report was missing for the last six months of Fiscal Year 2014-15. Three county reports were missing for the first six months of Fiscal Year 2015-16 and one county report was missing for the last six months of that fiscal year.

dissimilarities in the data could have an effect on any differences found between FDOC and FCOR recidivism rates.

Only one peer-reviewed article was found that analyzed the effects of disenfranchisement on recidivism.¹² The authors looked at felon recidivism in states with permanent disenfranchisement, comparing them to states without such laws in the 1994 to 1997 time period. Felons living in states with permanent disenfranchisement were 10% more likely to recidivate than those living in states without these restrictions. It is unknown how much Florida differed from other states in the effects of permanent disenfranchisement during that time period. Also, this study focused on the restoration of all civil rights, and in Florida's case included a time period before laws were passed that intended to eliminate employment discrimination for those felons who did not have their rights restored.

Given these findings, it is impossible to quantify the financial impact (if any) of the proposed amendment on prison bed needs. The potential impact is considered to be an indeterminate savings, with the likelihood that any effects related to the reduction in the number of prison beds would take many years to develop and be minimal at best.

- *Florida Commission on Offender Review's Clemency Function*

The largest portion of the budget currently associated with the clemency process lies with Florida Commission on Offender Review (FCOR). Of FCOR's \$9.8 million appropriation for Fiscal Year 2015-16, only \$5.5 million supports the clemency process.

The American Civil Liberties Union of Florida (ACLU) has suggested that the proposed amendment would significantly decrease the workload of the Office of Executive Clemency and FCOR, thereby producing cost savings. While the Conference agrees that workload will decrease, the extent to which it will decrease is unknown. This is because many of the clemency functions will not be affected by the proposed amendment. These include: restoring the civil rights of felons convicted of murder or certain sexual offenses, pardons, commutation of sentence, relief from fines and forfeitures, firearm authority, capital case review, restoration of firearm authority, and alien status under Florida law. In addition, FCOR will continue to process requests to restore the remaining civil rights of those whose voting rights have been restored by the proposed amendment.

¹² See Guy Padraic Hamilton-Smith & Matt Vogel, The Violence of Voicelessness: The Impact of Felony Disenfranchisement on Recidivism, 22 BERKELEY LA RAZA LAW JOURNAL. 407, 408-10 (2012)

Appendix A

The following databases are used to determine eligibility status in the following categories:

Felony Offenses – Verifying the number of felonies and specifics of each
Pending Charges – Local, State, Out-of-State, Federal charges
Warrants – Local, State, Out-of-State, Federal charges
Detainers – Local, State, Out-of-State, Federal charges
Restitution – Unpaid restitution remaining with any entity prior to release, civil judgements

MACNet (Management of Application for Clemency) – data repository of all clemency applications received and processed.

CDC (Corrections Data Center) – Offender Based Information System (OBIS) which maintains prison and supervision records for the Florida Department of Corrections, including court costs, fines and restitution.

CCIS (Comprehensive Case Information System) – provides statewide court information on criminal cases and traffic which may include court dockets, dispositions, warrants, judgement and sentencing information and documents as well as financial obligations, fines restitution. Not all counties enter their information systematically.

Individual County Clerks Databases – Same as above with CCIS. May be able to obtain more complete information.

eAgent – requires Florida Crime Information Center/National Crime Information Center (FCIC/NCIC) certification through the Florida Department of Law Enforcement (FDLE) and provides a history of the Florida (FCIC) and National (NCIC) criminal record. Used to verify stated felony offenses/misdemeanors and locate additional offenses not indicated by applicant, can determine court costs and restitution within Florida and other States. A component of this database permits alien status inquiries.

OnBase (Inmate Records Imaging System/IRIS) – scanned inmate files/documents relating to an offender's prison record. Does not include probationers. Original court documents can many times be found which speak of restitution, etc.

D.A.V.I.D. (Driver and Vehicle Information Database) – provides traffic records including fine status and driver license activity of an applicant in Florida as well as past and current residences.

PACER/PACER PRO (Public Access to Court Electronic Records) – electronic public access service that allows users to obtain case and docket information from Federal Appellate, District and Bankruptcy courts, and the U.S. Party/Case Index.

Inactive Offender File Search – Similar to OnBase, an imaging database for supervision cases that terminated after November 2010.

JIS (Judicial Inquiry System) – technology initiative by the State Courts which offers Judiciary and other criminal justice entities access to a streamlined dashboard in which a user may query multiple data sources though a single point of entry proving a summary of records obtained from sources such as CCIS, FDLE, DAVID, and the Department of Corrections.

Internal FCOR Agency page for Official Records and RCR searches by State – query portals or internet links available to help search document located in different counties and provide brief summaries of laws and practices in other states.

Appendix B

Five Year Recidivism Rates

		Followup in Months After Release				
		12	24	36	48	60
Calendar Year of Release	2006	12%	24%	32%	37%	41%
	2007	12%	23%	31%	35%	39%
	2008	10%	21%	28%	32%	36%
	2009	10%	19%	26%	31%	35%
	2010	9%	18%	26%	31%	35%
	2011	8%	18%	26%	31%	
	2012	8%	18%	25%		
	2013	9%	18%			
	2014	8%				

Source: Florida Department of Corrections, Bureau of Research and Data Analysis, received October 6, 2016

GRANTED RESTORATION OF CIVIL RIGHTS AND RETURNED TO CUSTODY

CALENDAR YEAR	GRANTED	RETURNED TO CUSTODY as of 06/01/2016									
		2009	2010	2011	2012	2013	2014	2015	2016	TOTAL	PERCENT
2009	24,954	894	1,634	1,293	1,057	755	609	491	131	6,864	27.5%
2010	5,718		182	336	337	257	185	142	37	1,476	25.8%
TOTAL	30,672	894	1,816	1,629	1,394	1,012	794	633	168	8,340	27.2%

Source: Florida Commission on Offender Review, Office of Clemency Investigation

Report Date: 10/13/2016

GRANTED RESTORATION OF CIVIL RIGHTS AND RETURNED TO CUSTODY

CALENDAR YEAR	GRANTED	RETURNED TO CUSTODY as of 06/01/2016							
		2009	2010	2011	2012	2013	2014	2015	2016
2009	24,954	3.6%	10.1%	15.3%	19.5%	22.6%	25.0%	27.0%	27.5%
2010	5,718		3.2%	9.1%	15.0%	19.4%	22.7%	25.2%	25.8%

Calculations prepared by: Florida Legislature, Office of Economic and Demographic Research

Report Date: 10/13/2016



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

MEMORANDUM

To: Supervisors of Elections

From: Maria Matthews, Esq., Director, Division of Elections

Date: August 8, 2018

Subject: Constitutional Amendments and Revisions on the 2018 General Election Ballot

Please find (starting on the next page) the text of the official ballot language (title, ballot summary, and, where applicable, financial impact statement) in English and Spanish for the thirteen proposed constitutional amendments and revisions that are to be placed on the 2018 General Election ballot. You will note that revisions proposed by the Constitution Revision Commission are referred to as "Constitutional Revision" which is required by Rule [1S-2.0011\(1\)\(b\)](#), F.A.C.

For proper ballot placement and formatting requirements (e.g., font type and size, alignment, upper and lower case, columns, etc.), you must follow the procedures in Rule [1S-2.032](#) – Uniform Design for Election Ballots, F.A.C. (www.flrules.org). A ballot example for the general election ballot (DS-DE 207 GEN) is also available with Rule 1S-2.032. This is the first major election cycle in which the rule version that became effective July 1, 2017, applies.

NOTE: Please be advised that CRC Revisions numbered 8, 10, and 13 are currently in pending litigation. You will be notified if or when the ballot language is to be removed from the General Election ballot.

If you have any questions about the language and/or layout, please email me at maria.matthews@dos.myflorida.com, or call me at 850.245.6520.

Division of Elections

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I. English Ballot Language

No. 1 Constitutional Amendment, Article VII, Section 6, Article XII, Section 37 Increased Homestead Property Tax Exemption

Proposing an amendment to the State Constitution to increase the homestead exemption by exempting the assessed valuation of homestead property greater than \$100,000 and up to \$125,000 for all levies other than school district levies. The amendment shall take effect January 1, 2019.

☐ Yes

☐ No

No. 2 Constitutional Amendment, Article XII, Section 27 Limitations on Property Tax Assessments

Proposing an amendment to the State Constitution to permanently retain provisions currently in effect, which limit property tax assessment increases on specified nonhomestead real property, except for school district taxes, to 10 percent each year. If approved, the amendment removes the scheduled repeal of such provisions in 2019 and shall take effect January 1, 2019.

☐ Yes

☐ No

No. 3 Constitutional Amendment, Article X, Section 29 Voter Control of Gambling in Florida

This amendment ensures that Florida voters shall have the exclusive right to decide whether to authorize casino gambling by requiring that in order for casino gambling to be authorized under Florida law, it must be approved by Florida voters pursuant to Article XI, Section 3 of the Florida Constitution. Affects articles X and XI. Defines casino gambling and clarifies that this amendment does not conflict with federal law regarding state/tribal compacts.

The amendment's impact on state and local government revenues and costs, if any, cannot be determined at this time because of its unknown effect on gambling operations that have not been approved by voters through a constitutional amendment proposed by a citizens' initiative petition process.

☐ Yes

☐ No

No. 4, Constitutional Amendment, Article VI, Section 4 Voting Restoration Amendment

This amendment restores the voting rights of Floridians with felony convictions after they complete all terms of their sentence including parole or probation. The amendment would not apply to those convicted of murder or sexual offenses, who would continue to be permanently barred from voting unless the Governor and Cabinet vote to restore their voting rights on a case by case basis.

The precise effect of this amendment on state and local government costs cannot be determined, but the operation of current voter registration laws, combined with an increased number of felons registering to vote, will produce higher overall costs relative to the processes in place today. The impact, if any, on state and local government revenues cannot be determined. The fiscal impact of any future legislation that implements a different process cannot be reasonably determined.

- ☐ Yes
☐ No

No. 5 Constitutional Amendment, Article VII, Section 19
Supermajority Vote Required to Impose, Authorize, or Raise State Taxes or Fees

Prohibits the legislature from imposing, authorizing, or raising a state tax or fee except through legislation approved by a two-thirds vote of each house of the legislature in a bill containing no other subject. This proposal does not authorize a state tax or fee otherwise prohibited by the Constitution and does not apply to fees or taxes imposed or authorized to be imposed by a county, municipality, school board, or special district.

- ☐ Yes
☐ No

No. 6 Constitutional Revision, Article I, Section 16, Article V, Sections 8 and 21, Article XII, New Section
Rights of Crime Victims; Judges

Creates constitutional rights for victims of crime; requires courts to facilitate victims' rights; authorizes victims to enforce their rights throughout criminal and juvenile justice processes. Requires judges and hearing officers to independently interpret statutes and rules rather than deferring to government agency's interpretation. Raises mandatory retirement age of state justices and judges from seventy to seventy-five years; deletes authorization to complete judicial term if one-half of term has been served by retirement age.

- ☐ Yes
☐ No

No. 7 Constitutional Revision, Article IX, Sections 7 and 8, Article X, New Section
First Responder and Military Member Survivor Benefits; Public Colleges and Universities

Grants mandatory payment of death benefits and waiver of certain educational expenses to qualifying survivors of certain first responders and military members who die performing official duties. Requires supermajority votes by university trustees and state university system board of governors to raise or impose all legislatively authorized fees if law requires approval by those bodies. Establishes existing state college system as constitutional entity; provides governance structure.

- ☐ Yes
☐ No

**No. 8, Constitutional Revision, Article IX, Section 4, New Section, Article XII, New Section
School Board Term Limits and Duties; Public Schools**

Creates a term limit of eight consecutive years for school board members and requires the legislature to provide for the promotion of civic literacy in public schools. Currently, district school boards have a constitutional duty to operate, control, and supervise all public schools. The amendment maintains a school board's duties to public schools it establishes, but permits the state to operate, control, and supervise public schools not established by the school board.

☐ Yes

☐ No

**No. 9 Constitutional Revision, Article II, Section 7, Article X, Section 20
Prohibits Offshore Oil and Gas Drilling; Prohibits Vaping in Enclosed Indoor Workplaces**

Prohibits drilling for the exploration or extraction of oil and natural gas beneath all state-owned waters between the mean high water line and the state's outermost territorial boundaries. Adds use of vapor-generating electronic devices to current prohibition of tobacco smoking in enclosed indoor workplaces with exceptions; permits more restrictive local vapor ordinances.

☐ Yes

☐ No

**No. 10 Constitutional Revision, Article III, Section 3, Article IV, Sections 4 and 11, Article VIII,
Sections 1 and 6
State and Local Government Structure and Operation**

Requires legislature to retain department of veterans' affairs. Ensures election of sheriffs, property appraisers, supervisors of elections, tax collectors, and clerks of court in all counties; removes county charters' ability to abolish, change term, transfer duties, or eliminate election of these offices. Changes annual legislative session commencement date in even-numbered years from March to January; removes legislature's authorization to fix another date. Creates office of domestic security and counterterrorism within department of law enforcement.

☐ Yes

☐ No

**No. 11 Constitutional Revision, Article I, Section 2, Article X, Sections 9 and 19
Property Rights; Removal of Obsolete Provision; Criminal Statutes**

Removes discriminatory language related to real property rights. Removes obsolete language repealed by voters. Deletes provision that amendment of a criminal statute will not affect prosecution or penalties for a crime committed before the amendment; retains current provision allowing prosecution of a crime committed before the repeal of a criminal statute.

☐ Yes

☐ No

N.º 3 Enmienda Constitucional, Artículo X, Sección 29
Control de Apuestas en Florida por parte de los Votantes

La presente enmienda garantiza que los votantes de Florida tengan el derecho exclusivo a decidir si autorizar o no las apuestas en casinos, exigiendo que para que estas sean autorizadas conforme a la ley de Florida, deban ser primero aprobadas por los votantes de Florida de conformidad con el Artículo XI, Sección 3 de la Constitución de Florida. Afecta los artículos X y XI. Define las apuestas en casinos y aclara que la presente enmienda no discrepa con la ley federal respecto a los convenios entre tribus y el estado.

El impacto de la enmienda en los ingresos públicos y costos del gobierno estatal y local, si los hubiere, no pueden determinarse en este momento. Esto debido a que se desconoce su efecto en las operaciones de apuestas que no hayan sido aprobadas por los votantes mediante una enmienda constitucional propuesta a través de un proceso de petición de iniciativa por parte de los ciudadanos.

- ☐ Sí
- ☐ No

N.º 4, Enmienda Constitucional, Artículo VI, Sección 4
Enmienda de Restablecimiento de Derechos al Voto

La presente enmienda restablece los derechos de votación de los Floridanos que han sido condenados por delitos graves después de que cumplan todos los términos de su sentencia, lo que incluye la libertad condicional o provisional. La enmienda no regiría para aquellos condenados por homicidio o delitos sexuales, a quienes se les seguiría prohibiendo de manera permanente votar, a menos que el Gobernador y el Gabinete votaran para restablecer sus derechos de votación según cada caso en particular.

Los efectos precisos de la presente enmienda en los costos del gobierno estatal y local no pueden determinarse. Sin embargo, la vigencia de las leyes actuales de inscripción de votantes, así como el mayor número de personas condenadas por delitos graves que se inscriban para votar, producirá mayores costos generales en relación a los procesos que existen actualmente. El impacto, si lo hubiere, en los ingresos públicos del gobierno estatal y local no puede determinarse. El impacto fiscal de cualquier legislación futura que implemente un proceso distinto no puede determinarse de manera razonable.

- ☐ Sí
- ☐ No

N.º 5 Enmienda Constitucional, Artículo VII, Sección 19
Voto Mayoritario Requerido para Imponer, Autorizar o Aumentar los Impuestos o Tasas Estatales

Se prohíbe al sistema legislativo imponer, autorizar o aumentar los impuestos o tasas estatales, a excepción de cuando dos tercios de la membresía de cada casa del sistema legislativo hayan aprobado la legislación a través de una ley que no contenga ninguna otra materia. Esta propuesta no autoriza un impuesto o tasa estatal que esté prohibido por la Constitución y no aplica a ningún impuesto o tasa impuesta por, o autorizada para su imposición por, un condado, municipalidad, junta escolar o distrito especial.

- ☐ Sí
- ☐ No

**N.º 6 Revisión Constitucional, Artículo I, Sección 16, Artículo V, Secciones 8 y 21, Artículo XII, Nueva Sección
Derechos de las Víctimas de Delitos; Jueces**

Establece derechos constitucionales para las víctimas de delitos; exige que los tribunales faciliten los derechos de las víctimas; autoriza a las víctimas a hacer respetar sus derechos durante los procesos penales y de justicia juvenil. Exige que los jueces y los oficiales de audiencia interpreten de manera independiente los estatutos y las reglas en lugar de deferir a la interpretación de la agencia gubernamental. Aumenta la edad obligatoria de jubilación de jueces y magistrados estatales desde setenta a setenta y cinco años; elimina la autorización para completar el término judicial si la mitad del plazo se ha cumplido antes de la edad de jubilación.

☐ Sí

☐ No

**N.º 7 Revisión Constitucional, Artículo IX, Secciones 7 y 8, Artículo X, Nueva Sección
Beneficios para los Sobrevivientes de Miembros de Primeros Auxilios y Miembros Militares;
Colegios y Universidades Públicas**

Concede el pago obligatorio de beneficios por fallecimiento y la exención de ciertos gastos de educación a los sobrevivientes calificados de ciertos miembros de primeros auxilios y miembros militares que mueran realizando tareas oficiales. Exige una supermayoría de votos de los administradores universitarios y de la junta de gobernadores del sistema universitario estatal para recaudar o imponer todas las tarifas autorizadas legislativamente si la ley requiere la aprobación de dichos organismos. Establece el sistema de colegios estatales existente como una entidad constitucional; proporciona estructura de gobierno.

☐ Sí

☐ No

**N.º 8 Revisión Constitucional, Artículo IX, Sección 4, Nueva Sección, Artículo XII, Nueva Sección
Límites y Deberes del Termino de la Junta Escolar; Escuelas Públicas**

Establece un límite de mandato de ocho años consecutivos para los miembros de la junta escolar y requiere que la legislatura provea fondos para la promoción de la alfabetización cívica en las escuelas públicas. Actualmente, las juntas escolares del distrito tienen el deber constitucional de operar, controlar y supervisar todas las escuelas públicas. La enmienda mantiene los deberes de una junta escolar a las escuelas públicas que establezca, pero permite que el estado opere, controle y supervise las escuelas públicas no establecidas por la junta escolar.

☐ Sí

☐ No

**N.º 9 Revisión Constitucional, Artículo II, Sección 7, Artículo X, Sección 20
Prohibición de la Perforación de Petróleo y Gas en Alta Mar; Prohibición del Fumado de
Cigarrillos Electrónicos en Lugares de Trabajo Encerrados.**

Prohíbe la perforación para la exploración o extracción de petróleo y gas natural debajo de todas las aguas estatales entre la línea de media alta y los límites territoriales más alejados del estado. Agrega, con excepciones, el uso de dispositivos electrónicos generadores de vapor a la prohibición actual de

consumo de tabaco en lugares de trabajo encerrados; permite ordenanzas locales de vapor más restrictivas.

- ☐ Sí
☐ No

**N.º 10 Revisión Constitucional, Artículo III, Sección 3, Artículo IV, Secciones 4 y 11, Artículo VIII, Secciones 1 y 6
Estructura y Operación del Gobierno Estatal y Local**

Requiere legislatura para conservar el Departamento de Asuntos de Veteranos. Asegura la elección de alguaciles, tasadores de propiedad, supervisores de elecciones, recaudadores de impuestos y secretarios de tribunal en todos los condados; elimina la capacidad de los estatutos del condado para abolir, cambiar el mandato, transferir deberes o eliminar la elección de estas oficinas. Cambia la fecha de inicio de la sesión legislativa anual en los años pares de marzo a enero; elimina la autorización de la legislatura para fijar otra fecha. Crea una oficina de seguridad nacional y contraterrorismo dentro del departamento de aplicación de la ley.

- ☐ Sí
☐ No

**N.º 11 Revisión Constitucional, Artículo I, Sección 2, Artículo X, Secciones 9 y 19
Derechos de Propiedad; Eliminación de la Disposición Obsoleta; Estatutos Criminales**

Elimina el lenguaje discriminatorio relacionado con los derechos de propiedades determinadas. Elimina el lenguaje obsoleto derogado por los votantes. Elimina la disposición de que la enmienda de un estatuto penal no afectará el enjuiciamiento o las sanciones para un delito cometido antes de la enmienda; retiene la disposición actual que permite el enjuiciamiento de un delito cometido antes de la derogación de un estatuto penal.

- ☐ Sí
☐ No

**N.º 12 Revisión Constitucional, Artículo II, Sección 8, Artículo V, Sección 13, Artículo XII, Nueva Sección
Cabildeo y Abuso de Poder por parte de Funcionarios Públicos**

Expande las restricciones actuales sobre el cabildeo para obtener compensación por parte de ex funcionarios públicos; crea restricciones al cabildeo por compensación para funcionarios públicos en servicio y ex magistrados y jueces; proporciona excepciones; prohíbe el abuso de un cargo público por parte de funcionarios públicos y empleados para obtener un beneficio personal.

- ☐ Sí
☐ No

**N.º 13 Revisión Constitucional, Artículo X, Nueva Sección, Artículo XII, Nueva Sección
Fin a las Carreras Caninas**

Elimina progresivamente las carreras caninas comerciales relacionadas con apuestas para el 2020.
Otras actividades de juego no se ven afectadas.

- ☐ Sí
☐ No

FINANCIAL IMPACT ESTIMATING CONFERENCE

FINANCIAL IMPACT STATEMENT VOTING RESTORATION AMENDMENT (14-01)

The precise effect of this amendment on state and local government costs cannot be determined, but the operation of current voter registration laws, combined with an increased number of felons registering to vote, will produce higher overall costs relative to the processes in place today. The impact, if any, on state and local government revenues cannot be determined. The fiscal impact of any future legislation that implements a different process cannot be reasonably determined.

Internal Briefing Paper

Constitutional Amendment #4 (Section 4, [Article VI, Fla. Const.](#))¹

New Amendment Language

Article VI, Section 4. Disqualifications. — (a) No person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent, shall be qualified to vote or hold office until restoration of civil rights or removal of disability. Except as provided in subsection (b) of this section, any disqualification from voting arising from a felony conviction shall terminate and voting rights shall be restored upon completion of all terms of sentence including parole or probation. (b) No person convicted of murder or a felony sexual offense shall be qualified to vote until restoration of civil rights. (c) No person may appear on the ballot for re-election to any of the following offices: (1) Florida representative, (2) Florida senator, (3) Florida Lieutenant governor, (4) any office of the Florida cabinet, (5) U.S. Representative from Florida, or (6) U.S. Senator from Florida if, by the end of the current term of office, the person will have served (or, but for resignation, would have served) in that office for eight consecutive years.

Effective Date

January 8, 2019

Impact for Registration

The registration process will not change. The same eligibility requirements apply. A convicted felon can only register if his or her rights have been restored.² A person must still swear and affirm that he or she is eligible. The onus is on the person when completing the form to know whether he or she meets the eligibility requirements.

Questions:

- Can a person who was previously removed as a convicted felon re-register without proof of restoration of voting rights (i.e., clemency grant or completion of all terms of sentence)?
- Will the following statement currently on the statewide voter registration application form as prescribed by section 97.052(2), Fla. Stat., suffice or have to be more specific to affirm how rights were restored?³ - "I affirm I am not a convicted felon, or, if I am, my rights relating to voting have been restored."
- Does the constitutional amendment mean that all persons previously removed for felony conviction be automatically reinstated to register to vote or do they have to re-register?

Impact for Identifying Potentially Ineligible Registered Voters

By law, primary identification of potentially ineligible registered voters for felony conviction begins only after someone is registered pursuant to section 98.075, Fla. Stat. Although a number of sources may identify such voters, the primary method relies upon data available from the Florida Department of Law

¹ Amendment 4 passed with 64.55% (5,124,892) of the vote in the 2018 General Election

² By clemency grant, by operation of law or by governing law in the state of conviction

³ Currently 'restoration of rights entails an application for clemency and the grant of a certificate which is made available to the convicted felon and also available online.

Enforcement through an initial automated match of two datasets: criminal records and voter registration records. On a case-by-case basis, each match is reviewed manually and a case file developed to determine the credibility and reliability of the match and to obtain supporting documentation as required by § 98.075, Fla. Stat. The current process only looks to whether a felony conviction exists, regardless of the underlying felony offense, and whether there was clemency.

With the law change, the essential process – preliminary identification of ineligible registered convicted felon, creation of credible and reliable file, and cross-checking for restoration of rights does not change. What does change significantly is that the Division will now have to look to the underlying offense of the felony conviction to determine whether the offense is a murder or felony sexual offense versus all other felonies. Then depending on which category the felony offense falls, the search for whether voting rights were restored will be more complex for felony offenses other than murder or felony sexual offense. For murders and felony sexual offenses, the Division would remain the same, i.e., search of the clemency database⁴ operated by the Florida Commission on Offender Review, and for all out-of-state felony convictions, the Division would rely upon the governing law in the state of conviction⁵.

Felony conviction – Murder or Felony Sexual Offense

With the constitutional amendment, a felon convicted of a **murder or felony sexual offense** may register to vote once he or she receives clemency from the Executive Clemency Board which issues a clemency certificate for Florida Felony Offenses and in some cases, a Florida-only out-of-state felony clemency certificate. However, with the following questions arise:

Questions:

- What do criminal justice, judicial and/or law enforcement agencies consider to be offenses that fall with the definition of ‘**murder**’ or ‘**felony sexual offense**’?⁶
 - Murder
 - ✓ Plain meaning and definition – Unlawful killing of any person whatever, with malice aforethought or premeditation or reckless disregard
 - ✓ A definition for murder is found in § 782.04, Fla. Stat.)(Unlawful killing of a human being)
 - ✓ Other terms that may implicate killing – *homicide, assassination, manslaughter, death, killing, slaughter, deadly*
 - Felony sexual offense – some of these offenses would at a minimum appear to fall in this category:

⁴ Florida Commission on Offender Review - <https://fpcweb.fcor.state.fl.us/> Note that the Clemency Board has posted notice on its website indicating that it has “temporarily postponed consideration of pending applications for restoration of civil rights while the new framework required to implement the constitutional changes is defined, which may include the need for implementing legislation in the upcoming legislative session.”

⁵ State Felon Voting Laws – ProCon.org - <https://felonvoting.procon.org/view.resource.php?resourceID=000286>

⁶ Guidance may be needed from criminal justice agencies (e.g., Florida Department of Law Enforcement, Florida Department of Corrections, Attorney General Office, Executive Clemency, U.S. Attorney’s Offices), and Clerks of Court and/or Florida Legislature as to what constitutes a murder and felony sexual offense. See attached preliminary list from Florida Department of Law Enforcement.

- ✓ Sexual offender or sexually violent predator as defined by law
 - ✓ Sexual offender or sexually violent predator otherwise registered and convicted of acts identified in § 394.912(9), Fla. Stat.
 - ✓ Person convicted of sexual offense acts identified in the Evidence Code under § 90.404, F.S.
 - ✓ Person convicted of sexual offense acts identified in § 92.55 (§§ 775.21(4)(a)1. and 943.0435(1)(h)1.a, Fla. Stat.)
- Currently out-of-state court felonies are processed based on the restoration rights law applicable in the state of conviction, will or should that continue even if it is for a murder or felony sexual offense?

Felony conviction –Other than Murder or Sexual Offense

With the constitutional amendment, a felon convicted of **a felony other than murder or sexual offense** may register to vote once he or she completes all terms of sentence. ('automatic restoration by operation of law').

Questions:

- What is the definition and scope of the term "sentence"?
 - Should it include all of the following or since the amendment says 'all terms of sentence including parole or probation', should sentence be up to release of parole or probation?: Prison – Probation⁷ – Parole –Community Control/Service or Other Supervised Release –Pretrial Intervention or Diversion Program – Restitution –Court Costs – Fines – Other Punishment as the Court may impose
 - A definition for "sentence" exists in § 960.291, F.S.
 - The Florida Rules of Criminal Justice define 'sentence as follows: RULE 3.700. Sentence Defined; pronouncement and entry; sentencing judge. (a) Sentence Defined. The term sentence means the pronouncement by the court of the penalty imposed on a defendant for the offense of which the defendant has been adjudged guilty.
 - Terms of a sentence may fall within the purview of one or more entities such as:

⁷ The Florida Commission on Offender Review defines parole and probation as follows:

a. Parole – constitutes the release of an inmate, prior to the expiration of the inmate's court-imposed sentence, with a period of supervision to be successfully completed by compliance with the conditions and terms of the release agreement ordered by the Commission. The decision of the Commission to parole an inmate shall represent an act of grace of the State and should not be considered a right. FCOR administers parole (ch. 947, 948, 949, Fla. Stat. It allows an inmate who has been granted parole to serve the remainder of his or her prison sentence outside the confines of the institution. Once released, the parolee is subject to strict conditions of supervision, and if those conditions are violated, the Commission may return the parolee to prison. See Rule 23-21.0165, Fla. Admin. Code (conditions of parole)

b. Probation – period of supervision in the community imposed by the court, which may serve as an alternative to imprisonment. The Florida Department of Corrections supervises these offenders.
<https://www.fcor.state.fl.us/release-types.shtml>

- ✓ The Florida Department of Corrections (prison, probation, parole, pre-trial intervention/diversion program)⁸
 - ✓ The Clerk of Court/Judges (court fines/costs, restitution as defined in § 775.089, F.S.)⁹
 - ✓ The Florida Commission on Offender Review (issuance of documentation indicating completion of sentence)¹⁰
 - ✓ Interstate Commission for Adult Offender Supervision
- What data/information/documentary sources, if any, exist that can be relied upon to conclude that all terms of a sentence are completed? To our knowledge, no single data/information/documentary source exists to confirm completion of all terms of a sentence.
 - If such source(s) exist, does section 98.093, Fla. Stat., need to be changed to require those entities to make those data/information/documentary sources available?
 - What happens if it is not possible to identify conclusively whether someone has completed his or her sentence?
 - Should section 98.075(7), Fla. Stat., be changed to reflect how convicted felon files are to be processed now that the underlying offense must be taken into consideration for purposes of determining if voting rights have been restored?
 - Will the new law affect the way out-of-state court felonies are currently processed which is to rely upon the voting rights restoration law applicable in the state of conviction?

⁸ For example, a person on probation under the Florida Department of Corrections (DOC) may receive a Termination of Probation. DOC also has a public website with access to several databases. (Absconder/Fugitive, Inmate Escapes, Inmate Population, Inmate Releases, and Supervised Population). However, the search is limited to name and DOC number. For example, a search for the name John Smith without a specific DOC number will yield records of all persons who also uses that name as an alias. Also DOC reuses its DOC numbers once a person is released from full jurisdiction. <http://www.dc.state.fl.us/OffenderSearch/Search.aspx> FDLE records do not necessarily contain DOC numbers.

⁹ For example, a court may reserve jurisdiction to determine restitution at a later date. Such restitution may convert later to a civil judgment.

¹⁰ The current [application form for clemency](#) issued by FCOR contains the following questions regarding sentence which notably breakout of prison, jail release, parole and probation:

E-mail Address: _____

PRISON/PROBATION #: _____

CONVICTIONS: (Please list each conviction and provide court documents for each conviction. If you have more than two convictions, please attach a separate sheet of paper listing all the required information.) **YOU DO NOT NEED TO FILL OUT A SEPARATE APPLICATION FOR EACH CONVICTION.**

Court _____ County/State _____ Date Convicted _____ Date Sentenced _____

What was your sentence? _____

Date you completed/expired your sentence _____ (Please Circle one of the following: Prison Jail Release Parole Probation)

Signature _____ Date _____

Action Plan

Division of Elections

The law under section 98.075(7), Fla. Stat., and Rule 1S-2.041, Fla. Admin. Code provides a 3-4 month timeline for identifying potentially ineligible voters and providing notice and due process.

Until further notice, no files will be forwarded down to the Supervisors of Elections pending re-assessment of the process and any new information is provided as necessary by the Executive Clemency Board, Florida Department of Law Enforcement, Florida Department of Corrections, the Attorney General's Office and/or the Florida Legislature to clarify or further implement the law. Effective December 6, 2018, the Division's Bureau of Voter Registration Services (BVRs) will, however, continue to review and file on a case-by-case basis each potential ineligible felon match as follows:

1. All Matches¹¹ Regardless of Underlying Felony Offense
 - Determine if an initial felony match is invalid based on:
 - ✓ Identity mismatch.
 - ✓ Misdemeanor
 - ✓ Adjudication withheld
 - ✓ Restoration of voting rights (see next bullet point)
 - Continue to apply the same clemency/restoration of voting rights cross-check used to determine whether a match (regardless of underlying felony) is invalid (e.g., clemency granted by the Executive Clemency Board or by operation of the applicable clemency law in the state of conviction (other than Florida) based on the online state felon voting laws compendium at <https://felonvoting.procon.org/view.resource.php?resourceID=000286>.
2. Matches – Specific felony offenses - Florida, federal or other out-of-state convictions for 'Murder' or 'Felony Sexual Offense'.¹²
 - Work file in the same manner as felony match files are currently worked. Obtain court documents. Once determined, valid, staff will flag match file by inserting into the comment field the words "MURDER" or "FELONYSO" and then place match in file for later action.
3. Matches - All other types of felonies (not Murder, not Felony Sexual Offense)
 - Once identified as not a murder or felony sexual offense, insert into comment field the letters –NMFSO (to flag as not murder, not felony sexual offense) and then place the match in file for later action.

¹¹ Florida Department of Law Enforcement represents that it is uncertain if and when it can change and narrow the matching criteria due to ongoing modernization transition efforts. Therefore, it will continue to send us all preliminary automated felony conviction matches based on Florida felony offenses as is the current practice.

¹² If not evident from the documentation or any list that may be provided by FDLE or DOC that the match pertains to a conviction for murder or felony sexual offense, BVRs staff must bump the file up to the immediate supervisor for determination.

Supervisors of Elections

- Supervisors of Elections will not be receiving any files from the Division until further notice pending re-assessment of the process and any new information or guidance on how to clarify or further implement the law.
- Supervisors will have to re-assess any existing potential ineligibility files currently within their custody under the new criteria set forth by the constitutional amendment.¹³
- Supervisors will continue to exercise their determination with respect to section 98.045, Fla. Stat., as to whether an applicant is eligible to register based on the oath affirmed/sworn to under penalty of 3rd degree felony on the form regardless of whether signed by a known or unknown convicted felon. However, the recommendation is that they re-set and not rely on prior removal as is in the statewide voter registration system.

Convicted felon

- Effective January 8, 2019, any applicant who submits an application to register to vote must still swear/affirm under penalty of 3rd degree felony as would any other applicant that he or she is eligible to be registered.
- The responsibility lies with the applicant to swear/affirm as with any applicant that he or she is not a convicted felon, and if so, that either his or her rights are restored whether it is through clemency, by operation of law (all terms of sentence completed) or based on voting rights restoration laws in the state of conviction.
- Once registered, as with any registered voter, he or she remains registered until or unless credible and reliable information is available to determine that the person is not eligible, and subject to removal by the Supervisor of Elections pursuant to section 98.075(7), Fla. Stat. This is the existing

¹³ Alternative possibility: Reset – The Division pulls back the matched files still being worked in the counties as of January 8, 2019 and re-evaluate under new schema.

From: Meredith D. Crawford <mdcrawford@myescambia.com>
Sent: Wednesday, November 28, 2018 11:29 AM
To: Labasky, Ron - FSASE Legal Counsel; Stafford, David H.; Matthews, Maria I.
Cc: Kia M. Johnson; Alain Espinosa; Alain Espinosa
Subject: RE: DRAFT letter re: Amendment 4
Attachments: Amendment 4 DRAFT.docx; Amendment 4 DRAFT.pdf

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Yes, the amendment goes into effect on January 8, 2019.

By my reading, they are simply eligible to register to vote since the "disqualification terminates" and their rights are restored. There aren't any additional requirements for proof/documentation from the voter in the language of the amendment.

I don't think it hurts to add space on the registration form to address the restoration. Something like: "I am not a convicted felon; or I am a convicted felon and was not convicted of murder or a felony sex crime and have completed my sentence; or I am a convicted felon and have had my civil rights restored..."

It doesn't appear that you are precluded from requesting additional information related to the jurisdiction of the crime (so that you can confirm the sentence is complete) but it should be a request and not a requirement. And the burden could be on us and not the voter. At least unless and until there is further direction from the powers that be. Make sense?

Here is the complete text of the amendment:

Article VI, Section 4. Disqualifications.—

(a) No person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent, shall be qualified to vote or hold office until restoration of civil rights or removal of disability. Except as provided in subsection (b) of this section, any disqualification from voting arising from a felony conviction shall terminate and voting rights shall be restored upon completion of all terms of sentence including parole or probation.

(b) No person convicted of murder or a felony sexual offense shall be qualified to vote until restoration of civil rights.

(b c) No person may appear on the ballot for re-election to any of the following offices:

- (1) Florida representative,
- (2) Florida senator,
- (3) Florida Lieutenant governor,
- (4) any office of the Florida cabinet,
- (5) U.S. Representative from Florida, or
- (6) U.S. Senator from Florida

if, by the end of the current term of office, the person will have served (or, but for resignation, would have served) in that office for eight consecutive years.

See attached changes to your draft letter. Just my two cents. Let me know your thoughts. I'm always happy to discuss.
Meredith

Meredith D. Crawford
Assistant County Attorney
Escambia County Attorney's Office
221 Palafox Place, Suite 430
Pensacola, FL 32502
Telephone: (850) 595-4970
Fax: (850) 595-4979

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PUBLIC RECORDS: Florida has a very broad public records law. As a result, any written communication created or received by Escambia County officials and employees will be made available to the public and media, upon request, unless otherwise exempt. Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this office. Instead, contact our office by phone or in writing.

From: Ronald Labasky <rlabasky@bplawfirm.net>
Sent: Tuesday, November 27, 2018 12:08 PM
To: David Stafford <dstafford@escambiavotes.com>; Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>; Meredith D. Crawford <mdcrawford@myescambia.com>
Subject: RE: DRAFT letter re: Amendment 4

David: I think the amendment is effective January 8, 2019.

From: David Stafford <dstafford@escambiavotes.com>
Sent: Monday, November 26, 2018 3:28 PM
To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>; Ronald Labasky <rlabasky@bplawfirm.net>; Meredith D. Crawford <mdcrawford@myescambia.com>
Subject: DRAFT letter re: Amendment 4

We have received several applications from voters we have previously removed for loss of civil rights due to a felony conviction. As we have yet to receive any guidance from anyone regarding implementation of Amendment 4, I have drafted the attached letter as a placeholder. Please let me know if you have any suggested edits or concerns.

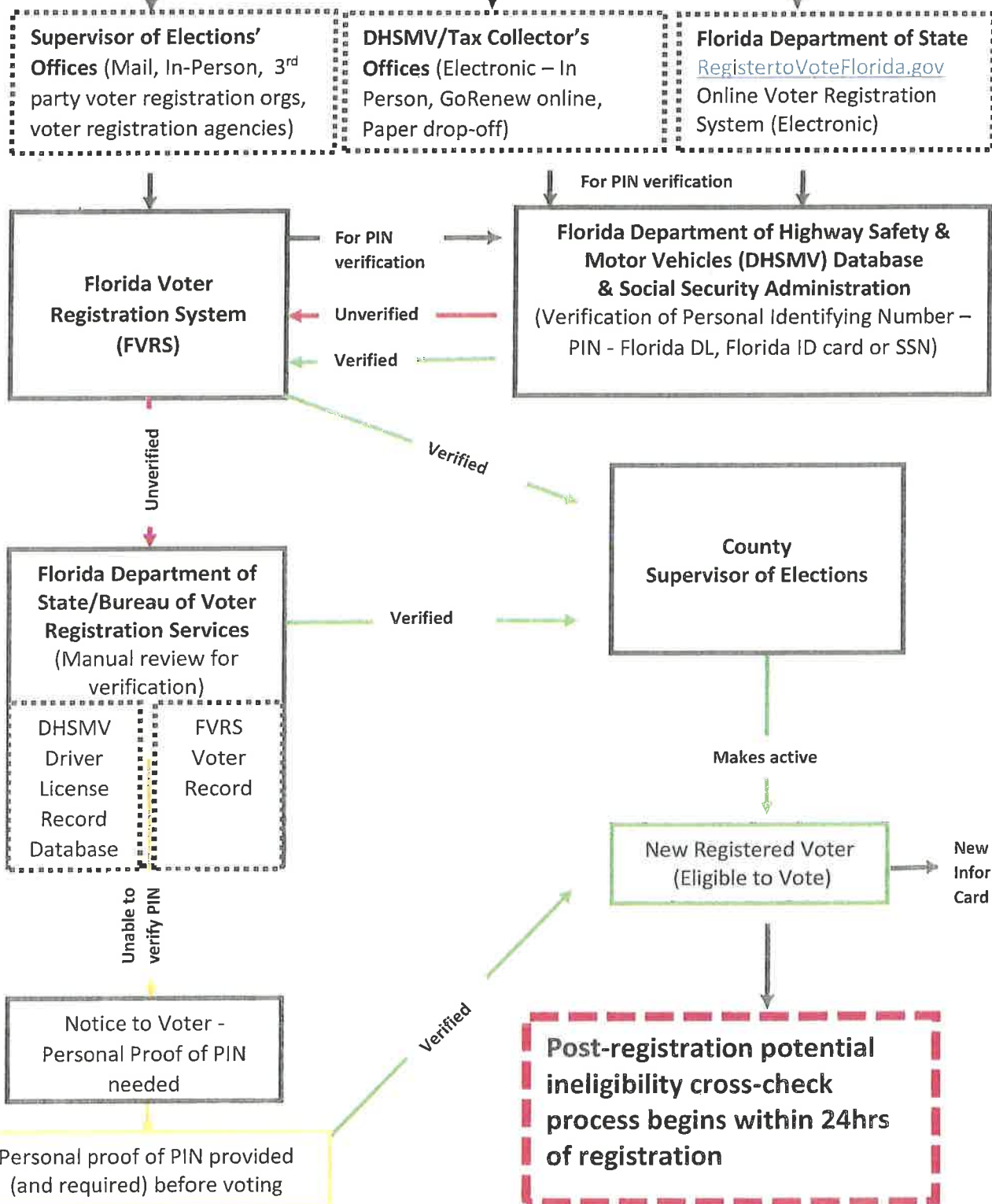
Thanks,

David H. Stafford, CERA
Escambia County Supervisor of Elections
(850) 595-3900
dstafford@escambiavotes.com
Follow us @EscambiaVotes
Like us on Facebook

New Voter Registration Process

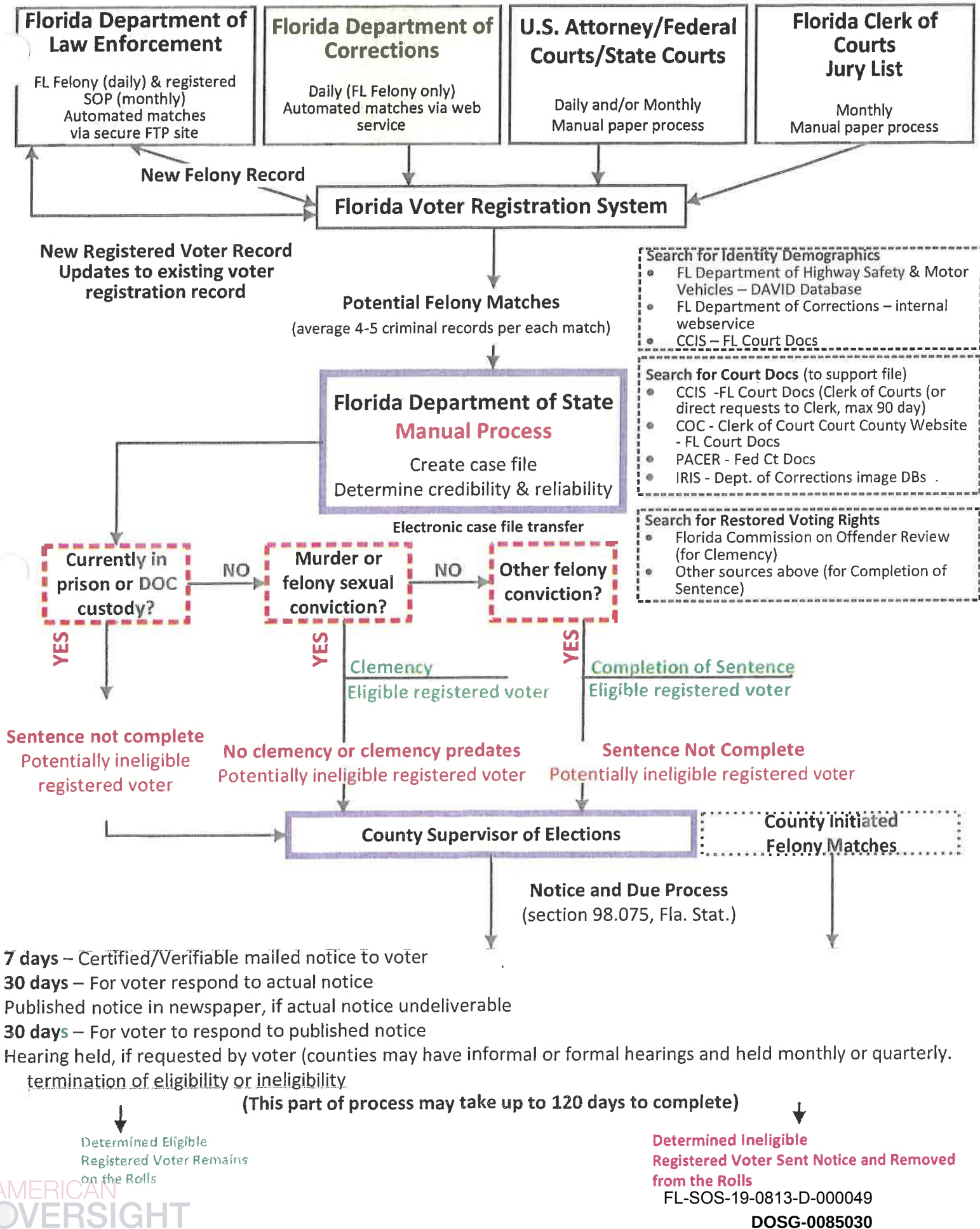
(Rev. 4-1-2019)

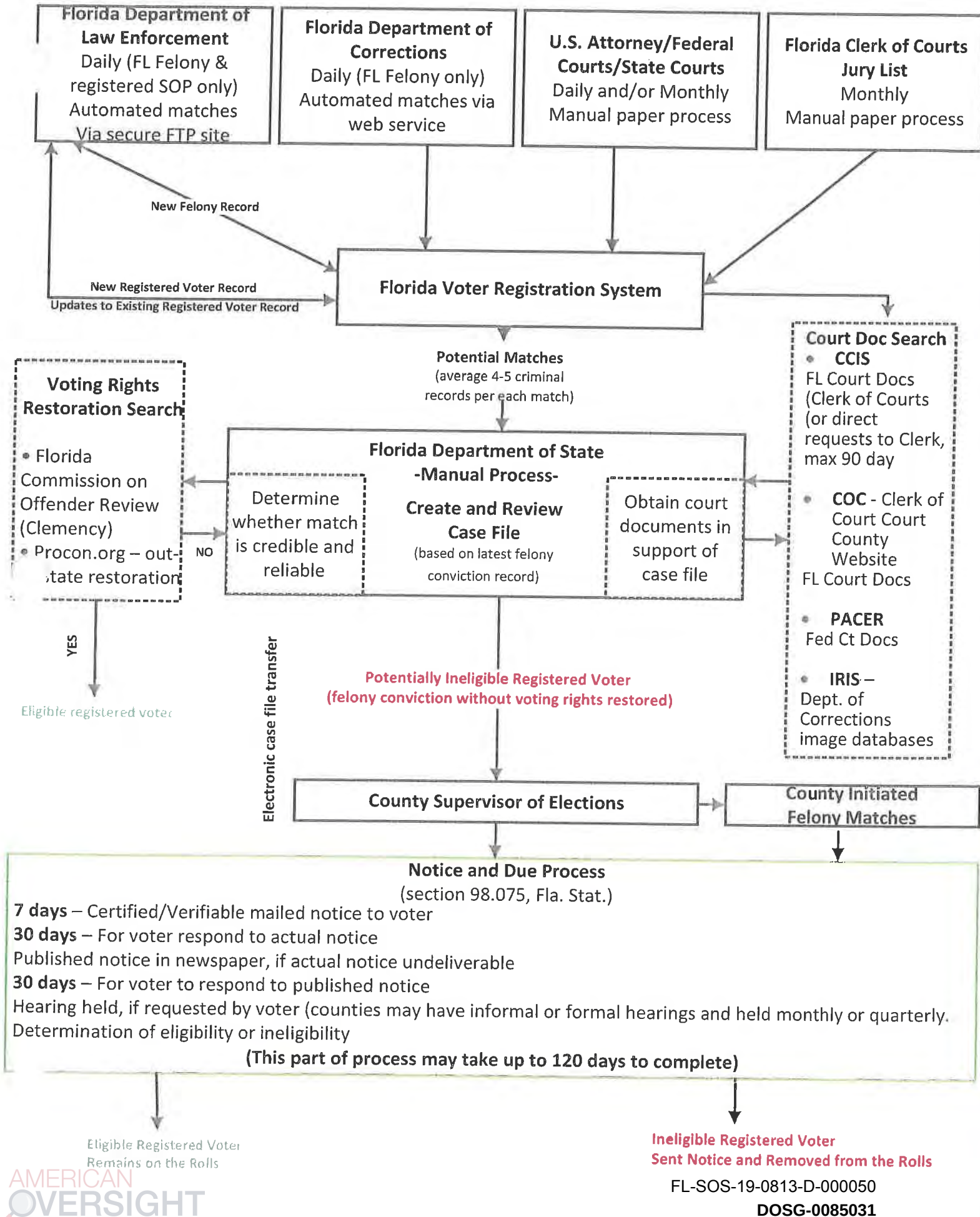
Application for New Registration Submitted
(Complete on its face – s. 97.053, Fla. Stat.)



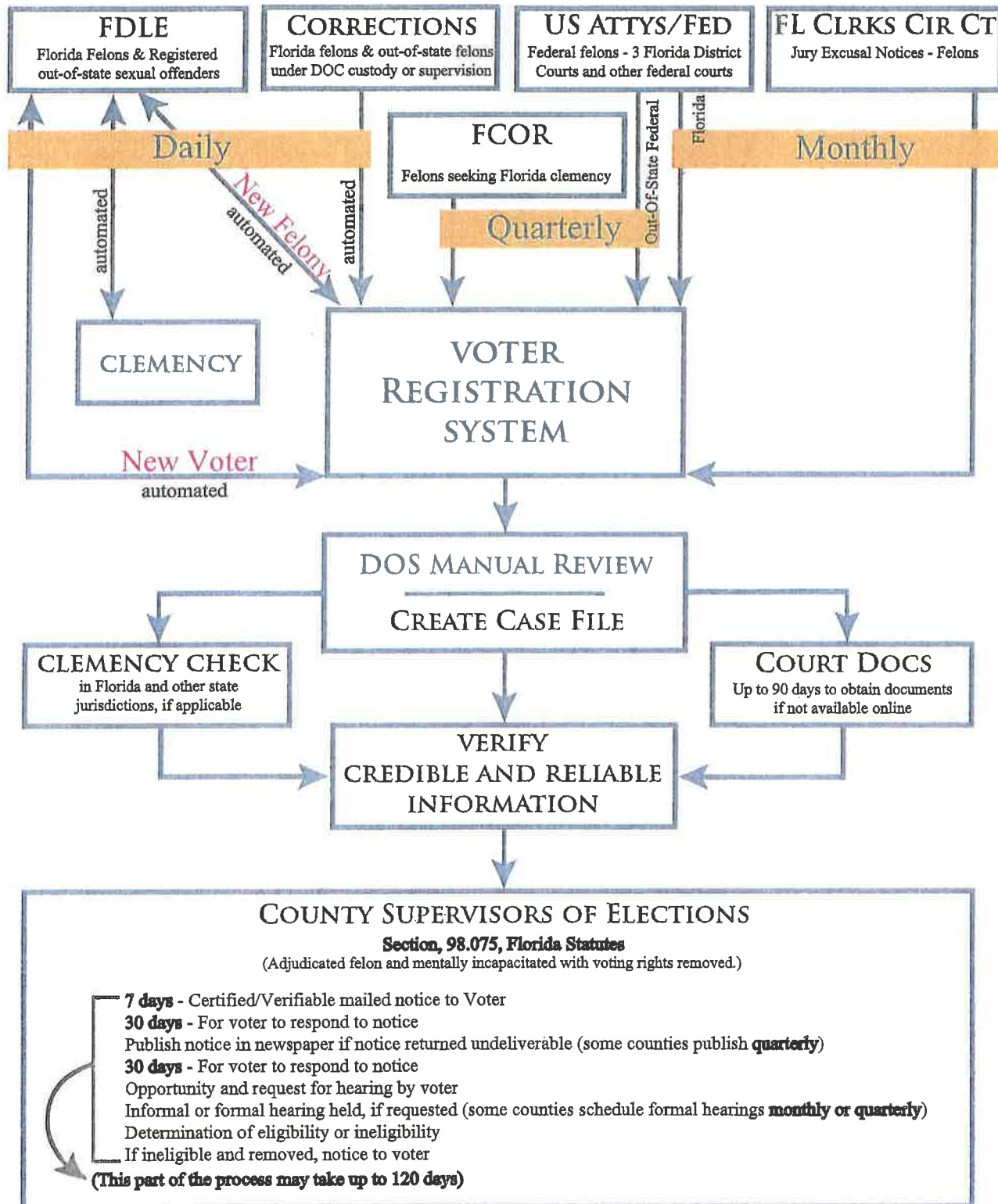
Felon Identification and Removal Process

Post- Constitutional Amendment 4 and Chapter 2019-162, Laws of Florida (08.2019)





FLORIDA FELON REMOVAL PROCESS



Bureau of Voter Registration Services

Processing Felon Match Files Pursuant to 2018 Constitutional Amendment 4

1. New Procedures (This now supersedes the previously provided 12/14/2018 procedures)

Effective January 31, 2019, and until directed otherwise, the following process for felon (FDLE – Florida Department of Law Enforcement, DOC – Florida Department of Corrections, FL FED – Florida Federal Felony Convictions) match file creation and review shall be applied:

- Felon match case files shall be categorized with the new Comments in the table below. Comments shall be entered using all caps and letters as indicated:

Table 1

Do not use the CREDIBLE and INVALID comment notations at this time.

Comment	Defined
MURDER_V	Murder felony valid case file
MURDER_I	Murder felony invalid case file
FELONYSO_V	Sexual offense felony valid case
FELONYSO_I	Sexual offense felony invalid case
NMNSO	Not a murder, not a sexual offense case file

- All currently assigned matches, new matches and future assigned matches will need to be worked using the comments above.

At this time, an Examiner is to send valid/invalid Murder and Felony SO felon matches for review. The Reviewer will review. The Reviewer must save these MID's to their folder and then email Amber with the MID so that the MID can be pulled and a secondary review can be completed. Only the secondary reviewer is authorized to send valid Murder match files to the county for processing and/or complete the final invalidation of files. The Valid FelonySO files will be sent to the SOE at a different time. In the interim the valid FelonySO files will stay in the secondary reviewer's folder.

- We will continue to use the following notations:
 - Court Docs Ordered (county 3 letter code), date ordered
 - Sarah/FDLE (#of blank cases), date ordered
 - Waiting on IRIS, date ordered

2. Match Examples – Invalid

Folder comments shall be noted as **MURDER_I**, **FELONYSO_I**, or **NMNSO** based on examination of case files.

Special matches

- Types: Misdemeanor (MM), Nolle Pros, Adjudication W/H, juvenile delinquent and blank cases.
- These matches are still to be referred to the Florida Department of Law Enforcement (FDLE for further research for why match occurred).
- While waiting for feedback from FDLE, forward these special matches - MM, Nolle Pros, Adjudication W/H and juvenile delinquent – to Reviewer with the new invalid comment. Based on information we receive from FDLE such as if it was a Violation of Probation (VOP), we can reassign.

For NMNSO matches only, the match is to be saved to the Examiner's folder without creating a full case file. This means the Examiner will not be determining whether the NMNSO match falls into one of the bullets above. When we get to the point where the queue is empty, the Examiner is to revisit the NMNSO files in his or her folder and work the match by adding all required documentation and re-save it to your folder. NMNSO matches are not sent for review.

- Blank cases are addressed below in sub header 3. (Match Examples to Be Saved to Your Folder).

ID Mismatches

A judgment/arrest information will be continued to be ordered even if information is under a different name in CCIS. There are exceptions to this when an Examiner finds:

- A DOC for felon(non-voter) which has the case number listed.
- The felon and voter match only on a common last name (Example: Brown) and it has two different sexes – everything you look at points to two different individuals (verified by HSMV info/pics). Use common sense when determining this.
- These can be sent for review since they are invalid.

Other Invalid Matches – Clemency and Insufficient Documentation

The below matches must be sent for review and invalidated pursuant to the BVRSA list of invalid reasons. Use the new invalid comments in Table 1.

- Invalid due to insufficient documentation
- Invalid due to clemency applied

3. Match Examples – To be Sent or Saved

Found cases

If an Examiner finds a case for the voter record that was not matched, the Examiner must provide the case to the BVRSA executive assistant, Sarah. BVRSA will reach out to FDLE to have the match updated.

Blank cases

An Examiner should only request further information if the blank case is the only one in the match and/or if the Examiner cannot make a case with any of the other listed and there is a blank (i.e., a case is found that wasn't in the match as this still needs to be sent to FDLE). Under this new processing if you cannot make a valid murder or SOP case with any of the cases listed and there is a blank you must request the blank from FDLE.

Review

Do not forward for review Found cases and Blank cases until hearing back from FDLE. After hearing back from FDLE, if the case is:

- If the case is valid, notate appropriately as **MURDER_V**, **FELONYSO_V** as notated below and send for review. *Excludes Attempted Murder and Attempted SOP – these should be saved to your folder.* We are also providing you with the list of statutes for Murder and SOP Cases as provided by FDLE.
- If the case is invalid notate appropriately as **MURDER_I**, **FELONYSO_I** and send for review.
- If the case is an NMNSO regardless of being valid or invalid, please save to your folder without completing the case file. When we get to the point where the queue is empty you can revisit the NMNSO files in your folder.

4. Match Reminders for Examiners and Reviewers

- Cases by person (this is the search done in CCIS which shows all cases under the person's name): Should be included in all invalid cases to verify examiner has looked at everything.
- Review all documents related to the felony conviction and pay attention to the counts. There may be multiple documents needed to include all counts for a particular case.

- Every case is different therefore if you have questions please ask. Some of these will be on a case by case basis depending on how complex.
- Out of State (OOS) cases and OOS FED cases are still created following the processing procedures in place prior to Amendment 4 since those are not limited to Sexual Offender/Predators (SOP) and Murder offenses.

5. County Match

At this time there is no need to look at the county match file.

6. Work Order

At this time everyone should be working the queue when processing felons. When we get to the point where the queue is empty you can revisit the NMNSO files in your folder. You can designate one day a week to process your returned court docs. Remember if the file is an NMNSO then you must add the court docs and save back to your folder without processing further until the felon queue is cleared.

Staff to sign: I have read and understood the procedures in this document. If I have any questions, I will consult with my immediate supervisor.

Print Name/Signature _____ Date _____

Bureau of Voter Registration Services

Processing Felon Match Files Pursuant to 2018 Constitutional Amendment 4

(s. 4, Art. VI, Fla. Const.¹)

1. Procedures (Effective June 1, 2019 – supersedes previously provided procedures)

The following process for felon (FDLE – Florida Department of Law Enforcement, DOC – Florida Department of Corrections, FED – Federal Felony Convictions, SOP – Sexual Offender Predator, INT – Interstate) match file creation and review shall be applied.

Note: We are starting completely over with processing our electronic case files (this includes all court doc requests and FDLE requests) under these new procedures. All assigned matches will be placed back in the felon queue. The older document images will still be available but you will need to treat the case file as if you are looking at the match for the very first time. This means you will need to re-scan all screenshots. The older screenshots are only there for your reference. You are required to highlight the 3 demographics you are using to confirm the felon/voter matching.

Our focus will be on working the felon files in phases beginning with Phase I. Once Phase I is complete we will begin with Phase II etc. Disclaimer: All processes and procedures are subject to change.

a. Order

Work DOC matches first, instead of FDLE matches. Pay close attention to bundles.

b. Comments

- Categorize all felon match case files with the new Comments in the table below when sending for review.
- Copy and paste the comment into the comment field – do not type or re-type. This will reduce errors in the comment field. Enter comments using all caps and letters as indicated:

Table 1

Do not use the CREDIBLE and INVALID comment notations at this time.

Comment	Defined
MURDER_V	Murder felony valid case file
MURDER_I	Murder felony invalid case file
FELONYSO_V	Sexual offense felony valid case
FELONYSO_I	Sexual offense felony invalid case
NMNSO_V	Not a murder, not a sexual offense felony valid case
NMNSO_I	Not a murder, not a sexual offense felony invalid case

¹ "SECTION 4. Disqualifications.—

(a) No person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent, shall be qualified to vote or hold office until restoration of civil rights or removal of disability. Except as provided in subsection (b) of this section, any disqualification from voting arising from a felony conviction shall terminate and voting rights shall be restored upon completion of all terms of sentence including parole or probation.

(b) No person convicted of murder or a felony sexual offense shall be qualified to vote until restoration of civil rights. . . ."

c. Notations (when saving to your folder)

Use the following notations:

- Court Docs Ordered (county 3 letter code), date ordered
- FDLE (#of blank cases), date ordered
- FDLE adding found case, date ordered
- FDLE correcting match info, date ordered
- Waiting on IRIS, date ordered

2. Incarcerated/Supervised – Phase I

Under Phase I, DOC matches are to be examined and reviewed to determine whether the person is still in prison or under supervision, regardless of the underlying felony offense. If the person is under either of these two statuses, proceed with the validation of the file.

- A judgment is not required to be included with the match file. Include instead the DOC screenshot of the individual from the DOC offender network webpage which should show the case, conviction and the release date (Example: DOC 073396). However, if DOC screenshot is not available please save the match to your folder and notify Amber. You would still have all other screens for a full case file². You would invalidate the file if the VID appears in the County Match from 1/8/2019 to present or if the file is an ID Mismatch. Make sure you are properly notating the invalidation reason in the other field on the case file review certificate.

3. Murder/Felony Sexual Offense (SO) – Phase II

Under Phase II, matches that do not show a person under DOC supervision or in prison are to be examined for the underlying offense of murder or SO conviction.

- Refer to the Quick Reference Guide for Felony Sexual Offenses and Murder offenses. Please note that the statute used in felony determination will need to be documented in the Other field on the case file review certificate. If the case(s) has a statute that is not included in the Quick Reference Guide (example: valid attempted murder) this would be considered an NMNSO case.
- If a Murder or SO case is found, then proceed with that case – do not consider additional matched cases at this juncture.
- If no valid Murder or SO case is found, then continue to look at all NMNSO matched cases to identify the proper file determination. Then refer to section 4.
- Example of no valid cases: If you have two matched cases and the older case is a Murder_I and the most recent case is a NMNSO invalid due to adjudication withheld you would make the final file determination on the most recent case information.
- Murder/felony sexual offense case files require a judgment to be included – no exceptions.

4. Not Murder Not Felony Sexual Offense (NMNSO) – Phase III

Under Phase 3, matches that do not fall under Sections 1 and 2 are to be examined to determine if all terms of the sentence including restitution, court fees, and fines (collectively “court fees”), have been completed for the felony conviction(s). These are NMNSO matches.

² Full case file breakdown is found on page 5 of this document.

- At this juncture, we are unable to determine completion of sentence as to “court fees” on these matches. Nonetheless, create a full case file³ on NMNSO matches. Send the NMNSO files to the Reviewer with the proper invalidation reason notated in the other field on the case file review certificate.
- The Reviewer will verify you have completed the case file in its entirety but for “court fees.” If the Reviewer finds the match valid, but the “court fees” are undetermined, the file will be deemed invalid by the Reviewer with the new invalidation type: **NMNSO – Court Fees Undetermined**.
- These felony NMNSO match cases will be re-processed if and when credible and reliable source(s) for “court fees” information is identified and a determination of completion can be made.

5. Match Examples – Invalid

Folder comments shall be noted as **MURDER_I**, **FELONYSO_I**, or **NMNSO_I** based on examination of case files.

a. Special matches

- Types: Misdemeanor (MM), Nolle Pros, Adjudication W/H, juvenile delinquent and blank cases. These matches are still to be referred to the Florida Department of Law Enforcement (FDLE) for further research for why match occurred.
- Pending feedback from FDLE, forward special matches - MM, Nolle Pros, Adjudication W/H and juvenile delinquent – to Reviewer with the new invalid comment. Based on information received from FDLE, such as if it was a Violation of Probation (VOP), the match will be reassigned.
- Blank cases are addressed below in section 6. (Match Examples - To Be Sent or Saved).
- Reviewers should only be using the below auto invalid reasons:

Select a Reason for Felon Match Invalidation:

- ☐ Identity Mismatch
- ☐ Insufficient Documentation
- ☐ Clemency Applied
- ☐ Adjudication withheld
- ☐ Misdemeanor Adjudication
- ☐ Deceased
- ☐ Already removed by SOE
- ☐ Felony case Nolle Pros
- ☐ NMNSO Court Fees Undetermined
- ☐ Other

Write other reason here (50 character limit;)

Enter Clemency Applied Date here (MM/DD/YYYY)

Finalize Invalidation Cancel Invalidation

- Example of Other would be: In County Match file.

b. ID Mismatches

Send to Reviewer. A judgment/arrest information will continue to be ordered, even if information is under a different name in CCIS. There are exceptions to this when an Examiner finds:

- A DOC for felon(non-voter) which has the case number listed.

³ Full case file breakdown is found on page 5 of this document.

- The felon and voter match only on a common last name (Example: Brown) and it has two different sexes – everything you look at points to two different individuals (verified by HSMV info/pics). Use common sense to make these determinations. If the Examiner and Reviewer disagree on the outcome the immediate supervisor will make the final determination.

c. Other Invalid Matches – Clemency and Insufficient Documentation

Send for review the following invalid matches pursuant to the BVRSA list of invalid reasons. Use the new invalid comments in Table 1 (page 1).

- Invalid due to insufficient documentation
- Invalid due to clemency applied

6. Match Examples – To be Sent or Saved

a. Found cases

If an Examiner finds a case for the voter record that was not matched, the Examiner must provide the case to the BVRSA administrative assistant's inbox at their desk. BVRSA will reach out to FDLE to have the match updated (only if you are unable to make a valid case with those that were already listed within the match). These files will be saved to your folder until the match is updated.

b. Blank cases

An Examiner should only request further information if the blank case is the only case in the match and/or if the Examiner cannot make a valid case with any of the other cases listed and there is a blank (i.e., a case is found that wasn't in the match as this still needs to be sent to FDLE). Under this new process if you cannot make a valid Murder or SO case with any of the cases listed and there is a blank you must request the blank from FDLE. These files will be saved to your folder until FDLE updates the match.

c. Review

Do not forward for review Found cases and Blank cases until hearing back from FDLE. After hearing back from FDLE, if the case is:

- Valid, notate appropriately as MURDER_V, FELONYSO_V and send for review.
- Invalid, notate appropriately as MURDER_I, FELONYSO_I and send for review.
- NMNSO, you will complete the case file in its entirety up until the step of determining court fees and then send for review.

7. Match Reminders for Examiners and Reviewers

- Search the voter's name and DOB in DAVID for every case creation, even if there is a DL listed in CCIS for the felon. This is part of your check to assure voter and felon are the same.
- Include cases by person (this is the search done in CCIS which shows all cases under the person's name) in all invalid cases to verify examiner has looked at everything.

- Review all documents related to the felony conviction and pay attention to the counts. There may be multiple documents needed to include all counts for a particular case.
- Do not hesitate to ask questions- every case is different. Some of these will be on a case by case basis depending on how complex.

Other Important Reminders

8. County Match

We will be starting fresh with the County Match File as of 6/1/2019. Anything added to the County Match File as of 1/8/2019 will negate the need to work the electronic match. These should be invalidated accordingly. Anything prior to 1/8/2019 would still be processed according to our felon file creation procedures as if it were not found in the County Match File.

9. Work Order

At this time everyone should begin selecting Next Doc as there are no longer matches assigned in your folder.

10. Full Case File

- Case File Review Certificate
- BVRSA Screenshot
- DAVID Screenshot
- CCIS Screenshot
- Court Documents (unless processing the Phase I files for Incarcerated/Supervised)
- DOC Screenshot (DOC and DOCBVRS)
- Clemency Screenshot (FCOR and BVRS)

11. Acknowledgement of above felon file procedures

After you have read and understood these above procedures; please sign and date the block below and provide the signed page to your immediate supervisor.

Staff to sign: I have read and understood the procedures in this document. If I have any questions, I will consult with my immediate supervisor.

Print Name _____ Title _____
Signature _____ Date _____

Matthews, Maria I.

From: Marconnet, Amber
Sent: Tuesday, September 10, 2019 4:26 PM
To: Matthews, Maria I.; Brown, Toshia
Cc: Modrow, Janet
Subject: RE: CA 4 - DRAFT procedures
Attachments: ConstAmend 4 - BVRS Internal -Felon Case Procedures eff 20190811 DRAFT.docx

Attached please find my comments, edits and follow-up questions.

Janet – I would like to go over a couple of items with you when you have a moment.

Toshia – can you please review?

Thanks,

Amber Marconnet

Sr. Management Analyst Supervisor
Division of Elections, Bureau of Voter Registration Services
R.A. Gray Building, Room 316
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6224

From: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Sent: Monday, September 9, 2019 5:28 PM
To: Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>; Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>
Cc: Modrow, Janet <Janet.Modrow@DOS.MyFlorida.com>
Subject: RE: CA 4 - DRAFT procedures

Thanks Amber!

From: Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>
Sent: Monday, September 9, 2019 5:27 PM
To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>; Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>
Cc: Modrow, Janet <Janet.Modrow@DOS.MyFlorida.com>
Subject: RE: CA 4 - DRAFT procedures

Looking at this and will get back to you.

Thanks,

Amber Marconnet

Sr. Management Analyst Supervisor
Division of Elections, Bureau of Voter Registration Services
R.A. Gray Building, Room 316
500 S. Bronough Street
Tallahassee, Florida 32399

From: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Sent: Monday, September 9, 2019 9:56 AM
To: Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>; Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>
Cc: Modrow, Janet <Janet.Modrow@DOS.MyFlorida.com>
Subject: RE: CA 4 - DRAFT procedures

I appreciate the attention to detail and grappling with this issue and coming up with procedures we can all feel comfortable about.

Please find attached latest version based on our discussion. While all types of felony conviction records will be coming in, processing the MSNSO will require us to wait for the outcome of the RVR workgroup and our ongoing discussions with the clerks of court.

So I need you to please fill in when we can do interim-wise with identified MSNSOs so that once we are comfortable with credible and reliable information we obtain, we can proceed.

I would like to be able to move forward this week if you think that is possible.

I understand Janet will be back on Tuesday or Wednesday.

From: Matthews, Maria I.
Sent: Wednesday, August 28, 2019 8:17 AM
To: Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>; Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>
Cc: Modrow, Janet <Janet.Modrow@DOS.MyFlorida.com>
Subject: RE: CA 4 - DRAFT procedures

I'll set something for 10:15 my office. I don't know that Janet has had time to be able to review with everything else going on. I know she was wanting to review in case there were additional comments to be added into the field for later statistical pulls if necessary.

At this juncture, I think it is important that we move forward.

From: Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>
Sent: Tuesday, August 27, 2019 6:19 PM
To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Cc: Modrow, Janet <Janet.Modrow@DOS.MyFlorida.com>; Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>
Subject: Re: CA 4 - DRAFT procedures

That is the latest. We haven't further discussed your changes/questions with you since our short meeting. Are you available to meet tomorrow to finish discussion? I am not sure Janet has had a chance to review.

Amber

Sent from my iPhone

On Aug 27, 2019, at 6:14 PM, Matthews, Maria I. <Maria.Matthews@dos.myflorida.com> wrote:

Do you have a later version for me to look at or should I look at this one?

From: Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>
Sent: Thursday, August 15, 2019 6:22 PM
To: Modrow, Janet <Janet.Modrow@DOS.MyFlorida.com>
Cc: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>; Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>
Subject: CA 4 - DRAFT procedures

Janet,

Attached is a very rough draft of our procedures we are working on.

The attached incorporates Maria's changes but not mine or Toshia's. We had a mini meeting with Maria today but were interrupted so we will hopefully finalize next week.

Per our conversation you wanted to see the rough draft so we could compare file comments etc.

Let's discuss on Friday if you have a chance to review. ☺

Thanks,

Amber Marconnet

Sr. Management Analyst Supervisor
Division of Elections, Bureau of Voter Registration Services
R.A. Gray Building, Room 316
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6224

<ConstAmend 4 - BVRS Internal -Felon Case Procedures eff 20190809 draft tm edits mm edits 8-11 (002).docx>

Bureau of Voter Registration Services

Processing Potential Felon Match Files

(s. 4, Art. VI, Fla. Const.¹ and Section 98.075 and 98.0751, Fla. Stat.)

Internal Procedures

Effective September 11, 2019, examiners and reviewers shall apply the following procedures to create and review credible and reliable felon (FDLE – Florida Department of Law Enforcement, DOC – Florida Department of Corrections, FED – Federal Felony Convictions, SOP – Sexual Offender Predator, INT – Interstate) match files. These procedures supersede any previously provided procedures.

Note: Each match that is assigned, examined, and reviewed must be worked in the manner detailed herein. All previously assigned matches will be placed back in the "felon queue". The older document images for those matches will still be available but you will need to treat the case file as if you are looking at the match for the very first time under the new procedures. This means you will need to re-scan all screenshots. The older screenshots are only there for your reference. You are required to continue highlighting the 3 demographics you are using to confirm the felon/voter matching. Disclaimer: All processes and procedures are subject to change upon written notification.

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1. Order

Pay close attention to bundles. Work DOC matches first, instead of FDLE matches. Some cases will need to be saved to your folder with a specialized comment. We will review those in the procedures below.

Comments

- Categorize all felon match case files with the new Comments in the table below when sending for review.
- Copy and paste the comment into the comment field – do not type or re-type. This will reduce errors in the comment field. Enter comments using all caps and letters as indicated:

Table 1

Do not use the CREDIBLE and INVALID comment notations at this time.

Comment	Defined
MURDER V	Murder felony valid case file
MURDER I	Murder felony invalid case file
FELONYSO V	Sexual offense felony valid case
FELONYSO I	Sexual offense felony invalid case
NMNSO V	Not a murder, not a sexual offense felony valid case
NMNSO I	Not a murder, not a sexual offense felony invalid case

¹ Art. VI, Fla. Const. - SECTION 4. Disqualifications.—

(a) No person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent, shall be qualified to vote or hold office until restoration of civil rights or removal of disability. Except as provided in subsection (b) of this section, any disqualification from voting arising from a felony conviction shall terminate and voting rights shall be restored upon completion of all terms of sentence including parole or probation.

(b) No person convicted of murder or a felony sexual offense shall be qualified to vote until restoration of civil rights.

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3. Notations (when saving to your folder)

Use the following notations:

- o Court Docs Ordered (county 3 letter code), date ordered
- o FDLE (#of blank cases), date ordered
- o FDLE adding found case, date ordered
- o FDLE correcting match info, date ordered
- o Waiting on IRIS, date ordered
- o Waiting on HSMV, date sent to SMAS

4. Types of felony conviction cases

- The files in the queue will be a mix of those with cases that show Incarcerated, Under Supervision, Murder, Felony Sexual Offense (SO) and Not Murder Not Felony Sexual Offense (NMNSO) cases.
- A judgment is required for all matched case files, regardless of the underlying felony offense. For NMNSO cases, you will additionally need sentencing documents. This is further explained below.

5. Initial search process

- Start examination first by searching the DOC offender network webpage in order to see if the individual is incarcerated or under supervision for a felony conviction. You will need to include a DOC screenshot of the individual from the DOC offender network webpage if available along with all of your other documents for a full case file².
- Start research with the most recent matched case and work your way down. Once you find a valid case you do not need to look at further matched cases. However, in some matches you may have to research all matched cases.
- Search the County Match folder. Invalidate the case if the Voter Identification Number (VID) appears in the County Match from 1/8/2019 to present or if the file is an ID Mismatch. Make sure you are properly notating the invalidation reason in the Other field on the case file review certificate.
- For Felony Sexual Offenses and Murder Convictions, refer to the attached Quick Reference Guide for such offenses. Please note that the statute used in valid felony determination will need to be documented in the Other field on the case file review certificate for murder and SO cases. If the case(s) has a statute that is not included in the Quick Reference Guide (example: felony conviction for attempted murder) this would be considered an NMNSO case.
 - o If an Incarcerated or Under Supervision (for a felony conviction) Murder or SO case is found, then proceed with that case – do not consider additional matched cases at that juncture.
 - o If not Incarcerated or Under Supervision (for a felony conviction) Murder or SO case is found, then continue to look at all matched cases to identify the proper file determination.

Example of no valid cases: If you have two matched cases and the older case is a Murder_1 and the most recent case is a NMNSO_1 due to adjudication withheld you would make the final file determination on the most recent case information.

² Full case file breakdown is found on page 6 of this document.

Commented [MM11]: Should you be adding here that sentence order is also required for all case files based on felony convictions other than murder or felony sexual offense or should we just require for all?

Commented [MM12R1]: See edit. You ok with it?

Commented [MA3R1]: Yes, looks great. Do you want us to go ahead and request all documents when having to reach out to the COC? If the case is not in CCIS then the examiner will not know if it is murder, SO or NMNSO until the court docs are received. If we request the sentencing/financial information from the beginning we won't have to put in a second request with the COC.

Commented [MM14]: Spell out the first time and abbreviate, then thereafter use abbreviation

Commented [MASR4]: Done

Commented [MM16]: Is this right? I'm not sure I understand it.

Commented [MM17R6]: Would the person, then would the next case being the Murder?

Commented [MA8R6]: We talked about this in your office. This is just when multiple matched invalid cases are researched how should the file be invalidated. This will be different in the modernization but for our current process we need to know how to finalize the invalidation.

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- For Felony NMNSO conviction(s), obtain the sentencing document(s) that identify the financial obligations (restitution³, fines, fees, and court costs), if any ordered as part of the sentence.

- If there are no financial obligations ordered as part of the terms of the sentence, invalidate the file and enter the following in the Other field - NMNSO - No Fees. The Reviewer will invalidate by placing this comment in the Other category.
- If there are financial obligations ordered as part of the terms of the sentence, search for Financial Summary information in CCIS¹ and include the Financial Summary screenshot in all felony NMNSO cases regardless of what the information shows, unless under supervision or incarcerated, as part of a full case file¹. Invalidate the file and enter the following by entering in the Other field, NMNSO Court Fees Undetermined. The Reviewer will invalidate by placing this comment in the Other category.

Once your file/research is complete you will send the NMNSO files to the Reviewer with the proper invalidation or validation reason notated in the Other field on the case file review certificate. You would still use the file comments in Table 1 before sending for review.

6. Financial Obligations in Felony NMNSO case files

The following process is deferred at this time.

Search for Financial Summary information in CCIS¹ to determine if the financial obligations as they appear as part of the terms on the sentencing document(s) have been completed. You must include the Financial Summary screenshot in all felony NMNSO cases, unless under supervision or incarcerated, as part of a full case file¹. Once your file/research is complete you will send the NMNSO files to the Reviewer with the proper invalidation or validation reason notated in the Other field on the case file review certificate. These reasons are covered herein.

The Reviewer will verify that you have properly prepared and completed the case file in its entirety and will finalize the file by using the below for reference, if applicable:

- FCOR³ RR Needed = Restitution Research Needed
- FCOR CR Needed = Complete Research Needed

a. Example of Restitution Payment Unknown: The screenshot below shows that fines and/or fees were owed and paid. Restitution is shown at zero balance. If the judgment/sentence indicates that restitution was ordered, enter the comment "Fees Paid – FCOR RR Needed" in the Other field of the case file review certificate and the file will be invalidated. The Reviewer will invalidate by placing this comment in the Other category. This file will be sent to FCOR later to determine status of restitution.

³ Restitution information does not appear to be currently and/or consistently tracked on CCIS.

Commented [MM19]: Should we add footnote that "restitution information may not be available online" ?

Commented [MA10R9]: That's fine. Was there a reason you removed the previous footnotes? Example: CCIS, Full Case file, FCOR?

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Financial Summary			
Assessment	Total: \$808.00	Financial Summary	
Restitution	Total: \$0.00	Paid to Date: \$808.00	Balance Due: \$0.00
		Paid to Date: \$0.00	Balance Due: \$0.00
Financial Details			
Count	Assessment Due	Assessment Paid to Date	Restitution Due
	\$808.00	\$808.00	

b. Example of No Financial Information available: The screenshot below shows no information available. If judgment and/or sentencing document includes fines and/or fees and/or restitution, enter the comment "Fees Unknown – FCOR CR Needed" in the Other field of the case file review certificate and the file will be invalidated. The Reviewer will invalidate by placing this comment in the Other category. This file will be sent to FCOR later time.

Financial Summary			
No records found.			

c. Example of outstanding fees: The screenshot below shows an outstanding balance on fines and fees owed. Enter comment "Fees Outstanding" in the Other field of the case file review certificate and the file will be valid. These files would be valid and sent to the SOE for felon processing since the financial summary is showing there are still pending outstanding fees.

Financial Summary			
Assessment	Total: \$969.00	Financial Summary	
Restitution	Total: \$0.00	Paid to Date: \$0.00	Balance Due: \$969.00
		Paid to Date: \$0.00	Balance Due: \$0.00

7 Special Felony Type Cases

- Interstate cases: Complete the full case file examination⁴. The comment in the Other field should simply state Interstate Case. The Reviewer will invalidate by placing this comment in the Other category. We will re-assign to finalize once case-specific procedures have been finalized.
- FED felons: This is a manual process. We will be processing FED fines and using EOP to search the incarceration status. We will complete a full case file which includes obtaining sentencing and financial information on these convictions. If the information is indeterminate we will need to invalidate based on incomplete information.

⁴ Full case file breakdown is found on page 6 of this document.

Commented [MM11]: Where would these be stored until directed to send?

Commented [MA12R11]: This would need to be answered by Janet.

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8 Match Examples -- Invalid

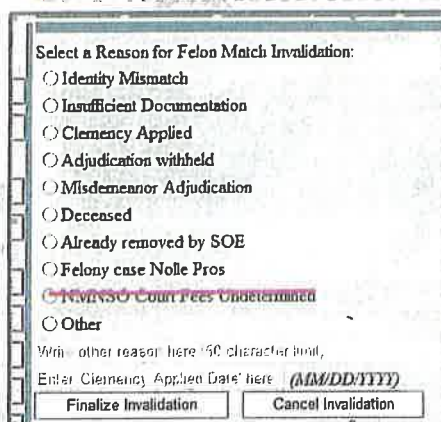
Folder comments shall be noted as **MURDER_I**, **FELONYSO_I**, or **NMNSO_I** based on examination of case files.

a. Special matches

- Types: Misdemeanor (MM), Nolle Pros, Adjudication W/H, juvenile delinquent and blank cases. These matches are still to be referred to the FDLE for further research for why match occurred.
- Pending feedback from FDLE, forward special matches - MM, Nolle Pros, Adjudication W/H and juvenile delinquent - to Reviewer with the appropriate new invalid comment. Based on information received from FDLE, such as if there was a Violation of Probation (VOP), the match will be reassigned.
- Blank cases are addressed below in section 9. (Match Examples - To Be Sent or Saved).

Reviewers must only use the auto invalid reasons in this table.

Examples of Other include: In County Match file, NMNSO No Fees, NMNSO Court Fees Undetermined.



b. ID Mismatches

Send to Reviewer. A judgment/arrest information will continue to be ordered, even if information is under a different name in CCIS. There are exceptions to this when an Examiner finds:

- A DOC for felon(non-voter) which has the matched case number listed.
- The felon and voter match only on a common last name (Example: Brown) and have two different sexes - everything you look at points to two different individuals (verified by HSMV info/pics). *Use common sense to make these determinations.* If the Examiner and Reviewer disagree on the outcome the Reviewer's immediate supervisor will make the final determination.

c. Other Invalid Matches - Clemency and Insufficient Documentation

The below can be sent for review and finalized. The Examiner would utilize the BVRSA⁵ list of invalid reasons in Table 1 (Page 1) for the folder comment and notate the Other field appropriately (example below). The Reviewer will select the correct felon match invalidation reason as notated in section 8 above.

- Invalid due to insufficient documentation

Bureau of Voter Registration Services Application interface with voter and felon record information (BVRSA).

Commented [MM113]: Amber: What if we were to focus on Florida federal felons only for now -those convicted in Florida federal court?

Commented [MA14R13]: No problem. This has been reworded.

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- Invalid due to clemency applied which must postdate all prior felony conviction(s) if any

9. Match Examples – To be Sent or Saved

a. Found cases

If an Examiner finds a valid case for the voter record that was not matched, the Examiner must provide the BVRSA page, case information and judgment to the BVR administrative assistant's inbox at their desk. BVR will reach out to FDLE to have the match updated (only if you are unable to make a valid case with those that were already listed within the match). These files will be saved to your folder until the match is updated. Please make sure your folder comment reflects, "FDLE adding found case, date ordered" as notated in Section 3.

b. Blank cases

An Examiner should only request further information if the blank case is the only case in the match and/or if the Examiner cannot make a valid case with any of the other cases listed and there is a blank. Under this process if you cannot make a valid Murder, SO or NMNSO case with any of the cases listed and there is a blank you must request the blank from FDLE. These files will be saved to your folder until FDLE updates the match. Please make sure your folder comment reflects, "FDLE (#of blank cases), date ordered" as notated in Section 3.

c. Review

Do not forward for review Found cases and Blank cases until hearing back from FDLE. After hearing back from FDLE, if the case is:

- Valid, notate appropriately as MURDER_V, FELONYSO_V and send for review.
- Invalid, notate appropriately as MURDER_I, FELONYSO_I and send for review.
- NMNSO, you will complete a case file in its entirety, including the court fees as described in Section 4.

Reminders/Special Notes

1. Case Search and Review for Examiners and Reviewers

- Search the voter's name and DOB in DAVID for every file creation, even if there is a DL listed for the felon. This is part of your check to assure voter and felon are the same.
- Include cases by person (this is the search done in CCIS which shows all cases under the person's name) in all invalid files to verify Examiner has looked at everything.
- Review all documents related to the felony conviction and pay attention to the counts. There may be multiple documents needed to include all counts for a particular case.
- Do not hesitate to ask questions- every case is different. Some of these will be on a case by case basis depending on how complex.

Commented [MM115]: Should you add "which must postdate all prior felonies conviction(s) if any"??

Commented [MA16R15]: Done

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Commented [MM117]: Do you want to do this throughout document?

Commented [MA18R17]: Done

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Commented [MM119]: Do you want to make these red throughout?

Commented [MA20R19]: No, I changed to black

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2 County Match

We started fresh with the County Match File as of 6/1/2019. Anything added to the County Match File as of 1/8/2019 will negate the need to work the electronic match. These should be invalidated accordingly. Anything prior to 1/8/2019 would still be processed according to our felon file creation procedures as if it were not found in the County Match File.

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3 Work Order

At this time everyone should begin selecting Next Doc as there are no longer matches assigned in your folder.

4 Full Case File

A full case file will consist of the following elements:

- Case File Review Certificate
- BVRSA Screenshot
- DAVID Screenshot
- CCIS Screenshot (Including Financial Summary)
- Court Documents (at a minimum, the judgment and sentence documents)
- DOC Screenshot (DOC and DOCBVRS)
- Clemency Screenshot (FCOR and BVR)

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Employee Acknowledgement

Sign and date the block below and provide the signed page to your immediate supervisor.

Staff to sign: I have read and understood the procedures in this document. If I have any questions, I will consult with my immediate supervisor.

Print Name/Signature _____ Date _____

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Matthews, Maria I.

From: Matthews, Maria I.
Sent: Monday, September 9, 2019 9:56 AM
To: Marconnet, Amber; Brown, Toshia
Cc: Modrow, Janet
Subject: RE: CA 4 - DRAFT procedures
Attachments: ConstAmend 4 - BVRS Internal -Felon Case Procedures eff 20190809 draft tm am mm 20190909.docx

I appreciate the attention to detail and grappling with this issue and coming up with procedures we can all feel comfortable about.

Please find attached latest version based on our discussion. While all types of felony conviction records will be coming in, processing the MSNSO will require us to wait for the outcome of the RVR workgroup and our ongoing discussions with the clerks of court.

So I need you to please fill in when we can do interim-wise with identified MSNSOs so that once we are comfortable with credible and reliable information we obtain, we can proceed.

I would like to be able to move forward this week if you think that is possible.

I understand Janet will be back on Tuesday or Wednesday.

From: Matthews, Maria I.
Sent: Wednesday, August 28, 2019 8:17 AM
To: Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>; Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>
Cc: Modrow, Janet <Janet.Modrow@DOS.MyFlorida.com>
Subject: RE: CA 4 - DRAFT procedures

I'll set something for 10:15 my office. I don't know that Janet has had time to be able to review with everything else going on. I know she was wanting to review in case there were additional comments to be added into the field for later statistical pulls if necessary.

At this juncture, I think it is important that we move forward.

From: Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>
Sent: Tuesday, August 27, 2019 6:19 PM
To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Cc: Modrow, Janet <Janet.Modrow@DOS.MyFlorida.com>; Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>
Subject: Re: CA 4 - DRAFT procedures

That is the latest. We haven't further discussed your changes/questions with you since our short meeting. Are you available to meet tomorrow to finish discussion? I am not sure Janet has had a chance to review.

Amber

ent from my iPhone

On Aug 27, 2019, at 6:14 PM, Matthews, Maria I. <Maria.Matthews@dos.myflorida.com> wrote:

Do you have a later version for me to look at or should I look at this one?

From: Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>
Sent: Thursday, August 15, 2019 6:22 PM
To: Modrow, Janet <Janet.Modrow@DOS.MyFlorida.com>
Cc: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>; Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>
Subject: CA 4 - DRAFT procedures

Janet,

Attached is a very rough draft of our procedures we are working on.

The attached incorporates Maria's changes but not mine or Toshia's. We had a mini meeting with Maria today but were interrupted so we will hopefully finalize next week.

Per our conversation you wanted to see the rough draft so we could compare file comments etc.

Let's discuss on Friday if you have a chance to review. ☺

Thanks,

Amber Marconnet
Sr. Management Analyst Supervisor
Division of Elections, Bureau of Voter Registration Services
R.A. Gray Building, Room 316
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6224

<ConstAmend 4 - BVRs Internal -Felon Case Procedures eff 20190809 draft tm edits mm edits 8-11 (002).docx>

Bureau of Voter Registration Services

Processing Potential Felon Match Files

(s. 4, Art. VI, Fla. Const.¹ and Section 98.075 and 98.0751, Fla. Stat.)

Internal Procedures

Effective September 11, 2019, examiners and reviewers shall apply the following procedures to create and review credible and reliable felon (FDLE – Florida Department of Law Enforcement, DOC – Florida Department of Corrections, FED – Federal Felony Convictions, SOP – Sexual Offender Predator, INT – Interstate) match files. These procedures supersede any previously provided procedures.

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1. Order

Pay close attention to bundles. Work DOC matches first, instead of FDLE matches. Some cases will need to be saved to your folder with a specialized comment. We will review those in the procedures below.

2. Comments

- Categorize all felon match case files with the new Comments in the table below when sending for review.
- Copy and paste the comment into the comment field – do not type or re-type. This will reduce errors in the comment field. Enter comments using all caps and letters as indicated:

Table 1

Do not use the CREDIBLE and INVALID comment notations at this time.

Comment	Defined
MURDER_V	Murder felony valid case file
MURDER_I	Murder felony invalid case file
FELONYSO_V	Sexual offense felony valid case
FELONYSO_I	Sexual offense felony invalid case
NMNSO_V	Not a murder, not a sexual offense felony valid case
NMNSO_I	Not a murder, not a sexual offense felony invalid case

¹ Art. VI, Fla. Const. - SECTION 4. Disqualifications.—

(a) No person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent, shall be qualified to vote or hold office until restoration of civil rights or removal of disability. Except as provided in subsection (b) of this section, any disqualification from voting arising from a felony conviction shall terminate and voting rights shall be restored upon completion of all terms of sentence including parole or probation.

(b) No person convicted of murder or a felony sexual offense shall be qualified to vote until restoration of civil rights.

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3. Notations (when saving to your folder)

Use the following notations:

- o Court Docs Ordered (county 3 letter code), date ordered
- o FDLE (#of blank cases), date ordered
- o FDLE adding found case, date ordered
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- o Waiting on IRIS, date ordered
- o Waiting on HSMV, date sent to SMAS

4. Types of felony conviction cases

- The files in the queue will be a mix of those with cases that show Incarcerated, Under Supervision, Murder, Felony Sexual Offense (SO) and Not Murder Not Felony Sexual Offense (NMNSO) cases.
- A judgment is required for all matched case files, regardless of the underlying felony offense. For NMNSO cases, you will additionally need sentencing documents. This is further explained below.

Commented [MM11]: Should you be adding here that sentence order is also required for all case files based on felony convictions other than murder or felony sexual offense or should we just require for all?

Commented [MM12R1]: See edit. You ok with it?

Deleted: No exceptions.

5. Initial search process

- Start examination first by searching the DOC offender network webpage in order to see if the individual is incarcerated or under supervision for a felony conviction. You will need to include a DOC screenshot of the individual from the DOC offender network webpage if available along with all of your other documents for a full case file².
- Start research with the most recent matched case and work your way down. Once you find a valid case you do not need to look at further matched cases. However, in some matches you may have to research all matched cases.
- Search the County Match folder. Invalidate the case if the VID appears in the County Match from 1/8/2019 to present or if the file is an ID Mismatch. Make sure you are properly notating the invalidation reason in the Other field on the case file review certificate.
- For Felony Sexual Offenses and Murder Convictions, refer to the attached Quick Reference Guide for such offenses. Please note that the statute used in valid felony determination will need to be documented in the Other field on the case file review certificate for murder and SO cases. If the case(s) has a statute that is not included in the Quick Reference Guide (example: felony conviction for attempted murder) this would be considered an NMNSO case.
 - o If an Incarcerated or Under Supervision (for a felony conviction) Murder or SO case is found, then proceed with that case – do not consider additional matched cases at that juncture.
 - o If not Incarcerated or Under Supervision (for a felony conviction) Murder or SO case is found, then continue to look at all matched cases to identify the proper file determination.

Commented [MM13]: Spell out the first time and abbreviate, then thereafter use abbreviation

Example of no valid cases: If you have two matched cases and the older case is a Murder_I and the most recent case is a NMNSO_I due to adjudication withheld you would make the final file determination on the most recent case information.

Commented [MM14]: Is this right? I'm not sure I understand it.

Commented [MM15R4]: Would the person, then would the next case being the Murder?

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² Full case file breakdown is found on page 6 of this document.

- For Felony NMNSO conviction(s), obtain the sentencing document(s) that identify the financial obligations (restitution³, fines, fees, and court costs), if any ordered as part of the sentence.

- If there are no financial obligations ordered as part of the terms of the sentence, invalidate the file and enter the following in the comment field -

- If there are financial obligations ordered as part of the terms of the sentence, search for Financial Summary information in CCIS³ and include the Financial Summary screenshot in all felony NMNSO cases regardless of what the information shows, unless under supervision or incarcerated, as part of a full case file⁴. Invalidate the file and enter the following by entering in the comment field

Once your file/research is complete you will send the NMNSO files to the Reviewer with the proper invalidation or validation reason noted in the Other field on the case file review certificate. These reasons are covered in section 1.6.

Commented [MM16]: Should we add footnote that "restitution information may not be available online" ?

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Deleted: search for Financial Summary information in CCIS⁴ to determine if the financial obligatory terms of the sentence, including restitution⁵, court fees, and fines (collectively "court fees"), have been completed. You must include the Financial Summary screenshot in all felony NMNSO cases, unless under supervision or incarcerated, as part of a full case file⁶. Once your file/research is complete you will send the NMNSO files to the Reviewer with the proper invalidation or validation reason noted in the Other field on the case file review certificate. These reasons are covered in section 1.6 ¶

The Reviewer will verify that you have properly prepared and completed the case file in its entirety and will finalize the file by using the below for reference, if applicable: ¶
FCOR⁷ RR Needed = Restitution Research Needed¶
FCOR CR Needed = Complete Research Needed

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6. Financial Obligations in Felony NMNSO case files

The following process is deferred at this time.

Search for Financial Summary information in CCIS³ to determine if the financial obligations as they appear as part of the terms on the sentencing document(s) have been completed. You must include the Financial Summary screenshot in all felony NMNSO cases, unless under supervision or incarcerated, as part of a full case file⁴. Once your file/research is complete you will send the NMNSO files to the Reviewer with the proper invalidation or validation reason noted in the Other field on the case file review certificate. These reasons are covered herein.

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a. Example of Restitution Payment Unknown: The screenshot below shows that fines and/or fees were owed and paid. Restitution is shown at zero balance. If the judgment/sentence indicates that restitution was ordered, enter the comment "Fees Paid – FCOR RR Needed" in the Other field of the case file review certificate and the file will be invalidated. The Reviewer will invalidate by placing this comment in the Other category. This file will be sent to FCOR later to determine status of restitution.

-- Financial Summary					
Assessment		Total: \$808.00	Financial Summary		
Restitution		Total: \$0.00	Paid to Date: \$808.00	Balance Due: \$0.00	
			Paid to Date: \$0.00	Balance Due: \$0.00	
Financial Details					
Count	Assessment Due	Assessment Paid to Date	Restitution Due	Restitution Paid to Date	Last Payment Date
	\$808.00	\$808.00			

³ Restitution information does not appear to be currently and/or consistently tracked on CCIS.

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b. Example of No Financial Information available: The screenshot below shows no information available. If judgment and/or sentencing document includes fines and/or fees and/or restitution, enter the comment "Fees Unknown – FCOR GR Needed" in the Other field of the case file review certificate and the file will be invalidated. The Reviewer will invalidate by placing this comment in the Other category. This file will be sent to FCOR later time.

Commented [MM18]: Where would these be stored until directed to send?

- Financial Summary			
No records found			

c. Example of outstanding fees: The screenshot below shows an outstanding balance on fines and fees owed. Enter comment "Fees Outstanding" in the Other field of the case file review certificate and the file will be valid. These files would be valid and sent to the SOE for felon processing since the financial summary is showing there are still pending outstanding fees.

- Financial Summary			
Financial Summary			
Assessment	Total: \$969.00	Paid to Date: \$0.00	Balance Due: \$969.00
Restitution	Total: \$0.00	Paid to Date: \$0.00	Balance Due: \$0.00

7 Special Felony Type Cases

- Interstate cases: Complete the case file examination⁸. The comment in the Other field should simply state **Interstate Case**. The Reviewer will invalidate by placing this comment in the Other category. We will re-assign to finalize once case-specific procedures have been finalized.
- FED felons: This is a manual process. We will re-assign once case-specific procedures have been finalized.

Commented [MM19]: Amber: What if we were to focus on Florida federal felons only for now –those convicted in Florida federal court?

8. Match Examples – Invalid

Folder comments shall be noted as **MURDER_I**, **FELONYSO_I**, or **NMNSO_I** based on examination of case files.

a. Special matches

- Types: Misdemeanor (MM), Nolle Pros, Adjudication W/H, juvenile delinquent and blank cases. These matches are still to be referred to the FDLE for further research for why match occurred.
- Pending feedback from FDLE, forward special matches - MM, Nolle Pros, Adjudication W/H and juvenile delinquent – to Reviewer with the appropriate new invalid comment. Based on information received from FDLE, such as if there was a Violation of Probation (VOP), the match will be reassigned.

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⁸ Full case file breakdown is found on page 6 of this document.

- Blank cases are addressed below in section 5. (Match Examples - To Be Sent or Saved).

Reviewers must only use the auto invalid reasons in this table.

Examples of Other include: In County Match file, FCOR RR Needed, FCOR CR Needed.

Select a Reason for Felon Match Invalidation:

☐ Identity Mismatch
 ☐ Insufficient Documentation
 ☐ Clemency Applied
 ☐ Adjudication withheld
 ☐ Misdemeanor Adjudication
 ☐ Deceased
 ☐ Already removed by SOE
 ☐ Felony case Nolle Pros
 ☐ ~~NMISO Court Fees Undetermined~~
☐ Other

b. ID Mismatches

Send to Reviewer. A judgment/arrest information will continue to be ordered, even if information is under a different name in CCIS. There are exceptions to this when an Examiner finds:

- A DOC for felon(non-voter) which has the matched case number listed.
- The felon and voter match only on a common last name (Example: Brown) and have two different sexes – everything you look at points to two different individuals (verified by HSMV info/pics). *Use common sense to make these determinations.* If the Examiner and Reviewer disagree on the outcome the Reviewer's immediate supervisor will make the final determination.

c. Other Invalid Matches – Clemency and Insufficient Documentation

The below can be sent for review and finalization. The Examiner would utilize the BVRSA⁹ list of invalid reasons in Table 1 (Page 1) for the folder comment and notate the Other field appropriately. The Reviewer will select the correct felon match invalidation reason as notated in subsection 1.8a above.

- Invalid due to insufficient documentation
- Invalid due to clemency applied

Commented [MM110]: Should you add "which must postdate all prior felonies conviction(s) if any"??

9. ____ Match Examples – To be Sent or Saved

a. Found cases

If an Examiner finds a valid case for the voter record that was not matched, the Examiner must provide the BVRSA page, case information and judgment to the BVRSA administrative assistant's inbox at their desk. BVRSA will reach out to FDLE to have the match updated (only if you are unable to make a valid case

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Deleted: 08-07-2019

⁹ Bureau of Voter Registration Services Application interface with voter and felon record information (BVRSA).

with those that were already listed within the match). These files will be saved to your folder until the match is updated. Please make sure your folder comment reflects, "FDLE adding found case, date ordered" as notated in Section 1c.

b. Blank cases

An Examiner should only request further information if the blank case is the only case in the match and/or if the Examiner cannot make a valid case with any of the other cases listed and there is a blank. Under this process if you cannot make a valid Murder, SO or NMNSO case with any of the cases listed and there is a blank you must request the blank from FDLE. These files will be saved to your folder until FDLE updates the match. Please make sure your folder comment reflects, "FDLE (#of blank cases), date ordered" as notated in Section 1c.

c. Review

Do not forward for review Found cases and Blank cases until hearing back from FDLE. After hearing back from FDLE, if the case is:

- Valid, notate appropriately as MURDER_V, FELONYSO_M and send for review.
- Invalid, notate appropriately as MURDER_I, FELONYSO_I and send for review.
- NMNSO, you will complete a case file in its entirety, including the court fees as described in Section 1.4.

Commented [MMI11]: Do you want to do this throughout document?

Commented [MMI12]: Do you want to make these red throughout?

Formatted: Font color: Red

Formatted: Indent: Left: 0.75", No bullets or numbering

Reminders/Special Notes

1. Case Search and Review for Examiners and Reviewers

- Search the voter's name and DOB in DAVID for every file creation, even if there is a DL listed for the felon. This is part of your check to assure voter and felon are the same.
- Include cases by person (this is the search done in CCIS which shows all cases under the person's name) in all invalid files to verify Examiner has looked at everything.
- Review all documents related to the felony conviction and pay attention to the counts. There may be multiple documents needed to include all counts for a particular case.
- Do not hesitate to ask questions- every case is different. Some of these will be on a case by case basis depending on how complex.

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2. County Match

We started fresh with the County Match File as of 6/1/2019. Anything added to the County Match File as of 1/8/2019 will negate the need to work the electronic match. These should be invalidated accordingly. Anything prior to 1/8/2019 would still be processed according to our felon file creation procedures as if it were not found in the County Match File.

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3. Work Order

At this time everyone should begin selecting Next Doc as there are no longer matches assigned in your folder.

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Deleted: 08-07-2019

4. Full Case File

A full case file will consist of the following elements:

- Case File Review Certificate
- BVRSA Screenshot
- DAVID Screenshot
- CCIS Screenshot (Including Financial Summary)
- Court Documents (at a minimum, the judgment and sentence, if separate document)
- DOC Screenshot (DOC and DOCBVRS)
- Clemency Screenshot (FCOR and BVR)

Moved (insertion) [1]

Moved up [1]: 2.4. Full Case File

A full case file will consist of the following elements:

- Case File Review Certificate
- BVRSA Screenshot
- DAVID Screenshot
- CCIS Screenshot (Including Financial Summary)
- Court Documents (at a minimum, the judgment and sentence, if separate document)
- DOC Screenshot (DOC and DOCBVRS)
- Clemency Screenshot (FCOR and BVR)

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¶

2.3 Work Order

At this time everyone should begin selecting Next Doc as there are no longer matches assigned in your folder.

¶

Employee Acknowledgement

Sign and date the block below and provide the signed page to your immediate supervisor.

Staff to sign: I have read and understood the procedures in this document. If I have any questions, I will consult with my immediate supervisor.

Print Name/Signature _____ Date _____

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Deleted: 08-07-2019

Matthews, Maria I.

Subject: CA 4 - DRAFT procedures
Location: Director's Office

Start: Wed 8/28/2019 10:15 AM
End: Wed 8/28/2019 10:45 AM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Matthews, Maria I.
Required Attendees: Marconnet, Amber; Brown, Toshia
Optional Attendees: Modrow, Janet

From: Matthews, Maria I.
Sent: Wednesday, August 28, 2019 8:17 AM
To: Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>; Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>
Cc: Modrow, Janet <Janet.Modrow@DOS.MyFlorida.com>
Subject: RE: CA 4 - DRAFT procedures

I'll set something for 10:15 my office. I don't know that Janet has had time to be able to review with everything else going on. I know she was wanting to review in case there were additional comments to be added into the field for later statistical pulls if necessary.

At this juncture, I think it is important that we move forward.

From: Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>
Sent: Tuesday, August 27, 2019 6:19 PM
To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Cc: Modrow, Janet <Janet.Modrow@DOS.MyFlorida.com>; Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>
Subject: Re: CA 4 - DRAFT procedures

That is the latest. We haven't further discussed your changes/questions with you since our short meeting. Are you available to meet tomorrow to finish discussion? I am not sure Janet has had a chance to review.

Amber

Sent from my iPhone

On Aug 27, 2019, at 6:14 PM, Matthews, Maria I. <Maria.Matthews@dos.myflorida.com> wrote:

Do you have a later version for me to look at or should I look at this one?

From: Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>
Sent: Thursday, August 15, 2019 6:22 PM
To: Modrow, Janet <Janet.Modrow@DOS.MyFlorida.com>
Cc: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>; Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>
Subject: CA 4 - DRAFT procedures

Janet,

Attached is a very rough draft of our procedures we are working on.

The attached incorporates Maria's changes but not mine or Toshia's. We had a mini meeting with Maria today but were interrupted so we will hopefully finalize next week.

Per our conversation you wanted to see the rough draft so we could compare file comments etc.

Let's discuss on Friday if you have a chance to review. 😊

Thanks,

Amber Marconnet
Sr. Management Analyst Supervisor
Division of Elections, Bureau of Voter Registration Services
R.A. Gray Building, Room 316
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6224

<ConstAmend 4 - BVRS Internal -Felon Case Procedures eff 20190809 draft tm edits mm edits 8-11 (002).docx>

Bureau of Voter Registration Services

Processing Potential Felon Match Files

(s. 4, Art. VI, Fla. Const.¹ and Section 98.075 and 98.0751, Fla. Stat.)

1. Internal Procedures

Effective August 14, 2019, examiners and reviewers shall apply the following procedures to create and review credible and reliable felon (FDLE – Florida Department of Law Enforcement, DOC – Florida Department of Corrections, FED – Federal Felony Convictions, SOP – Sexual Offender Predator, INT – Interstate) match files. These procedures supersede any previously provided procedures.

Note: All phases are hereby activated. Each match as is assigned, examined, and reviewed **must be worked in the manner detailed herein**. All previously assigned matches will be placed back in the “felon queue”. The older document images for those matches will still be available but you will need to treat the case file as if you are looking at the match for the very first time under the new procedures. This means you will need to re-scan all screenshots. The older screenshots are only there for your reference. You are required to continue highlighting the 3 demographics you are using to confirm the felon/voter matching. **Disclaimer:** All processes and procedures are subject to change upon written notification

1.1 Order

Pay close attention to bundles. Work DOC matches first, instead of FDLE matches. Some cases will need to be saved to your folder with a specialized comment. We will review those in the procedures below.

1.2 Comments

- Categorize all felon match case files with the new Comments in the table below when sending for review.
- Copy and paste the comment into the comment field – do not type or re-type. This will reduce errors in the comment field. Enter comments using all caps and letters as indicated:

Table 1

Do not use the CREDIBLE and INVALID comment notations at this time.

Comment	Defined
MURDER V	Murder felony valid case file
MURDER I	Murder felony invalid case file
FELONYSO V	Sexual offense felony valid case
FELONYSO I	Sexual offense felony invalid case
NMNSO V	Not a murder, not a sexual offense felony valid case
NMNSO I	Not a murder, not a sexual offense felony invalid case

¹ Art. VI, Fla. Const. - SECTION 4. Disqualifications.—

(a) No person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent, shall be qualified to vote or hold office until restoration of civil rights or removal of disability. Except as provided in subsection (b) of this section, any disqualification from voting arising from a felony conviction shall terminate and voting rights shall be restored upon completion of all terms of sentence including parole or probation.

(b) No person convicted of murder or a felony sexual offense shall be qualified to vote until restoration of civil rights

1.3 Notations (when saving to your folder)

Use the following notations:

- o Court Docs Ordered (county 3 letter code), date ordered
- o FDLE (#of blank cases), date ordered
- o FDLE adding found case, date ordered
- o FDLE correcting match info, date ordered
- o Waiting on IRIS, date ordered
- o Waiting on HSMV, date sent to SMAS

1.4 Types of felony conviction cases

- The files in the queue will be a mix of those with cases that show Incarcerated, Under Supervision, Murder, Felony Sexual Offense (SO) and Not Murder Not Felony Sexual Offense (NMNSO) cases.
- A judgment is required for all matched case files. No exceptions. This is further explained below.

1.5 Initial search process

- Start examination first by searching the DOC offender network webpage in order to see if the individual is incarcerated or under supervision for a felony conviction. You will need to include a DOC screenshot of the individual from the DOC offender network webpage if available along with all of your other documents for a full case file².
- Start research with the most recent matched case and work your way down. Once you find a valid case you do not need to look at further matched cases. However, in some matches you may have to research all matched cases.
- Search the County Match folder. Invalidate the case if the VID appears in the County Match from 1/8/2019 to present or if the file is an ID Mismatch. Make sure you are properly notating the invalidation reason in the Other field on the case file review certificate.
- For Felony Sexual Offenses and Murder Convictions, refer to the attached Quick Reference Guide for such offenses. Please note that the statute used in valid felony determination will need to be documented in the Other field on the case file review certificate for murder and SO cases. If the case(s) has a statute that is not included in the Quick Reference Guide (example: felony conviction for attempted murder) this would be considered an NMNSO case.
 - o If an Incarcerated or Under Supervision (for a felony conviction) Murder or SO case is found, then proceed with that case – do not consider additional matched cases at that juncture.
 - o If not Incarcerated or Under Supervision (for a felony conviction) Murder or SO case is found, then continue to look at all matched cases to identify the proper file determination.

Example of no valid cases: If you have two matched cases and the older case is a Murder_ and the most recent case is a NMNSO_ due to adjudication withheld you would make the final file determination on the most recent case information.

Commented [MMI1]: Should you be adding here that sentence order is also required for all case files based on felony convictions other than murder or felony sexual offense or should we just require for all?

Commented [MMI2]: Spell out the first time and abbreviate, then thereafter use abbreviation

Commented [MMI3]:

Commented [MMI4]: Is this right? I'm not sure I understand it.

² Full case file breakdown is found on page 6 of this document.

- For Felony NMNSO conviction(s), search for Financial Summary information in CCIS³ to determine if the **financial obligatory** terms of the sentence, including restitution⁴, court fees, and fines (collectively "court fees"), have been completed. You must include the Financial Summary screenshot in all felony NMNSO cases, unless under supervision or incarcerated, as part of a full case file⁵. Once your file/research is complete you will send the NMNSO files to the Reviewer with the proper invalidation or validation reason noted in the Other field on the case file review certificate. These reasons are covered in section 1.6.
- The Reviewer will verify that you have properly prepared and completed the case file in its entirety and will finalize the file by using the below for reference, if applicable:
 - FCOR⁶ RR Needed = Restitution Research Needed
 - FCOR CR Needed = Complete Research Needed

Commented [MM15]: Should we add footnote that "restitution information may not be available online" ?

1.6. Financial Obligations in Felony NMNSO case files

a. **Example of Restitution Payment Unknown:** The screenshot below shows that fines and/or fees were owed and paid. Restitution is shown at zero balance. If the judgment/sentence indicates that restitution was ordered, enter the comment "Fees Paid – FCOR RR Needed" in the Other field of the case file review certificate and the file will be invalidated. The Reviewer will invalidate by placing this comment in the Other category. This file will be sent to FCOR later to determine status of restitution.

Commented [MM16]:

Financial Summary					
Financial Summary					
Assessment	Total: \$808.00	Paid to Date: \$808.00		Balance Due: \$0.00	
Restitution	Total: \$0.00	Paid to Date: \$0.00		Balance Due: \$0.00	
Financial Details					
Court	Assessment Due	Assessment Paid to Date	Restitution Due	Restitution Paid to Date	Last Payment Date
	\$808.00	\$808.00			

b. **Example of No Financial Information available:** The screenshot below shows no information available. If judgment and/or sentencing document includes fines and/or fees and/or restitution, enter the comment "Fees Unknown – FCOR CR Needed" in the Other field of the case file review certificate and the file will be invalidated. The Reviewer will invalidate by placing this comment in the Other category. This file will be sent to FCOR later time.

Commented [MM17]: Where would these be stored until directed to send?

Financial Summary					
No records found.					

³ Florida Court Clerks – Comprehensive Case Information System (CCIS).

⁴ Restitution information does not appear to be currently and/or consistently tracked on CCIS.

⁵ Full case file breakdown is found on page 6 of this document.

⁶ Florida Commission on Offender Review (FCOR)

Financial Summary			
Assessment	Total: \$989.00	Paid to Date: \$0.00	Balance Due: \$969.00
Restitution	Total: \$0.00	Paid to Date: \$0.00	Balance Due: \$0.00

- **Interstate cases:** Complete the case file examination⁷. The comment in the Other field should simply state **Interstate Case**. The Reviewer will invalidate by placing this comment in the Other category. We will re-assign to finalize once case-specific procedures have been finalized.
- **FED felons:** This is a manual process. We will re-assign once case-specific procedures have been finalized.

Folder comments shall be noted as **MURDER_I**, **FELONYSO_I**, or **NMNSO_I** based on examination of case files.

- Types: Misdemeanor (MM), Nolle Pros, Adjudication W/H, juvenile delinquent and blank cases. These matches are still to be referred to the FDLE for further research for why match occurred.
- Pending feedback from FDLE, forward special matches - MM, Nolle Pros, Adjudication W/H and juvenile delinquent – to Reviewer with the appropriate new invalid comment. Based on information received from FDLE, such as if there was a Violation of Probation (VOP), the match will be reassigned.
- Blank cases are addressed below in section 5. (Match Examples - To Be Sent or Saved).

Examples of Other include: In County Match file, FCOR RR Needed, FCOR CR Needed.

Select a Reason for Felon Match Invalidation:

☐ Identity Mismatch
☐ Insufficient Documentation
☐ Clemency Applied
☐ Adjudication withdrawn
☐ Misdemeanor Adjudication
☐ Deceased
☐ Already removed by SOE
☐ Felony case Nolle Pros
☒ MNMSO Court Fees Undetermined
☐ Other

Reason for Invalidation (enter first letter (init))
 Reason: IDENTITY Date: MM/DD/YYYY

Florida Division of Elections

Page 4 of 6

AMERICAN
OVERSIGHT

b. ID Mismatches

Send to Reviewer. A judgment/arrest information will continue to be ordered, even if information is under a different name in CCIS. There are exceptions to this when an Examiner finds:

- A DOC for felon(non-voter) which has the matched case number listed.
- The felon and voter match only on a common last name (Example: Brown) and have two different sexes – everything you look at points to two different individuals (verified by HSMV info/pics). *Use common sense to make these determinations.* If the Examiner and Reviewer disagree on the outcome the Reviewer's immediate supervisor will make the final determination.

c. Other Invalid Matches – Clemency and Insufficient Documentation

The below can be sent for review and finalization. The Examiner would utilize the BVRSA⁸ list of invalid reasons in Table 1 (Page 1) for the folder comment and notate the Other field appropriately. The Reviewer will select the correct felon match invalidation reason as notated in subsection 1.8a above.

- Invalid due to insufficient documentation
- Invalid due to clemency applied

Commented [MMI9]: This seems a little confusing to me as worded.

Commented [MMI10]: Should you add "which must postdate all prior felonies conviction(s) if any"??

1.9 Match Examples – To be Sent or Saved

a. Found cases

If an Examiner finds a valid case for the voter record that was not matched, the Examiner must provide the BVRSA page, case information and judgment to the BVRSA administrative assistant's inbox at their desk. BVRSA will reach out to FDLE to have the match updated (only if you are unable to make a valid case with those that were already listed within the match). These files will be saved to your folder until the match is updated. Please make sure your folder comment reflects, "FDLE adding found case, date ordered" as notated in Section 1c.

b. Blank cases

An Examiner should only request further information if the blank case is the only case in the match and/or if the Examiner cannot make a valid case with any of the other cases listed and there is a blank. Under this process if you cannot make a valid Murder, SO or NMNSO case with any of the cases listed and there is a blank you must request the blank from FDLE. These files will be saved to your folder until FDLE updates the match. Please make sure your folder comment reflects, "FDLE (#of blank cases), date ordered" as notated in Section 1c.

c. Review

Do not forward for review Found cases and Blank cases until hearing back from FDLE. After hearing back from FDLE, if the case is:

- Valid, notate appropriately as **MURDER_1, FELONYSO_1** and send for review.
- Invalid, notate appropriately as **MURDER_1, FELONYSO_1** and send for review.

Commented [MMI11]: Do you want to do this throughout document?

Commented [MMI12]: Do you want to make these red throughout?

⁸ Bureau of Voter Registration Services Application interface with voter and felon record information (BVRSA).

- NMNSO, you will complete a case file in its entirety, including the court fees as described in Section 1.4.

2. Reminders/Special Notes

2.1. Case Search and Review for Examiners and Reviewers

- Search the voter's name and DOB in DAVID for every file creation, even if there is a DL listed for the felon. This is part of your check to assure voter and felon are the same.
- Include cases by person (this is the search done in CCIS which shows all cases under the person's name) in all invalid files to verify Examiner has looked at everything.
- Review all documents related to the felony conviction and pay attention to the counts. There may be multiple documents needed to include all counts for a particular case.
- Do not hesitate to ask questions- every case is different. Some of these will be on a case by case basis depending on how complex.

2.2 County Match

We started fresh with the County Match File as of 6/1/2019. Anything added to the County Match File as of 1/8/2019 will negate the need to work the electronic match. These should be invalidated accordingly. Anything prior to 1/8/2019 would still be processed according to our felon file creation procedures as if it were not found in the County Match File.

2.3 Work Order

At this time everyone should begin selecting Next Doc as there are no longer matches assigned in your folder.

2.4. Full Case File

A full case file will consist of the following elements:

- Case File Review Certificate
- BVRSA Screenshot
- DAVID Screenshot
- CCIS Screenshot (Including Financial Summary)
- Court Documents (at a minimum, the Judgment and sentence, if separate document)
- DOC Screenshot (DOC and DOCBVRS)
- Clemency Screenshot (FCOR and BVRS)

3. Employee Acknowledgement

Sign and date the block below and provide the signed page to your immediate supervisor.

Staff to sign: I have read and understood the procedures in this document. If I have any questions, I will consult with my immediate supervisor.

Print Name/Signature _____ Date _____

Commented [MMI13]: Not sure I quite understand these statements.

Commented [MMI14]: I am wondering if it would be worth putting 8 on page 1 or at a minimum putting 9 to follow notations on page 2 – thoughts?

Matthews, Maria I.

From: Marconnet, Amber
Sent: Friday, July 12, 2019 10:05 AM
To: Matthews, Maria I.
Cc: Brown, Toshia
Subject: RE: BVRSA Felon Procedures
Attachments: ConstAmend 4 - BVRSA Internal -Felon Case Procedures eff 20190605 FINAL.pdf

The attached in your email is the latest version. We have made no changes to the written document since sending to staff on 6/7.

We made a change to the procedure in the below email chain regarding the individuals supervised vs. incarcerated but we did not update anything in the attached.

The reason for this is because once the DOC match info was fixed we would go back to sending the supervised so there was no reason to update the attached. All changes made since implementing these procedures on 6/7 are located in the email chain below.

Thanks,

Amber Marconnet
Sr. Management Analyst Supervisor
Division of Elections, Bureau of Voter Registration Services R.A. Gray Building, Room 316
100 S. Bronough Street
Tallahassee, Florida 32399
850.245.6224

-----Original Message-----

From: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Sent: Friday, July 12, 2019 9:57 AM
To: Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>
Cc: Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>
Subject: FW: BVRSA Felon Procedures

Can you send me the latest version of the BVRSA internal procedures for processing felon files that reflect current process?

-----Original Message-----

From: Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>
Sent: Wednesday, July 10, 2019 9:01 AM
To: DOEBVRS <DOEBVRS@dos.myflorida.com>
Cc: Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>; Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Subject: RE: BVRSA

Staff:

You may notice that files have been removed from your felon folder. IT removed these files as we will most likely need to re-work in the future.

In the queue you should only be receiving files for the incarcerated individuals. If you receive one that is not incarcerated please email me the MID, DOC number and save to your folder.

Please continue to notify me of any other anomalies with the DOC matches.

Thank you,

Amber Marconnet
Sr. Management Analyst Supervisor
Division of Elections, Bureau of Voter Registration Services R.A. Gray Building, Room 316
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6224

----- Original Message -----

From: Marconnet, Amber
Sent: Wednesday, June 26, 2019 1:16 PM
To: DOEBVRS <DOEBVRS@dos.myflorida.com>
Cc: Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>; Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Subject: FW: BVRSA
Importance: High

Staff:

At this time we are making a slight change to the felon file processing in Phase I, effective immediately.

If the individual is incarcerated please continue with the file creation and send for review.

If the individual is under supervision please create the case file in its entirety but do not send for review. Please save to your folder instead.

Reviewers - if you are reviewing a file that is already in the queue and the individual is under supervision please send back to the examiner for them to save to their folder.

Please let me or your immediate supervisor know if you have further questions.

Thank you,

Amber Marconnet
Sr. Management Analyst Supervisor
Division of Elections, Bureau of Voter Registration Services R.A. Gray Building, Room 316
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6224

-----Original Message-----

From: Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>
Sent: Friday, June 7, 2019 12:05 PM
To: Morley, Tiffany M. <Tiffany.Morley@dos.myflorida.com>; DOEBVRS <DOEBVRS@dos.myflorida.com>
Subject: RE: BVRSA

Staff,

You are now able to select next doc in BVRSA to begin working the Phase I felon files as discussed in our meeting today.

I have attached the procedures. Please make sure you have returned your signed acknowledgment procedure form to your immediate supervisor before you begin processing case files.

If you were unable to attend the meeting please do not start processing case files until you have met with your immediate supervisor.

Let me know if you have further questions.

Thank you,

Amber Marconnet
Sr. Management Analyst Supervisor
Division of Elections, Bureau of Voter Registration Services R.A. Gray Building, Room 316
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6224

-----Original Message-----

From: Morley, Tiffany M. <Tiffany.Morley@dos.myflorida.com>
Sent: Tuesday, June 4, 2019 8:17 AM
To: DOEBVRS <DOEBVRS@dos.myflorida.com>
Cc: Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>
Subject: RE: BVRSA

Staff,

A reminder that we are still not processing any felon files in BVRSA at this time.

Thank you,

Tiffany Morley
Senior Management Analyst I
Bureau of Voter Registration Services
Florida Division of Elections
850.245.6248, desk
850.245.6291, fax
tiffany.morley@dos.myflorida.com

-----Original Message-----

From: Marconnet, Amber
Sent: Monday, June 3, 2019 6:56 AM
To: DOEBVRS <DOEBVRS@dos.myflorida.com>
Subject: BVRSA

Staff,

Please do not process felon files in BVRSA until further notice.

Thank you,

Amber

Sent from my iPhone

Bureau of Voter Registration Services

Processing Felon Match Files Pursuant to 2018 Constitutional Amendment 4

(s. 4, Art. VI, Fla. Const.¹)

1. Procedures (Effective June 1, 2019 - supersedes previously provided procedures)

The following process for felon (FDLE – Florida Department of Law Enforcement, DOC – Florida Department of Corrections, FED – Federal Felony Convictions, SOP – Sexual Offender Predator, INT – Interstate) match file creation and review shall be applied.

Note: We are starting completely over with processing our electronic case files (this includes all court doc requests and FDLE requests) under these new procedures. All assigned matches will be placed back in the felon queue. The older document images will still be available but you will need to treat the case file as if you are looking at the match for the very first time. This means you will need to re-scan all screenshots. The older screenshots are only there for your reference. You are required to highlight the 3 demographics you are using to confirm the felon/voter matching.

Our focus will be on working the felon files in phases beginning with Phase I. Once Phase I is complete we will begin with Phase II etc. Disclaimer: All processes and procedures are subject to change.

a. Order

Work DOC matches first, instead of FDLE matches. Pay close attention to bundles.

b. Comments

- Categorize all felon match case files with the new Comments in the table below when sending for review.
- Copy and paste the comment into the comment field – do not type or re-type. This will reduce errors in the comment field. Enter comments using all caps and letters as indicated:

Table 1

Do not use the CREDIBLE and INVALID comment notations at this time.

Comment	Defined
MURDER_V	Murder felony valid case file
MURDER_I	Murder felony invalid case file
FELONYSO_V	Sexual offense felony valid case
FELONYSO_I	Sexual offense felony invalid case
NMNSO_V	Not a murder, not a sexual offense felony valid case
NMNSO_I	Not a murder, not a sexual offense felony invalid case

¹ "SECTION 4. Disqualifications.—

(a) No person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent, shall be qualified to vote or hold office until restoration of civil rights or removal of disability. Except as provided in subsection (b) of this section, any disqualification from voting arising from a felony conviction shall terminate and voting rights shall be restored upon completion of all terms of sentence including parole or probation.

(b) No person convicted of murder or a felony sexual offense shall be qualified to vote until restoration of civil rights. . . ."

c. Notations (when saving to your folder)

Use the following notations:

- Court Docs Ordered (county 3 letter code), date ordered
- FDLE (#of blank cases), date ordered
- FDLE adding found case, date ordered
- FDLE correcting match info, date ordered
- Waiting on IRIS, date ordered

2. Incarcerated/Supervised – Phase I

Under Phase I, DOC matches are to be examined and reviewed to determine whether the person is still in prison or under supervision, regardless of the underlying felony offense. If the person is under either of these two statuses, proceed with the validation of the file.

- A judgment is not required to be included with the match file. Include instead the DOC screenshot of the individual from the DOC offender network webpage which should show the case, conviction and the release date (Example: DOC 073396). However, if DOC screenshot is not available please save the match to your folder and notify Amber. You would still have all other screens for a full case file². You would invalidate the file if the VID appears in the County Match from 1/8/2019 to present or if the file is an ID Mismatch. Make sure you are properly notating the invalidation reason in the other field on the case file review certificate.

3. Murder/Felony Sexual Offense (SO) – Phase II

Under Phase II, matches that do not show a person under DOC supervision or in prison are to be examined for the underlying offense of murder or SO conviction.

- Refer to the Quick Reference Guide for Felony Sexual Offenses and Murder offenses. Please note that the statute used in felony determination will need to be documented in the Other field on the case file review certificate. If the case(s) has a statute that is not included in the Quick Reference Guide (example: valid attempted murder) this would be considered an NMNSO case.
- If a Murder or SO case is found, then proceed with that case – do not consider additional matched cases at this juncture.
- If no valid Murder or SO case is found, then continue to look at all NMNSO matched cases to identify the proper file determination. Then refer to section 4.
- Example of no valid cases: If you have two matched cases and the older case is a Murder_I and the most recent case is a NMNSO invalid due to adjudication withheld you would make the final file determination on the most recent case information.
- Murder/felony sexual offense case files require a judgment to be included – no exceptions.

4. Not Murder Not Felony Sexual Offense (NMNSO) – Phase III

Under Phase 3, matches that do not fall under Sections 1 and 2 are to be examined to determine if all terms of the sentence including restitution, court fees, and fines (collectively “court fees”), have been completed for the felony conviction(s). These are NMNSO matches.

² Full case file breakdown is found on page 5 of this document.

- At this juncture, we are unable to determine completion of sentence as to “court fees” on these matches. Nonetheless, create a full case file³ on NMNSO matches. Send the NMNSO files to the Reviewer with the proper invalidation reason notated in the other field on the case file review certificate.
- The Reviewer will verify you have completed the case file in its entirety but for “court fees.” If the Reviewer finds the match valid, but the “court fees” are undetermined, the file will be deemed invalid by the Reviewer with the new invalidation type: **NMNSO – Court Fees Undetermined**.
- These felony NMNSO match cases will be re-processed if and when credible and reliable source(s) for “court fees” information is identified and a determination of completion can be made.

5. Match Examples – Invalid

Folder comments shall be noted as **MURDER_I**, **FELONYSO_I**, or **NMNSO_I** based on examination of case files.

a. Special matches

- Types: Misdemeanor (MM), Nolle Pros, Adjudication W/H, juvenile delinquent and blank cases. These matches are still to be referred to the Florida Department of Law Enforcement (FDLE) for further research for why match occurred.
- Pending feedback from FDLE, forward special matches - MM, Nolle Pros, Adjudication W/H and juvenile delinquent – to Reviewer with the new invalid comment. Based on information received from FDLE, such as if it was a Violation of Probation (VOP), the match will be reassigned.
- Blank cases are addressed below in section 6. (Match Examples - To Be Sent or Saved).
- Reviewers should only be using the below auto invalid reasons:

Select a Reason for Felon Match Invalidation:

- ☐ Identity Mismatch
- ☐ Insufficient Documentation
- ☐ Clemency Applied
- ☐ Adjudication withheld
- ☐ Misdemeanor Adjudication
- ☐ Deceased
- ☐ Already removed by SOE
- ☐ Felony case Nolle Pros
- ☐ NMNSO Court Fees Undetermined
- ☐ Other

Write other reason here (50 character limit;)

Enter Clemency Applied Date here (MM/DD/YYYY)

Finalize Invalidation Cancel Invalidation

- Example of Other would be: In County Match file.

b. ID Mismatches

Send to Reviewer. A judgment/arrest information will continue to be ordered, even if information is under a different name in CCIS. There are exceptions to this when an Examiner finds:

- A DOC for felon(non-voter) which has the case number listed.

³ Full case file breakdown is found on page 5 of this document.

- The felon and voter match only on a common last name (Example: Brown) and it has two different sexes – everything you look at points to two different individuals (verified by HSMV info/pics). Use common sense to make these determinations. If the Examiner and Reviewer disagree on the outcome the immediate supervisor will make the final determination.

c. Other Invalid Matches – Clemency and Insufficient Documentation

Send for review the following invalid matches pursuant to the BVRSA list of invalid reasons. Use the new invalid comments in Table 1 (page 1).

- Invalid due to insufficient documentation
- Invalid due to clemency applied

6. Match Examples – To be Sent or Saved

a. Found cases

If an Examiner finds a case for the voter record that was not matched, the Examiner must provide the case to the BVRSA administrative assistant's inbox at their desk. BVRSA will reach out to FDLE to have the match updated (only if you are unable to make a valid case with those that were already listed within the match). These files will be saved to your folder until the match is updated.

b. Blank cases

An Examiner should only request further information if the blank case is the only case in the match and/or if the Examiner cannot make a valid case with any of the other cases listed and there is a blank (i.e., a case is found that wasn't in the match as this still needs to be sent to FDLE). Under this new process if you cannot make a valid Murder or SO case with any of the cases listed and there is a blank you must request the blank from FDLE. These files will be saved to your folder until FDLE updates the match.

c. Review

Do not forward for review Found cases and Blank cases until hearing back from FDLE. After hearing back from FDLE, if the case is:

- Valid, notate appropriately as MURDER_V, FELONYSO_V and send for review.
- Invalid, notate appropriately as MURDER_I, FELONYSO_I and send for review.
- NMNSO, you will complete the case file in its entirety up until the step of determining court fees and then send for review.

7. Match Reminders for Examiners and Reviewers

- Search the voter's name and DOB in DAVID for every case creation, even if there is a DL listed in CCIS for the felon. This is part of your check to assure voter and felon are the same.
- Include cases by person (this is the search done in CCIS which shows all cases under the person's name) in all invalid cases to verify examiner has looked at everything.

- Review all documents related to the felony conviction and pay attention to the counts. There may be multiple documents needed to include all counts for a particular case.
- Do not hesitate to ask questions- every case is different. Some of these will be on a case by case basis depending on how complex.

Other Important Reminders

8. County Match

We will be starting fresh with the County Match File as of 6/1/2019. Anything added to the County Match File as of 1/8/2019 will negate the need to work the electronic match. These should be invalidated accordingly. Anything prior to 1/8/2019 would still be processed according to our felon file creation procedures as if it were not found in the County Match File.

9. Work Order

At this time everyone should begin selecting Next Doc as there are no longer matches assigned in your folder.

10. Full Case File

- Case File Review Certificate
- BVRSA Screenshot
- DAVID Screenshot
- CCIS Screenshot
- Court Documents (unless processing the Phase I files for Incarcerated/Supervised)
- DOC Screenshot (DOC and DOCBVRS)
- Clemency Screenshot (FCOR and BVRS)

11. Acknowledgement of above felon file procedures

After you have read and understood these above procedures; please sign and date the block below and provide the signed page to your immediate supervisor.

Staff to sign: I have read and understood the procedures in this document. If I have any questions, I will consult with my immediate supervisor.

Print Name _____ Title _____
Signature _____ Date _____

Matthews, Maria I.

From: Marconnet, Amber
Sent: Monday, March 25, 2019 3:08 PM
To: Matthews, Maria I.
Cc: Brown, Toshia
Subject: FW: Revised Case File Procedures
Attachments: ConstAmend 4 - BVRS Internal -Felon Case Procedures eff 20190131 draft.....docx;
FDLE_MURDER_SO_StatInfo.xlsx

Maria,

Per conversation. This is the latest version where we were moving forward with murder valids. However, we have since discussed other options i.e. DOC incarceration so no new updates have been made to the procedures until we have a confirmed direction in which to notify staff.

At the time of providing the updated procedures we will also be providing the FDLE Statutes in regards to SO/Murder. Staff are currently able to determine how to categorize by the charge. As you know there are smaller amounts of SO/Murder charges overall.

Please let me know if you have further questions.

Thank you,

Amber Marconnet

Amber Marconnet
Management Analyst Supervisor
Division of Elections, Bureau of Voter Registration Services
R.A. Gray Building, Room 316
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6224

From: Marconnet, Amber
Sent: Wednesday, January 30, 2019 6:18 PM
To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Cc: Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>; Morley, Tiffany M. <Tiffany.Morley@dos.myflorida.com>;
Madrigal, Virgie <Virgie.Madrigal@DOS.MyFlorida.com>
Subject: RE: Revised Case File Procedures

Maria,

I made an additional change to the attached. It involved making sure the invalid murder and felonySO files were also reviewed by the secondary reviewer. I highlighted this change in yellow.

Thank you,

Amber Marconnet

Amber Marconnet
Management Analyst Supervisor
Division of Elections, Bureau of Voter Registration Services
R.A. Gray Building, Room 316

500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6224

From: Marconnet, Amber

Sent: Monday, January 28, 2019 3:04 PM

To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>

Cc: Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>; Morley, Tiffany M. <Tiffany.Morley@dos.myflorida.com>;
Madrigal, Virgie <Virgie.Madrigal@DOS.MyFlorida.com>

Subject: RE: Revised Case File Procedures

Maria,

Attached please find the revised procedures we discussed this AM along with the attached statute information. I only made one change to the procedures and it is highlighted in yellow.

Thank you,

Amber Marconnet

Sr. Management Analyst Supervisor
Division of Elections, Bureau of Voter Registration Services
R.A. Gray Building, Room 316
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6224

From: Marconnet, Amber

Sent: Friday, January 25, 2019 2:21 PM

To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>

Cc: Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>; Morley, Tiffany M. <Tiffany.Morley@dos.myflorida.com>;
Madrigal, Virgie <Virgie.Madrigal@DOS.MyFlorida.com>

Subject: RE: Revised Case File Procedures

Maria,

Attached please find the revised procedures we discussed this AM along with the attached statute information.

Thank you,

Amber Marconnet

Sr. Management Analyst Supervisor
Division of Elections, Bureau of Voter Registration Services
R.A. Gray Building, Room 316
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6224

From: Marconnet, Amber

Sent: Wednesday, January 23, 2019 10:13 AM

To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>

Cc: Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>; Morley, Tiffany M. <Tiffany.Morley@dos.myflorida.com>;
Madrigal, Virgie <Virgie.Madrigal@DOS.MyFlorida.com>
Subject: RE: Revised Case File Procedures

Thank you Maria.

I have accepted your changes and answered your questions you had throughout the document. Toshia will schedule a meeting with Ashley for us to discuss.

Amber Marconnet

Sr. Management Analyst Supervisor
Division of Elections, Bureau of Voter Registration Services
R.A. Gray Building, Room 316
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6224

From: Matthews, Maria I.
Sent: Wednesday, January 23, 2019 9:06 AM
To: Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>
Cc: Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>; Morley, Tiffany M. <Tiffany.Morley@dos.myflorida.com>;
Madrigal, Virgie <Virgie.Madrigal@DOS.MyFlorida.com>
Subject: RE: Revised Case File Procedures

Please see attached comments. If you would like a meeting to discuss, please set one up with Ashley. Thanks.

From: Marconnet, Amber
Sent: Tuesday, January 22, 2019 5:19 PM
To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Cc: Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>; Morley, Tiffany M. <Tiffany.Morley@dos.myflorida.com>;
Madrigal, Virgie <Virgie.Madrigal@DOS.MyFlorida.com>
Subject: Revised Case File Procedures

Maria,

As discussed. Attached please find the updated case file procedures.

We will meet with staff upon your approval.

Thank you,

Amber Marconnet

Sr. Management Analyst Supervisor
Division of Elections, Bureau of Voter Registration Services
R.A. Gray Building, Room 316
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6224

Matthews, Maria I.

From: Brown, Toshia
Sent: Friday, March 22, 2019 3:08 PM
To: Matthews, Maria I.; Marconnet, Amber
Subject: RE: Amendment 4 Status Report

I see no discrepancies.

Toshia H. Brown

Chief, Bureau of Voter Registration Services
Division of Elections
Florida Department of State
R.A. Gray Building
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6225 (office)
850.245.6291 (fax)

From: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Sent: Friday, March 22, 2019 2:56 PM
To: Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>; Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>
Subject: FW: Amendment 4 Status Report

Please review and let me know your thoughts or if you see any discrepancies. Thanks.

From: Anderson, Artesa E.
Sent: Friday, March 22, 2019 2:54 PM
To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Cc: Maynor, Walter S. "Scott" <scott.maynor@dos.myflorida.com>; Brown, George <George.Brown@dos.myflorida.com>
Subject: Amendment 4 Status Report

Hi Maria,
Per our conversations yesterday, I'm providing you with a written status report for the Amendment 4 project. I will provide you with more details next week.

Task Type	Task Description	Comments
Project Documentation:	- Project Charter - Project Scope - Project Schedule	- Charter is complete and waiting for signature. I will provide a copy for you next week - Scope document is about 75% complete. Still waiting to add details from the latest legislative session - I've created the project schedule with identified tasks. The schedule is updated weekly

Current Tasks:	• Processing the reconciliation file from DOC and creating the code for the removal of records no longer active in DOC • Updating the DOC felon search to include the new requirements from the DOC file • Identifying additional requirements for BVRs-A modification	• Processing of the reconciliation file is approximately 50 % complete. Janet will have to continue the database tasks that were previously assigned to Vilma. • DOC felon search is approximately 50 % complete. Sri will be working on the coding for this piece and she just began her analysis on 3/21. Lavanya is providing support on this task as well. • Additional requirements is about 15 to 20% complete
Risks/Concerns:	• FDLE Participation • Dedicated Project Resources	• Currently FDLE has not provided any available time to discuss requirements. They are also still having issues processing the current files for DOS. I will begin more aggressive outreach next week. The inability to collaborate with FDLE may affect the overall timeline for completion. • Janet lost one of her team members (Vilma) allocated for this project and Sri and Lavanya are currently working on the pending special election and other Elections operational tasks. This project and the ERIC project will require dedicated resources. Unless we procure more staff, the preferred timeline will not be met
Procurement(s):	• Portfolio/Project Management Software (Asana) • Staff Resources	• A procurement meeting is scheduled next week to identify the department requirements so that we can begin the purchase of the Asana product to support the multiple ongoing election projects • I am currently writing the RFQ for (2) .NET developers and 1 Business Analyst

Summary: The work required from the DOC file processing is not significant and the current team should be able to complete these tasks since we have begun engagement with DOC personnel. The tasks related to FDLE processing have yet to be determined and the requirements and scope for the BVRs-A modifications are still being evaluated. I will be working on procuring resources as soon as possible so that we can complete the required development within the department's preferred timeline

Thanks,
Artesa

Artesa Anderson, PMP
Project Manager Consultant
Florida Department of State
Bureau of Departmental Information Systems (BDIS)
850-245-6140



QUICK REFERENCE
Felony Sexual Offenses and Murder Offenses
Section 98.0751, Fla. Stat.

The Legislature has defined 'felony sexual offense' and 'murder' using the following offenses for purposes of identifying convicted felons for whom clemency remains the only manner in which they may have their voting rights restored per section 8, Article IV of the Florida Constitution.

1. FELONY SEXUAL OFFENSE

a. A violation of any of the following sections or any similar offense committed in another jurisdiction which would be an offense listed in these sections if it had been committed in violation of the laws of this state.

Florida Statutes	Descriptor
491.0112	Sexual misconduct by a psychotherapist
784.049(3)(b)	Sexual cyberharassment, second or subsequent charge
794.08	Female genital mutilation
796.08	Prostitution after testing positive for HIV
800.101	Sexual offenses against a student by an authority figure, or romantic relationship
826.04	Incest
847.012	Distributing to minors or using minors in production of sexually explicit media
872.06(2)	Sexually abusing or mutilating a dead human body
944.35(3)(b)2	Sexual misconduct with an inmate/offender by a correctional employee
951.221(1)	Sexual misconduct with an inmate/offender by detention facility employee

b. Any felony offense that serves as a predicate to registration as a sexual offender in accordance with s. 943.0435 or any similar offense committed in another jurisdiction which would be an offense listed in these sections if it had been committed in violation of the laws of this state.

Section Florida Statute	Descriptor
393.135(2)	Committing, or attempting, soliciting, or conspiring to commit, sexual misconduct with a person with a developmental disability by someone working for the agency providing care or support to that person
394.4593(2)	Committing, or attempting, soliciting, or conspiring to commit, sexual misconduct with a patient by a Department of Children and Families employee

787.01	Committing a lewd and lascivious act, aggravated child abuse, sexual battery, prostitution, or exploitation of a child while committing, or attempting, soliciting, or conspiring to commit, the kidnapping of a child under age 13
787.02	Committing a lewd and lascivious act, aggravated child abuse, sexual battery, prostitution, or exploitation of a child while committing, or attempting, soliciting, or conspiring to commit, the false imprisonment of a child under age 13
787.025(2)(c)	A person 18 years of age or older who, having been previously convicted of a violation of chapter 794, s. 800.04, or s. 847.0135(5), or a violation of a similar law of another jurisdiction, intentionally lures or entices, or attempts to lure or entice, a child under the age of 12 into a structure, dwelling, or conveyance for other than a lawful purpose
787.06(3)(b)	Committing, or attempting, soliciting, or conspiring to commit coercion for commercial sexual activity of an adult by any person engaging in, attempting to engage in, or benefitting from participation in human trafficking
787.06(3)(d)	Committing, or attempting, soliciting, or conspiring to commit coercion for commercial sexual activity of an adult who is an unauthorized alien by any person engaging in, attempting to engage in, or benefitting from participation in human trafficking
787.06(3)(f)	Committing, or attempting, soliciting, or conspiring to commit the transporting of a child or adult from outside the state to within the state for commercial sexual activity by any person engaging in, attempting to engage in, or benefitting from participation in human trafficking
787.06(3)(g)	Committing, or attempting, soliciting, or conspiring to commit the trafficking of any child under the age of 18 who is mentally defective or incapacitated for commercial sexual activity
787.06(3)(h)	^ Committing, or attempting, soliciting, or conspiring to commit the trafficking of any child under the age of 15
794.011	^^Committing, or attempting, soliciting, or conspiring to commit sexual battery (Excludes the conviction of a person who falsely accuses a person of authority of committing sexual battery)
794.05	A person 24 years of age or older who engages, or attempts, solicits, or conspires to engage in sexual activity with a person 16 or 17 years of age
796.03	^ Procuring for prostitution, or causing to be prostituted, any person who is under the age of 18 years, or attempting, soliciting, or conspiring to do so
796.035	^ Selling or buying of minors into sex trafficking or prostitution, or attempting, soliciting, or conspiring to do so
800.04	Committing, or attempting, soliciting, or conspiring to commit lewd or lascivious offenses upon or in the presence of persons less than 16 years of age. ^^ (4)(a)2, where the victim is under 12 years of age or where the court finds the sexual activity was by force or coercion. (5)(c)1, where the court finds molestation involving unclothed genitals. (5)(d), where the court find use of force or coercion and unclothed genitals.
810.145(8)	A person 18 or older who is responsible for the welfare of a child less than 16 years of age or who is employed in a school, private school, or voluntary pre-K program who commits, or attempts, solicits, or conspires to commit any offense involving video voyeurism against the child
825.1025	Committing, or attempting, soliciting, or conspiring to commit lewd or lascivious offenses upon or in the presence of an elderly or disabled person

827.071	Possession, use, or promotion of, or attempting, soliciting, or conspiring to possess, use or promote a sexual performance by a child
847.0133	Selling, renting, loan, giving away, distributing, transmitting, or showing any obscene material to a minor, or attempting, soliciting, or conspiring to do so
847.0135	Using a computer to entice a person believed to be a child to commit a sexually explicit act, entice the person believed to be child's guardian to consent to such an act, or engage in sexual misconduct with a minor. Travelling, or attempting, soliciting, or conspiring to travel to meet a person believed to be a minor after such use of a computer. Lewd and lascivious exhibition live over a computer or TV monitor to a victim believed to be less than 16. (Excludes the conviction of an owner or operator of an online service who permits a subscriber to violate this statute.)
847.0137	Transmitting, or attempting, soliciting, or conspiring to transmit child pornography over or through any medium, including the Internet, by use of electronic device
847.0138	Transmitting, or attempting, soliciting, or conspiring to transmit an image, information, or data that is harmful to minors to a person believed or known to be a minor
847.0145	Selling, buying, or otherwise transferring the custody of a minor, or attempting, soliciting, or conspiring to do so, with the knowledge or intent that the minor will engage in or render assistance with the production of a sexually explicit act
895.03	Racketeering, if the court makes a written finding that the racketeering activity involved at least one sexual offense listed above
916.1075(2)	Committing, or attempting, soliciting, or conspiring to commit, sexual misconduct with any defendant who has been committed to the department or agency by a Department of Children and Families or Agency for Persons with Disabilities employee
985.701(1)	Any Department of Juvenile Justice employee who engages in, or attempts, solicits, or conspires to engage in sexual misconduct with a juvenile offender

^ Former statute

^^Applies to persons adjudicated juvenile delinquent for the offense on or after July 1, 2007 if the juvenile was 14 years or older at the time of the offense

2. MURDER

A violation of any of the following sections which results in the actual killing of a human being or any similar offense committed in another jurisdiction which would be an offense listed in these sections if it had been committed in violation of the laws of this state.

Florida Statutes	Descriptor
775.33(4)	Providing material support or resources for terrorism that results in death
782.04(1)	Murder, premeditated or while committing or attempting to commit another felony (listed in the statute) = Murder in the first degree, Capital felony
782.04(2)	Murder by imminently dangerous act to another person, showing disregard for human life, but not pre-meditated = Murder in the second degree, First degree felony
782.04(3)	When you are committing or attempting to commit another felony (listed in the statute) and another person with you commits murder = Murder in the second degree, First degree felony
782.09	Killing of an unborn child by injury to the mother



QUICK REFERENCE

Felony Sexual Offenses and Murder Offenses

Section 98.0751, Fla. Stat.

Deleted: Constitutional Amendment 4

The Legislature has defined 'felony sexual offense' and 'murder' using the following offenses for purposes of identifying convicted felons for whom clemency remains the only manner in which they may have their voting rights restored per section 8, Article IV of the Florida Constitution.

Deleted: . See s. 98.0751, F.S. (CS/CS/CS/SB 7066 not yet signed into law).

1. FELONY SEXUAL OFFENSE

a. A violation of any of the following sections or any similar offense committed in another jurisdiction which would be an offense listed in these sections if it had been committed in violation of the laws of this state.

Florida Statutes	Descriptor
491.0112	Sexual misconduct by a psychotherapist
784.049(3)(b)	Sexual cyberharassment, second or subsequent charge
794.08	Female genital mutilation
796.08	Prostitution after testing positive for HIV
800.101	Sexual offenses against a student by an authority figure, or romantic relationship
826.04	Incest
847.012	Distributing to minors or using minors in production of sexually explicit media
872.06(2)	Sexually abusing or mutilating a dead human body
944.35(3)(b)2	Sexual misconduct with an inmate/offender by a correctional employee
951.221(1)	Sexual misconduct with an inmate/offender by detention facility employee

b. Any felony offense that serves as a predicate to registration as a sexual offender in accordance with s. 943.0435 or any similar offense committed in another jurisdiction which would be an offense listed in these sections if it had been committed in violation of the laws of this state.

Section Florida Statute	Descriptor
393.135(2)	Committing, or attempting, soliciting, or conspiring to commit, sexual misconduct with a person with a developmental disability by someone working for the agency providing care or support to that person
394.4593(2)	Committing, or attempting, soliciting, or conspiring to commit, sexual misconduct with a patient by a Department of Children and Families employee

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787.01	Committing a lewd and lascivious act, aggravated child abuse, sexual battery, prostitution, or exploitation of a child while committing, or attempting, soliciting, or conspiring to commit, the kidnapping of a child under age 13
787.02	Committing a lewd and lascivious act, aggravated child abuse, sexual battery, prostitution, or exploitation of a child while committing, or attempting, soliciting, or conspiring to commit, the false imprisonment of a child under age 13
787.025(2)(c)	A person 18 years of age or older who, having been previously convicted of a violation of chapter 794, s. 800.04, or s. 847.0135(5), or a violation of a similar law of another jurisdiction, intentionally lures or entices, or attempts to lure or entice, a child under the age of 12 into a structure, dwelling, or conveyance for other than a lawful purpose
787.06(3)(b)	Committing, or attempting, soliciting, or conspiring to commit coercion for commercial sexual activity of an adult by any person engaging in, attempting to engage in, or benefitting from participation in human trafficking
787.06(3)(d)	Committing, or attempting, soliciting, or conspiring to commit coercion for commercial sexual activity of an adult who is an unauthorized alien by any person engaging in, attempting to engage in, or benefitting from participation in human trafficking
787.06(3)(f)	Committing, or attempting, soliciting, or conspiring to commit the transporting of a child or adult from outside the state to within the state for commercial sexual activity by any person engaging in, attempting to engage in, or benefitting from participation in human trafficking
787.06(3)(g)	Committing, or attempting, soliciting, or conspiring to commit the trafficking of any child under the age of 18 who is mentally defective or incapacitated for commercial sexual activity
787.06(3)(h)	^ Committing, or attempting, soliciting, or conspiring to commit the trafficking of any child under the age of 15
794.011	^^Committing, or attempting, soliciting, or conspiring to commit sexual battery (Excludes the conviction of a person who falsely accuses a person of authority of committing sexual battery)
794.05	A person 24 years of age or older who engages, or attempts, solicits, or conspires to engage in sexual activity with a person 16 or 17 years of age
796.03	^ Procuring for prostitution, or causing to be prostituted, any person who is under the age of 18 years, or attempting, soliciting, or conspiring to do so
796.035	^ Selling or buying of minors into sex trafficking or prostitution, or attempting, soliciting, or conspiring to do so
800.04	Committing, or attempting, soliciting, or conspiring to commit lewd or lascivious offenses upon or in the presence of persons less than 16 years of age. ^^4(a)2, where the victim is under 12 years of age or where the court finds the sexual activity was by force or coercion. (5)(c)1, where the court finds molestation involving unclothed genitals. (5)(d), where the court find use of force or coercion and unclothed genitals.
810.145(8)	A person 18 or older who is responsible for the welfare of a child less than 16 years of age or who is employed in a school, private school, or voluntary pre-K program who commits, or attempts, solicits, or conspires to commit any offense involving video voyeurism against the child
825.1025	Committing, or attempting, soliciting, or conspiring to commit lewd or lascivious offenses upon or in the presence of an elderly or disabled person

Deleted: June

827.071	Possession, use, or promotion of, or attempting, soliciting, or conspiring to possess, use or promote a sexual performance by a child
847.0133	Selling, renting, loan, giving away, distributing, transmitting, or showing any obscene material to a minor, or attempting, soliciting, or conspiring to do so
847.0135	Using a computer to entice a person believed to be a child to commit a sexually explicit act, entice the person believed to be child's guardian to consent to such an act, or engage in sexual misconduct with a minor. Travelling, or attempting, soliciting, or conspiring to travel to meet a person believed to be a minor after such use of a computer. Lewd and lascivious exhibition live over a computer or TV monitor to a victim believed to be less than 16. (Excludes the conviction of an owner or operator of an online service who permits a subscriber to violate this statute.)
847.0137	Transmitting, or attempting, soliciting, or conspiring to transmit child pornography over or through any medium, including the Internet, by use of electronic device
847.0138	Transmitting, or attempting, soliciting, or conspiring to transmit an image, information, or data that is harmful to minors to a person believed or known to be a minor
847.0145	Selling, buying, or otherwise transferring the custody of a minor, or attempting, soliciting, or conspiring to do so, with the knowledge or intent that the minor will engage in or render assistance with the production of a sexually explicit act
895.03	Racketeering, if the court makes a written finding that the racketeering activity involved at least one sexual offense listed above
916.1075(2)	Committing, or attempting, soliciting, or conspiring to commit, sexual misconduct with any defendant who has been committed to the department or agency by a Department of Children and Families or Agency for Persons with Disabilities employee
985.701(1)	Any Department of Juvenile Justice employee who engages in, or attempts, solicits, or conspires to engage in sexual misconduct with a juvenile offender

^ Former statute

^^Applies to persons adjudicated juvenile delinquent for the offense on or after July 1, 2007 if the juvenile was 14 years or older at the time of the offense

2. MURDER

A violation of any of the following sections which results in the actual killing of a human being or any similar offense committed in another jurisdiction which would be an offense listed in these sections if it had been committed in violation of the laws of this state.

Florida Statutes	Descriptor
775.33(4)	Providing material support or resources for terrorism that results in death
782.04(1)	Murder, premeditated or while committing or attempting to commit another felony (listed in the statute) = Murder in the first degree, Capital felony
782.04(2)	Murder by imminently dangerous act to another person, showing disregard for human life, but not pre-meditated = Murder in the second degree, First degree felony
782.04(3)	When you are committing or attempting to commit another felony (listed in the statute) and another person with you commits murder = Murder in the second degree, First degree felony
782.09	Killing of an unborn child by injury to the mother

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Number of judicial charges with a felony conviction that contain a statutory reference for 'MURDER'.

Based on CCH data extracted December 1, 2018.

SOURCE: FDLE (2018). Tallahassee, FL

JUD_CRT_STATUTE	Frequency	Percent	Cumulative Frequency	Cumulative Percent
782	24	0.08	29531	98.86
782	1	0	29841	99.9
782.01	14	0.05	29671	99.33
782.011	1	0	29842	99.9
782.02	5	0.02	29750	99.59
782.021	3	0.01	29795	99.74
782.03	4	0.01	29784	99.71
782.04	4390	14.7	13113	43.9
782.04	22	0.07	29575	99.01
782..04.1A1	1	0	29840	99.89
782.04.	3	0.01	29798	99.75
782.04.(1)	22	0.07	29553	98.93
782.04.(1A1	5	0.02	29755	99.61
782.04.(1A2	1	0	29843	99.9
782.04.(2)	15	0.05	29627	99.18
782.04.(4)	1	0	29844	99.91
782.04.0	3	0.01	29801	99.76
782.04.0000	2	0.01	29821	99.83
782.04.01	1	0	29845	99.91
782.04.01A	70	0.23	29090	97.38
782.04.02	49	0.16	29423	98.5
782.04.04	3	0.01	29804	99.77
782.04.1	2346	7.85	21857	73.17
782.04.14	1	0	29846	99.91
782.04.1A	1794	6.01	23651	79.17
782.04.1A1	3981	13.33	17094	57.22
782.04.1A-1	3	0.01	29807	99.78
782.04.1A12	27	0.09	29507	98.78
782.04.1A1C	1	0	29847	99.92
782.04.1A2	435	1.46	26891	90.02
782.04.1A2D	1	0	29848	99.92
782.04.1A3	28	0.09	29480	98.69
782.04.1AA	5	0.02	29760	99.63
782.04.1B	73	0.24	29020	97.15
782.04.1B2	2	0.01	29823	99.84
782.04.1C	6	0.02	29745	99.57
782.04.1D	2	0.01	29825	99.84
782.04.2	8723	29.2	8723	29.2
782.04.2000	2	0.01	29829	99.86
782.04.21	15	0.05	29642	99.23
782.04.2-1	1	0	29849	99.92
782.04.2-2	2	0.01	29827	99.85

782.04.23	4	0.01	29788	99.72
782.04.2A	1	0	29850	99.93
782.04.2F	3	0.01	29810	99.79
782.04.3	729	2.44	25521	85.43
782.04.4	488	1.63	26009	87.07
782.04.777	1	0	29851	99.93
782.04.A	1	0	29852	99.93
782.04.C	2	0.01	29831	99.86
782.04.K	1	0	29853	99.94
782.040.1	10	0.03	29716	99.48
782.040.1A	53	0.18	29274	98
782.040.1B	19	0.06	29594	99.07
782.040.2	96	0.32	28947	96.9
782.040.3	5	0.02	29765	99.64
782.040.4	9	0.03	29725	99.51
782.041	13	0.04	29684	99.37
782.041.A2	2	0.01	29833	99.87
782.042	7	0.02	29732	99.53
782.05	1	0	29854	99.94
782.051	115	0.38	28754	96.26
782.051.	5	0.02	29770	99.66
782.051.1	447	1.5	26456	88.56
782.051.2	64	0.21	29221	97.82
782.051.2A	1	0	29855	99.94
782.051.3	50	0.17	29324	98.17
782.051.3A	2	0.01	29835	99.88
782.06	3	0.01	29813	99.8
782.07	2417	8.09	19511	65.32
782.07	97	0.32	28851	96.58
782.07.	195	0.65	28505	95.42
782.07.(1)	1	0	29856	99.95
782.07.(3)	1	0	29857	99.95
782.07.0	5	0.02	29775	99.68
782.07.0000	1	0	29858	99.95
782.07.1	1141	3.82	24792	82.99
782.07.1&3	3	0.01	29816	99.81
782.07.12	2	0.01	29837	99.88
782.07.1A	5	0.02	29780	99.69
782.07.1A1	2	0.01	29839	99.89
782.07.2	67	0.22	29157	97.61
782.07.3	200	0.67	28310	94.77
782.07.4	11	0.04	29695	99.41
782.07.F2	1	0	29859	99.96
782.071	422	1.41	27313	91.43
782.071.	15	0.05	29657	99.28
782.071.02	1	0	29860	99.96
782.071.1	410	1.37	27723	92.81

782.071.1A	387	1.3	28110	94.1
782.071.1B	134	0.45	28639	95.87
782.071.2	50	0.17	29374	98.33
782.071.2AB	1	0	29861	99.96
782.071.3	1	0	29862	99.97
782.071.5	1	0	29863	99.97
782.072	3	0.01	29819	99.82
782.072.1	4	0.01	29792	99.73
782.072.2	7	0.02	29739	99.55
782.08	11	0.04	29706	99.44
782.09	18	0.06	29612	99.13
782.09.1A	1	0	29864	99.97
782.104	1	0	29865	99.98
782.11	29	0.1	29452	98.59
782.11.	1	0	29866	99.98
782.14	1	0	29867	99.98
782.35	1	0	29868	99.99
782.4	1	0	29869	99.99
782.504	1	0	29870	99.99
782.907	1	0	29871	100
782.94	1	0	29872	100

Number of judicial charges with a felony conviction that contain an offense code that references 'MURDER' .
Based on CCH data extracted December 1, 2018.
SOURCE: FDLE (2018). Tallahassee, FL

JUD_OFF_CD	Frequency	Percent	Cumulative Frequency	Cumulative Percent
0912-HOMICIDE-WILLFUL KILL-WEAPON-	33183	56.72	33183	56.72
0999-HOMICIDE-	13118	22.42	46301	79.14
0909-HOMICIDE-NEGLIG MANSL-VEH-	7558	12.92	53859	92.05
0910-HOMICIDE-NEGLIG MANSL-WEAPON-	3193	5.46	57052	97.51
0913-HOMICIDE-MANSL-	763	1.3	57815	98.82
0900-HOMICIDE-	304	0.52	58119	99.34
0911-HOMICIDE-WILLFUL KILL-GUN-	246	0.42	58365	99.76
0903-HOMICIDE-WILLFUL KILL-NONFAMILY-GUN-	46	0.08	58411	99.83
0908-HOMICIDE-WILLFUL KILL-POL OFF-	33	0.06	58444	99.89
0904-HOMICIDE-WILLFUL KILL-NONFAMILY-	31	0.05	58475	99.94
0901-HOMICIDE-WILLFUL KILL-FAMILY-GUN-	19	0.03	58494	99.98
0902-HOMICIDE-WILLFUL KILL-FAMILY-	11	0.02	58505	99.99
0906-HOMICIDE-WILLFUL KILL-PUB OFF-	2	0	58507	100
0907-HOMICIDE-WILLFUL KILL-POL OFF-GUN-	1	0	58508	100

Number of judicial charges with a felony conviction that contain a statutory reference for 'MURDER'.
Based on CCH data extracted December 1, 2018.
SOURCE: FDLE (2018). Tallahassee, FL

JUD_CRT_STATUTE	Frequency	Percent	Cumulative Frequency	Cumulative Percent
782.04.2	8723	29.2	8723	29.2
782.04	4390	14.7	13113	43.9
782.04.1A1	3981	13.33	17094	57.22
782.07	2417	8.09	19511	65.32
782.04.1	2346	7.85	21857	73.17
782.04.1A	1794	6.01	23651	79.17
782.07.1	1141	3.82	24792	82.99
782.04.3	729	2.44	25521	85.43
782.04.4	488	1.63	26009	87.07
782.051.1	447	1.5	26456	88.56
782.04.1A2	435	1.46	26891	90.02
782.071	422	1.41	27313	91.43
782.071.1	410	1.37	27723	92.81
782.071.1A	387	1.3	28110	94.1
782.07.3	200	0.67	28310	94.77
782.07.	195	0.65	28505	95.42
782.071.1B	184	0.45	28689	95.87
782.051	115	0.38	28754	96.26
782.07	97	0.32	28851	96.58
782.040.2	96	0.32	28947	96.9
782.04.1B	73	0.24	29020	97.15
782.04.01A	70	0.23	29090	97.38
782.07.2	67	0.22	29157	97.61
782.051.2	64	0.21	29221	97.82
782.040.1A	53	0.18	29274	98
782.051.3	50	0.17	29324	98.17
782.071.2	50	0.17	29374	98.33
782.04.02	49	0.16	29423	98.5
782.11	29	0.1	29452	98.59
782.04.1A3	28	0.09	29480	98.69
782.04.1A12	27	0.09	29507	98.78
782	24	0.08	29531	98.86
782.04.(1)	22	0.07	29553	98.93
782.04	22	0.07	29575	99.01
782.040.1B	19	0.06	29594	99.07
782.09	18	0.06	29612	99.13
782.04.(2)	15	0.05	29627	99.18
782.04.21	15	0.05	29642	99.23
782.071.	15	0.05	29657	99.28
782.01	14	0.05	29671	99.33
782.041	13	0.04	29684	99.37
782.07.4	11	0.04	29695	99.41
782.08	11	0.04	29706	99.44
782.040.1	10	0.03	29716	99.48
782.040.4	9	0.03	29725	99.51
782.042	7	0.02	29732	99.53
782.072.2	7	0.02	29739	99.55
782.04.1C	6	0.02	29745	99.57
782.02	5	0.02	29750	99.59
782.04.(1A1)	5	0.02	29755	99.61
782.04.1AA	5	0.02	29760	99.63
782.040.3	5	0.02	29765	99.64
782.051	5	0.02	29770	99.66
782.07.0	5	0.02	29775	99.68
782.07.1A	5	0.02	29780	99.69
782.03	4	0.01	29784	99.71
782.04.23	4	0.01	29788	99.72
782.072.1	4	0.01	29792	99.73
782.021	3	0.01	29795	99.74
782.04.	3	0.01	29798	99.75
782.04.0	3	0.01	29801	99.76
782.04.04	3	0.01	29804	99.77
782.04.1A-1	3	0.01	29807	99.78
782.04.2F	3	0.01	29810	99.79
782.06	3	0.01	29813	99.8
782.07.1B3	3	0.01	29816	99.81
782.072	3	0.01	29819	99.82
782.04.0000	2	0.01	29821	99.83
782.04.1B2	2	0.01	29823	99.84
782.04.1D	2	0.01	29825	99.84
782.04.2-2	2	0.01	29827	99.85
782.04.2000	2	0.01	29829	99.86
782.04.C	2	0.01	29831	99.86
782.041.A2	2	0.01	29833	99.87
782.051.3A	2	0.01	29835	99.88
782.07.12	2	0.01	29837	99.88
782.07.1A3	2	0.01	29839	99.89
782.04.1A1	1	0	29840	99.89
782	1	0	29841	99.9
782.011	1	0	29842	99.9
782.04.(1A2)	1	0	29843	99.9
782.04.(4)	1	0	29844	99.91
782.04.01	1	0	29845	99.91
782.04.14	1	0	29846	99.91
782.04.1A1C	1	0	29847	99.92
782.04.1A2D	1	0	29848	99.92
782.04.2-1	1	0	29849	99.92
782.04.2A	1	0	29850	99.93
782.04.777	1	0	29851	99.93
782.04.A	1	0	29852	99.93
782.04.X	1	0	29853	99.94
782.05	1	0	29854	99.94
782.051.2A	1	0	29855	99.94
782.07.(1)	1	0	29856	99.95
782.07.(3)	1	0	29857	99.95
782.07.0000	1	0	29858	99.95
782.07.F2	1	0	29859	99.96
782.071.02	1	0	29860	99.96
782.071.2AB	1	0	29861	99.96
782.071.3	1	0	29862	99.97
782.071.5	1	0	29863	99.97
782.09.1A	1	0	29864	99.97
782.104	1	0	29865	99.98
782.11	1	0	29866	99.98
782.14	1	0	29867	99.98
782.35	1	0	29868	99.99
782.4	1	0	29869	99.99
782.504	1	0	29870	99.99
782.907	1	0	29871	100
782.94	1	0	29872	100

Number of judicial charges with a felony conviction that contain a reference to 'MURDER' in the offense literal field.

Based on CCH data extracted December 1, 2018.

SOURCE: FDLE (2018). Tallahassee, FL

JUD_CRT_LIT	Frequency	Percent	Cumulative Frequency	Cumulative Percent
MANSLAUGHTER	5390	12.72	5390	12.72
DUI MANSLAUGHTER	1980	4.67	7370	17.4
SECOND DEGREE MURDER	1262	2.98	8632	20.38
FIRST DEGREE MURDER	1220	2.88	9852	23.26
MURDER FIRST DEGREE	1056	2.49	10908	25.75
MURDER 1ST DEG ATT	1050	2.48	11958	28.23
MURDER IN THE SECOND DEGREE	1029	2.43	12987	30.66
MURDER SECOND DEGREE	1015	2.4	14002	33.05
MURDER IN THE FIRST DEGREE	1007	2.38	15009	35.43
MURDER 1ST DEGREE	840	1.98	15849	37.41
MURDER 2ND DEG PBL	832	1.96	16681	39.38
VEHICULAR HOMICIDE	773	1.82	17454	41.2
MURDER 2ND DEG ATT	740	1.75	18194	42.95
MURDER	674	1.59	18868	44.54
MURDER 2ND DEG DWEAP	425	1	19293	45.54
MANSL	413	0.97	19706	46.52
ATTEMPTED MURDER 1ST DEGREE	411	0.97	20117	47.49
ATTEMPTED FIRST DEGREE MURDER	397	0.94	20514	48.43
MURDER PREMED ATT FA	384	0.91	20898	49.33
MURDER IN 2ND DEGREE	359	0.85	21257	50.18
MURDER 1ST DWEAP ATT	344	0.81	21601	50.99
WILLFUL KILL	330	0.78	21931	51.77
MURDER SECOND DEGREE	307	0.72	22238	52.5
MURDER 2ND DEGREE	303	0.72	22541	53.21
ATTEMPTED MURDER IN THE SECOND DEGREE	298	0.7	22839	53.92
MURDER FIRST DEGREE	245	0.58	23084	54.49
ATT MURDER IN FIRST DEGREE 777 04	244	0.58	23328	55.07
ATTEMPTED FIRST DEGREE MURDER WITH A FIREARM	228	0.54	23556	55.61
ATTEMPTED SECOND DEGREE MURDER	224	0.53	23780	56.14
DWI MANSLAUGHTER	210	0.5	23990	56.63
FIRST DEGREE MURDER WITH A FIREARM	201	0.47	24191	57.11
NEGLIG MANSL VEH	189	0.45	24380	57.55
MANSLAUGHTER WITH A FIREARM	185	0.44	24565	57.99
SECOND DEGREE MURDER WITH A FIREARM	184	0.43	24749	58.42
MANSLAUGHTER DWEAP	160	0.38	24909	58.8
HOMICIDEWILFUL KILL MURDER PREMEDITATED	157	0.37	25066	59.17
ATTEMPTED MURDER 2ND DEGREE	151	0.36	25217	59.53
MURDER 2ND FIREARM	140	0.33	25357	59.86
ACCIDENT INVOLVE DEATH PER IN	134	0.32	25491	60.18
MANSLAUGHTER VOLUNTARY OR INVOLUNTARY	131	0.31	25622	60.48
ATTEMPTED MURDER IN THE FIRST DEGREE	128	0.3	25750	60.79
MURDER FIRST DEGREE	128	0.3	25878	61.09
HOMICIDE WILFUL KILL MURDER NOT PREMEDITATED D	112	0.26	25990	61.35
MANSLAUGHTER CULPABLE NEGLIG	111	0.26	26101	61.62
ATTEMPTED SECOND DEGREE MURDER WITH A FIREARM	106	0.25	26207	61.87
AGGRAVATED MANSLAUGHTER OF A CHILD	105	0.25	26312	62.11
MURDER IN THE FIRST DEGREE CAPITAL FELONY	104	0.25	26416	62.36
MURDER 1ST DEGREE PREMEDITATED DESIGN	102	0.24	26518	62.6
MURDER IN THE SECOND DEGREE WITH A WEAPON	102	0.24	26620	62.84
WRITTEN THREATS TO KILL OR DO BODILY INJURY	102	0.24	26722	63.08
ATTEMPTED MURDER IN THE 1ST D	99	0.23	26821	63.32
LSA DEATH	94	0.22	26915	63.54
ATTEMPTED FELONY MURDER	93	0.22	27008	63.76
ATTEMPTED MURDER	90	0.21	27098	63.97
HOMICIDEWILFUL KILL MURDER NOT PREMEDITATED NO	88	0.21	27186	64.18
MURDERFIRST DEGREE	88	0.21	27274	64.38
THIRD DEGREE MURDER	88	0.21	27362	64.59

MURDER IN THE FIRST DEGREE PREMEDITATED	86	0.2	27448	64.8
MURDER SECOND DEGREE	85	0.2	27533	65
MANSLAUGHTER D U I	84	0.2	27617	65.19
ATTEMPTED 1ST DEGREE MURDER	80	0.19	27697	65.38
ATTEMPTED MURDER IN 2ND DEGRE	79	0.19	27776	65.57
HOMICIDE WILFUL KILL MURDER PREMEDITATED	79	0.19	27855	65.76
TCATS DUI MANSLAUGHTER	79	0.19	27934	65.94
ATTEMPT SECOND DEGREE MURDER	77	0.18	28011	66.12
LEAVING THE SCENE OF A CRASH INVOLVING DEATH	77	0.18	28088	66.31
MURDER 2ND DEG WEAP	76	0.18	28164	66.49
AGGRAV STALKING FOLLOW HARASS CYBERSTALK DEATH	75	0.18	28239	66.66
CR DWI MANSLAUGHTER	74	0.17	28313	66.84
MURDER IN THE SECOND DEGREE WITH A FIREARM	73	0.17	28386	67.01
ATTEMPTED MANSLAUGHTER	72	0.17	28458	67.18
MANSLAUGHTER BY CULPABLE NEGLIGENCE	72	0.17	28530	67.35
MURDER 3RD DEGREE	71	0.17	28601	67.52
ATTEMPT FIRST DEGREE MURDER	70	0.17	28671	67.68
HOMICIDE NEGLIG MANSL OTHER THAN BY MOTOR VEHI	70	0.17	28741	67.85
DUI MANSLAUGHTER	69	0.16	28810	68.01
DUI CAUSE DEATH TO HUMAN OR UNBORN CHILD	69	0.16	28879	68.17
MURDER 2 FIREARM ATT	69	0.16	28948	68.34
ATT SECOND DEGREE MURDER	68	0.16	29016	68.5
CONSERVATION ANIMALSCAUSE CRUEL DEATH PAIN AND	68	0.16	29084	68.66
MURDER 2 DEG FEL PBL	68	0.16	29152	68.82
DW OL DWLS DEATH INJ	67	0.16	29219	68.98
ACCIDENT INVOLVE DEATH PER INJURY FAIL TO STOP	66	0.16	29285	69.13
ATT FEL MURDER PBL	66	0.16	29351	69.29
FIRST DEGREE FELONY MURDER	66	0.16	29417	69.44
ACCIDENTS INVOLVING DEATH OR PERSONAL	65	0.15	29482	69.6
CAPITAL MURDER	63	0.15	29545	69.75
MANSLAUGHTER FIREARM	63	0.15	29608	69.89
LEAV SCENE ACC PER INJ DEATH	62	0.15	29670	70.04
MURDER 1ST DEG CONSP	62	0.15	29732	70.19
CONSERVATION ANIMALS CAUSE CRUEL DEATH PAIN AN	61	0.14	29793	70.33
CR VEHICULAR HOMICIDE	59	0.14	29852	70.47
MANSLAUGHTER W FIREARM	57	0.13	29909	70.61
DUI MANSLAUGHTER	56	0.13	29965	70.74
MURDER 2ND LEO ATT	56	0.13	30021	70.87
MANSLAUGHLTER	55	0.13	30076	71
LEAVING THE SCENE OF A CRASH WITH DEATH	54	0.13	30130	71.13
MURDER 1D ATTEMP	54	0.13	30184	71.25
WRITTEN THREATS TO KILL DO BODILY INJURY	53	0.13	30237	71.38
MURDER 2ND DWEAP ATT	52	0.12	30289	71.5
MURDER IN THE THIRD DEGREE	52	0.12	30341	71.62
CR LEAVING THE SCENE OF AN ACCIDENT WITH DEATH	51	0.12	30392	71.75
CONSERVATIONANIMALS CAUSE CRUEL DEATH PAIN AND	50	0.12	30442	71.86
HOMICIDE NEGLIG MANSL VEH DUI CAUSE DEATH TO A	49	0.12	30491	71.98
MURDER IN THE FIRST DEGREE FELONY MURDER	49	0.12	30540	72.09
MURDERSECOND DEGREE	48	0.11	30588	72.21
UNLAW BLOOD ALCOHOL MANSLAUGHT	48	0.11	30636	72.32
ACCIDENT LEAVE SCENE W O GIVING AID DEATH INJU	45	0.11	30681	72.43
CAUSE CRUEL DEATH PAIN AND SUFFERING ANIMALS	45	0.11	30726	72.53
FELONY MURDER 2	45	0.11	30771	72.64
MANSLAUGHTER OTHER THAN BY MOTOR VEHICLE	45	0.11	30816	72.75
ATTEMPTED MURDER SECOND DEGREE	44	0.1	30860	72.85
FIRST DEGREE PREMEDITATED MURDER	44	0.1	30904	72.95
SECOND DEGREE MURDER WITH A WEAPON	44	0.1	30948	73.06
ATT MURDER 2D DEGREE W WEAPON	43	0.1	30991	73.16
CONSPIRACY TO COMMIT MURDER	43	0.1	31034	73.26
MURDER 1ST DEGREE PREMEDITATED	43	0.1	31077	73.36
2ND DEG MURDER DANGEROUS DEPRAVED WO PREMEDITA	42	0.1	31119	73.46
DRIV W O VALID DRIV W DEATH OR SERI BOD INJ	42	0.1	31161	73.56

HOMICIDE WILFUL KILLMURDER PREMEDITATED	42	0.1	31203	73.66
LEAVING SCENE OF ACCIDENT W INJURY OR DEATH	42	0.1	31245	73.76
LSOA WITHOUT RENDERING AID INVOLVING DEATHINJU	42	0.1	31287	73.86
ATTEMPTED FIRST DEGREE FELONY MURDER	41	0.1	31328	73.95
ATTEMPTED MURDER IN FIRST DEG	41	0.1	31369	74.05
DR WHILE LIC SUSPENDED DEATH OR SERIOUS INJ	41	0.1	31410	74.15
LVNG SCENE ACC W INJURY OR DEATH	41	0.1	31451	74.25
TCATS VEHICULAR HOMICIDE	41	0.1	31492	74.34
ANIMALS CAUSE CRUEL DEATH PAIN AND SUFFERING	40	0.09	31532	74.44
MANSLAUGHTER WITH FIREARM	40	0.09	31572	74.53
SECOND DEGREE MURDER W A FIRE	40	0.09	31612	74.63
2ND DEG MURDER WO PREMEDITATION DISCHARGE FIRE	39	0.09	31651	74.72
782041 MURDER IN THE FIRST DEGREE PREMEDITATED	39	0.09	31690	74.81
DRIVING UNDER THE INFLUENCE MANSLAUGHTER	39	0.09	31729	74.9
DWI MANSLAUGHTER	39	0.09	31768	74.99
LEAV SCENE OF ACC W O REND AID DEATH INJURY AC	39	0.09	31807	75.09
MANSLAUGHTER ATTEMPT	39	0.09	31846	75.18
SOLICITATION TO COMMIT MURDER	39	0.09	31885	75.27
ATTEMPTED FIRST DEGREE MURDER WITH FIREARM	38	0.09	31923	75.36
LEAVING SCENE OF ACCIDENT INVOLVING DEATH	37	0.09	31960	75.45
LSOA WITH PERSONAL INJURY OR DEATH	37	0.09	31997	75.53
LEAVING SCENE OF ACCIDENT WITH DEATH	36	0.08	32033	75.62
ATTEMPT MURDER IN THE FIRST DEGREE	35	0.08	32068	75.7
HOMICIDE NEGLIG MANSL VEH	35	0.08	32103	75.78
WRITTEN THREATS TO KILL OR DO BODILY HARM	35	0.08	32138	75.87
ACCIDENTS INVOLVING DEATH OR PERSONAL INJURIES	34	0.08	32172	75.95
HOMICIDE NEGLIG MANSLOTHER THAN BY MOTOR VEHIC	34	0.08	32206	76.03
MURDER IN THE SECOND DEGREE FELONY MURDER	34	0.08	32240	76.11
MURDER IN THE SECOND DEGREE PBL	34	0.08	32274	76.19
DISCHARGE OF A FIREARM WITH DEATH OR G	33	0.08	32307	76.27
LEAVING SCENE ACCIDENT W DEATH	33	0.08	32340	76.34
2ND DEG MURDER W FIREARM DEADLY WPN	32	0.08	32372	76.42
ATTEMPT FEL MURDER	32	0.08	32404	76.49
ATTEMPT SECOND DEGREE MURDER WITH FIREARM	32	0.08	32436	76.57
ATTEMPTED FIRST DEGREE MURDER WITH A WEAPON	32	0.08	32468	76.65
MURDER 2ND ATT WEAPN	32	0.08	32500	76.72
MURDER SECOND DEGREE WITH ENHANCEMENT	32	0.08	32532	76.8
SECOND DEGREE FELONY MURDER	32	0.08	32564	76.87
2ND DEGREE MURDER NO FELONY OFFENSE	31	0.07	32595	76.95
ATTEMPTED FIRST DEGREE MURDER WITH A DEADLY WE	31	0.07	32626	77.02
CR ACCIDENT INVOLVE DEATH PER INJURY FAIL TO S	31	0.07	32657	77.09
MANSLAUGHTER WITH A WEAPON	31	0.07	32688	77.17
MURDER NOT PREMEDITATED DURING OTHER FELONY	31	0.07	32719	77.24
LEAVING SCENE OF CRASH WITH DEATH	30	0.07	32749	77.31
MURDER 1ST DWEAP AT	30	0.07	32779	77.38
MURDER 1ST SOLICIT	30	0.07	32809	77.45
TCATS LEAVING SCENE OF CRASH INVOLVING DEATH	30	0.07	32839	77.52
2ND DEGREE MURDER	29	0.07	32868	77.59
1ST DEGREE MURDER	28	0.07	32896	77.66
CR DRIVING W LIC SUSP W DEATH SERIOUS INJ	28	0.07	32924	77.72
LEAVING SCENE ACCIDENT WDEATH	28	0.07	32952	77.79
DUI MANSLAUGHTER	27	0.06	32979	77.85
HOMICIDE WILFUL KILL MURDER NOT PREMEDITATED DU	27	0.06	33006	77.92
LEAVING SCENE OF CRASH INVOLVING DEATH	27	0.06	33033	77.98
LSC DEATH 7 1 14	27	0.06	33060	78.04
MANSLAUGHTER WITH A WEAPON	27	0.06	33087	78.11
MURDER DANGEROUS DEPRAVED WO PREMEDITATION	27	0.06	33114	78.17
MURDER FIRST DEGREE PREMEDITATED	27	0.06	33141	78.23
MURDER IN THE FIRST DEGREE WITH FIREARM	27	0.06	33168	78.3
SECOND DEGREE MURDER WITH FIREARM	27	0.06	33195	78.36
MURDER 2ND DEGREE POSSESS FIREARM	26	0.06	33221	78.42
SECOND DEGREE MURDER W FIREARM	26	0.06	33247	78.48

ATTEMPT FELONY MURDER	25	0.06	33272	78.54
LSA INJURY DEATH	25	0.06	33297	78.6
TORTURE AN ANIMAL W INTENT TO HURT INJURE KILL	25	0.06	33322	78.66
2ND MURDER W FIREARM	24	0.06	33346	78.72
782041 MURDER IN THE FIRST DEGREE	24	0.06	33370	78.78
ATTEMPTED MURDER FIRST DEGREE	24	0.06	33394	78.83
CONSPIRACY TO COMMIT FIRST DEGREE MURDER	24	0.06	33418	78.89
FAIL TO STOP REMAIN AT CRASH INVOLVE DEATH	24	0.06	33442	78.95
HOMICIDE WILFUL KILLMURDER NOT PREMEDITATED 2N	24	0.06	33466	79
MANSL AGG CHILD	24	0.06	33490	79.06
MANSLAUGHTER WITH A WEAPON	24	0.06	33514	79.12
MURDER IN 3RD DEGREE	24	0.06	33538	79.17
SUSP D L DEATH SERIOUS INJURY	24	0.06	33562	79.23
ATTEMPTED SECOND DEGREE MURDER WITH A WEAPON	23	0.05	33585	79.28
DUI VEHICLE CAUSE DEATH TO ANY HUMAN OR UNBORN	23	0.05	33608	79.34
DWLS DEATH INJURY	23	0.05	33631	79.39
MANSLAUGHTER W WEAPON FIREARM	23	0.05	33654	79.45
MURDER SECOND DEGREE ACT IMMINENTLY DANGEROUS	23	0.05	33677	79.5
MURDER THIRD DEGREE	23	0.05	33700	79.55
SOLICITATION TO COMMIT FIRST DEGREE MURDER	23	0.05	33723	79.61
ATTEMPTED FIRST DEGREE MURDER WITH A FIREARM P	22	0.05	33745	79.66
ATTEMPTED MANSLAUGHTER WITH A FIREARM	22	0.05	33767	79.71
DUI CAUSE DEATH HUMAN UNBORN CHILD	22	0.05	33789	79.76
MURDER 2ND DEGREE DISCHARGE FIREARM	22	0.05	33811	79.82
MURDER PREMEDITATED	22	0.05	33833	79.87
ATTEMPTED FIRST DEGREE MURDER DISCHARGE INJURY	21	0.05	33854	79.92
DR W LIC SUSP W SER BOD INJ DEATH	21	0.05	33875	79.97
DUI MANSLAUGHTER IMPAIRMENT AND OR 08	21	0.05	33896	80.02
HOMICIDE NEGLIG MANSL VEH AGGRAVATED OF CHILD	21	0.05	33917	80.07
MANSLAUGHTER CULPABLE NEGLIG	21	0.05	33938	80.12
MANSLAUGHTER	21	0.05	33959	80.17
W DEATH	21	0.05	33980	80.22
WITC MANSLAUGHTER	21	0.05	34001	80.26
ATT FIRST DEGREE MURDER	20	0.05	34021	80.31
INVOLVING DEATH	20	0.05	34041	80.36
PERS OFF INJ DEATH	20	0.05	34061	80.41
2ND DEGREE MURDER NOT PREMED NO FELONY OFFENSE	19	0.04	34080	80.45
AGG ASSAULT W WEAPON WITHOUT INTENT TO KILL	19	0.04	34099	80.5
CONSPIRACY MURDER FIRST DEGREE	19	0.04	34118	80.54
DRIVE W LIC SUSP DEATH SERIOU	19	0.04	34137	80.59
DWLSR OR CANCELED CAUSING INJ DEATH	19	0.04	34156	80.63
FAIL REMAIN CRASH INVOLVE DEATH	19	0.04	34175	80.68
LEAVE SCENE OF ACCIDENT INVOLVING DEATH	19	0.04	34194	80.72
LEAVING SCENE OF ACCIDENT DEATH	19	0.04	34213	80.77
MANSLAUGHTER BY DRIVING UNDER INFLUENCE	19	0.04	34232	80.81
MURDER IN THE FIRST DEGREE CAPITAL	19	0.04	34251	80.86
MURDER NOT PREMEDITATED NO FELONY OFFENSE	19	0.04	34270	80.9
REF MANSLAUGHTER	19	0.04	34289	80.94
SECOND DEG MURDER	19	0.04	34308	80.99
ACCIDENT INVOLVE DEATH PER INJURY FAIL TO SP	18	0.04	34326	81.03
ASSAULT W INT MURDER	18	0.04	34344	81.07
ATT MURDER SECOND DEGREE 777	18	0.04	34362	81.12
ATTEMPT FELONY MURDER COULD CAUSE DEATH	18	0.04	34380	81.16
ATTEMPTED MURDER IN THE FIRST DEGREE FIREAR	18	0.04	34398	81.2
ATTEMPTED MURDER IN THE FIRST DEGREE WITH A WE	18	0.04	34416	81.24
DRIVING WHILE UNDER THE INFLUENCE MANSLAUGHT	18	0.04	34434	81.29
FIRST DEGREE MURDER WITH A WEAPON	18	0.04	34452	81.33
HOMICIDE NEGLIG MANSL VEH DUI CAUSE DEATH TO AN	18	0.04	34470	81.37
LEAVE SCENE OF CRASH INVOLVING DEATH	18	0.04	34488	81.41
LEAVING THE SCENE OF AN ACCIDENT WITH DEATH	18	0.04	34506	81.46
MANSLAUGHTER OTHER THAN BY MOTOR VEHICLE	18	0.04	34524	81.5
MANSLAUGHTER WEAPON	18	0.04	34542	81.54

MANS LAUGHTER WITH A DEADLY WEAPON	18	0.04	34560	81.58
MURDER IN SECOND DEGREE	18	0.04	34578	81.63
MURDER IN THE FIRST DEGREE WITH A FIREARM	18	0.04	34596	81.67
OTHER FELONY COMMIT ACT COULD CAUSE DEATH	18	0.04	34614	81.71
WRITE SEND THREAT TO KILL OR INJURE	18	0.04	34632	81.75
1ST DEGREE MURDER PREMEDITATED	17	0.04	34649	81.79
2ND DEGREE MURDER NOT PREMED DURING SPECIFIC F	17	0.04	34666	81.83
782042GUNS0059 FF ATTEMPTED MURDER IN TH	17	0.04	34683	81.87
AGG MANS LAUGHTER OF A CHILD	17	0.04	34700	81.91
ATTEMPTED MURDER IN THE SECOND DEGREE FIREARM	17	0.04	34717	81.96
ATTEMPTED MURDER IN THE SECOND DEGREE WITH WEAP	17	0.04	34734	82
DUI MANS LAUGHTER	17	0.04	34751	82.04
DUI MANS LAUGHTER CAUSE DEATH TO ANY HUMAN	17	0.04	34768	82.08
FIRST DEG MURDER	17	0.04	34785	82.12
HOMICIDE WILFUL KILL MURDER NOT PREMEDITATED N	17	0.04	34802	82.16
HOMICIDENEGLIG MANS L OTHER THAN BY MOTOR VEHIC	17	0.04	34819	82.2
MANS LAUGHTER CULPABLE NEGLIGENCE	17	0.04	34836	82.24
MANS LAUGHTER WITH WEAPON OR FIREARM RECLASSIFI	17	0.04	34853	82.28
POLICE DOG INJ KILL	17	0.04	34870	82.32
WITC MURDER	17	0.04	34887	82.36
782042 MURDER IN THE SECOND DEGREE	16	0.04	34903	82.39
ATT MURDER 2D DEGREE WWEAPON	16	0.04	34919	82.43
ATT SECOND DEGREE MURDER WITH A FIREARM	16	0.04	34935	82.47
ATTEMPTED FIRST DEGREE PREMEDITATED MURDER	16	0.04	34951	82.51
ATTEMPTED MURDER IN THE FIRST DEGREE LIFE	16	0.04	34967	82.55
DUI MANS LAUGHTER	16	0.04	34983	82.58
DRIVE LIC SUSP CARELESS OP CAUSE DEATH INJURY	16	0.04	34999	82.62
DUI MANS LAUGHTER FELONY	16	0.04	35015	82.66
HOMICIDE WILFUL KILL MURDER NOT PREMEDITATED 2	16	0.04	35031	82.7
LEAV SCENE OF ACCIDENT W DEATH OR PER INJURY	16	0.04	35047	82.73
LEAVE SCENE OF ACCIDENT WITH DEATH OR PERS INJ	16	0.04	35063	82.77
LEAVING SCENE OF AN ACCIDENT INVOLVING DEATH	16	0.04	35079	82.81
MURDER 2ND DEG	16	0.04	35095	82.85
SOLICITATION TO COMMIT 1ST DEG MURDER	16	0.04	35111	82.89
THIRD DEGREE MURDER FELONY MURDER	16	0.04	35127	82.92
ATTEMPTED 2ND DEGREE MURDER	15	0.04	35142	82.96
DRIVING W LIC SUSP DEATH SER	15	0.04	35157	82.99
HOMICIDE WILFUL KILL MURDER NOT PREMEDITATED NO	15	0.04	35172	83.03
HOMICIDENEGLIG MANS LVEH DUI CAUSE DEATH TO HUM	15	0.04	35187	83.06
LSQA WITHOUT RENDERING AID INVOLVING DEATH INJ	15	0.04	35202	83.1
MANS LAUGHTER ENHANCEMENT	15	0.04	35217	83.14
MANS LAUGHTER WITH WEAPON	15	0.04	35232	83.17
MURDER ATTEMPTED FIRST DEGREE	15	0.04	35247	83.21
MURDER OF A POLICE OFFICER	15	0.04	35262	83.24
REF DUI MANS LAUGHTER	15	0.04	35277	83.28
78204 FIRST DEGREE MURDER	14	0.03	35291	83.31
ATT 1ST DEGREE PREMEDITATED MURDER DISCHARGE F	14	0.03	35305	83.34
ATTEMPTED MURDER 1ST DEGREE PREMEDITATED	14	0.03	35319	83.38
FAIL TO STOP REMAIN AT CRASH INVOLVING DEATH	14	0.03	35333	83.41
HOMICIDE NEGLIG MANS LAUGHTER WITH FIREARM	14	0.03	35347	83.44
INVOLVE DEATH	14	0.03	35361	83.48
LEAVE SCENE ACCIDENT DEATH OR INJURIES	14	0.03	35375	83.51
MANS LAUGHTER 2F	14	0.03	35389	83.54
MURDER ATTEMPTED FIRST DEGREE DOME	14	0.03	35403	83.57
MURDER 1ST DEGR	14	0.03	35417	83.61
MURDER 2D ATTEMP	14	0.03	35431	83.64
MURDER SECOND DEGREE LIFE FELONY	14	0.03	35445	83.67
WRITTEN THREAT TO KILL OR INJURE	14	0.03	35459	83.71
2ND DEGREE MURDER DURING COMMISION OF A FELONY	13	0.03	35472	83.74
3161933ABC3A DUI MANS LAUGHTER	13	0.03	35485	83.77
782042 ATTEMPTED MURDER IN THE SECOND DEGREE W	13	0.03	35498	83.8
782042 MURDER IN THE SECOND DEGREE WITH A WEAP	13	0.03	35511	83.83

ATT FST DEG PREMED MURDER W DEADLY WEAPON	13	0.03	35524	83.86
ATTEMPTED FELONY MURDER F2	13	0.03	35537	83.89
ATTEMPTED MURDER IN THE FIRST DEGREE LIFE FELO	13	0.03	35550	83.92
ATTEMPTED MURDER IN THE FIRST DEGREE PREMEDITA	13	0.03	35563	83.95
DEATH	13	0.03	35576	83.98
DUI MANS LAUGHTER UBAL	13	0.03	35589	84.01
HOMICIDE NEGLIG MANS LVEH DUI VEHICLE CAUSE DE	13	0.03	35602	84.04
HOMICIDENEGLIG MANS L KILLING HUMAN OTHER THAN	13	0.03	35615	84.07
INJURE OR KILL POLICE DOG OR HORSE	13	0.03	35628	84.11
MURDER THIRD DEGREE	13	0.03	35641	84.14
MURDER SECOND DEGREE PERPETRATE CRIME	13	0.03	35654	84.17
SECOND DEGREE MURDER COMMISSION OF FELONY	13	0.03	35667	84.2
SECOND DEGREE MURDER FIREARM	13	0.03	35680	84.23
SECOND DEGREE MURDER RECLASSIFIED	13	0.03	35693	84.26
AGGRAV BATTERY DISCHARGE FIREARM CAUSE DEATH O	12	0.03	35705	84.29
ATTEMPTED FIRST DEGREE MURDER WITH A FIREARM W	12	0.03	35717	84.32
ATTEMPTED VOLUNTARY MANS LAUGHTER	12	0.03	35729	84.34
DRIVING WHILE UNDER THE INFLUENCE MANS LAUGHTER	12	0.03	35741	84.37
DRIVING WHILE UNDER THE INFLUENCE MANS LAUGHTER	12	0.03	35753	84.4
DRIVING WO LIC CAUSES DEATH OR SERIOUS INJURY	12	0.03	35765	84.43
EXP VEHICULAR HOMICIDE	12	0.03	35777	84.46
HOMICIDE NEGLIG MANS LVEH KILLING OF PERSON OR	12	0.03	35789	84.49
LEAVE SCENE OF CRASH WITH DEATH	12	0.03	35801	84.51
MANS LAUGHTER WITH A FIREARM DEADLY WEAPON	12	0.03	35813	84.54
MURDER 2ND DEGREE WDEADLY WEP	12	0.03	35825	84.57
SECOND DEGREE MURDER 1 DEG FEL PBL	12	0.03	35837	84.6
SOLICITATION FIRST DEGREE MURDER	12	0.03	35849	84.63
118 VEHICULAR HOMICIDE	11	0.03	35860	84.65
2ND DEGREE MURDER WITH FIREARM	11	0.03	35871	84.68
ACCIDENT INVOLVING INJURY DEATH FAIL TO STOP	11	0.03	35882	84.71
ATT 1ST DEG FELONY MURDER WITH WEAPON	11	0.03	35893	84.73
ATT SECOND DEGREE MURDER WITH ENHANCEMENT	11	0.03	35904	84.76
ATTEMPTED 2ND DEG MURDER DANGEROUS DEPRAVED WO	11	0.03	35915	84.78
ATTEMPTED 2ND MURDER W FIREARM	11	0.03	35926	84.81
ATTEMPTED FIRST DEGREE MURDER OF A LAW ENFORCE	11	0.03	35937	84.84
ATTEMPTED MURDER IN FIRST DEGREE	11	0.03	35948	84.86
ATTEMPTED MURDER OF A LAW ENFORCEMENT OFFICER	11	0.03	35959	84.89
DRIVE WHILE LIC SUSPENDED DEATH SERIOUS INJURY	11	0.03	35970	84.91
FIRST DEGREE MURDER FIREARM	11	0.03	35981	84.94
FLEE OR ELUDE SERIOUS BODILY INJ DEATH	11	0.03	35992	84.96
HOMICIDE MURDER FIRST DEGREE PREMEDITATED	11	0.03	36003	84.99
HOMICIDE NEGLIG MANS LVEH DUI VEHICLE CAUSE DE	11	0.03	36014	85.02
HOMICIDENEGLIG MANS LVEH KILLING OF PERSON VIAB	11	0.03	36025	85.04
INTIMIDATION WRITTEN THREAT TO KILL OR INJURE	11	0.03	36036	85.07
LEAVE SCENE ACCIDENT W DEATH	11	0.03	36047	85.09
LEAVING SCENE OF ACCIDENT W INJURIES OR DEATH	11	0.03	36058	85.12
LSC DEATH	11	0.03	36069	85.15
MURDER 1ST DEGREE ATTEMPT	11	0.03	36080	85.17
MURDER 2ND DEGREE EVINCING A DEPRAVED MIND	11	0.03	36091	85.2
PREMED MURDER1 LEO A	11	0.03	36102	85.22
SECOND DEGREE MURDER FEL FIRST DEGREE	11	0.03	36113	85.25
SECOND DEGREE MURDER WITH WEAPON	11	0.03	36124	85.28
WITH DEATH	11	0.03	36135	85.3
WRITTEN THREAT KILL BODILY HARM	11	0.03	36146	85.33
2 DEG MURDER	10	0.02	36156	85.35
782042 MURDER IN THE SECOND DEGREE FIREARM G8	10	0.02	36166	85.38
7820711A VEHICULAR HOMICIDE	10	0.02	36176	85.4
AGGRAVATED MANS LAUGHTER CHILD	10	0.02	36186	85.42
ATT FEL MURDER INJUR	10	0.02	36196	85.45
ATTEMPTED 1ST DEGREE PREMEDITATED MURDER WITH	10	0.02	36206	85.47
ATTEMPTED FELONY MURDER WITH A FIREARM	10	0.02	36216	85.49
ATTEMPTED FIRST DEGREE MURDER W FIREARM	10	0.02	36226	85.52

ATTEMPTED MANSLAUGHTER WITH ENHANCEMENT	10	0.02	36236	85.54	DRIVING WHILE LIC SUSP DEATH OR SERIOUS INJURY	8	0.02	36798	86.87
ATTEMPTED MURDER IN THE SECOND DEGREE WITH A W	10	0.02	36246	85.56	DRIVING WHILE UNDER THE INFLUENCE MANSLAUGHTER	8	0.02	36806	86.89
ATTEMPTED MURDER WITH FIREARM	10	0.02	36256	85.59	DUI MANSLAUGHTER F2	8	0.02	36814	86.91
CAUSE CRUEL DEATH PAIN AND SUFFERING	10	0.02	36266	85.61	DUI MANSLAUGHTER ENHANCED	8	0.02	36822	86.92
CONSPIRACY TO COMMIT 1ST DEGREE MURDER	10	0.02	36276	85.64	DUI MANSLTR FAIL AID	8	0.02	36830	86.94
DUI MANSLAUGHTER LEAVING THE SCENE	10	0.02	36286	85.66	DUI RESULTING IN A DEATH	8	0.02	36838	86.96
DWLS DEATH OR SERIOUS BODILY INJURY	10	0.02	36296	85.68	HOMICIDE GENERAL	8	0.02	36846	86.98
HOMICIDE WILFUL KILL MURDER PREMEDITATED WEAP	10	0.02	36306	85.71	HOMICIDE NEGLIG MANSL AGGRAVATED OF CHILD	8	0.02	36854	87
KILLING OF PERSON OR VIABLE FETUS WITH VEHICLE	10	0.02	36316	85.73	HOMICIDE NEGLIG MANSL AGGRAVATED OF CHILD NON	8	0.02	36862	87.02
LEAVE SCENE ACCIDENT W INJ DEATH	10	0.02	36326	85.75	HOMICIDE WILFUL KILL MURDER NOT PREMEDITATED DU	8	0.02	36870	87.04
MANSLAUGHTER BY INTOX	10	0.02	36336	85.78	HOMICIDE MURDER DANGEROUS DEPRAVED WITHOUT PRE	8	0.02	36878	87.06
MANSLAUGHTER WO FIREARM	10	0.02	36346	85.8	ILLEGAL KILLING OR POSSESSION OF AN ALLIGATOR	8	0.02	36886	87.08
MURDER WHILE ENGAGED IN CERTAIN FELONY OFFENSE	10	0.02	36356	85.82	INJURING OR KILLING POLICE DOG OR HORSE	8	0.02	36894	87.09
PRINCIPAL TO 3RD DEGREE MURDER	10	0.02	36366	85.85	MANSLAUGHTER	8	0.02	36902	87.11
PRINCIPAL TO SECOND DEGREE MURDER	10	0.02	36376	85.87	MURDER 3	8	0.02	36910	87.13
SOLICIT MURDER FIRST DEGREE	10	0.02	36386	85.9	MURDER 1ST LEO ATT	8	0.02	36918	87.15
VEHICULAR HOMICIDE KILLING OF PERSON VIABLE F	10	0.02	36396	85.92	MURDER 2ND DEGREE-PBL	8	0.02	36926	87.17
114 MURDER SECOND DEGREE	9	0.02	36405	85.94	MURDER ATT POL FIRE	8	0.02	36934	87.19
3161933 DUI MANSLAUGHTER	9	0.02	36414	85.96	MURDER IN FIRST DEGREE	8	0.02	36942	87.21
ANIMALS CAUSE CRUEL DEATH PAIN AND SUFFERING	9	0.02	36423	85.98	MURDER IN THE FIRST DEGREE CAPITAL	8	0.02	36950	87.23
ATT MURDER 1ST DEGR	9	0.02	36432	86	MURDER IN THE SECOND DEGREE 1F	8	0.02	36958	87.25
ATTEMPTED 1ST DEGREE MURDER WITHOUT FIREARM	9	0.02	36441	86.02	RESULT IN DEATH	8	0.02	36966	87.26
ATTEMPTED FIRST DEGREE MURDER FIREARM	9	0.02	36450	86.05	SECOND DEGREE MURDER WITH A DEADLY WEAPON	8	0.02	36974	87.28
ATTEMPTED MURDER IN THE FIRST DEGREE WITH A F	9	0.02	36459	86.07	SOLICIT TO COMMIT MURDER IN FIRST DEGREE	8	0.02	36982	87.3
ATTEMPTED SECOND DEGREE MURDER WITH FIREARM	9	0.02	36468	86.09	TCATS DUI MANSLAUGHTER AND FAILURE TO RENDER A	8	0.02	36990	87.32
DL SUSP CAUSING DEATH	9	0.02	36477	86.11	THIRD DEGREE FELONY MURDER	8	0.02	36998	87.34
DRIVGSUSP DL CAUSE DEATH SERIOUS INJURY	9	0.02	36486	86.13	WRITTEN THREATS TO KILL DO BODILY I	8	0.02	37006	87.36
DUI MANSLAUGHTER CAUSES DEATH OF HUMAN OR U	9	0.02	36495	86.15	113 MURDER FIRST DEGREE	7	0.02	37013	87.38
DUI VEHICLE CAUSE DEATH TO ANY HUMAN OR UNBOR	9	0.02	36504	86.17	2ND DEG MURDER NOT PREMEDITATED NO FELONY OFF	7	0.02	37020	87.39
DWLS OR WITHOUT LICENSE DEATH OR SERIOUS INJ	9	0.02	36513	86.19	3RD DEGREE HOMICIDE	7	0.02	37027	87.41
FATALITY DUI MANSLAUGHTER	9	0.02	36522	86.22	782041 ATTEMPTED MURDER IN THE FIRST DEGREE PR	7	0.02	37034	87.42
FIRST DEGREE MURDER FIREARM	9	0.02	36531	86.24	ACC LEAVING SCENE OF INVOLV PERS INJURY DEATH	7	0.02	37041	87.44
FIRST DEGREE PREMEDITATED MURDER WITH FIREARM	9	0.02	36540	86.26	ACCIDENT INVOLVING DEATH OR PERSONAL INJURY	7	0.02	37048	87.46
HOMICIDE	9	0.02	36549	86.28	ACCIDENT LEAVE SCENE W O GIVING AID DEATH INJU	7	0.02	37055	87.47
HOMICIDE NEGLIG MANSLAUGHTER WITH WEAPON	9	0.02	36558	86.3	ATT 2ND DEGREE MURDER	7	0.02	37062	87.49
LEAVE SCENE ACCIDENT WITH DEATH	9	0.02	36567	86.32	ATT MANSLAUGHTER	7	0.02	37069	87.51
LEAVING SCENE OF ACCIDENT W DEATH FEL 1	9	0.02	36576	86.34	ATTEMPT FIRST DEGREE MURDER WITH FIREARM	7	0.02	37076	87.52
MANSLAUGHTER VOLUNTARY	9	0.02	36585	86.36	ATTEMPTED 1ST DEG MURDER	7	0.02	37083	87.54
MURDER FIRST DEGREE WITH A WEAPON	9	0.02	36594	86.39	ATTEMPTED 1ST DEGREE PREMEDITATED MURDER	7	0.02	37090	87.56
MURDER 1ST DEG	9	0.02	36603	86.41	ATTEMPTED 2ND DEGREE MURDER WITH FIREARM	7	0.02	37097	87.57
MURDER 1ST DEGREE DURING CERTAIN FELONY	9	0.02	36612	86.43	ATTEMPTED FIRST DEGREE FELONY MURDER WITH A FI	7	0.02	37104	87.59
MURDER 2ND DEG FEL	9	0.02	36621	86.45	ATTEMPTED FIRST DEGREE MURDER WITH DEADLY WEAP	7	0.02	37111	87.61
MURDER 3RD D NOT PREMEDITATED DURING OTHER FEL	9	0.02	36630	86.47	ATTEMPTED MANSLAUGHTER WITH FIREARM	7	0.02	37118	87.62
MURDER ATTEMPT 1ST DEGREE	9	0.02	36639	86.49	ATTEMPTED MURDER IN THE FIRST DEGREE PBL	7	0.02	37125	87.64
MURDER IN THE FIRST DEGREE CAPITAL FELONY	9	0.02	36648	86.51	ATTEMPTED MURDER WITH A FIREARM	7	0.02	37132	87.66
MURDER IN THIRD DEGREE	9	0.02	36657	86.53	ATTEMPTED SECOND DEGREE MURDER WHILE ARMED	7	0.02	37139	87.67
PRINCIPAL TO MURDER IN THE FIRST DEGREE	9	0.02	36666	86.56	CRDWI MANSLAUGHTER	7	0.02	37146	87.69
REF VEH HOMICIDE	9	0.02	36675	86.58	DRIVE WO LIC CAUSES DEATH SERIOUS INJURY W VEH	7	0.02	37153	87.71
VEH HOMICIDE	9	0.02	36684	86.6	DRIVE WO LIC CAUSES DEATH SERIOUS INJURY W VEH	7	0.02	37160	87.72
VEHICULAR HOMICIDE LEAVE SCENE	9	0.02	36693	86.62	DRIVING WHILE LIC SUSPENDED DEATH SERIOUS INJU	7	0.02	37167	87.74
WRITING A THREAT TO KILL	9	0.02	36702	86.64	DRIVING WHILE LICENSE SUSPENDED WITH DEATH OR	7	0.02	37174	87.76
2ND DEG MURDER	8	0.02	36710	86.66	DUI CAUSE DEATH FAIL TO GIVE INFO RENDER AID	7	0.02	37181	87.77
2ND DEGREE MURDER WITH DEADLY WEAPON	8	0.02	36718	86.68	DUI MANSLAUGHTER CAUSE DEATH TO HUMAN OR UNBOR	7	0.02	37188	87.79
782042 ATTEMPTED MURDER IN THE SECOND DEGREE F	8	0.02	36726	86.7	DWLSR CAUSING DEATH OR SERIOUS INJURY	7	0.02	37195	87.8
AGG ASSAULT W DEAD WEAPON WOUT INTENT TO KILL	8	0.02	36734	86.72	DWLSR DEATH OR SERIOUS INJURY	7	0.02	37202	87.82
ATT 1ST DEGREE PREMEDITATED MURDER	8	0.02	36742	86.74	FIRST DEGREE MURDER CAPITAL FELONY	7	0.02	37209	87.84
ATT FIRST DEGREE MURDER PERPETRATE	8	0.02	36750	86.75	FIRST DEGREE MURDER WHILE ARMED	7	0.02	37216	87.85
ATT SECOND DEGREE MURDER WITH A WEAPON	8	0.02	36758	86.77	HOMICIDE MURDER DANGEROUS DEPRAVED WO PREMEDIT	7	0.02	37223	87.87
ATTEMPTED 2ND DEG MURDER NOT PREMEDIT NO FEL OFF	8	0.02	36766	86.79	ILL KILL POSS CAPTURE ALLIGATOR OR EGGS	7	0.02	37230	87.89
ATTP 2ND DEG MURDER	8	0.02	36774	86.81	ILLEGAL KILLING POSSESSING CAPTURING ALLIGATOR	7	0.02	37237	87.9
CAPITAL MURDER FC	8	0.02	36782	86.83	MANSLAUGHTER W A FIREARM	7	0.02	37244	87.92
CONSERVATION ANIMALSKILL ABUSE BREED HORSE OR	8	0.02	36790	86.85	MANSLAUGHTER W WEAPON	7	0.02	37251	87.94

MANSLAUGHTER WITH WEAPON OR FIREARM	7	0.02	37258	87.95	MURDER ATTEMPTED FIRST DEGREE DOMESTIC	6	0.01	37642	88.86
MANSLAUGHTER WITH A FIREARM	7	0.02	37265	87.97	MURDER 1 DEG	6	0.01	37648	88.87
MURDER DOMESTIC	7	0.02	37272	87.99	MURDER IN THE SECOND DEGREE FELONY MURDER	6	0.01	37654	88.89
MURDER 1ST DEGREE WITH A FIREARM	7	0.02	37279	88	MURDER IN THE SECOND DEGREE FIREARM DISCHARGE	6	0.01	37660	88.9
MURDER 2ND DEGREE ATTEMPT	7	0.02	37286	88.02	MURDER IN THE SECOND DEGREE WHILE ARMED	6	0.01	37666	88.92
MURDER IN 2ND DEGREE W/FIREARM	7	0.02	37293	88.04	PRINCIPAL TO MURDER IN THE SECOND DEGREE	6	0.01	37672	88.93
MURDER IN THE SECOND DEGREE 1F PBL	7	0.02	37300	88.05	REF MURDER	6	0.01	37678	88.95
MURDER IN THE SECOND DEGREE FIREARM POSSESS	7	0.02	37307	88.07	REF VEHICULAR HOMICIDE	6	0.01	37684	88.96
MURDER IN THE SECOND DEGREE WITH FIREARM	7	0.02	37314	88.09	ROBBERY DISCHARGE FIREARM CAUSE DEATH GREAT BO	6	0.01	37690	88.97
OPER MOTOR VEH W O DL CAUSING DEATH SER INJ	7	0.02	37321	88.1	SEC DEGREE MURDER W DEADLY WEAPON	6	0.01	37696	88.99
SECOND DEGREE MURDER RECLASSIFIED	7	0.02	37328	88.12	SECOND DEGREE MURDER W FIREARM	6	0.01	37702	89
SECOND DEGREE MURDER WITH FIREARM OR WEAPON	7	0.02	37335	88.14	SECOND DEGREE MURDER WITH A FIREARM OR WEAPON	6	0.01	37708	89.02
WRITING THREATS TO KILL OR TO DO BODILY INJURY	7	0.02	37342	88.15	SOLICITATION MURDER 1ST DEG	6	0.01	37714	89.03
117 MANSLAUGHTER	6	0.01	37348	88.17	TCATS DUI MANSLAUGHTER	6	0.01	37720	89.04
1ST DEG MURDER WHILE ENGAGED IN CERTAIN FELONY	6	0.01	37354	88.18	VEHICULAR HOMICIDE VIC DIES ALMOST IMMEDIATE	6	0.01	37726	89.06
2ND DEG MURDER NOT PREMEDITATED NO FEL OFF W W	6	0.01	37360	88.19	VEHICULAR HOMICIDE AND LEAVING THE SCENE	6	0.01	37732	89.07
2ND DEG MURDER RECLASSIFY INFLICT DEATH DISCH FIR	6	0.01	37366	88.21	VEHICULAR HOMICIDE KILL PERSON VIABLE FETUS W	6	0.01	37738	89.09
2ND DEGREE MURDER WITH A FIREARM	6	0.01	37372	88.22	VESSEL HOMICIDE	6	0.01	37744	89.1
3161933C3A TRAF1090 FS DUI MANSLAUGHTER	6	0.01	37378	88.24	W DEADLY WEAPON WITHOUT INTENT TO KILL	6	0.01	37750	89.11
34 DUI MANSLAUGHTER 20	6	0.01	37384	88.25	WIT MURDER	6	0.01	37756	89.13
782041 ATTEMPTED MURDER IN THE FIRST DEGREE	6	0.01	37390	88.27	WRITTEN THREATS KILL RECIPIENT	6	0.01	37762	89.14
782041A2 MURDER IN THE FIRST DEGREE FELONY MUR	6	0.01	37396	88.28	1 DEG MURDER	5	0.01	37767	89.16
782042 MURDER 2ND DEGREE DISCHARGE FIREARM	6	0.01	37402	88.29	1ST DEG MURDER	5	0.01	37772	89.17
83610 THRE1000 FS WRITTEN THREATS KILL RECIPIE	6	0.01	37408	88.31	2ND MURDER W/FIREARM	5	0.01	37777	89.18
83610 THRE1051 FS WRITTEN THREAT TO KILL OR DO	6	0.01	37414	88.32	3161933C3A DUI MANSLAUGHTER	5	0.01	37782	89.19
AGGRAV STALKING FOLLOW HARASS THREATEN W DEATH	6	0.01	37420	88.34	322346 DRIV W O VALID DRIV W DEATH OR SERI BOD	5	0.01	37787	89.2
ATT 1ST DEGREE FELONY MURDER	6	0.01	37426	88.35	3RD DEGREE MURDER	5	0.01	37792	89.21
ATT MURDER OF LAW ENFORCE OFF	6	0.01	37432	88.36	650 DUI MANSLAUGHTER	5	0.01	37797	89.23
ATTEMPT MURDER LAW ENFORCE OFFC	6	0.01	37438	88.38	782041 MURDER IN THE FIRST DEGREE FELONY MURDER	5	0.01	37802	89.24
ATTEMPT WITHOUT EXECUTING TO HOMICIDE WILFUL K	6	0.01	37444	88.39	782042 GUNS0058 FF ATTEMPTED MURDER IN THE SEC	5	0.01	37807	89.25
ATTEMPTED 2ND DEGREE MURDER POSSESSED FIREARM	6	0.01	37450	88.41	782042GUNS0047 FF ATTEMPTED MURDER IN TH	5	0.01	37812	89.26
ATTEMPTED FIRST DEGREE MURDER WITH A FIREARM D	6	0.01	37456	88.42	782071 MURD7101 FS MANSLAUGHTER	5	0.01	37817	89.27
ATTEMPTED FIRST DEGREE MURDER WITH A FIREARM	6	0.01	37462	88.44	ACCESSORY AFTER THE FACT TO 2ND MURDER	5	0.01	37822	89.28
ATTEMPTED MANSLAUGHTER BY ACT	6	0.01	37468	88.45	ACCESSORY AFTER THE FACT TO MURDER IN THE FIRS	5	0.01	37827	89.3
ATTEMPTED MURDER IN THE FIRST DEGREE 1F	6	0.01	37474	88.46	ALLIGATOR KILLING OR POSSESSION	5	0.01	37832	89.31
ATTEMPTED SECOND DEGREE MURDER DOMESTIC	6	0.01	37480	88.48	ANIMALS CRUEL DEATH PAIN SUFFERING	5	0.01	37837	89.32
ATTEMPTED VOLUNTARY MANSLAUGHTER WITH A FIREAR	6	0.01	37486	88.49	ARMED CAUSE CRUEL DEATH PAIN AND SUFFERING ANI	5	0.01	37842	89.33
CAPITAL FIRST DEGREE MURDER	6	0.01	37492	88.51	ATT 1ST DEG MURDER	5	0.01	37847	89.34
CONSPIRACY FIRST DEGREE MURDER	6	0.01	37498	88.52	ATT 1ST DEG MURDER W FIREARM	5	0.01	37852	89.36
CONSPIRACY TO COMMIT MURDER 1ST DEGREE	6	0.01	37504	88.53	ATT 2ND DEG MURDER	5	0.01	37857	89.37
CONSPIRACY TO COMMIT MURDER FIRST DEGREE	6	0.01	37510	88.55	ATT 2ND DEGREE MURDER WITH WEAPON	5	0.01	37862	89.38
CRASHING W PERSONAL INJURY OR DEATH	6	0.01	37516	88.56	ATT MURDER 1ST DEGREE	5	0.01	37867	89.39
D U I MANSLAUGHTER	6	0.01	37522	88.58	ATTEMPT HOMICIDE MURDER FIRST DEGREE PREMEDITA	5	0.01	37872	89.4
DRIVE W LIC SUSP DEATH SERIOUS INJ	6	0.01	37528	88.59	ATTEMPT MANSLAUGHTER	5	0.01	37877	89.41
DRIVE W O LIC CARELESS OP CAUSE DEATH INJURY	6	0.01	37534	88.61	ATTEMPT MURDER FIRST DEGREE PREMEDITATED LEO	5	0.01	37882	89.43
DRIVING WITHOUT LICENSE CAUSING DEATH OR INJUR	6	0.01	37540	88.62	ATTEMPTED 1ST DEGREE PREMEDITATED MURDER W DEAD	5	0.01	37887	89.44
DUI MANSLAUGHTER AFTER 1 194	6	0.01	37546	88.63	ATTEMPTED 2ND DEGREE MURDER WITH A DEADLY WEA	5	0.01	37892	89.45
DUI MANSLAUGHTER AND FAILURE TO RENDER AID	6	0.01	37552	88.65	ATTEMPTED FELONY MURDER PBL	5	0.01	37897	89.46
DWI MANSLAUGHTER CAUSE DEATH TO HUMAN OR UNBOR	6	0.01	37558	88.66	ATTEMPTED FELONY MURDER ENUMERATED FELONY WITH	5	0.01	37902	89.47
FAIL TO STOP AT ACCIDENT DEATH PERS INJURY	6	0.01	37564	88.68	ATTEMPTED FIRST DEGREE PREMEDITATED MURDER RE	5	0.01	37907	89.49
FIRST DEGREE MURDER WITH A DEADLY WEAPON	6	0.01	37570	88.69	ATTEMPTED MANSLAUGHTER FIREARM	5	0.01	37912	89.5
FIRST DEGREE MURDER WITH A FIREARM WHILE WEARI	6	0.01	37576	88.7	ATTEMPTED MURDER DANGEROUS DEPRAVED WO PREMEDI	5	0.01	37917	89.51
FIRST DEGREE MURDER WITH FIREARM	6	0.01	37582	88.72	ATTEMPTED MURDER FIRST DEGREE POSSESS FIREARM	5	0.01	37922	89.52
FLEEING TO ELUDE LEO F2 WITH INJURY DEATH	6	0.01	37588	88.73	ATTEMPTED MURDER FIRST DEGREE PREMEDITATED	5	0.01	37927	89.53
HOMICIDE NEGLIGENCE MANSLAUGHTER VEHICLE	6	0.01	37594	88.75	ATTEMPTED MURDER IN THE 1ST DEGREE	5	0.01	37932	89.54
HOMICIDE WILFUL KILL FELONY ATTEMPTED MURDER	6	0.01	37600	88.76	ATTEMPTED MURDER IN THE SECOND DEGREE WITH A	5	0.01	37937	89.56
HOMICIDE NEGLIGENCE MANS LA VEH ERROR NA	6	0.01	37606	88.78	ATTEMPTED MURDER SECOND DEGREE	5	0.01	37942	89.57
LEAVE SCENE OF ACCIDENT WITH INJURY OR DEATH	6	0.01	37612	88.79	ATTEMPTED SECOND DEGREE FELONY MURDER	5	0.01	37947	89.58
MANSLAUGHTER BY DUI LEAVING SCENE	6	0.01	37618	88.8	ATTEMPTED SECOND DEGREE MURDER BY DISCHARGING	5	0.01	37952	89.59
MANSLAUGHTER CULPABLE NEGLIGENCE	6	0.01	37624	88.82	ATTEMPTED SECOND DEGREE MURDER FIREARM	5	0.01	37957	89.6
MANSLAUGHTER DWI	6	0.01	37630	88.83	ATTEMPTED SECOND DEGREE MURDER RECLASSIFIED	5	0.01	37962	89.62
MANSLAUGHTER W/WEAPON/FIREARM	6	0.01	37636	88.85	ATTEMPT FIRST DEG MURDER WITH FIREARM	5	0.01	37967	89.63

CONSERVATIONANIMALS CAUSE CRUEL DEATH PAIN AN	5	0.01	37972	89.64
CR VEHICULAR HOMICIDE FAILURE TO RENDER AID	5	0.01	37977	89.65
DRIVE W NO VALID DL CAUSE DEATH GRT BODILY INJ	5	0.01	37982	89.66
DRIVE WO LICENSE CAUSES DEATH SERIOUS INJURY W	5	0.01	37987	89.67
DRIVING UNDER THE INFLUENCE MANSLAUGHTER	5	0.01	37992	89.69
DRIVING WHILE LIC SUSP CAUSING DEATH SERIOUS I	5	0.01	37997	89.7
DRIVING WHILE UNDER THE INFLUENCE MANSLAUGHTER	5	0.01	38002	89.71
DRIVING WITHOUT A LICENSE CAUSING INJURY DEATH	5	0.01	38007	89.72
DUI MANSLAUGHTER VP	5	0.01	38012	89.73
DUI MANSLAUGHTER LEAVE SCENE	5	0.01	38017	89.75
DUI MANSLAUGHTER AFTER 1 1 94	5	0.01	38022	89.76
DWLS CAUSING SERIOUS BODILY INJURY OR DEATH	5	0.01	38027	89.77
DWLS OR REVOK WITH SERIOUS INJ OR DEATH	5	0.01	38032	89.78
EXP LEAVING SCENE OF ACCIDENT INVOLVING DEATH	5	0.01	38037	89.79
FAIL TO STOP REMAIN CRASH INVOLVE DEATH	5	0.01	38042	89.8
FATALITY FAIL REMAIN CRASH INVOLVE DEATH	5	0.01	38047	89.82
FIRST DEGREE MURDER W FIREARM	5	0.01	38052	89.83
FIRST DEGREE MURDER WEAPON	5	0.01	38057	89.84
FOLLOW HARASS CYBERSTALK DEATH INJURY	5	0.01	38062	89.85
HOMICIDE MURDER DANGEROUS DEPRAVED WITHOUT PR	5	0.01	38067	89.86
HOMICIDE WILFUL KILL MURDER WHILE ENGAGED IN C	5	0.01	38072	89.88
ILLEGAL KILL POSS OF AN ALLIGATOR	5	0.01	38077	89.89
INJ KILL POLICE FIRE DOG HORSE	5	0.01	38082	89.9
INJURING OR KILLING A POLICE DOG	5	0.01	38087	89.91
KILL INJURE POSS ALLIGATOR OR EGG WO AUTHORITY	5	0.01	38092	89.92
LEAV SCENE ACCPER INDEATH	5	0.01	38097	89.93
LEAVE SCENE ACCID W INJURY DEATH	5	0.01	38102	89.95
LEAVE SCENE OF ACCIDENT WITH DEATH	5	0.01	38107	89.96
LEAVING SCENE OF ACC W INJURIES DEATH	5	0.01	38112	89.97
LEAVING THE SCENE OF ACCIDENT W DEATH	5	0.01	38117	89.98
LSA DEATH 7 1 14	5	0.01	38122	89.99
LSOA DEATH	5	0.01	38127	90
MANSLAUGHTER BY AUTO CULP NEGLIGENCE	5	0.01	38132	90.02
MANSLAUGHTER BY DWI	5	0.01	38137	90.03
MANSLAUGHTER BY INTOXICATION	5	0.01	38142	90.04
MURDER 1ST DEG LEO	5	0.01	38147	90.05
MURDER IN THE 2ND DEGREE	5	0.01	38152	90.06
MURDER IN THE FIRST DEGREE FELONY MURDER	5	0.01	38157	90.08
MURDER IN THE FIRST DEGREE CAPITAL	5	0.01	38162	90.09
MURDER IN THE SECOND DEGREE FIREARM GBH OR D	5	0.01	38167	90.1
MURDER IN THE SECOND DEGREE PBL	5	0.01	38172	90.11
MURDER SECOND DEGREE LIFE FELONY	5	0.01	38177	90.12
MURDER W FIREARM	5	0.01	38182	90.13
NEGLIG MANSL OTHER	5	0.01	38187	90.15
NEGLIG MANSL VEH	5	0.01	38192	90.16
OBSTRUCT POLICEINJURE OR KILL POLICE DOG OR HO	5	0.01	38197	90.17
PRINCIPAL TO MANSLAUGHTER	5	0.01	38202	90.18
ROBBERY LESS THAN 300 FIREARM GBH DEATH	5	0.01	38207	90.19
SECOND DEGREE M.JRDER FIREARM	5	0.01	38212	90.21
SECOND DEGREE M.JRDER LIO	5	0.01	38217	90.22
SECOND DEGREE M.JRDER W FIREARM	5	0.01	38222	90.23
SOLICIT TO COMMIT FIRST DEGREE MURDER	5	0.01	38227	90.24
VEH HOMIC LV SCENE ACC W DEATH	5	0.01	38232	90.25
VEHICULAR HOMICIDE LEAVE THE SCENE	5	0.01	38237	90.26
VEHICULAR HOMICIDE KILLING OF A PERSON OR VIA	5	0.01	38242	90.28
W DEATH INJ	5	0.01	38247	90.29
W INJ DEATH	5	0.01	38252	90.3
WIT COMMIT MURDER	5	0.01	38257	90.31
2ND DEGREE MURDER NOT PREMEDITATED NO FELONY O	4	0.01	38261	90.32
2ND DEGREE MURDER W FIREARM	4	0.01	38265	90.33
2ND DEGREE PREMEDITATED FELONY MURDER	4	0.01	38269	90.34
3161933ABC3A TRAF1068 FS DUI MANSLAUGHTER	4	0.01	38273	90.35

3161933ABC3ATRAF1068 FS DUI MANSLAUGHTER	4	0.01	38277	90.36
3161933C3ATRAF1090 FS DUI MANSLAUGHTER	4	0.01	38281	90.37
3RD DEGREE MURDER DURING OTHER FELONY OFFENSE	4	0.01	38285	90.38
782 04 2 MURDER IN THE SECOND DEGREE WITH A WE	4	0.01	38289	90.39
782041 MURD1000 FC MURDER IN THE FIRST DEGREE	4	0.01	38293	90.4
782042 ATTEMPTED MURDER IN THE SECOND DEGREE	4	0.01	38297	90.41
782042 MURD2004 FP MURDER IN THE SECOND DEGREE	4	0.01	38301	90.42
782071 MURD7005 FF MANSLAUGHTER WITH A WEAPON	4	0.01	38305	90.43
83610THRE1000 FS WRITTEN THREATS KILL RE	4	0.01	38305	90.43
ACCESSORY AFTER THE FACT FIRST DEGREE MURDER W	4	0.01	38313	90.44
ACCESSORY AFTER THE FACT TO MANSLAUGHTER	4	0.01	38317	90.45
ACCESSORY TO FIRST DEGREE MURDER	4	0.01	38321	90.46
ACCIDENT INVOLVE DEATH OR INJURY FAIL TO STOP	4	0.01	38325	90.47
AGG ASSLT WDEADLY WEAPON WO INTENT TO KILL	4	0.01	38325	90.48
AGG FLEE ELUDE CAUSING SBO DEATH	4	0.01	38333	90.49
AGG FLEE SERIOUS INJURYDEATH	4	0.01	38337	90.5
AGGRAVATED MANSLAUGHTER	4	0.01	38341	90.51
ARMED BURGLARY DWELLING INFLECT DEATH OR BODY	4	0.01	38345	90.52
ARMED MANSLAUGHTER	4	0.01	38345	90.53
ATT FELONY MURDER PERPETRATES FELONY LISTED 7	4	0.01	38353	90.54
ATT 1ST DEGR MURDER	4	0.01	38357	90.55
ATT 1ST DEGREE MURDER ENHANCED PENALTY	4	0.01	38361	90.56
ATT FIRST DEG PREM MURDER WITH A DEADLY WEAP	4	0.01	38365	90.57
ATT FIRST DEGREE FELONY MURDER WITH FIREARM	4	0.01	38365	90.58
ATT FIRST DEGREE MURDER WITH A FIREARM	4	0.01	38375	90.59
ATT MURDER	4	0.01	38377	90.6
ATT SECOND DEG MURDER	4	0.01	38381	90.6
ATTEMPT FIRST DEGREE MURDER WITH DEADLY WEAPON	4	0.01	38385	90.61
ATTEMPT WRITTEN THREATS TO KILL DO BODILY INJU	4	0.01	38385	90.62
ATTEMPTED 3RD DEGREE MURDER	4	0.01	38395	90.63
ATTEMPTED FELONY MURDER SPECIFIED FELONY	4	0.01	38397	90.64
ATTEMPTED FELONY MURDER ENUMERATED FELONY	4	0.01	38401	90.65
ATTEMPTED FIRST DEGREE FELONY MURDER FIREARM	4	0.01	38405	90.66
ATTEMPTED FIRST DEGREE FELONY MURDER F1	4	0.01	38405	90.67
ATTEMPTED MANSLAUGHTER BY ACT WITH A FIREARM	4	0.01	38415	90.68
ATTEMPTED MURDER 1	4	0.01	38417	90.69
ATTEMPTED MURDER IN THE SECOND DEGREE WITH A F	4	0.01	38421	90.7
ATTEMPTED MURDER IN THE SECOND DEGREE WITH FI	4	0.01	38425	90.71
ATTEMPTED MURDER OF A LAW ENFORCEMENT	4	0.01	38425	90.72
ATTEMPTED SECOND DEGREE MURDER	4	0.01	38433	90.73
ATTEMPTED SECOND DEGREE MURDER VP	4	0.01	38437	90.74
ATTEMPTED SECOND DEGREE MURDER OF A LAW ENFORC	4	0.01	38441	90.75
ATTEMPTED SECOND DEGREE MURDER W FIREARM	4	0.01	38445	90.76
ATTMPT MURDER SECOND DEGREE	4	0.01	38445	90.77
BREED STOCK KILL	4	0.01	38452	90.77
CARELESS OPER W O LIC CAUSE DEATH SERIOUS INJ	4	0.01	38457	90.78
CAUSE CRUEL DEATH PAIN SUFFERING ANIMAL	4	0.01	38461	90.79
CAUSE GREAT HARM DEATH POLICE FIRE SEARCH RESC	4	0.01	38465	90.8
CONSERVATION ANIMALS CAUSE CRUEL DEATH OR PAIN	4	0.01	38465	90.81
CONSPIRACY TO COMMIT FIRST DEGREE MURDER WITH	4	0.01	38475	90.82
CONSPIRACY TO COMMIT MURDER IN THE FIRST DEGRE	4	0.01	38477	90.83
CULP NEG MANSL	4	0.01	38481	90.84
DRIVE W NO VALID DL CAUSING DEATH OR GREAT BO	4	0.01	38485	90.85
DRIVE WHILE LIC SUSPENDED DEATH SERIOUS INJUR	4	0.01	38485	90.86
DRVG W NO VALID DL CAUSE DEATH GREAT BODILY IN	4	0.01	38495	90.87
DUI MANSLAUGHTER LEAVE SCENE	4	0.01	38497	90.88
DUI MANSLAUGHTER LEAVING SCENE	4	0.01	38501	90.89
DUI MANSLAUGHTER CAUSE DEATH TO HUMAN	4	0.01	38505	90.9
DWLS OR REVOKED BODILY INJURY OR DEATH	4	0.01	38509	90.91
DWLSR WITH CRASH CAUSING DEATH OR SERIOUS BODI	4	0.01	38513	90.92
FIRST DEGREE FELONY MURDER PRINCIPAL	4	0.01	38517	90.93
FIRST DEGREE MURDER CAPITAL	4	0.01	38521	90.94

FIRST DEGREE PREMEDITATED MURDER WITH A WEAPON	4	0.01	38525	90.94	ACCESSORY AFTER THE FACT FIRST DEGREE MURDER	3	0.01	38756	91.49
FLEE ATT ELUDE RECKLESS W SER INJ OR DEATH	4	0.01	38529	90.95	ACCESSORY AFTER THE FACT SECOND DEGREE MURDER	3	0.01	38759	91.5
FRAUD IMPERSON LEO COMMIT FELONY CAUSE DEATH O	4	0.01	38533	90.96	ACCESSORY AFTER THE FACT TO ATT MURDER 1ST	3	0.01	38762	91.5
HOMICIDE FIRST DEGREE FELONY MURDER	4	0.01	38537	90.97	ACCESSORY MURDER 1 AFTER FACT	3	0.01	38765	91.51
HOMICIDE NEGLIG MANSL OTHER THAN BY MOTOR VEH	4	0.01	38541	90.98	ACCIDENTLEAVE SCENE WO GIVING AIDDEATHINJU	3	0.01	38768	91.52
HOMICIDE WILFUL KILLMURDER WHILE ENGAGED IN CE	4	0.01	38545	90.99	AGG ASLT DEDLY WEAPON WITHOUT INTENT TO KILL	3	0.01	38771	91.53
HOMICIDEMURDER FIRST DEGREE PREMEDITATED	4	0.01	38549	91	AGGRAVATED MANSLAUGHTER OF AN ELDERLY PERSON	3	0.01	38774	91.53
HOMICIDENEGLIG MANSL AGGRAVATED OF CHILD	4	0.01	38553	91.01	ANIMAL CRUELTY CAUSING DEATH	3	0.01	38777	91.54
INVOLV DEATH	4	0.01	38557	91.02	ATT 1 DEG MURDER LAW ENF OFFICER	3	0.01	38780	91.55
LEAVE ACCIDENT SCENE INVOLVING DEATH	4	0.01	38561	91.03	ATT 1ST DEG FEL MURDER WHILE DISCHARGING A FIR	3	0.01	38783	91.55
LEAVE SCENE DEATH	4	0.01	38565	91.04	ATT 2D MURDER FIREAR	3	0.01	38786	91.56
LEAVING SCENE OF A CRASH INVOLVING DEATH	4	0.01	38569	91.05	ATT 2ND DEG MURDER DISCHARGING FIREARM	3	0.01	38789	91.57
LEAVING SCENE OF ACCIDENT W DEATH	4	0.01	38573	91.06	ATT 2ND DEG MURDERDISCHARGING FIREARM	3	0.01	38792	91.57
LEAVING SCENE OF AN ACCIDENT DEATH OR INJURY	4	0.01	38577	91.07	ATT 2ND DEGR MURDER	3	0.01	38795	91.58
MANSLAUGHTER BY USE OF A FIREARM	4	0.01	38581	91.08	ATT 2ND DEGREE MURDER WHILE DISCHARGING FIREAR	3	0.01	38798	91.59
MANSLAUGHTER INVOLVING THE USE OF A MOTOR V	4	0.01	38585	91.09	ATT FIRST DEG MURDER	3	0.01	38801	91.6
MANSLAUGHTER BY CULP NEG	4	0.01	38589	91.1	ATT FIRST DEG MURDER W FIREARM	3	0.01	38804	91.6
MANSLAUGHTER DUI	4	0.01	38593	91.11	ATT FIRST DEG MURDER W WEAPON	3	0.01	38807	91.61
MANSLAUGHTER OTHER THAN VEHICLE	4	0.01	38597	91.11	ATT FIRST DEG PREM MURDER WITH A DEADLY WEAPON	3	0.01	38810	91.62
MANSLAUGHTER WEAPON OR FIREARM	4	0.01	38601	91.12	ATT FIRST DEGREE MURDER WITH A WEAPON	3	0.01	38813	91.62
MANSLAUGHTER WHILE ARMED WITH A FIREARM	4	0.01	38605	91.13	ATT MURDER 2ND DEGR	3	0.01	38816	91.63
MANSLAUGHTER WHILE INTOX	4	0.01	38609	91.14	ATT MURDER IN THE SECOND DEGREE	3	0.01	38819	91.64
MANSLAUGHTER WHILE INTOXICATED	4	0.01	38613	91.15	ATT MURDER OF LAW ENFORCEMENT OFFICER	3	0.01	38822	91.65
MANSLAUGHTER WITH FIREARM DEADLY WEAPON	4	0.01	38617	91.16	ATT SECOND DEG MURDER W DEADLY WEAPON	3	0.01	38825	91.65
MURDER 2D CONSPIRAC	4	0.01	38621	91.17	ATT SECOND DEGREE MURDER WITH FIREARM	3	0.01	38828	91.66
MURDER IN THE FIRST DEGREE WITH A FIREARM FEL	4	0.01	38625	91.18	ATT SOL CONSP TO COMMIT CAPITAL FELONY MURDER	3	0.01	38831	91.67
MURDER IN THE FIRST DEGREE WITH A FIREARMFEL M	4	0.01	38629	91.19	ATTEMP MURDER 2ND DEGREE W FI	3	0.01	38834	91.67
MURDER IN THE SECOND DEGREE 2F	4	0.01	38633	91.2	ATTEMPTED MURDER IN THE SECOND DEGREEPOSS FIREA	3	0.01	38837	91.68
MURDER IN THE SECOND DEGREE LIFE FELONY	4	0.01	38637	91.21	ATTEMPT 1ST DEG PREMEDITATED MURDER HARM OR DE	3	0.01	38840	91.69
MURDER OF LAW ENFORCEMENT OFFICER	4	0.01	38641	91.22	ATTEMPT 1ST DEGREE MURDER W DEADLY WEAPON	3	0.01	38843	91.7
MURDER SECOND DEGREE W A FIREARM	4	0.01	38645	91.23	ATTEMPT 2ND DEG MURDER WITH FIREARM	3	0.01	38846	91.7
MURDER SECOND DEGREE WITH FIREARM	4	0.01	38649	91.24	ATTEMPT FELONY MURDER INJURY BY ANOTHER	3	0.01	38849	91.71
POSSESSION KILLING ALLIGATOR 5	4	0.01	38653	91.25	ATTEMPT FIRST DEGREE MURDER OF LEO	3	0.01	38852	91.72
SECOND DEG FELONY MURDER	4	0.01	38657	91.26	ATTEMPT MANSLAUGHTER FIREARM	3	0.01	38855	91.72
SECOND DEG MURDER WITH FIREARM	4	0.01	38661	91.27	ATTEMPT MANSLAUGHTER W FIREARM	3	0.01	38858	91.73
SECOND DEGREE FELONY MURDER PBL	4	0.01	38665	91.27	ATTEMPT MURDER OF LAW ENFORCEMENT OFFICER	3	0.01	38861	91.74
SECOND DEGREE FELONY MURDER WITH A FIREARM	4	0.01	38669	91.28	ATTEMPT MURDER SECOND DEGREE WITH FIREARM	3	0.01	38864	91.74
SOLICIT TO COMMIT MURDER	4	0.01	38673	91.29	ATTEMPTED 1ST DEGREE MURDER WITH A FIREARM OF	3	0.01	38867	91.75
TCATS DRIVING UNDER THE INFLUENCE MANSLAUGHTER	4	0.01	38677	91.3	ATTEMPTED 2ND DEG MURDER DANGEROUS DEPRAVED DI	3	0.01	38870	91.76
THIRD DEGREE MURDER FELONY MURDER WITH A WEAPON	4	0.01	38681	91.31	ATTEMPTED 2ND DEGREE MURDER DEPRAVED WO PREMED	3	0.01	38873	91.77
TO MURDER	4	0.01	38685	91.32	ATTEMPTED 2ND DEGREE MURDER W FIREARM	3	0.01	38876	91.77
VEHICULAR HOMICIDE VP	4	0.01	38689	91.33	ATTEMPTED 2ND DEGREE MURDER WITH A DEADLY WEAP	3	0.01	38879	91.78
VEHICULAR HOMICIDE VIC DIES ALMOST IMMEDIATE	4	0.01	38693	91.34	ATTEMPTED FIRST DEG MURDER	3	0.01	38882	91.79
VOP ON MANSLAUGHTER	4	0.01	38697	91.35	ATTEMPTED FIRST DEGREE MURDER DISCHG FIREARM	3	0.01	38885	91.79
W INJ OR DEATH	4	0.01	38701	91.36	ATTEMPTED FIRST DEGREE MURDER FIREARM	3	0.01	38888	91.8
WRITING A THREAT TO KILL INJUR	4	0.01	38705	91.37	ATTEMPTED FIRST DEGREE MURDER ON A LAW ENFORCE	3	0.01	38891	91.81
1CT MURDER IN THE FIRST DEGREE	3	0.01	38708	91.38	ATTEMPTED FIRST DEGREE MURDER W A FIREARM	3	0.01	38894	91.82
1ST DEGR MURDER	3	0.01	38711	91.38	ATTEMPTED FIRST DEGREE MURDER WITH A FIREARM 2	3	0.01	38897	91.82
1ST DEGREE FELONY MURDER	3	0.01	38714	91.39	ATTEMPTED FIRST DEGREE MURDER WITH DEADLY WEA	3	0.01	38900	91.83
1ST DEGREE MURDER WITH FIREARM	3	0.01	38717	91.4	ATTEMPTED FIRST DEGREE PREMEDITATED MURDER WIT	3	0.01	38903	91.84
2 DEG MURDER W FIREARM	3	0.01	38720	91.4	ATTEMPTED HOMICIDE MURDER DANGEROUS DEPRAVED	3	0.01	38906	91.84
2ND DEG MURDER NOT PREMEDITATED DURING SPECIFI	3	0.01	38723	91.41	ATTEMPTED MURDER 3RD DEGREE	3	0.01	38909	91.85
2ND DEG MURDER W FIREARM	3	0.01	38726	91.42	ATTEMPTED MURDER IN FIRST DEGREE DEADLY WEAPON	3	0.01	38912	91.86
2ND DEG MURDER WITH FIREARM	3	0.01	38729	91.43	ATTEMPTED MURDER IN THE FIRST DEGREE OF A LAW	3	0.01	38915	91.87
2ND DEGR MURDER	3	0.01	38732	91.43	ATTEMPTED MURDER IN THE FIRST DEGREE WITH A W	3	0.01	38918	91.87
316 193 3 DUI MANSLAUGHTER	3	0.01	38735	91.44	ATTEMPTED SECOND DEG MURDER FIREARM	3	0.01	38921	91.88
782 04 2 MURDER IN THE SECOND DEGREE	3	0.01	38738	91.45	ATTEMPTED SECOND DEGREE MURDER FIREARM	3	0.01	38924	91.89
78204 MURDER	3	0.01	38741	91.45	ATTEMPTED SECOND DEGREE MURDER W A FIREARM	3	0.01	38927	91.89
782041 ATTEMPTED MURDER IN FIRST DEG	3	0.01	38744	91.46	ATTEMPTED SECOND DEGREE MURDER WITH A DEADLY W	3	0.01	38930	91.9
782041A2 ATTEMPTED FIRST DEGREE FELONY MURDER	3	0.01	38747	91.47	ATTEMPTED SECOND DEGREE MURDER WITH A FAPOSS	3	0.01	38933	91.91
782041A2 MURD1501 FC MURDER IN THE FIRST DEGREE	3	0.01	38750	91.48	ATTEMPTED SECOND DEGREE MURDER WITHOUT A FIREA	3	0.01	38936	91.91
782041MURD1051 FL ATTEMPTED MURDER IN TH	3	0.01	38753	91.48	ATTEMPTED THIRD DEGREE FELONY MURDER	3	0.01	38939	91.92

BUI MANSLAUGHTER	3	G.01	58942	91.93
CAUSE GREAT HARM DEATH POLICE FIRE SAR ANIMAL	3	C.01	58945	91.94
CONSERVATIONANIMALSCAUSE CRUEL DEATH PAIN AND	3	C.01	58948	91.94
CRASH LEAVING SCENE INVOLVING DEATH WITHOUT RE	3	C.01	58951	91.95
CRDRIVING WLJC SUSP WDEATHSERIOUS INJ	3	C.01	58954	91.96
CRUELTY TO ANIMALS CAUSE DEATH PAIN OR SUFFER	3	C.01	58957	91.96
CRUELTY TO ANIMALS CAUSE DEATHPAIN OR SUFFERI	3	C.01	38960	91.97
CRUELTY TO ANIMALS DEATH PAIN OR SUFFERING	3	C.01	38963	91.98
CRVEHICULAR HOMICIDE	3	C.01	38966	91.99
D U I RESULT IN A DEATH	3	C.01	38969	91.99
DOM VIOL FOLLOW HARASS CYBERSTALK DEATH INJURY	3	C.01	38972	92
DRIVE WNO VALID DL CAUSING DEATH OR GREAT BO	3	C.01	38975	92.01
DRIVG SUSP DL CAUSE DEATH SERIOUS INJURY	3	C.01	38978	92.01
DRIVING UNDER INFLUENCE MANSLAUGHTER	3	G.01	38981	92.02
DRIVING UNDER THE INFLUENCE MANSLAUGHTER	3	C.01	38984	92.03
DRIVING UNDER THE INFLUENCEMANSLAUGHTER	3	C.01	38987	92.04
DRIVING W LIC SUSP W DEATH SERIOUS INJ	3	C.01	38990	92.04
DRIVING WHILE LIC SUSP REV RESULTING IN DEATH	3	C.01	38993	92.05
DRIVING WITHOUT LICENSE CAUSING DEATH OR SERI	3	C.01	38996	92.06
DUI MANSLAUGHTER IMPAIRMENT AND OR 20	3	C.01	38999	92.06
DUI MANSLAUGHTER 2F DUI 1M	3	C.01	39002	92.07
DUI MANSLAUGHTER AND LEAVING SCENE OF ACCIDENT	3	C.01	39005	92.08
DUI MANSLAUGHTER FAIL RENDER AID OR GIVE INFOR	3	C.01	39008	92.08
DUI MANSLAUGHTER IMPAIRMENT AND OR 20	3	C.01	39011	92.09
DUI RESULT IN DEATH	3	C.01	39014	92.1
DUI RESULTING IN DEATH	3	C.01	39017	92.11
DWLS WITH DEATH OR SERIOUS INJURY	3	C.01	39020	92.11
FAILURE TO STOP AT ACCIDENT W DEATH	3	C.01	39023	92.12
FATALITY VEHICULAR HOMICIDE	3	C.01	39026	92.13
FELONY MURDER 2	3	C.01	39029	92.13
FIRST DEGREE MURDER W A FIREARM	3	C.01	39032	92.14
FIRST DEGREE PBL SECOND DEGREE MURDER	3	C.01	39035	92.15
FIRST DEGREE PREMED MURDER	3	C.01	39038	92.16
FIRST DEGREE PREMEDITATED MURDER	3	C.01	39041	92.16
HOMICIDE MURDER DANGEROUS DEPRAVED WITHOUT PRE	3	C.01	39044	92.17
HOMICIDE MURDER FIRST DEGREE PREMEDITATED 2535	3	C.01	39047	92.18
HOMICIDE MURDER NOT PREMEDITATED DURING SPECIF	3	C.01	39050	92.18
HOMICIDE NEGLIG MANSL AGGRAV NEGLECT ELDERLY D	3	C.01	39053	92.19
HOMICIDE NEGLIG MANSL VEH DUI CAUSE DEATH TO H	3	C.01	39056	92.2
HOMICIDE NEGLIG MANSL OTHER THAN BY MOTOR VEHI	3	C.01	39059	92.21
HOMICIDENEGLIG MANSL OTHER THAN BY MOTOR VEHI	3	C.01	39062	92.21
HOMICIDENEGLIG MANSLVEH DUI CAUSE DEATH TO HU	3	C.01	39065	92.22
HOMICIDEWILFUL KILL MURDER NOT PREMEDITATED N	3	C.01	39068	92.23
INJURING KILLING POLICE DOG HORSE	3	C.01	39071	92.23
INV DEATH	3	C.01	39074	92.24
KILL ATTEMPT TO KILL OR INJURE ALLIGATOR	3	C.01	39077	92.25
KILLING AN ALLIGATOR	3	C.01	39080	92.25
KILLING OF PERSON OR VIABLE FETUS W VEH	3	C.01	39083	92.26
LEAVE ACCID SCENE W INJURY DEATH	3	C.01	39086	92.27
LEAVING SCENE OF ACCIDENT RESULTING IN DEATH	3	C.01	39089	92.28
LEAVING SCENE OF AN ACCIDENT WITH DEATH	3	C.01	39092	92.28
LEAVING THE SCENE OF ACCIDENT WITH DEATH	3	C.01	39095	92.29
LEAVING THE SCENE OF AN ACCIDENT WITH A DEATH	3	C.01	39098	92.3
MANSLAGHTER	3	C.01	39101	92.3
MANSLAU	3	C.01	39104	92.31
MANSLAUGHER	3	C.01	39107	92.32
MANSLAUGHTER VP	3	C.01	39110	92.33
MANSLAUGHTER BY CULP NEGLIGENCE	3	C.01	39113	92.33
MANSLAUGHTER BY CULPABLE NEG	3	C.01	39116	92.34
MANSLAUGHTER BY CULPABLE NEGLIGENCE WITH A FI	3	C.01	39119	92.35
MANSLAUGHTER BY DUI	3	C.01	39122	92.35
MANSLAUGHTER LEO ATT	3	C.01	39125	92.36

MANSLAUGHTER VOLUNTARY OR INVOLUNTARY	3	C.01	39126	92.37
MANSLAUGHTER WHILE IN POSSESSION OF FIREARM	3	C.01	39131	92.38
MANSLAUGHTER WITH KNIFE	3	C.01	39134	92.38
MANSLAUGHTER WITH PISTOL	3	C.01	39137	92.39
MANSLAUGHTERFIREARM	3	C.01	39140	92.4
MANSLAUGHTER	3	C.01	39143	92.4
MURDER 2ND DEGREE	3	C.01	39146	92.41
MURDER 1ST DEGREE DURING COMMISSION OF FELONY	3	C.01	39149	92.42
MURDER 2 DEG	3	C.01	39152	92.42
MURDER 2ND DEGR	3	C.01	39155	92.43
MURDER 3RD DEA WEAPN	3	C.01	39158	92.44
MURDER ATTEMPT 2ND DEGREE	3	C.01	39161	92.45
MURDER FIRST DEGREE PREMEDITATED DISCHARGE FIR	3	C.01	39164	92.45
MURDER IN THE SECOND DEGREE FIREARM GBH DEATH	3	C.01	39167	92.46
MURDER IN THE SECOND DEGREE LIFE	3	C.01	39170	92.47
MURDER IN THE SECOND DEGREE W FIREARM	3	C.01	39173	92.47
MURDER NOT PREMEDITATED DURING SPECIFIC FELONY	3	C.01	39176	92.48
MURDER SECOND DEGREE W FIREARM	3	C.01	39179	92.49
MURDER THIRD DEGREE WITHOUT DESIGN	3	C.01	39182	92.5
OBSTRUCT POLICE INJURE OR KILL POLICE DOG OR H	3	C.01	39185	92.5
OPERATE VEHICLE W O LICENSE CAUSING DEATH SERI	3	C.01	39188	92.51
POISON FOOD WATER WITH INTENT TO KILL INJURE	3	C.01	39191	92.52
PREMEDITATED MURDER	3	C.01	39194	92.52
PREMEDITATED MURDER WITH A FIREARM 1ST DEGREE	3	C.01	39197	92.53
PRINC ATTEMPTED FELONY MURDER	3	C.01	39200	92.54
PRINCIPAL FIRST DEGREE MURDER	3	C.01	39203	92.55
PRINCIPAL TO ATTEMPTED FIRST DEGREE MURDER	3	C.01	39206	92.55
PRINCIPAL TO ATTEMPTED SECOND DEGREE MURDER	3	C.01	39209	92.56
PRINCIPAL TO FIRST DEGREE MURDER	3	C.01	39212	92.57
REF 2 DEG MURDER	3	C.01	39215	92.57
REF DWLS DEATH INJURY	3	C.01	39218	92.58
REF MURDER SECOND DEGREE	3	C.01	39221	92.59
REF TO WIT 1 DEG MURDER	3	C.01	39224	92.59
SECOND DEG MURDER W FIREARM	3	C.01	39227	92.6
SECOND DEGREE MURDER PBL	3	C.01	39230	92.61
SECOND DEGREE MURDER W A FIREARM	3	C.01	39233	92.62
SECOND DEGREE MURDER WEAPON	3	C.01	39235	92.62
SECOND DEGREE MURDER WITH A FIREARM LIO	3	C.01	39239	92.63
SECOND DEGREE MURDER WITH DEADLY WEAPON	3	C.01	39242	92.64
SECOND DEGREE MURDER WITHOUT FIREARM	3	C.01	39245	92.64
SOLICITATION COMMIT MURDER	3	C.01	39243	92.65
SOLICITATION OF CAPITAL MURDER	3	C.01	39251	92.66
SOLICITATION TO COMMIT MURDER IN THE FIRST DEG	3	C.01	39254	92.67
SOLICITATION TO MURDER FIRST	3	C.01	39257	92.67
SPECIF FELONY COMMIT ACT COULD CAUSE DEATH	3	C.01	39260	92.68
SUSP DL DEATH SERIOUS INJURY	3	C.01	39263	92.69
TCATS BUI MANSLAUGHTER	3	C.01	39265	92.69
TO KILL	3	C.01	39263	92.7
VEHICULAR HOMICIDE VIC DIES ALMOST IMMEDIATE	3	C.01	39272	92.71
VEHICULAR HOMICIDE DELAYED DEATH OF VICTIM	3	C.01	39275	92.71
VEHICULAR HOMICIDE 2F	3	C.01	39273	92.72
VEHICULAR HOMICIDE FAIL TO GIVE AID INFORMATIO	3	C.01	39281	92.73
VEHICULAR HOMICIDE KILLING OF A PERSON	3	C.01	39284	92.74
VEHICULAR HOMICIDE KILLING OF PERSON OR VIABLE	3	C.01	39287	92.74
W DEATH OR INJURY	3	C.01	39290	92.75
W INJURY DEATH	3	C.01	39293	92.76
W INJURY OR DEATH	3	C.01	39296	92.76
WITC MANSL	3	C.01	39299	92.77
WITC MURDER 1ST DEGREE	3	C.01	39302	92.78
WITH DEATH OR INJURY	3	C.01	39305	92.79
WRITTEN THREAT TO KILL DO BODILY INJURY	3	C.01	39308	92.79
WRITTEN THREAT TO KILL OR DO BODILY INJURY	3	C.01	39311	92.8

WRITTEN THREATS TO KILL DO BO	3	0.01	39314	92.81	ATT 2ND DEG MURDER W DW	2	0	39438	93.1
W DEADLY WEAPON WITHOUT INTENT TO KILL	2	0	39316	92.81	ATT 3RD DEGREE MURDER WITH FIREARM	2	0	39440	93.1
0505 LEAVING SCENE OF ACC WITH DEATH	2	0	39318	92.82	ATT FIRST DEGR PREMEDIT MURDER WITH ENHANCEMNT	2	0	39442	93.11
1ST DEG PREMED MURDER	2	0	39320	92.82	ATT FIRST DEGREE MURDER F A	2	0	39444	93.11
1ST DEG PREMED OR FELONY MURDER W FIREARM	2	0	39322	92.83	ATT MANSLAUGHTER WITH FIREARM OR WEAPON	2	0	39446	93.12
2ND DEG FELONY MURDER	2	0	39324	92.83	ATT MURDER FIRST DEGREE LIFE FELONY	2	0	39448	93.12
2ND DEG MURDER NOT PREMEDITATED NO FELONY OFFE	2	0	39326	92.84	ATT MURDER FIRST DEGREE FOPS 92 2770CF CT3	2	0	39450	93.13
2ND DEGREE MURDER DANGEROUS ACT	2	0	39328	92.84	ATT MURDER IN THE FIRST DEGREE	2	0	39452	93.13
2ND DEGREE MURDER NOT PREMED	2	0	39330	92.84	ATT MURDER IN THE SECOND DEGREE WITH A FIREAR	2	0	39454	93.14
2ND DEGREE MURDER W/FIREARM	2	0	39332	92.85	ATT MURDER LAW ENFORCEMENT OFFICER	2	0	39456	93.14
305180D DUI MANSLAUGHTER	2	0	39334	92.85	ATT MURDER OF LAW ENFORCEMENT OFCR	2	0	39458	93.15
322346A TRAF6084 FT DRIVING WO VALID DL DEATH	2	0	39336	92.86	ATT SECOND DEGREE MURDER WITH DEADLY WEAPON	2	0	39460	93.15
3RD DEG MURDER W FIRE 775087	2	0	39338	92.86	ATT THIRD DEGREE MURDER	2	0	39462	93.16
549244W 3 DUI MANSLAUGHTER	2	0	39340	92.87	ATT VOLUNT MANSLAUGHTER W FI	2	0	39464	93.16
782 04 2 ATTEMPTED MURDER IN THE SECOND DEGREE	2	0	39342	92.87	ATT VOLUNTARY MANSLAUGHTER	2	0	39466	93.17
782 04 3 MURDER IN THE SECOND DEGREE FELONY MU	2	0	39344	92.88	ATTEMPTED MURDER 2ND DEGREE	2	0	39468	93.17
782 07 1 MANSLAUGHTER WITH A WEAPON	2	0	39346	92.88	ATTEMPT 1ST DEG PREMEDITATED MURDER/DISCHARGE F	2	0	39470	93.18
78204 2ND MURDER W FIREARM	2	0	39348	92.89	ATTEMPT 1ST DEGREE MURDER	2	0	39472	93.18
78204 ATTEMPTED MURDER IN THE 1ST D	2	0	39350	92.89	ATTEMPT 2ND DEG MURDER OF LEO W/FIREARM	2	0	39474	93.18
78204 SOLICITATION TO COMMIT MURDER	2	0	39352	92.9	ATTEMPT DOMESTIC VIOLENCE SECOND DEGREE MURDER	2	0	39476	93.19
782041 ATTEMPTED FIRST DEGREE MURDER	2	0	39354	92.9	ATTEMPT FIRST DEGREE MURDER W/FELONY OFFENSE	2	0	39478	93.19
782041 ATTEMPTED MURDER IN THE FIRST DEGREE WI	2	0	39356	92.91	ATTEMPT MURDER	2	0	39480	93.2
782041 GUN50023 FL ATTEMPTED MURDER IN THE FIR	2	0	39358	92.91	ATTEMPT MURDER 1ST DEGREE PREMEDITATED	2	0	39482	93.2
782041 MURDER FIRST DEGREE POSSESS FIREARM/MPREM	2	0	39360	92.92	ATTEMPT MURDER FIRST DEGREE	2	0	39484	93.21
782041GUN50022 FL ATTEMPTED MURDER IN TH	2	0	39362	92.92	ATTEMPT MURDER FIRST DEGREE PREMEDITATED	2	0	39486	93.21
782041GUN50023 FL ATTEMPTED MURDER IN TH	2	0	39364	92.93	ATTEMPT MURDER IN 1ST DEGREE 1F CONSPIRACY 1F	2	0	39488	93.22
782041MURD1000 FC MURDER IN THE FIRST DE	2	0	39366	92.93	ATTEMPT MURDER OF LEO	2	0	39490	93.22
782042 MURDER 2ND DEGREE POSSESS FIREARM	2	0	39368	92.93	ATTEMPT SECOND DEGREE MURDER WITH A DEADLY WEA	2	0	39492	93.23
782042 SECOND DEGREE MURDER WA FIRE	2	0	39370	92.94	ATTEMPT TO COMMIT FIRST DEGREE MURDER	2	0	39494	93.23
782042GUN50058 FF ATTEMPTED MURDER IN TH	2	0	39372	92.94	ATTEMPT TO INJURE OR KILL POLICE DOG	2	0	39496	93.24
782042GUN50061 FL MURDER IN THE SECOND D	2	0	39374	92.95	ATTEMPTED 1ST DEG MURDER W/DEADLY WEAPON	2	0	39498	93.24
782042MURD2004 FP MURDER IN THE SECOND D	2	0	39376	92.95	ATTEMPTED 1ST DEG PREMED MURDER W A WEAPON	2	0	39500	93.25
7820512 ATTEMPTED FELONY MURDER UNSPECIFIED	2	0	39378	92.96	ATTEMPTED 1ST DEG PREMEDITATED MURDER W WEAPON	2	0	39502	93.25
782071 MANSLAUGHTER WITH A WEAPON	2	0	39380	92.96	ATTEMPTED 1ST DEGREE MURDER W DEADLY WEAPON	2	0	39504	93.26
784073 ATT MURDER OF LAW ENFORCE OFF	2	0	39382	92.97	ATTEMPTED 1ST DEGREE MURDER WITH A FIREARM	2	0	39506	93.26
ACC INVOL DEATH	2	0	39384	92.97	ATTEMPTED 2ND DEG MURDER DISCHARGE FIREARM CALI	2	0	39508	93.27
ACCESSORY AFTER FACT OF ATT FIRST DEG MURDER	2	0	39386	92.98	ATTEMPTED 2ND DEGREE MURDER WITH A WEAPON	2	0	39510	93.27
ACCESSORY AFTER FACT TO MANSLAUGHTER	2	0	39388	92.98	ATTEMPTED FELONY MURDER 1ST DEGREE PBL	2	0	39512	93.27
ACCESSORY AFTER FACT TO SECOND DEGREE MURDER	2	0	39390	92.99	ATTEMPTED FELONY MURDER ENUMERATED FELONY	2	0	39514	93.28
ACCESSORY AFTER THE FACT 2ND DEGREE MURDER	2	0	39392	92.99	ATTEMPTED FELONY MURDER ENUMERATED FEL	2	0	39516	93.28
ACCESSORY AFTER THE FACT OF 1ST DEGREE MURDER	2	0	39394	93	ATTEMPTED FELONY MURDER ENUMERATED FELONYWITH	2	0	39518	93.29
ACCESSORY AFTER THE FACT TO 1ST DEGREE MURDER	2	0	39396	93	ATTEMPTED FELONY MURDER LIFE FELONY	2	0	39520	93.29
ACCESSORY AFTER THE FACT TO MURDER	2	0	39398	93.01	ATTEMPTED FELONY MURDER SECOND DEGREE WITH FI	2	0	39522	93.3
ACCESSORY AFTER THE FACT TO MURDER IN THE FIR	2	0	39400	93.01	ATTEMPTED FELONY MURDER WITH FIREARM	2	0	39524	93.3
ACCESSORY BEFORE OR AFTER THE FACT TO MURDER	2	0	39402	93.01	ATTEMPTED FELONY MURDER WITH WEAPON	2	0	39526	93.31
ACCESSORY TO MURDER	2	0	39404	93.02	ATTEMPTED FIRST DEGREE MURDER WITH A FIREARM	2	0	39528	93.31
ACCESSORY TO SECOND DEGREE MURDER	2	0	39406	93.02	ATTEMPTED FIRST DEGREE FELONY MURDER ATTEMPTED	2	0	39530	93.32
AGG BATTERY W/INTENT TO CAUSE DEATH/GREAT HARM	2	0	39408	93.03	ATTEMPTED FIRST DEGREE MURDER LIFE	2	0	39532	93.32
AGGRAV ASSLT WEAPON W DEADLY WEAPON WO INTENT TO KILL	2	0	39410	93.03	ATTEMPTED FIRST DEGREE MURDER OF A LEO	2	0	39534	93.33
AGGRAV ASSLT-W DEADLY WEAPON WO INTENT TO KILL	2	0	39412	93.04	ATTEMPTED FIRST DEGREE MURDER WITH A DEADLY W	2	0	39536	93.33
AGGRAVATED MANSLAUGHTER OF CHILD	2	0	39414	93.04	ATTEMPTED FIRST DEGREE MURDER WITH A FA POS	2	0	39538	93.34
AGGV MANSLAUGHTER HOMICIDE OF ELDERLY OR DISAB	2	0	39416	93.05	ATTEMPTED FIRST DEGREE MURDER WITH A FIREA	2	0	39540	93.34
ALLIGATOR POACHING ILLEGAL KILLING POSS CAPTUR	2	0	39418	93.05	ATTEMPTED FIRST DEGREE MURDER WITH A FIREARM L	2	0	39542	93.35
ASLT W/TC MURDER	2	0	39420	93.06	ATTEMPTED FIRST DEGREE MURDER WITH A MASK	2	0	39544	93.35
ASSAULT W/TC MURDER	2	0	39422	93.06	ATTEMPTED FIRST DEGREE MURDER WITH WEAPON	2	0	39546	93.35
AT-WPN-F/A 775 087 SECOND DEGREE MURDER	2	0	39424	93.07	ATTEMPTED FIRST DEGREE PREMEDITATED MURDER/RECL	2	0	39548	93.36
ATT MANSLAUGHTER	2	0	39426	93.07	ATTEMPTED HOMICIDE MURDER FIRST DEGREE PREMED	2	0	39550	93.36
ATT SECOND DEGREE MURDER OF LEO	2	0	39428	93.08	ATTEMPTED HOMICIDEMURDER FIRST DEGREE PREMEDI	2	0	39552	93.37
ATT 1ST DEG FELONY MURDER FIREAR	2	0	39430	93.08	ATTEMPTED HOMICIDENEGLIG MANSL OTHER THAN BY M	2	0	39554	93.37
ATT 1ST DEG MURDER WITH FIREARM	2	0	39432	93.09	ATTEMPTED HOMICIDEWILFUL KILL MURDER PREMEDITA	2	0	39556	93.38
ATT 1ST DEGREE FELONY MURDER INFLECT HARM OR D	2	0	39434	93.09	ATTEMPTED MANSLAUGHTER W FIRE	2	0	39558	93.38
ATT 2ND DEG MURDER LAW ENFORCEMENT OFC FIREARM	2	0	39436	93.1	ATTEMPTED MANSLAUGHTER W FIREARM	2	0	39560	93.39

ATTEMPTED MANSLAUGHTER W O FIREARM	2	C	39562	93.39
ATTEMPTED MANSLAUGHTER BY ACT	2	C	39564	93.4
ATTEMPTED MURDER SECOND DEGREE WITH A FIREAR	2	C	39566	93.4
ATTEMPTED MURDER SECOND DEGREE WITH A FIREAR	2	C	39568	93.41
ATTEMPTED MURDER 1ST WHILE ARMED WITH FIREARM	2	C	39570	93.41
ATTEMPTED MURDER IN 1ST DEGREE WITH A FIREARM	2	C	39572	93.42
ATTEMPTED MURDER IN THE FIRST DEGREE ON A LAW	2	C	39574	93.42
ATTEMPTED MURDER IN THE FIRST DEGREE W FIREARM	2	C	39576	93.43
ATTEMPTED MURDER IN THE FIRST DEGREE WITH A FI	2	C	39578	93.43
ATTEMPTED MURDER IN THE FIRST DEGREE WITH FIRE	2	C	39580	93.43
ATTEMPTED MURDER IN THE SECOND DEGREE FIREAR	2	C	39582	93.44
ATTEMPTED MURDER IN THE SECOND DEGREE FIREARM	2	C	39584	93.44
ATTEMPTED MURDER IN THE SECOND DEGREE PBL	2	C	39586	93.45
ATTEMPTED MURDER OF LAW ENFORCEMENT OFFICER	2	C	39588	93.45
ATTEMPTED MURDER SECOND DEGREE W WEAPON	2	C	39590	93.46
ATTEMPTED MURDER WHILE IN POSSESSION OF FIREAR	2	C	39592	93.46
ATTEMPTED MURDER WITH A DEADLY WEAPON	2	C	39594	93.47
ATTEMPTED MURDER SECOND DEGREE	2	C	39596	93.47
ATTEMPTED SECOND DEGREE FELONY MURDER W FIREAR	2	C	39598	93.48
ATTEMPTED SECOND DEGREE MURDER BY DISCH FIREAR	2	C	39600	93.48
ATTEMPTED SECOND DEGREE MURDER DANGEROUS DEPR	2	C	39602	93.49
ATTEMPTED SECOND DEGREE MURDER DOMESTI	2	C	39604	93.49
ATTEMPTED SECOND DEGREE MURDER F1	2	C	39606	93.5
ATTEMPTED SECOND DEGREE MURDER WITH A FA POS	2	C	39608	93.5
ATTEMPTED SECOND DEGREE MURDER WITH A FA POS	2	C	39610	93.51
ATTEMPTED SECOND DEGREE MURDER WITH A FIREA	2	C	39612	93.51
ATTEMPTED SECOND DEGREE MURDER WITH ENHANCEMEN	2	C	39614	93.52
ATTEMPTED VOLUNTARY MANSLAUGHTER WITH A FIREA	2	C	39616	93.52
ATTEMPTED WRITTEN THREATS TO KILL OR DO BODILY	2	C	39618	93.52
ATTEMPTED HOMICIDE MURDER DANGEROUS DEPRAVED W	2	C	39620	93.53
ATTEMPTED VOLUNTARY MANSLAUGHTER WITH A FIREARM	2	C	39622	93.53
ATTEMPTED 1ST DEG FELONY MURDER FIREARM DISCHARGE	2	C	39624	93.54
BOAT DUI MANSLAUGHT	2	C	39626	93.54
BOATING UNDER THE INFLUENCE MANSLAUGHTER	2	C	39628	93.55
BOATING UNDER THE INFLUENCE MANSLAUGHTER	2	C	39630	93.55
CAUSE CRUEL DEATH PAIN AND SUFFERING TO ANIMA	2	C	39632	93.56
CAUSING DEATH WHILE DRIV INTOX	2	C	39634	93.56
CONSERVATION ANIMALS CAUSE CRUEL DEATH PAIN A	2	C	39636	93.57
CONSERVATION ANIMALS CAUSE CRUEL DEATH OR PAIN	2	C	39638	93.57
CONSP COMM 1ST DEG MURDER	2	C	39640	93.58
CONSP KILL CATTLE	2	C	39642	93.58
CONSPIR COMMIT 1ST DEG MURDER	2	C	39644	93.59
CONSPIRACY COMM 1ST DEG MURDER	2	C	39646	93.59
CONSPIRACY TO COMMIT 1ST DEG MURDER SEX BATT	2	C	39648	93.6
CONSPIRACY TO COMMIT FIRST DEGREE MURDER W FIR	2	C	39650	93.6
CONSPIRACY TO COMMIT HOMICIDE MURDER FIRST DEG	2	C	39652	93.6
CONVERSION 782 072 0910 S F 000 06 MANSLA	2	C	39654	93.61
CONVERSION MURDER	2	C	39656	93.61
CR DUI MANSLAUGHTER	2	C	39658	93.62
CRIMINAL SOLICITATION TO COMMIT MURDER	2	C	39660	93.62
CRIMINAL SOLICITATION TO COMMIT MURDER 1ST D	2	C	39662	93.63
CRIMINAL SOLICITATION TO COMMIT MURDER 1ST DEG	2	C	39664	93.63
CR LEAVING THE SCENE OF AN ACCIDENT WITH DEATH	2	C	39666	93.64
CRUELTY TO ANIMALS CAUSE CRUEL DEATH PAIN AND	2	C	39668	93.64
DEATH OR INJ	2	C	39670	93.65
DEATH OR INJURY	2	C	39672	93.65
DEATH PERS INJURY	2	C	39674	93.66
DOM VIOL 2ND DEGREE MURDER NO FELONY OFFENSE	2	C	39676	93.66
DOM VIOL MURDER DANGEROUS DEPRAVED WO PREMEDIT	2	C	39678	93.67
DOM VIOL SECOND DEGREE MURDER	2	C	39680	93.67
DOM VIOL SECOND DEGREE MURDER WITH A FIREARM	2	C	39682	93.68
DOMESTIC VIOLENCE FIRST DEGREE MURDER	2	C	39684	93.68

DOMESTIC VIOLENCE WRITTEN THREATS TO KILL DO B	2	C	39686	93.69
DRIV W NO VALID DL CAUS SER BODILY INJ DEATH	2	C	39688	93.69
DRIV W LIC CANC SUSP PREV CAUSE DEATH SERIOUS INJ	2	C	39690	93.69
DRIVE U INFL RESULT DEATH	2	C	39692	93.7
DRIVE W LIC SUSP DEATH SER BO	2	C	39694	93.7
DRIVE W LIC SUSP REVOKED DEATH SERIOUS INJURY	2	C	39696	93.71
DRIVE WHILE LIC SUSPENDED DEATH SERIOUS INJURY	2	C	39698	93.71
DRIVE WHILE LICENSE SUSPENDED DEATH SERIOUS IN	2	C	39700	93.72
DRIVE WITH SUSP REV CAUSE DEATH SER INJURY	2	C	39702	93.72
DRIVING UNDER THE INFLUENCE MANSLAUGHTER IMPAI	2	C	39704	93.73
DRIVING W O LICENSE CAUSING DEATH SERIOUS INJUI	2	C	39706	93.73
DRIVING WHILE LCNSE SUSP CAUSING DEATH INJURY	2	C	39708	93.74
DRIVING WHILE LICENSE SUSPENDED CAUSING DEATH	2	C	39710	93.74
DRIVING WITHOUT A LICENSE RESULTING IN DEATH	2	C	39712	93.75
DUI MANSLAUGHTER DUI CAUSE DEATH TO HUMAN OR	2	C	39714	93.75
DUI CAUSE DEATH	2	C	39716	93.76
DUI DEATH INVOLVED	2	C	39718	93.76
DUI MANSL	2	C	39720	93.77
DUI MANSLAUGHTER IMPAIRMENT AND OR D8	2	C	39722	93.77
DUI MANSLAUGHTER 2F	2	C	39724	93.77
DUI MANSLAUGHTER AND LEAVE SCENE OF ACCIDENT	2	C	39726	93.78
DUI MANSLAUGHTER FAILURE TO FURNISH INFO RENDE	2	C	39728	93.78
DUI MANSLAUGHTER IMPAIRMENT AND OR 08	2	C	39730	93.79
DUI MANSLAUGHTER MANSLAUGHTER CULP NEG	2	C	39732	93.79
DUI MANSLAUGHTER MANSLAUGHTER CULP NEGLIGENCE	2	C	39734	93.8
DUI MANSLAUGHTER W FAILURE TO RENDER AID INFO	2	C	39736	93.8
DUI MANSLAUGHTER	2	C	39738	93.81
DUI/MANSLAUGHTER	2	C	39740	93.81
DWI RESULT IN DEATH	2	C	39742	93.82
DWLS CARELESS NEG OP DEATH	2	C	39744	93.82
DWLS CAUSING DEATH OR INJURY	2	C	39746	93.83
DWLS OR R INVOLVING DEATH	2	C	39748	93.83
DWLS OR WITHOUT LICENSE DEATH SERIOUS INJURY V	2	C	39750	93.84
DWLSR WITH DEATH TO ANOTHER HUMAN BEING	2	C	39752	93.84
F FIRST DEGREE MURDER	2	C	39754	93.85
F T STOP ACC W DEATH OR P I	2	C	39756	93.85
FAIL STOP ACC RESULT DEATH	2	C	39758	93.86
FAIL STOP ACC RESULT IN DEATH	2	C	39760	93.86
FAIL STOP ACC RESULT DEATH INJ	2	C	39762	93.86
FAIL STOP ACC RESULT IN DEATH	2	C	39764	93.87
FAIL STOP ACC SC RES DEATH INJ	2	C	39766	93.87
FELONY MURDER	2	C	39768	93.88
FELONY MURDER DURING CERTAIN SPEC CRIMES	2	C	39770	93.88
FELONY MURDER IN THE FIRST DEGREE	2	C	39772	93.89
FELONY MURDER IN THE SECOND DEGREE	2	C	39774	93.89
FELONY MURDER IN THE SECOND DEGREE WITH A FIR	2	C	39776	93.9
FIRST DEGREE FELONY MURDER WITH FIREARM	2	C	39778	93.9
FIRST DEGREE MURDER FELONY MURDER	2	C	39780	93.91
FIRST DEGREE MURDER WITH A FIREARM CAPITAL	2	C	39782	93.91
FIRST DEGREE VEHICULAR HOMICIDE	2	C	39784	93.92
FL STOP ACC RSLT DEATH	2	C	39786	93.92
HOMICIDE NEGLIGENCE MANSLAUGHTER AGGRAVATED	2	C	39788	93.93
HOMICIDE ATTEMPTED ARMED SECOND DEGREE MURDER	2	C	39790	93.93
HOMICIDE MANSLAUGHTER WITH WEAPON	2	C	39792	93.94
HOMICIDE MURDER FIRST DEGREE PREMEDITATED W MA	2	C	39794	93.94
HOMICIDE NEGLIG MANSL KILLING HUMAN OTHER THAN	2	C	39796	93.94
HOMICIDE NEGLIG MANSL VEH DUI FAIL TO GIVE INF	2	C	39798	93.95
HOMICIDE NEGLIG MANSL VEH DUI FAIL TO GIVE INFO	2	C	39800	93.95
HOMICIDE NEGLIG MANSLAUGHTER DISCHARGE FIREARM	2	C	39802	93.96
HOMICIDE NEGLIG MANSL VEH KILLING OF HUMAN BEING	2	C	39804	93.96
HOMICIDE NEGLIG MANSL OTHER THAN BY MOTOR VEH	2	C	39806	93.97
HOMICIDE NEGLIG MANSL VEH DUI CAUSE DEATH TO A	2	C	39808	93.97

HOMICIDENEGLIGENCE MANSLAUGHTEROTHER THAN BY	2	0	39810	93.98	MANSLAUGHTER INTOXICATION	2	0	39934	94.27
HOMICIDEWILFUL KILL MURDER WHILE ENGAGED IN C	2	0	39812	93.98	MANSLAUGHTER OF CHILD WITH WEAPON	2	0	39936	94.28
HOMICIDEWILFUL KILL MURDER WHILE ENGAGED IN CE	2	0	39814	93.99	MANSLAUGHTER OF LEO	2	0	39938	94.28
ILL KILL POSS OR CAPT ALLIGATORS	2	0	39816	93.99	MANSLAUGHTER PISTOL	2	0	39940	94.28
ILLEGAL KILL POSSESS ETC ALLIGATOR	2	0	39818	94	MANSLAUGHTER RECLASSIFIED	2	0	39942	94.29
ILLEGAL KILL POSSESS CAPTURE OF ALLIGATOR OR O	2	0	39820	94	MANSLAUGHTER W DEADLY WEAPON	2	0	39944	94.29
ILLEGAL KILLING CAPTURE OR POSS OF AN ALLIGAT	2	0	39822	94.01	MANSLAUGHTER W FA	2	0	39946	94.3
ILLEGAL KILLING OF AN ALLIGATOR	2	0	39824	94.01	MANSLAUGHTER W OPERATING MOTOR VEH	2	0	39948	94.3
ILLEGAL KILLING POSS OR CAPTURE ALLIGATOR OR O	2	0	39826	94.02	MANSLAUGHTER WITH A FIREARM F1	2	0	39950	94.31
INTIMIDATION WRITTEN THREAT TO KILL OR INJURE	2	0	39828	94.02	MANSLAUGHTER WWEAPON	2	0	39952	94.31
INTIMIDATION SEND WRITTEN THREAT TO KILL OR I	2	0	39830	94.03	MANSLAUGHTER/DUI	2	0	39954	94.32
INTIMIDATION WRITE SEND THREAT TO KILL OR INJU	2	0	39832	94.03	MANSLAUGHTER WITH A FIREARM	2	0	39956	94.32
KILL INJURE OR POSSESS ALLIGATOR OR EGG WIT	2	0	39834	94.03	MURDER PREMEDITATED FIRST DEGREE	2	0	39958	94.33
KILL INJURE POSSESS CAPTURE ALLIGATOR OTHE	2	0	39836	94.04	MURDER WITHOUT DEADLY WEAPON	2	0	39960	94.33
KILL ALLIGATOR	2	0	39838	94.04	MURDER ATTEMPTED FIRST DEGREE DOME	2	0	39962	94.34
KILL INJURE OR POSSESS ALLIGATOR OR EGG WITHOUT	2	0	39840	94.05	MURDER 1ST DEGREE PREMEDITATED ATTEMPTED	2	0	39964	94.34
KILL INJURE POSSESS OR CAPTURE ALLIGATOR	2	0	39842	94.05	MURDER 1ST LEO	2	0	39966	94.35
KILLING CATTLE	2	0	39844	94.06	MURDER 1ST PRIN ATT	2	0	39968	94.35
KILLING OF ALLIGATOR	2	0	39846	94.06	MURDER 2ND DEGREE PBL	2	0	39970	94.36
KILLING OF CATTLE	2	0	39848	94.07	MURDER 2ND DWEAP LEO	2	0	39972	94.36
KILLING OF PERSON VIABLE FETUS W VEH	2	0	39850	94.07	MURDER 3RD FIREARM	2	0	39974	94.37
KILLING REGISTERED HORSE	2	0	39852	94.08	MURDER ATT WEAPON	2	0	39976	94.37
LEAVE SCENE ACCIDENT W INJUR DEATH	2	0	39854	94.08	MURDER ATTEMPT 2ND DEGREE NOT PREMEDITATED	2	0	39978	94.37
LEAVE SCENE ACCIDENT WITH INJURY DEATH	2	0	39856	94.09	MURDER BY ENVINCCING A DEPRAVED MIND	2	0	39980	94.38
LEAVE SCENE OF ACCI W INJURY DEATH	2	0	39858	94.09	MURDER FIRST DEGREE CAPITAL FELONY	2	0	39982	94.38
LEAVE SCENE OF AN ACCIDENT INJURY DEATH	2	0	39860	94.1	MURDER FIRST DEGREE PREMED DISCHARGE FIREARM	2	0	39984	94.39
LEAVE SCENE OF AN ACCIDENT INJURY DEATH	2	0	39862	94.1	MURDER FIRST DEGREE PREMED DISCHR FIREARM	2	0	39986	94.39
LEAVING SCEAN OF ACCIDENT WITH DEATH	2	0	39864	94.11	MURDER FIRST DEGREE PREMEDIT POSSESS FIREARM	2	0	39988	94.4
LEAVING SCENE ACCIDENT W INJ DEATH	2	0	39866	94.11	MURDER FIRST DEGREE W/ DEADLY WEAPON	2	0	39990	94.4
LEAVING SCENE OF ACCID W INJ DEATH	2	0	39868	94.11	MURDER FIRST DEGREE WHILE ARMED WITH DEADLY WE	2	0	39992	94.41
LEAVING SCENE OF ACCIDENT WITH INJURY OR DEATH	2	0	39870	94.12	MURDER IN 2 DEGREE	2	0	39994	94.41
LEAVING SCENE OF CRASH WITH DEATH AND/OR INJUR	2	0	39872	94.12	MURDER IN FIRST DEGREE WHILE ARMED	2	0	39996	94.42
LEAVING SCENE OF CRASHPERSONAL INJURYDEATHF1	2	0	39874	94.13	MURDER IN THE 1ST DEGREE	2	0	39998	94.42
LEAVING THE SCENE OF ACCIDENT DEATH	2	0	39876	94.13	MURDER IN THE FIRST DEGREE CAPITAL	2	0	40000	94.43
LEAVING THE SCENE OF CRASH INVOLVING DEATH 1F	2	0	39878	94.14	MURDER IN THE FIRST DEGREE PREMEDITATED	2	0	40002	94.43
LESSER MURDER IN THE SECOND DEGREE	2	0	39880	94.14	MURDER IN THE FIRST DEGREE 2CTS	2	0	40004	94.44
LSA/DEATH	2	0	39882	94.15	MURDER IN THE FIRST DEGREE 2CTS CAPITAL	2	0	40006	94.44
LVNG SCENE ACCIDENT W INJ OR DEATH	2	0	39884	94.15	MURDER IN THE FIRST DEGREE AS A CRIMINAL GANG	2	0	40008	94.45
MANSL BY CULP NEG	2	0	39886	94.16	MURDER IN THE FIRST DEGREE COMMISSION OF CRIME	2	0	40010	94.45
MANSL BY CULP NEGLIG	2	0	39888	94.16	MURDER IN THE FIRST DEGREE FOPS 92 308CF CT2	2	0	40012	94.45
MANSL CULP NEGLIG	2	0	39890	94.17	MURDER IN THE FIRST DEGREE WHILE ARMED	2	0	40014	94.46
MANSL W DEADLY WEAP OR FIREARM	2	0	39892	94.17	MURDER IN THE SECOND DEGREE BY THIRD PERSON	2	0	40016	94.46
MANSL W FIREARM	2	0	39894	94.18	MURDER IN THE SECOND DEGREE LIFE FELONY	2	0	40018	94.47
MANSLAUGHTER BY DUI	2	0	39896	94.18	MURDER IN THE SECOND DEGREE FIREARM GBH DEAT	2	0	40020	94.47
MANSLAUGHTER LIO	2	0	39898	94.19	MURDER IN THE SECOND DEGREE NO PREMEDITATION	2	0	40022	94.48
MANSLAUGHTER 1F	2	0	39900	94.19	MURDER IN THE SECOND DEGREE W A FIREARM	2	0	40024	94.48
MANSLAUGHTER BY ACT	2	0	39902	94.2	MURDER MANSLAUGHTER	2	0	40026	94.49
MANSLAUGHTER BY AUTO CULPABLE NEGLIGENCE	2	0	39904	94.2	MURDER NOT PREMEDITATED	2	0	40028	94.49
MANSLAUGHTER BY CULP NEGL	2	0	39906	94.2	MURDER RESULTING FROM DISTRIBUTION CNTRL SUBS	2	0	40030	94.5
MANSLAUGHTER BY CULP NEGLIG	2	0	39908	94.21	MURDER THIRD DEGREE WITHOUT DESIGN ENHANCEMEN	2	0	40032	94.5
MANSLAUGHTER BY CULPABLE NEGLIGENCE	2	0	39910	94.21	MURDER W/ FIREARM	2	0	40034	94.51
MANSLAUGHTER BY CULPABLE NEGLIGENC	2	0	39912	94.22	MURDER-SECOND DEGREE	2	0	40036	94.51
MANSLAUGHTER BY CULPABLE NEGLIGENCE VEHICULAR	2	0	39914	94.22	MURDERTHIRD DEGREE	2	0	40038	94.52
MANSLAUGHTER BY CULPABLE NEGLIGENCE WITH A FIR	2	0	39916	94.23	POISON FOOD WATER WITH INTENT TO KILL INJURE P	2	0	40040	94.52
MANSLAUGHTER BY CUPABLE NEGLIGENCE	2	0	39918	94.23	PREMEDITATED FELON MURDER	2	0	40042	94.53
MANSLAUGHTER BY DRIVING UNDER INFLUENCE F2	2	0	39920	94.24	PREMEDITATED MURDER FIRST DEGREE	2	0	40044	94.53
MANSLAUGHTER BY INTOXICATED MOTORIST	2	0	39922	94.24	PREMEDITATED MURDER FIRST DEGREE WITH A FIREA	2	0	40046	94.54
MANSLAUGHTER BY USE OF A FIREARM	2	0	39924	94.25	PRINC ATTEMPT FELONY MURDER	2	0	40048	94.54
MANSLAUGHTER CULPABLE NEG	2	0	39926	94.25	REF ATTEMPT MANSLAUGHTER	2	0	40050	94.54
MANSLAUGHTER CULPABLE NEGLIG	2	0	39928	94.26	REF DWI MANSLAUGHTER	2	0	40052	94.55
MANSLAUGHTER DEADLY WEAPON	2	0	39930	94.26	REF MURDER 2ND DEG ATT	2	0	40054	94.55
MANSLAUGHTER F2	2	0	39932	94.27	REF MURDER 2ND DEGREE	2	0	40056	94.56

REF SOLICITATION MURDER	2	0	40C58	94.56
REF WRITTEN THREAT TO KILL	2	0	40C60	94.57
REF-VEHICULAR HOMICIDE	2	0	40C62	94.57
REFUSE STOP FLEE AFTER ORDER INJURY OR DEATH	2	0	40C64	94.58
RESULT DEATH OR INJURY	2	0	40C66	94.58
RESULT IN DEATH OR INJURY	2	0	40C68	94.59
ROBBERY 1F ATTEMPTED MURDER IN THE SECON DEG 2F	2	0	40C70	94.59
ROBBERY DISCHARGING FIREARM CAUSING DEATH	2	0	40072	94.6
SECOND DEG MURDER WITH FIREARM FL	2	0	40074	94.6
SECOND DEGREE FELCNY MURDER FIREARM DISCHARG	2	0	40076	94.61
SECOND DEGREE MURDER LIO	2	0	40078	94.61
SECOND DEGREE MURDER W A DEADLY WEAPON	2	0	40080	94.62
SECOND DEGREE MURDER WA FIREARM	2	0	40082	94.62
SECOND DEGREE MURDER WHILE ARMED	2	0	40084	94.62
SECOND DEGREE MURDER WITH A FIREARM MINIMUM MA	2	0	40086	94.63
SECOND DEGREE MURDER WITH DISCHARGE OF A FIRE	2	0	40088	94.63
SECOND DEGREE MURDER WITH POSSESSION DISCHARG	2	0	40090	94.64
SOLICITATION TO COMMIT MURDER IN FIRST DEGREE	2	0	40092	94.64
SOLICITON TO COMMIT MURDER IN THE FIRST DEGREE	2	0	40094	94.65
SOLICIT COMMIT 1ST DEG MURDER	2	0	40096	94.65
SPECIF FELONY COMMIT ACT COULD CAUSE DEATH ATT	2	0	40098	94.66
TCATS DUI MANSLAUGHTER AND FAILURE TO GIVE INF	2	0	40100	94.66
TCATS DUI MANSLAUGHTER ENHANCED	2	0	40102	94.67
TCATS LEAVING SCENE OF CRASH INVOLVING DEATH A	2	0	40104	94.67
THIRD DEGREE FELONY MURDER WITH A FIREARM	2	0	40106	94.68
THIRD DEGREE MURDER W A FIREARM	2	0	40108	94.68
THIRD DEGREE MURDER W A WEAPON	2	0	40110	94.69
THIRD DEGREE MURDER WITH A WEAPON OR FIREARM	2	0	40112	94.69
UNLAW BLOOD ALCCOL MANSLAUGHT	2	0	40114	94.7
UNLAWFUL KILL OR AGG ABUSE REG HORSES CATTLE	2	0	40116	94.7
UNNECESSARY KILLING TO PREVENT UNLAWFUL ACT	2	0	40118	94.71
VEH HOMICIDE FT GIVE AID INFO	2	0	40120	94.71
VEH HOMICLV SCENE ACC WDEATH	2	0	40122	94.71
VEHICLE HOMICIDE 2ND DEGREE	2	0	40124	94.72
VEHICULAR HOMICIDE DELAYED DEATH OF VICTIM	2	0	40126	94.72
VEHICULAR HOMICIDE FAIL TO GIVE INFO AND RENDE	2	0	40128	94.73
VEHICULAR HOMICIDE FAIL TO STOP COM	2	0	40130	94.73
VEHICULAR HOMICIDE KILL PERSON OR VIABLE FETUS	2	0	40132	94.74
VEHICULAR HOMICIDE LEAVE SCENE FAIL TO RENDER	2	0	40134	94.74
VEHICULAR HOMICIDE LEAVING THE SCENE	2	0	40136	94.75
VEHICULAR MANSLAUGHTER	2	0	40138	94.75
VOLUNTARY MANSLAUGHTER	2	0	40140	94.76
VOP ON LIO ATTEMPTED SECOND DEGREE MURDER VOP	2	0	40142	94.76
W DEAD WEAP WO INT KILL	2	0	40144	94.77
W DEADLY WEAP WC INTENT TO KILL	2	0	40146	94.77
W DEADLY WEAPON W/O INTENT TO KILL	2	0	40148	94.78
W DEATH OR INJ	2	0	40150	94.78
W DEATH PERS INJ	2	0	40152	94.79
WIT COMMIT MURDER IN THE 1ST DEGREE	2	0	40154	94.79
WITC 2 DEG MURDER	2	0	40156	94.79
WITH INJURY DEATH	2	0	40158	94.8
WLDLF KILL WND ENDSF	2	0	40160	94.8
WRITING THREATS TO KILL OR DO BODILY HARM	2	0	4C162	94.81
WRITTEN THREAT TO KILL BODILY INJ	2	0	4C164	94.81
WRITTEN THREATS KILL RECIPIANT	2	0	4C166	94.82
WRITTEN THREATS TO KILL DO BODILY HARM	2	0	4C168	94.82
ATTEMPTED MURDER	1	0	4C169	94.83
LEAVING SCENE W/O AID INV DEATH/INJURY	1	0	40170	94.83
W DEATH OR INJ	1	0	40171	94.83
002 CNTS DUI MANS:AUGHTER	1	0	40172	94.83
0505 LEAVE SCENE ACCIDENT WITH DEATH	1	0	40173	94.83
075199D DUI MANSLAUGHTER	1	0	40174	94.84

116 THIRD DEGREE MURDER	1	0	40175	94.84
1CT ATT MURDER IN FIRST DEGREE LIFE	1	0	40176	94.84
1CT ATTEMPTED MURDER IN 1ST DEGREE	1	0	40177	94.84
1CT MURDER IN THE FIRST DEGREE CAPITAL	1	0	40178	94.85
1CT MURDER IN THE FIRST SECOND DEG	1	0	40179	94.85
1ST DEG MURDER PREMEDITATED	1	0	40180	94.85
1ST DEG MURDER W A FIREARM	1	0	40181	94.85
1ST DEG MURDER W FIREARM	1	0	40182	94.86
1ST DEG MURDER WITH A DEADLY WEAPON	1	0	40183	94.86
1ST DEG MURDER/PREMED OR ATT	1	0	40184	94.86
1ST DEG PREMEDITATED FELONY MURDER	1	0	40185	94.86
1ST DEG PREMEDITATED MURDER W FIREARM	1	0	40186	94.87
1ST DEG W FIREARM MURDER WHILE ENGAGED IN CERT	1	0	40187	94.87
1ST DEGREE MURDER WITH A FIREARM	1	0	40188	94.87
1ST DEGREE MANSLAUGHTER	1	0	40189	94.87
1ST DEGREE MURDER W WEAPON	1	0	40190	94.88
1ST DEGREE MURDER WHILE ARMED WITH FIREARM	1	0	40191	94.88
1ST DEGREE MURDER WITH A FIREARM	1	0	40192	94.88
1ST DEGREE PREMEDITATED MURDER RECLASSIFIED	1	0	40193	94.88
1ST DEGREE PREMEDITATED OR FELONY MURDER W WEAP	1	0	40194	94.88
2 DEG WITC 1 DEG MURDER W FIREARM	1	0	40195	94.89
2 DEGREE MURDER	1	0	40196	94.89
2 ND DEGREE MURDER W FIREARM	1	0	40197	94.89
2040 MURDER FIRST DEGREE	1	0	40198	94.89
2100 MURDER SECOND DEGREE	1	0	40199	94.9
2CT ATT MURDER 1ST DEG LIFE ATT ROBBERY	1	0	40200	94.9
2CT MURDER 1ST DEGREE CAP ROBBERY LIFE	1	0	40201	94.9
2CT MURDER 1ST DEGREE CAPITAL ROBBERY LIFE	1	0	40202	94.9
2ND DEG MANSLAUGHTER	1	0	40203	94.91
2ND DEG MURDER DURING COMMISSION OF A FELONY	1	0	40204	94.91
2ND DEG MURDER W A FIREARM	1	0	40205	94.91
2ND DEG MURDER W DEADLY WEAPON	1	0	40206	94.91
2ND DEG MURDER W DEADLY WPN	1	0	40207	94.92
2ND DEG MURDER W F ARM	1	0	40208	94.92
2ND DEG MURDER W FIREARM LESSER INCLUDED 1F	1	0	40209	94.92
2ND DEG MURDER W FIREARM DEADLY WEAPON	1	0	40210	94.92
2ND DEG MURDER W O FIREARM	1	0	40211	94.92
2ND DEG MURDER W FIREARM DEADLY WPN	1	0	40212	94.93
2ND DEGREE MURDER W DISCHARGE OF FIREARM RESUL	1	0	40213	94.93
2ND DEGREE FELONY MURDER NOT PREMED DURING SPE	1	0	40214	94.93
2ND DEGREE MURDER DANGEROUS DEPRAVED W O PREM	1	0	40215	94.93
2ND DEGREE MURDER DURING SPECIFIC FELONY OFFE	1	0	40216	94.94
2ND DEGREE MURDER ATTEMPT	1	0	40217	94.94
2ND DEGREE MURDER DANGEROUS DEPRAVED WO PREMED	1	0	40218	94.94
2ND DEGREE MURDER DISCHARGE FIREARM	1	0	40219	94.94
2ND DEGREE MURDER FEL 1/LIFE	1	0	40220	94.95
2ND DEGREE MURDER INFLECTING BODILY HARM DEATH	1	0	40221	94.95
2ND DEGREE MURDER INFLECTING GREAT BODILY HARM	1	0	40222	94.95
2ND DEGREE MURDER LIO	1	0	40223	94.95
2ND DEGREE MURDER NOT PREMED WITH A FIREARM	1	0	40224	94.96
2ND DEGREE MURDER W A FIREARM	1	0	40225	94.96
2ND DEGREE MURDER W A WEAPON	1	0	40226	94.96
2ND DEGREE MURDER W DISCHARGE OF FIREARM RESU	1	0	40227	94.96
2ND DEGREE MURDER W F A	1	0	40228	94.96
2ND DEGREE MURDER WITH WEAPON	1	0	40229	94.97
2ND DEGREE MURDER WITH FIREARM	1	0	40230	94.97
2ND MANSLAUGHTER	1	0	40231	94.97
3056AKV DUI MANSLAUGHTER	1	0	40232	94.97
3121STD LV SCN CRASH W DEATH	1	0	40233	94.98
3161933ABC3A TRAF1068 FS DUI MANSLAUGHTER	1	0	40234	94.98
3161933B DUI MANSLAUGHTER LEAVE SCENE	1	0	40235	94.98
3161933C3 DUI MANSLAUGHTER	1	0	40236	94.98

3161933C3B DUI MANSLAUGHTER LEAVING THE SCENE	1	0	40237	94.99	ACC AFTER FACT 1ST DEG MURDER	1	0	40299	95.13
322346 DR WHILE LIC SUSPENDED DEATH OR SERIOUS	1	0	40238	94.99	ACC AFTER FACT ATT 2ND MURDER W GREAT BODILY H	1	0	40300	95.13
322346A TRAF6084 FT DRIVING W O VALID DL DEATH	1	0	40239	94.99	ACC AFTER FACT MANSLAUGHTER	1	0	40301	95.14
351 INJURING OR KILL POLICE DOG OR HORSE	1	0	40240	94.99	ACC AFTER FACT TO MANSLAUGHTER	1	0	40302	95.14
360834D DUI MANSLAUGHTER	1	0	40241	95	ACC INV DEATH INJ FAIL TO STOP	1	0	40303	95.14
379409MISC1080 FT ILLEGAL KILLINGPOSSESS	1	0	40242	95	ACC INVOL DEATH PERSONL INJ	1	0	40304	95.14
3CT ATT MURDER LIFE ROBBERY LIFE GR THFT	1	0	40243	95	ACC INVOL DEATH W PERSON INSIDE	1	0	40305	95.15
3CT MURDER 1ST CAP ROBBERY LIFE P SH BAR SH	1	0	40244	95	ACC INVOLV DEATH OR PERS	1	0	40306	95.15
3RD DEG MURDER	1	0	40245	95	ACC INVOLV INJ DEATH	1	0	40307	95.15
3RD DEG MURDER W FA	1	0	40246	95.01	ACC INVOLV INJ OR DEATH	1	0	40308	95.15
3RD DEGREE FELONY MURDER WITH A FIREARM	1	0	40247	95.01	ACC INVOLVE DEATH PER INJ	1	0	40309	95.16
3RD DEGREE FELONY MURDER WITH A FIREARM	1	0	40248	95.01	ACC INVOLVE DEATH PER INSIDE	1	0	40310	95.16
3RD DEGREE MURDER NOT PREMEDITATED DURING OTHE	1	0	40249	95.01	ACC RESULT DEATH PER INJ	1	0	40311	95.16
3RD DEGREE MURDER W A FIREARM	1	0	40250	95.02	ACCESS AFTER FACT TO ROBBERY AND OR ATT MURDER	1	0	40312	95.16
4479XBI DUI CAUSE DEATH HUMAN	1	0	40251	95.02	ACCESS AFTER FACT TO SOLICIT COMMIT MURDER	1	0	40313	95.17
4480XBI DUI CAUSE DEATH HUMAN	1	0	40252	95.02	ACCESS AFTER THE FACT TO MURDER IN FIRST DEGREE	1	0	40314	95.17
4EAVE SCENE OF ACC W INJURY DEATH	1	0	40253	95.02	ACCESSORY AFTER FACT 1ST DEGREE MURDER	1	0	40315	95.17
500 505 LSOA WITH PERSONAL INJURY OR DEATH	1	0	40254	95.03	ACCESSORY AFTER FACT 2ND DEGREE MURDER W FIREA	1	0	40316	95.17
782 04 2 MURDER IN THE SECOND DEGREE FIREARM D	1	0	40255	95.03	ACCESSORY AFTER FACT MANSLAUGHTER	1	0	40317	95.17
782 04 2 MURDER IN THE SECOND DEGREE FIREARM G	1	0	40256	95.03	ACCESSORY AFTER FACT OF FIRST DEGREE MURDER	1	0	40318	95.18
782 04 3 SECOND DEGREE FELONY MURDER FIREARM P	1	0	40257	95.03	ACCESSORY AFTER FACT TO 1ST DEG MURDER	1	0	40319	95.18
782 04 4 THIRD DEGREE MURDER	1	0	40258	95.04	ACCESSORY AFTER FACT TO MANSLAUGHTER WITH FIRE	1	0	40320	95.18
782 07 1 MANSLAUGHTER	1	0	40259	95.04	ACCESSORY AFTER FACT TO MURDER	1	0	40321	95.18
782 07 1 VEHICULAR HOMICIDE LEAVE SCENE	1	0	40260	95.04	ACCESSORY AFTER THE FACT 3F ATT MURDER 1F	1	0	40322	95.19
78204 FC MURDER FIRST DEGREE	1	0	40261	95.04	ACCESSORY AFTER THE FACT MANSLAUGHTER	1	0	40323	95.19
78204 THIRD DEGREE MURDER FIREARM GBH DEATH	1	0	40262	95.04	ACCESSORY AFTER THE FACT MURDER	1	0	40324	95.19
782041 GUNS0009 FC MURDER IN THE FIRST DEGREE	1	0	40263	95.05	ACCESSORY AFTER THE FACT OF MURDER	1	0	40325	95.19
782041 GUNS0022 FL ATTEMPTED MURDER IN THE FIR	1	0	40264	95.05	ACCESSORY AFTER THE FACT TO ATTEMPTED MURDER	1	0	40326	95.2
782041 GUNS0114 FL ATTEMPT 1ST DEGREE MURDER O	1	0	40265	95.05	ACCESSORY AFTER THE FACT TO DUI MANSLAUGHTER	1	0	40327	95.2
782041 MURD1050 FF ATTEMPTED MURDER IN THE FIR	1	0	40266	95.05	ACCESSORY AFTER THE FACT TO FELONY MURDERAGG	1	0	40328	95.2
782041 MURD2005 FC MURDER IN THE FIRST DEGREE	1	0	40267	95.06	ACCESSORY AFTER THE FACT TO MANSLAUGHTER WITH	1	0	40329	95.2
782041 MURDER IN THE FIRST DEGREE WITH A WEAP	1	0	40268	95.06	ACCESSORY AFTER THE FACT TO MURDER IN THE 2ND	1	0	40330	95.21
782041ATTEMPTED MURDER IN THE FIRST DEGREE PRE	1	0	40269	95.06	ACCESSORY AFTER THE FACTMANSLAUGHTER	1	0	40331	95.21
782041MURD1050 FF ATTEMPTED MURDER IN THE FIRS	1	0	40270	95.06	ACCESSORY BEFORE THE FACT TO MURDER	1	0	40332	95.21
782042 ATTEMPTED MURDER IN 2ND DEGRE	1	0	40271	95.07	ACCESSORY MURDER 1 AFTERFACT	1	0	40333	95.21
782042 ATTEMPTED MURDER SECOND DEGRE	1	0	40272	95.07	ACCESSORY TO ATTEMPT MURDER	1	0	40334	95.21
782042 GUNS0047 FF ATTEMPTED MURDER IN THE SEC	1	0	40273	95.07	ACCESSORY TO ATTEMPT MURDER 1ST DEGREE	1	0	40335	95.22
782042 GUNS0068 FF ATTEMPT 2ND DEGREE MURDER O	1	0	40274	95.07	ACCESSORY TO ATTEMPTED VOLUNTARY MANSLAUGHTER	1	0	40336	95.22
782042 MURD2001 FF ATTEMPTED MURDER IN THE SEC	1	0	40275	95.08	ACCESSORY TO MURDER IN THE 1ST DEGREE	1	0	40337	95.22
782042 MURD2002 FS ATTEMPTED MURDER IN THE SEC	1	0	40276	95.08	ACCESSORY TO MURDER IN THE FIRST DEGREE	1	0	40338	95.22
782042 MURD2003 FL MURDER IN THE SECOND DEGREE	1	0	40277	95.08	ACCID DEATH	1	0	40339	95.23
782042 MURDER IN THE SECOND DEGREE FIREARM G	1	0	40278	95.08	ACCID INVOLVE DEATH PER INJ	1	0	40340	95.23
782042 MURDER IN THE SECOND DEGREE FIREARM DI	1	0	40279	95.09	ACCIDENT INVOLVE DEATH PER INJURY	1	0	40341	95.23
782042 SECOND DEGREE MURDER W A FIRE	1	0	40280	95.09	ACCIDENT INVOLVE DEATH PER INJURY F	1	0	40342	95.23
782042GUNS0048 FL MURDER IN THE SECOND D	1	0	40281	95.09	ACCIDENT INVOLVING DEATH PERSONAL INJURY	1	0	40343	95.24
782042MURD2001 FF ATTEMPTED MURDER IN TH	1	0	40282	95.09	ACCIDENT INVOLVING INJURY/DEATH FAIL TO STOP	1	0	40344	95.24
782042MURD2002 FS ATTEMPTED MURDER IN THE SECO	1	0	40283	95.09	ACCIDENT WITH DEATH	1	0	40345	95.24
782043 GUNS0044 FL SECOND DEGREE FELONY MURDER	1	0	40284	95.1	ACCIDT INVOLV DEATH	1	0	40346	95.24
782043 MURDER IN THE SECOND DEGREE FELON	1	0	40285	95.1	ADDED CHARGE WITC MURDER	1	0	40347	95.25
782043 SECOND DEGREE FELONY MURDER FIREARM PO	1	0	40286	95.1	AGG MANSLAUGHTER OF A CHILD	1	0	40348	95.25
782043MURD2500 FP MURDER IN THE SECOND D	1	0	40287	95.1	AGG ASSLT W DEADLY WEAPON WO INTENT TO KILL	1	0	40349	95.25
78207 MANSLAUGHTER	1	0	40288	95.11	AGG ASSLT W/DEAD WEAPON W/O INT TO KILL	1	0	40350	95.25
782071 VEHICULAR HOMICIDE LEAVE SCENE	1	0	40289	95.11	AGG BATTERY W INTENT TO CAUSE DEATH GREAT HARM	1	0	40351	95.26
7820711A MURD8000 FS VEHICULAR HOMICIDE	1	0	40290	95.11	AGG FLEE ATTEMPT ELUDE LEO CAUSE INJURY DEATH	1	0	40352	95.26
782071MURD7005 FF MANSLAUGHTER WITH A WEAPON	1	0	40291	95.11	AGG FLEE ELUDE LEAVE CRASH SER INJ DEATH	1	0	40353	95.26
782073 AGGRAVATED MANSLAUGHTER OF A CHILD	1	0	40292	95.12	AGG FLEEATTEMPT ELUDE LEO CAUSE INJURYDEATH	1	0	40354	95.26
782073 MURD7201 FF AGGRAVATED MANSLAUGHTER OF	1	0	40293	95.12	AGG MANSL OF EDERLY PERSON	1	0	40355	95.26
836 10 WRITTEN THREATS KILL RECIPIENT	1	0	40294	95.12	AGG MANSLAUGHTER CHLD 18 BY CULP NEGL NEGLECT	1	0	40356	95.27
83610 WRITTEN THREATS KILL RECIPIENT	1	0	40295	95.12	AGG MANSLAUGHTER ELDERLY OR DISABLED PERSON	1	0	40357	95.27
AC MURDER 2ND DEGREE	1	0	40296	95.13	AGG MANSLAUGHTER OF CHILD	1	0	40358	95.27
ACC AFTR FACT 1ST DEGR MURDER	1	0	40297	95.13	AGGRAV ASSAULT DISCHARGE FIREARM CAUSE DEATH O	1	0	40359	95.27
ACC AFT FACT 1ST DEGREE MURDER	1	0	40298	95.13	AGGRAV ASSAULT W DEAD WPN W/O INTENT TO KILL	1	0	40360	95.28

AGGRAV ASSLT W DEADLY WEAPON WO INTENT TO KILL	1	0	40361	95.28	ATT 1ST DEG FELONY MURDER	1	0	40423	95.43
AGGRAV ASSLT W/DEADLY WEAPON WO INTENT TO KILL	1	0	40362	95.28	ATT 1ST DEG FELONY MURDER WITH ENHANCEMENT	1	0	40424	95.43
AGGRAV FLEE ATT ELUDE LEO W INJURY OR DEATH	1	0	40363	95.28	ATT 1ST DEG FELONY MURDERFIREAR	1	0	40425	95.43
AGGRAV MANSLAUGHTER ELDERLY DISABLE ADULT	1	0	40364	95.29	ATT 1ST DEG MURDER PREMEDIT	1	0	40426	95.43
AGGRAV MANSLAUGHTER ELDERLY DISABLE ADULT	1	0	40365	95.29	ATT 1ST DEG MURDER W DANGEROUS WEAPON	1	0	40427	95.43
AGGRAVATED BAT W FIREARM DEATH BOD HARM	1	0	40366	95.29	ATT 1ST DEG MURDER W O F A	1	0	40428	95.44
AGGRAVATED FLEEING AND ELUDING CAUSING DEATH	1	0	40367	95.29	ATT 1ST DEG MURDER W O FA	1	0	40429	95.44
AGGRAVATED MANSLAUGHTER 1F	1	0	40368	95.3	ATT 1ST DEG MURDER W O FIREARM	1	0	40430	95.44
AGGRAVATED MANSLAUGHTER ELDERLY OR DISABLED	1	0	40369	95.3	ATT 1ST DEG MURDER WHILE DISCHARGING A FIREARM	1	0	40431	95.44
AGGRAVATED MANSLAUGHTER OF A CHILD	1	0	40370	95.3	ATT 1ST DEGREE FEL MURDER ATT PREMEDITATED MURD	1	0	40432	95.45
AGGRAVATED MANSLAUGHTER OF A CHILD 1F	1	0	40371	95.3	ATT 1ST DEGREE MURDER	1	0	40433	95.45
AGGRAVATED MANSLAUGHTER OF A CHILD LESS THAN	1	0	40372	95.3	ATT 1ST DEGREE MURDER OF A CORRECTIONAL OFFIC	1	0	40434	95.45
AGGRAVATED MANSLAUGHTER OF A CHILD UNDER THE	1	0	40373	95.31	ATT 1ST DEGREE MURDER OF LEO	1	0	40435	95.45
AGGRAVATED MANSLAUGHTER OF ELDERLY OR DISABLED	1	0	40374	95.31	ATT 1ST DEGREE MURDER W FIREARM DIS OF FIREARM	1	0	40436	95.46
AGGRAVATED MANSLAUGHTER ON A CHILD	1	0	40375	95.31	ATT 1ST DEGREE MURDER W WEAPON	1	0	40437	95.46
AGGRAVATED MANSLAUGHTER ON CHILD UNDER 18 YOA	1	0	40376	95.31	ATT 1ST DEGREE MURDER W FIREARM DIS OF FIREARM	1	0	40438	95.46
AGGRAVATED MANSLAUGHTER PUBLIC SAFETYPERSONNEL	1	0	40377	95.32	ATT 1ST DEGREE MURDER W FIREARM DISCHARGE OF FI	1	0	40439	95.46
AID AND ABET ATTEMPTED FIRST DEG MURDER	1	0	40378	95.32	ATT 1ST DEGREE PREMEDITATED MURDER GREAT HARM W FIRE	1	0	40440	95.47
AID AND ABET ATTEMPTED SECOND DEG MURDER	1	0	40379	95.32	ATT 1ST MURDER LEO	1	0	40441	95.47
AID AND ABET ATTEMPTED SECOND DEGREE MURDER	1	0	40380	95.32	ATT 1ST MURDERWEAP	1	0	40442	95.47
AID AND ABET FIRST DEG PREMEDITATED MURDER	1	0	40381	95.33	ATT 2 DEG MURDER	1	0	40443	95.47
AIDING ABETTING SECOND DEGREE MURDER	1	0	40382	95.33	ATT 2 DEG MURDER DISCH FIREARM BOD HARM VP	1	0	40444	95.47
AMEND: TO MURDER IN 1ST DEG	1	0	40383	95.33	ATT 2 DEG MURDER W/ ENHANCEMENT	1	0	40445	95.48
AMENDED SECOND DEGREE MURDER	1	0	40384	95.33	ATT 2ND DEG MURDER NO FIREARM	1	0	40446	95.48
AMENDED TO 2ND DEG MURDER	1	0	40385	95.34	ATT 2ND DEG MURDER DISCHRG FIREARM GREAT HARM	1	0	40447	95.48
AMENDED TO ASSAULT TO MURDER	1	0	40386	95.34	ATT 2ND DEG MURDER FIREARM HAN	1	0	40448	95.48
AMENDED TO VEHICULAR HOMICIDE	1	0	40387	95.34	ATT 2ND DEG MURDER LESSER OFFENSE	1	0	40449	95.49
AMENDED TO W INT TO KILL OR MURDER	1	0	40388	95.34	ATT 2ND DEG MURDER W F A AGG B	1	0	40450	95.49
AMENDED TO WIT TO COMMIT MURDER	1	0	40389	95.34	ATT 2ND DEG MURDER W WEAPON	1	0	40451	95.49
AND ASSLT WITC MURDER FIREARM	1	0	40390	95.35	ATT 2ND DEG MURDER-DISCHARGING FIREARM	1	0	40452	95.49
AND BATTERY WIT KILL	1	0	40391	95.35	ATT 2ND DEG MURDERPOSS AND/OR DISCHARGE FIREARM	1	0	40453	95.5
ANIMAL CRUELTY DEATH SUFFERING	1	0	40392	95.35	ATT 2ND DEGREE MURDER ENHANCED PENALTY	1	0	40454	95.5
ANIMALS KILL ABUSE BREED HORSE OR CATTLE	1	0	40393	95.35	ATT 2ND DEGREE MURDER BY DISCHARGING A FIREARM	1	0	40455	95.5
ARM BURGLAR KIDNAP ATT MURDER 2 VIOL INJ TAMP	1	0	40394	95.36	ATT 2ND DEGREE MURDER F A	1	0	40456	95.5
ARM WIT KILL	1	0	40395	95.36	ATT 2ND DEGREE MURDER W GREAT BODILY HARM OR D	1	0	40457	95.51
ARMED NO INT KILL OR MURD	1	0	40396	95.36	ATT 2ST DEG MURDER	1	0	40458	95.51
ARMED WIT KILL	1	0	40397	95.36	ATT 3RD DEGREE MURDER W FIREAR	1	0	40459	95.51
ARMED WO INTENT TO KILL OR MAME	1	0	40398	95.37	ATT AGG ASSLTW DEADLY WEAPON WO INTENT TO KILL	1	0	40460	95.51
ARSON IN FIRST DEGREE ATTEMPTED MURDER SECND DEG	1	0	40399	95.37	ATT COMMIT MURDER IN 1ST DEG BY USE OF FIREARM	1	0	40461	95.51
ASSAULT TO COMMIT MURDER	1	0	40400	95.37	ATT FEL MURDER DEADLY WEAPON	1	0	40462	95.52
ASSAULT W/INT TO COMMIT MURDER	1	0	40401	95.37	ATT FELONY MURDER ARSON IN THE 1DEG	1	0	40463	95.52
ASSAULT WITH INTENT TO COMMIT 1ST DG MURDER	1	0	40402	95.38	ATT FELONY MURDER LAW ENFORCE OFC OTHER FELONY	1	0	40464	95.52
ASSIST SELF MURDER	1	0	40403	95.38	ATT FIRST DEG MURDER	1	0	40465	95.52
ASSISTANCE OF SELF MURDER	1	0	40404	95.38	ATT FIRST DEG FEL MURDER ATT PREMEDITATED MURDER	1	0	40466	95.53
ASSISTING SELF MURDER	1	0	40405	95.38	ATT FIRST DEG MURDER F ARM	1	0	40467	95.53
ASSKT W ATTEMPT TO COMMIT MURDER	1	0	40406	95.38	ATT FIRST DEG MURDER W FIREARM W WEARING A MAS	1	0	40468	95.53
ASSLT WIT COMMIT FEL TO WIT MURDER FELONY	1	0	40407	95.39	ATT FIRST DEG MURDER W WEAP	1	0	40469	95.53
ASSLT WIT COMMIT MANSLAUGHTER	1	0	40408	95.39	ATT FIRST DEG MURDER W DEADLY WEAPON	1	0	40470	95.54
AT 1ST DEG PREM MURDER	1	0	40409	95.39	ATT FIRST DEGREE FELONY MURDER	1	0	40471	95.54
ATTEMPTED MURDER 1ST ROBBERY AGG ASSAULT 2CTS	1	0	40410	95.39	ATT FIRST DEGREE MURDER OF LEO W FIREARM	1	0	40472	95.54
ATPT MURDER 1ST 3 AGG BAT GR TH 2 SH BLDG	1	0	40411	95.4	ATT FIRST DEGREE MURDER W FIREARM PREMEDIT	1	0	40473	95.54
ATT 1ST DEGREE MURDER W A FIREARM	1	0	40412	95.4	ATT FIRST DEGREE MURDER WHILE ARMED SPANISH I	1	0	40474	95.55
ATT 2ND DEG MURDER W A FIRE	1	0	40413	95.4	ATT FIRST DEGREE MURDER WITH A WEAPON FIREARM	1	0	40475	95.55
ATT 2ND DEGREE MURDER	1	0	40414	95.4	ATT FIRST DEGREE MURDER WITH A WEAPON FIREARM	1	0	40476	95.55
ATT 2ND DEGREE MURDER DISCH FIREARM CAUSING G	1	0	40415	95.41	ATT FIRST DEGREE PREMEDITATED MURDER W A FIREARM	1	0	40477	95.55
ATT FIRST DEGREE MURDER LIFE	1	0	40416	95.41	ATT FIRST DEGREE PREMEDITATED MURDER W WEAPON	1	0	40478	95.55
ATT FIRST DEGREE MURDER WITH A FIREARM	1	0	40417	95.41	ATT FIRST DEGREE PREMEDITATED MURDER W FIREARM	1	0	40479	95.56
ATT MANSLAUGHTER W A FIREARM	1	0	40418	95.41	ATT MANSLAUGHTER W FIREARM LESS	1	0	40480	95.56
ATT MURDER IN FIRST DEGREE 77704	1	0	40419	95.42	ATT MURDER 2CTS AGG ASSLT 2CTS SHOOT INTO BLDG	1	0	40481	95.56
ATT MURDER IN THE 2ND DEGREE ON LEO W FIRE	1	0	40420	95.42	ATT MURDER 1 DEADLY WEAPON FLUJ	1	0	40482	95.56
ATT SECOND DEGREE MURDER 77704	1	0	40421	95.42	ATT MURDER 1F ARMED BURGLARY 1F	1	0	40483	95.57
ATT SECOND DEGREE MURDER WITH A FIREARM	1	0	40422	95.42	ATT MURDER 1F FOPS 05 3244CF CT2	1	0	40484	95.57

ATT MURDER 1F FOPS 05 3302CF CT2	1	0	40485	95.57	ATT SECOND DEGREE MURDER WITH FIREARM WITH A D	1	0	40547	95.72
ATT MURDER 1F FOPS 05 44CF CT2	1	0	40486	95.57	ATT TO INJURE KILL POLICE HOR	1	0	40548	95.72
ATT MURDER 1F FOPS 06 196CF CT2	1	0	40487	95.58	ATT VOL MANSLAUGHTER	1	0	40549	95.72
ATT MURDER 1F FOPS 06 196CF CT3	1	0	40488	95.58	ATT VOLUNT MANSLAUGHTER W FIREARM	1	0	40550	95.72
ATT MURDER 1ST ACCESSORY AFTER	1	0	40489	95.58	ATTEN MURDER 1F 2CTS P FIRARM 2F FLEE ELU 2F	1	0	40551	95.73
ATT MURDER 1ST DEG	1	0	40490	95.58	ATTEN MURDER 1ST DEG AGG CHILD ABUSE	1	0	40552	95.73
ATT MURDER 1ST DEG LIFE FEL ARM BURG 1F CAR	1	0	40491	95.59	ATTENP 1ST DEG MURDER FIREARM	1	0	40553	95.73
ATT MURDER 1ST DEG 1F PBL ATT ROBB 2F 3CTS	1	0	40492	95.59	ATTENP FELONY MURDER	1	0	40554	95.73
ATT MURDER 1ST DEG TAMP W WTNS VICTIM INFRMNT	1	0	40493	95.59	ATTENP FIRST DEG MURDER	1	0	40555	95.74
ATT MURDER 1ST DEGRE	1	0	40494	95.59	ATTENP MURDER FIRST DEGREE KIDNAPPING	1	0	40556	95.74
ATT MURDER 2 DEG	1	0	40495	95.6	ATTENP MURDER FIRST DEGREE SHOOT AT INTO BUILD	1	0	40557	95.74
ATT MURDER 2F FOPS 05 3215CF CT2	1	0	40496	95.6	ATTENP 2ND DEGREE MURDER	1	0	40558	95.74
ATT MURDER 2ND DEGREE 777 04	1	0	40497	95.6	ATTENP FIRST DEGREE MURDER	1	0	40559	95.75
ATT MURDER 2ND DEGREE FS 7770	1	0	40498	95.6	ATTENP FIRST DEGREE MURDER WITH A FIREARM MA	1	0	40560	95.75
ATT MURDER 2ND DEGREE W WEAPO	1	0	40499	95.6	ATTENP MANSLAUGHTER	1	0	40561	95.75
ATT MURDER AGG BATTERY	1	0	40500	95.61	ATTENP MANSLAUGHTER LESSER	1	0	40562	95.75
ATT MURDER AGGRAVATED BATTERY GRAND THEFT	1	0	40501	95.61	ATTENP MURDER ON A CHILD	1	0	40563	95.76
ATT MURDER BATT QB OP W O VIO CARRY CONC WEAP	1	0	40502	95.61	ATTENP FIRST DEG MURDER	1	0	40564	95.76
ATT MURDER FIRST DEG W DEADLY WEAP	1	0	40503	95.61	ATTENP FIRST DEGREE MURDER	1	0	40565	95.76
ATT MURDER FIRST DEGREE W FIRE	1	0	40504	95.62	ATTENP 1ST DEG MURDER F A	1	0	40566	95.76
ATT MURDER FIRST DEGREE	1	0	40505	95.62	ATTENP 1ST DEG MURDER W WEAP	1	0	40567	95.76
ATT MURDER FIRST DEGREE BURGLARY AGG BATTERY	1	0	40506	95.62	ATTENP 1ST DEG MURDER WITH A FIREARM	1	0	40568	95.77
ATT MURDER FIRST DEGREE KDNPG PBL CAR JACKING	1	0	40507	95.62	ATTENP 1ST DEGREE MURDER DEADLY WEAPON	1	0	40569	95.77
ATT MURDER FIRST DEGREE VIO INJ PROT DOM VIO	1	0	40508	95.63	ATTENP 1ST DEGREE MURDER W A FIREARM	1	0	40570	95.77
ATT MURDER IIN THE SECOND DEGREE WDEADLY WEAP	1	0	40509	95.63	ATTENP 1ST DEGREE MURDER W DEADLY WEAPON 54 A	1	0	40571	95.77
ATT MURDER IIN THE SECOND DEGREE WDEADLY WEAP	1	0	40510	95.63	ATTENP 1ST DEGREE MURDER WDEADLY WEAPON	1	0	40572	95.78
ATT MURDER IN 2ND OF LEO LF FLEEING ELUDING 2F	1	0	40511	95.63	ATTENP 1ST DEGREE PREMEDITATED MURDER W FIREA	1	0	40573	95.78
ATT MURDER IN FIRST DEGREE 1F BURGLARY 2F	1	0	40512	95.64	ATTENP 2ND DEG MURDER	1	0	40574	95.78
ATT MURDER IN FIRST DEGREE FOPS 92 241CF CT3	1	0	40513	95.64	ATTENP 2ND DEG MURDER WO HATE	1	0	40575	95.78
ATT MURDER IN FIRST DEGREE FOPS 92 241CF CT4	1	0	40514	95.64	ATTENP 2ND DEGREE FELONY MURDER	1	0	40576	95.79
ATT MURDER IN FIRST DEGREE OF LAW ENFORCEMENT	1	0	40515	95.64	ATTENP 2ND DEGREE MURDER	1	0	40577	95.79
ATT MURDER IN THE FIRST DEG 1F ARM BURG 1F PBL	1	0	40516	95.64	ATTENP 2ND DEGREE MURDER W A FIREARM	1	0	40578	95.79
ATT MURDER IN THE FIRST DEGREE LIFE FELONY	1	0	40517	95.65	ATTENP 2ND DEGREE MURDER W FIREARM	1	0	40579	95.79
ATT MURDER IN THE FIRST DEGREE 3 CTS	1	0	40518	95.65	ATTENP 2ND DEGREE MURDER W FIREARM VP	1	0	40580	95.8
ATT MURDER IN THE FIRST DEGREE WHILE ARMED	1	0	40519	95.65	ATTENP 2ND DEGREE MURDER WEAPON LIO	1	0	40581	95.8
ATT MURDER IN THE FIRST LIFE FEL AGG BATTERY	1	0	40520	95.65	ATTENP 2ND DEGREE MURDER WITH FIREARM	1	0	40582	95.8
ATT MURDER IN THE SECOND DEG	1	0	40521	95.66	ATTENP 2ND MURDER	1	0	40583	95.8
ATT MURDER IN THE SECOND DEGREE WA FIREARM	1	0	40522	95.66	ATTENP AGG MANSLAUGHTER OF A CHILD	1	0	40584	95.81
ATT MURDER IN THE SECOND DEGREE WDEADLY WEAP	1	0	40523	95.66	ATTENP ATTEMPTED FELONY MURDER	1	0	40585	95.81
ATT MURDER IN THE SECOND DEGREE WDEADLY WEAPON	1	0	40524	95.66	ATTENP COMMIT FIRST DEGREE MURDER	1	0	40586	95.81
ATT MURDER L E O WITH A FIRE	1	0	40525	95.67	ATTENP CONSPIRE SOLICITATE HOMICIDE MURDER DAN	1	0	40587	95.81
ATT MURDER LEO	1	0	40526	95.67	ATTENP FELONY MURDER COULD CAUSE DEATH	1	0	40588	95.81
ATT MURDER OF AN OFFICER BY DISCHARGING A FIR	1	0	40527	95.67	ATTENP FELONY MURDER ENUMERATED FELONY W WPN	1	0	40589	95.82
ATT MURDER OF AN OFFICER BY DISCHARGING A FIRE	1	0	40528	95.67	ATTENP FELONY MURDER LIFE FELONY	1	0	40590	95.82
ATT MURDER SEC DEG	1	0	40529	95.68	ATTENP FIRST DEG MURDER	1	0	40591	95.82
ATT MURDER SECOND 1F PBL DOM BAT BY STRANG 3F	1	0	40530	95.68	ATTENP FIRST DEG MURDER IN POSS OF WEAP DUR F	1	0	40592	95.82
ATT MURDER SECOND DEG W O FIREARM	1	0	40531	95.68	ATTENP FIRST DEG PREMEDITATED MURDER RECLASSI	1	0	40593	95.83
ATT MURDER SECOND DEGREE	1	0	40532	95.68	ATTENP FIRST DEGREE FELONY MURDER WITH A WEAP	1	0	40594	95.83
ATT MURDER SHOOT AT BLDG POSS METHAMP POSS LYS	1	0	40533	95.68	ATTENP FIRST DEGREE MURDER VP	1	0	40595	95.83
ATT MURDER W A DEADLY WEAP 777 04	1	0	40534	95.69	ATTENP FIRST DEGREE MURDER FIREARM PREMEDITAT	1	0	40596	95.83
ATT ROBBERY FIREARM CAUSING DEATH	1	0	40535	95.69	ATTENP FIRST DEGREE MURDER PBL VP	1	0	40597	95.84
ATT SEC DEG MURDER	1	0	40536	95.69	ATTENP FIRST DEGREE MURDER W FELONY OFFENSE	1	0	40598	95.84
ATT SEC DEG MURDER W FIREARM	1	0	40537	95.69	ATTENP FIRST DEGREE MURDER W WEAPONFI	1	0	40599	95.84
ATT SEC DEG MURDERW FIREARM	1	0	40538	95.7	ATTENP FIRST DEGREE MURDER WITH WEAPON	1	0	40600	95.84
ATT SECOND DEG MURDER	1	0	40539	95.7	ATTENP FIRST DEGREE PREMEDITATED MURDER OF LA	1	0	40601	95.85
ATT SECOND DEG MURDER CARRYPOSSESSDISCHARGE F	1	0	40540	95.7	ATTENP HOMICIDE	1	0	40602	95.85
ATT SECOND DEG MURDER OF LEO	1	0	40541	95.7	ATTENP HOMICIDE MURDER FIRST DEGREE	1	0	40603	95.85
ATT SECOND DEG MURDER W O FA	1	0	40542	95.71	ATTENP HOMICIDE MURDER SECOND DEGREE W FIREA	1	0	40604	95.85
ATT SECOND DEG MURDERRECLASSIFIED W DISCHARGIN	1	0	40543	95.71	ATTENP HOMICIDE NEGLIG MANSL OTHER THAN BY MO	1	0	40605	95.85
ATT SECOND DEGREE HOMICIDE W D	1	0	40544	95.71	ATTENP MANSLAUGHTER 77704	1	0	40606	95.86
ATT SECOND DEGREE MURDER F A	1	0	40545	95.71	ATTENP MANSLAUGHTER BY ACT WITH FIREARM	1	0	40607	95.86
ATT SECOND DEGREE MURDER W DEADLY WEAPON	1	0	40546	95.72	ATTENP MANSLAUGHTER OF L E OFFICER WITH FIRE	1	0	40608	95.86

ATTEMPT MANSLAUGHTER ON LAW OFFICER
ATTEMPT MANSLAUGHTER WEAPON
ATTEMPT MANSLAUGHTER WITH WEAPON
ATTEMPT MURDER IN THE SECOND DEGREE WITH A F
ATTEMPT MURDER 1ST DEG
ATTEMPT MURDER 1ST DEG OF LAW ENF OFFICER
ATTEMPT MURDER 1ST DEGREE
ATTEMPT MURDER 1ST DEGREE 1F CONSPIRACY 1F
ATTEMPT MURDER FIRST DEG 1F PBL
ATTEMPT MURDER FIRST DEGREE 77704
ATTEMPT MURDER II WITH WEAPON
ATTEMPT MURDER IN 1ST DEGREE 2 CTS
ATTEMPT MURDER IN THE 2ND DEGREE OF A LEO
ATTEMPT MURDER IN THE FIRST DEGREE LIFE FELONY
ATTEMPT MURDER IN THE SECOND DEGREE WITH A FI
ATTEMPT MURDER IN THE SECOND DEGREE WITH A WE
ATTEMPT MURDER IN THE SECOND DEGREE WITH A WEA
ATTEMPT MURDER IN THIRD DEGREE
ATTEMPT MURDER LAW ENFOR OFFI
ATTEMPT MURDER NOT PREMEDITATED DURING OTHER FEL
ATTEMPT MURDER PREMEDITATED WITH FIREARM
ATTEMPT MURDER PREMEDITATED WITH FIREARM
ATTEMPT MURDER SECOND DEGREE 777
ATTEMPT MURDER SPECIFIC FELONY COMMIT ACT COU
ATTEMPT SEC DEG MURDER
ATTEMPT SEC DEG MURDER BY DISCHARGING FIREARM
ATTEMPT SECOND DEG MURDER DEADLY WEAPON
ATTEMPT SECOND DEG MURDER FIREARM VP
ATTEMPT SECOND DEGREE MURDER FIREARM
ATTEMPT SECOND DEGREE MURDER FIREARM VP
ATTEMPT SECOND DEGREE MURDER OF LEO
ATTEMPT TO COMMIT CAPITAL FELONY MURDER
ATTEMPT TO COMMIT SECOND DEGREE MURDER W FIREA
ATTEMPT TO COMMIT SECOND DEGREE MURDER WITH FI
ATTEMPT TO HOMICIDE WILFUL KILL MURDER NOT PRE
ATTEMPT VOLUNTARY MANSLAUGHTER
ATTEMPT WITHOUT EXECUTING TO MURDER NOT PREMEDITATED
ATTEMPT WITHOUT EXECUTING TO MURDER PREMEDITATED
ATTEMPT WO EXECUTING TO HOMICIDE WILFUL KILL M
ATTEMPTED FIRST DEGREE FELONY MURDER W A WEAP
ATTEMPTED SECOND DEGREE MURDER WITH A FIREARM
ATTEMPTED VOLUNTARY MANSLAUGHTER
ATTEMPTED 1ST DEGREE MURDER
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ATTEMPTED 1ST DEG MURDER LAW ENFORCEMENT OFFICER
ATTEMPTED 1ST DEG MURDER OF LEO
ATTEMPTED 1ST DEG PREMEDITATED MURDER
ATTEMPTED 1ST DEG PREMEDITATED MURDER DISCHARGE
ATTEMPTED 1ST DEG PREMEDITATED MURDER POSSESS
ATTEMPTED 1ST DEG PREMEDITATED MURDER RECLASSIFIED OF LEO
ATTEMPTED 1ST DEG PREMEDITATED MURDER W WPN
ATTEMPTED 1ST DEGREE MURDER W A DEADLY WEAPON
ATTEMPTED 1ST DEGREE MURDER W A FIREARM
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ATTEMPTED 1ST DEGREE MURDER WITH A DEADLY WEAPON
ATTEMPTED 1ST DEGREE MURDER WITH A FIREARM POS
ATTEMPTED 1ST DEGREE MURDER WITH FIREARM
ATTEMPTED 1ST DEGREE PREMEDITATED MURDER W DEA
ATTEMPTED 1ST DEGREE PREMEDITATED MURDER DISCHARGE
ATTEMPTED 1ST DEGREE PREMEDITATED MURDER W FIRE
ATTEMPTED 2ND DEG MURDER
ATTEMPTED 2ND DEG MURDER NOT PREMEDITATED DURING SPE

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ATTEMPTED 2ND DEG MURDER W WEAPON
ATTEMPTED 2ND DEG MURDER WITH WEAPON LIO
ATTEMPTED 2ND DEGREE MURDER VP
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ATTEMPTED 2ND DEGREE MURDER DEADLY WEAPON
ATTEMPTED 2ND DEGREE MURDER FELONY OFFENSE
ATTEMPTED 2ND DEGREE MURDER OF LAW ENFORCEMENT
ATTEMPTED 2ND DEGREE MURDER ON LEO
ATTEMPTED 2ND DEGREE MURDER W A DEADLY WEAPON
ATTEMPTED 2ND DEGREE MURDER W A FIREARM LESS
ATTEMPTED 2ND DEGREE MURDER W A FIREARM LESSE
ATTEMPTED 2ND DEGREE MURDER WITH A FIREARM
ATTEMPTED 2ND DEGREE MURDER WITH A WEAPON OR
ATTEMPTED 2ND DEGREE MURDER WITH ACTUAL POSSES
ATTEMPTED 2ND MURDER
ATTEMPTED ARMED ROBBERY 1020LIFE DEATH OR GRE
ATTEMPTED ASSISTING SELF MURDER
ATTEMPTED CAUSE GREAT HARM OR DEATH TO FIRE O
ATTEMPTED FELONY MURDER INJURY CAUSED BY AN
ATTEMPTED FELONY MURDER ENUMERATED FELONY WIT
ATTEMPTED FELONY MURDER PBL ROBBERY PBL
ATTEMPTED FELONY MURDER SPECIFIED FELONY
ATTEMPTED FELONY MURDER ENUMERATED FIREARM
ATTEMPTED FELONY MURDER IN THE FIRST DEGREE
ATTEMPTED FELONY MURDER NONENUMERATED FELONY
ATTEMPTED FELONY MURDER OF LEO
ATTEMPTED FELONY MURDER OTHER FELONY
ATTEMPTED FELONY MURDER PBL ROBBERY PBL
ATTEMPTED FELONY MURDER SECOND DEGREE
ATTEMPTED FELONY MURDER THIRD DEGREE WITH FIRE
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ATTEMPTED FIRST DEGREE MURDER WITH A FIREARM
ATTEMPTED FIRST DEG MURDER
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ATTEMPTED FIRST DEGREE FELONY MURDER PERMEDIT
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ATTEMPTED FIRST DEGREE FELONY MURDER W FIREARM
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ATTEMPTED FIRST DEGREE MURDER FIREARM GREAS
ATTEMPTED FIRST DEGREE MURDER W A WEAPON
ATTEMPTED FIRST DEGREE MURDER 1020LIFE
ATTEMPTED FIRST DEGREE MURDER FELONY MURDER OR
ATTEMPTED FIRST DEGREE MURDER FIREARM PRINCIPAL
ATTEMPTED FIRST DEGREE MURDER LIFE
ATTEMPTED FIRST DEGREE MURDER OF A POLICE OFFICER
ATTEMPTED FIRST DEGREE MURDER OF LEO W FIREARM
ATTEMPTED FIRST DEGREE MURDER OF LEO WITH FIRE
ATTEMPTED FIRST DEGREE MURDER OF LEO WITH FIRE
ATTEMPTED FIRST DEGREE MURDER RECLASSIFIED
ATTEMPTED FIRST DEGREE MURDER VP
ATTEMPTED FIRST DEGREE MURDER W A DEADLY WEAPON
ATTEMPTED FIRST DEGREE MURDER W WEAPON OR FIRE
ATTEMPTED FIRST DEGREE MURDER W WEAPON WEARING
ATTEMPTED FIRST DEGREE MURDER W FIREARM
ATTEMPTED FIRST DEGREE MURDER WITH A FIREARM M
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ATTEMPTED FIRST DEGREE MURDER WITH A WEAPON MA	1	0	40733	96.16	ATTEMPTED MURDER IN 2 DEGREE LESS	1	0	40795	96.3
ATTEMPTED FIRST DEGREE MURDER WITH FIREARM RES	1	0	40734	96.16	ATTEMPTED MURDER IN 2ND DEGREE	1	0	40796	96.31
ATTEMPTED FIRST DEGREE MURDER WO FIREARM	1	0	40735	96.16	ATTEMPTED MURDER IN FIRST DEGREE DEADLY WEAPON	1	0	40797	96.31
ATTEMPTED FIRST DEGREE PREMEDITATED MURDER WH	1	0	40736	96.16	ATTEMPTED MURDER IN THE 1ST DEGREE WA DEADLY W	1	0	40798	96.31
ATTEMPTED FIRST DEGREE PREMEDITATED MURDER W F	1	0	40737	96.17	ATTEMPTED MURDER IN THE 2ND DEGREE	1	0	40799	96.31
ATTEMPTED FIRST DEGREE PREMEDITATED MURDER WHI	1	0	40738	96.17	ATTEMPTED MURDER IN THE 2ND DEGREE OF LEO WFIR	1	0	40800	96.32
ATTEMPTED FIRST MURDER	1	0	40739	96.17	ATTEMPTED MURDER IN THE 2ND DEGREE WITH A FIRE	1	0	40801	96.32
ATTEMPTED FIST DEGREE MURDER	1	0	40740	96.17	ATTEMPTED MURDER IN THE FIRST DEG	1	0	40802	96.32
ATTEMPTED HOMICIDE INJURE MOTHER KILL UNBORN	1	0	40741	96.18	ATTEMPTED MURDER IN THE FIRST DEG WA WEAPON	1	0	40803	96.32
ATTEMPTED HOMICIDE MURDER DANGEROUS DEPRAVED W	1	0	40742	96.18	ATTEMPTED MURDER IN THE FIRST DEGREE PBL	1	0	40804	96.32
ATTEMPTED HOMICIDE WILFUL KILL MURDER PREMEDIT	1	0	40743	96.18	ATTEMPTED MURDER IN THE FIRST DEGREE 1F PBL	1	0	40805	96.33
ATTEMPTED HOMICIDEWILFUL KILL MURDER	1	0	40744	96.18	ATTEMPTED MURDER IN THE FIRST DEGREE WHILE AR	1	0	40806	96.33
ATTEMPTED INJUREKILL POLICE DOG	1	0	40745	96.19	ATTEMPTED MURDER IN THE FIRST DEGREE WITH DEA	1	0	40807	96.33
ATTEMPTED MANSLAUGHTER LESSER	1	0	40746	96.19	ATTEMPTED MURDER IN THE SECOND	1	0	40808	96.33
ATTEMPTED MANSLAUGHTER BY ACT WITH A DEADLY WE	1	0	40747	96.19	ATTEMPTED MURDER IN THE SECOND DEG	1	0	40809	96.34
ATTEMPTED MANSLAUGHTER BY ACT WITH FIREARM	1	0	40748	96.19	ATTEMPTED MURDER IN THE SECOND DEG 2F AGR BAT	1	0	40810	96.34
ATTEMPTED MANSLAUGHTER DEADLY WEAPON	1	0	40749	96.19	ATTEMPTED MURDER IN THE SECOND DEG AGG BATTERY	1	0	40811	96.34
ATTEMPTED MANSLAUGHTER LIO	1	0	40750	96.2	ATTEMPTED MURDER IN THE SECOND DEG WITH A FIRE	1	0	40812	96.34
ATTEMPTED MANSLAUGHTER OF LAW ENFORCEMENT OFFI	1	0	40751	96.2	ATTEMPTED MURDER IN THE SECOND DEGREE 2F	1	0	40813	96.35
ATTEMPTED MANSLAUGHTER W FIREARM LESSER	1	0	40752	96.2	ATTEMPTED MURDER IN THE SECOND DEGREE LEO	1	0	40814	96.35
ATTEMPTED MANSLAUGHTER W A FA	1	0	40753	96.2	ATTEMPTED MURDER IN THE SECOND DEGREE PBL	1	0	40815	96.35
ATTEMPTED MANSLAUGHTER W A FIREARM	1	0	40754	96.21	ATTEMPTED MURDER IN THE SECOND DEGREE W A WEAP	1	0	40816	96.35
ATTEMPTED MANSLAUGHTER W DEADLY WEAPON	1	0	40755	96.21	ATTEMPTED MURDER IN THE SECOND DEGREE WA FIRE	1	0	40817	96.36
ATTEMPTED MANSLAUGHTER W FIREARM LESSER M	1	0	40756	96.21	ATTEMPTED MURDER IN THE SECOND DEGREE WA FIREA	1	0	40818	96.36
ATTEMPTED MANSLAUGHTER W WEAPON	1	0	40757	96.21	ATTEMPTED MURDER IN THE SECOND DEGREE WITH FIR	1	0	40819	96.36
ATTEMPTED MANSLAUGHTER WITH A DEADLY WEAPON	1	0	40758	96.22	ATTEMPTED MURDER IN THE WITH A FIREARM	1	0	40820	96.36
ATTEMPTED MANSLAUGHTER WITH A FIREARM BY ACT	1	0	40759	96.22	ATTEMPTED MURDER MOTOR VEHICL	1	0	40821	96.36
ATTEMPTED MANSLAUGHTER WITH FIREARM ON LAW EN	1	0	40760	96.22	ATTEMPTED MURDER NOT PREMEDITATED DURING OTHER	1	0	40822	96.37
ATTEMPTED MANSLAUGHTER WITH A WEAPON	1	0	40761	96.22	ATTEMPTED MURDER OF A LAW ENFORCEMENT OFFICER	1	0	40823	96.37
ATTEMPTED MANSLAUGHTER WITH FIREARM	1	0	40762	96.23	ATTEMPTED MURDER OF A LEO	1	0	40824	96.37
ATTEMPTED MANSLAUGHTER WITHOUT A FIREARM	1	0	40763	96.23	ATTEMPTED MURDER OF IN THE FIRST DEGREE PBL	1	0	40825	96.37
ATTEMPTED MANSLAUGHTER LIO	1	0	40764	96.23	ATTEMPTED MURDER OF LAW ENFORCEMENT	1	0	40826	96.38
ATTEMPTED MURDER 1ST DEGREE WHILE WEARING	1	0	40765	96.23	ATTEMPTED MURDER ONE	1	0	40827	96.38
ATTEMPTED MURDER 2CTS AGG ASSAULT 2CTS	1	0	40766	96.23	ATTEMPTED MURDER ONE DEADLY WEAPON	1	0	40828	96.38
ATTEMPTED MURDER PBL FOPS 99 3110CF CT2	1	0	40767	96.24	ATTEMPTED MURDER PREMEDITATED	1	0	40829	96.38
ATTEMPTED MURDER SECOND DEGREE	1	0	40768	96.24	ATTEMPTED MURDER ROBBERY	1	0	40830	96.39
ATTEMPTED MURDER WITH A FIREARM	1	0	40769	96.24	ATTEMPTED MURDER SECOND DEG 777 04	1	0	40831	96.39
ATTEMPTED MURDER 1 DEADLY WEAPON	1	0	40770	96.24	ATTEMPTED MURDER SECOND DEGREE 7	1	0	40832	96.39
ATTEMPTED MURDER 1 DEADLY WEAPON F1	1	0	40771	96.25	ATTEMPTED MURDER SHOOTING INTO OCC VEHICLE CT2	1	0	40833	96.39
ATTEMPTED MURDER 1 DEG FOPS 95 35CF CT4	1	0	40772	96.25	ATTEMPTED MURDER THE FIRST DEGREE	1	0	40834	96.4
ATTEMPTED MURDER 1ST DEG	1	0	40773	96.25	ATTEMPTED MURDER THIRD DEGREE	1	0	40835	96.4
ATTEMPTED MURDER 1ST DEG FOPS 95 35CF CT2	1	0	40774	96.25	ATTEMPTED MURDER W FIREARM WO PREMEDITATION	1	0	40836	96.4
ATTEMPTED MURDER 1ST DEG/WEAPON DEADLY	1	0	40775	96.26	ATTEMPTED MURDERFIRST DEGREEFIREARM	1	0	40837	96.4
ATTEMPTED MURDER 1ST DEGREE ARSON	1	0	40776	96.26	ATTEMPTED MURDERIN THE SECOND DEGREE WITH WEAP	1	0	40838	96.4
ATTEMPTED MURDER 1ST DEGREE ATT RBY RBY AG BAT	1	0	40777	96.26	ATTEMPTED SECOND DEGREE MURDER	1	0	40839	96.41
ATTEMPTED MURDER 1ST DEGREE PREMEDITATED W FA	1	0	40778	96.26	ATTEMPTED SECOND DEGREE MURDER	1	0	40840	96.41
ATTEMPTED MURDER 1ST DEGREE PREMEDITATED WITH	1	0	40779	96.27	ATTEMPTED SECOND DEGREE MURDER W WEAPON	1	0	40841	96.41
ATTEMPTED MURDER 2F FOPS 06 5827CF CT2	1	0	40780	96.27	ATTEMPTED SECOND DEGREE MURDER LIO	1	0	40842	96.41
ATTEMPTED MURDER 2ND DEG	1	0	40781	96.27	ATTEMPTED SECOND DEGREE MURDER RECLASSIFIED W	1	0	40843	96.42
ATTEMPTED MURDER AGG BATTERY GRAND THEFT	1	0	40782	96.27	ATTEMPTED SECOND DEGREE MURDER RECLASSIFIED	1	0	40844	96.42
ATTEMPTED MURDER ARSON IN THE FIRST DEGREES	1	0	40783	96.27	ATTEMPTED SECOND DEGREE MURDER W FIREARM	1	0	40845	96.42
ATTEMPTED MURDER FIRST DEG FOPS 97 2696CF CT7	1	0	40784	96.28	ATTEMPTED SECOND DEGREE MURDER FIREARMDISCHARG	1	0	40846	96.42
ATTEMPTED MURDER FIRST DEGREE PREMEDITATED	1	0	40785	96.28	ATTEMPTED SECOND DEGREE MURDER LIO	1	0	40847	96.43
ATTEMPTED MURDER FIRST DEGREE AGGRAVATED ASSLT	1	0	40786	96.28	ATTEMPTED SECOND DEGREE MURDER MIN MAND	1	0	40848	96.43
ATTEMPTED MURDER FIRST DEGREE W FIREARM	1	0	40787	96.28	ATTEMPTED SECOND DEGREE MURDER ON LEO	1	0	40849	96.43
ATTEMPTED MURDER FOPS 88 381CF CT2	1	0	40788	96.29	ATTEMPTED SECOND DEGREE MURDER POSSESSING FIRE	1	0	40850	96.43
ATTEMPTED MURDER FOPS 91 2203CF CT2	1	0	40789	96.29	ATTEMPTED SECOND DEGREE MURDER RECLASSIFIED IN	1	0	40851	96.44
ATTEMPTED MURDER FOPS 91 2203CF CT3	1	0	40790	96.29	ATTEMPTED SECOND DEGREE MURDER W FIREARM 2ND D	1	0	40852	96.44
ATTEMPTED MURDER FOPS 93 3146CF CT2	1	0	40791	96.29	ATTEMPTED SECOND DEGREE MURDER W/ FIREARM	1	0	40853	96.44
ATTEMPTED MURDER FOPS 95 1492CF CT2	1	0	40792	96.3	ATTEMPTED SECOND DEGREE MURDER WA FA POSS	1	0	40854	96.44
ATTEMPTED MURDER I DEADLY WEAPON	1	0	40793	96.3	ATTEMPTED SECOND DEGREE MURDER W FIREARM RECLAS	1	0	40855	96.44
ATTEMPTED MURDER IN 1ST DEGREE ROBBERY	1	0	40794	96.3	ATTEMPTED SECOND DEGREE MURDER WHILE DISCHARGI	1	0	40856	96.45

ATTEMPTED SECOND DEGREE MURDER WITH A FA POSS	1	0	40857	96.45	BUI CAUSE DEATH OF HUMAN BEING	1	0	40919	96.6
ATTEMPTED SECOND DEGREE MURDER WITH A FAPOSSDI	1	0	40858	96.45	BY INTOX MORTORIST MANSLAUGHTER	1	0	40920	96.6
ATTEMPTED SECOND DEGREE MURDER WITH DEADLY WEA	1	0	40859	96.45	BY MANSLAUGHTER	1	0	40921	96.6
ATTEMPTED SECOND DEGREE MURDER WITH WEAPON	1	0	40860	96.46	C 003051 E DUI MANSLAUGHTER	1	0	40922	96.6
ATTEMPTED SECOND DEGREE MURDERDOMESTI	1	0	40861	96.46	C 075654C DUI MANSLAUGHTER	1	0	40923	96.61
ATTEMPTED SECOND DEGREE MURDERFIREARM	1	0	40862	96.46	C 11265WN 3 DUI CAS USE DEATH	1	0	40924	96.61
ATTEMPTED SECOND DEGREE MURDERRECLASSIFIED	1	0	40863	96.46	C 11345WN 3 DUI CAUSE DEATH	1	0	40925	96.61
ATTEMPTED SECOND DEGREE MURDERRECLASSIFIED FIR	1	0	40864	96.47	C 2826FXX 1 LV SCN CRASH DEATH	1	0	40926	96.61
ATTEMPTED SOLICITATION TO COMMIT MURDER	1	0	40865	96.47	C 291621C DUI MANSLAUGHTER	1	0	40927	96.61
ATTEMPTED THIRD DEGREE MURDER	1	0	40866	96.47	C 31605BM 1 DUI MANSLAUGHTER	1	0	40928	96.62
ATTEMPTED THIRD DEGREE MURDER Q	1	0	40867	96.47	C 31615BM 2 DUI MANSLAUGHTER	1	0	40929	96.62
ATTEMPTED VOLUNTARY MANSLAUGHTER DISCHARGING	1	0	40868	96.48	C 365571Y DUI MANSLAUGHTER	1	0	40930	96.62
ATTEMPTED VOLUNTARY MANSLAUGHTER BY ACT	1	0	40869	96.48	C 680384K DUI MANSLAUGHTER	1	0	40931	96.62
ATTEMPTED VOLUNTARY MANSLAUGHTER OF A LEO	1	0	40870	96.48	C 680386K FAIL ST ACC SC DEATH	1	0	40932	96.63
ATTEMPTED VOLUNTARY MANSLAUGHTER ON LEO	1	0	40871	96.48	C 763383A FAIL STOP ACC DEATH	1	0	40933	96.63
ATTEMPTED VOLUNTARY MANSLAUGHTER W DEADLY WEA	1	0	40872	96.48	C 765446R VEHICULAR HOMICIDE	1	0	40934	96.63
ATTEMPTED VOLUNTARY MANSLAUGHTER WITH A FIREAM	1	0	40873	96.49	C 8052GKW 5 LV SCN INV DEATH	1	0	40935	96.63
ATTEMPTED VOLUNTARY MANSLAUGHTER WITH A WEAP	1	0	40874	96.49	C 88345WP DUI CAUSE DEATH HUM	1	0	40936	96.64
ATTEMPTED WRITTEN THREATS TO KILL OR BOD INJU	1	0	40875	96.49	C 9375XAK DUI MANSLAUGHTER	1	0	40937	96.64
ATTEMPTED- MURDER- FIRST DEGREE	1	0	40876	96.49	C 999119B DUI MANSLAUGHTER	1	0	40938	96.64
ATTEMPTED1ST DEGREE MURDER	1	0	40877	96.5	C 999147B VEHICULAR HOMICIDE	1	0	40939	96.64
ATTEMPTEDHOMICIDE MURDER FIRST DEGREE PREMEDIT	1	0	40878	96.5	CAPITAL FIRST DEGREE MURDER L CAP	1	0	40940	96.65
ATTEMPTEDHOMICIDEWILFUL KILL MURDER PREMEDITAT	1	0	40879	96.5	CAPITAL MURDER 1ST DEGR	1	0	40941	96.65
ATTEMPTING TO KILL OR INJURE A POLICE DOG	1	0	40880	96.5	CAPITAL MURDER IN 1ST DEG 2CTS	1	0	40942	96.65
ATTEMPTMANSLOTHER THAN BY MOTOR VEHICLE	1	0	40881	96.51	CAPITAL MURDER IN THE FIRST DEGREE 2CTS	1	0	40943	96.65
ATTEMPT 1ST DEG MURDER W FIREARM	1	0	40882	96.51	CARELESS DRIVE WHILE LIC SUSPENDED W DEATH OR	1	0	40944	96.65
ATTEMPTED MURDER IN THE SECOND DEGREE WITH FI	1	0	40883	96.51	CARELESS OPER MOT VEH WO VAL DL RESULT DEATHS	1	0	40945	96.66
ATTEMPTED MURDER DANGEROUS DEPRAVED WO PREMEDI	1	0	40884	96.51	CAUSE CRUEL DEATH PAIN SUFFERING ANIMAL	1	0	40946	96.66
ATTEMPTED 1ST DEGREE MURDER	1	0	40885	96.52	CAUSE DEATH TO ANY HUMAN	1	0	40947	96.66
ATTEMPTED MURDER 1ST DEGREE	1	0	40886	96.52	CAUSE DEATH WHL INTOX	1	0	40948	96.66
ATTEMPTED SECOND DEGREE MURDER	1	0	40887	96.52	CAUSE INJURY DEATH DRIVING WHILE LIC SUSP	1	0	40949	96.67
ATTHOMICIDE MURDER FIRST DEGREE PREMEDITATED	1	0	40888	96.52	CAUSE INJURY DEATH DRIVING WHILE LICENSE SUSPE	1	0	40950	96.67
ATTM SECOND DEGREE MURDER	1	0	40889	96.53	CAUSING DEATH	1	0	40951	96.67
ATTMEPT MURDER IN 1ST DEGREE 1F CONSPIRACY 1F	1	0	40890	96.53	CHARGE AMENDED TO MANSLAUGHTER	1	0	40952	96.67
ATTMEPTED FIRST DEGREE MURDER WITH A FIREARM	1	0	40891	96.53	COLLISION-INJURY-MANSLAUGHTER	1	0	40953	96.68
ATTMP 1ST DEG MURDER WITH FIREARM	1	0	40892	96.53	COMMIT 1ST D MURDER	1	0	40954	96.68
ATTMP 1ST DEGREE MURDER	1	0	40893	96.53	COMPOUNDING CRIME FEL PUNISHABLE BY DEATH OR L	1	0	40955	96.68
ATTMPT 2ND MURDER FOPS 05 3205CF CT2	1	0	40894	96.54	CONS TO COMMIT SECOND DEG MURDER	1	0	40956	96.68
ATTMPT MURDER W O FIREARM 2F	1	0	40895	96.54	CONSERVATION ANIMALS LVL4 KILL INJUR POSS GATO	1	0	40957	96.69
ATTMPTD MURDER FIRST DEGREE FOPS 92 271CF CT2	1	0	40896	96.54	CONSERVATIONINTENTIONALLY KILL OR WOUND ANY EN	1	0	40958	96.69
ATTMPTD MURDER FIRST DEGREE FOPS 92 271CF CT3	1	0	40897	96.54	CONSP MURDER FIRST DEGREE	1	0	40959	96.69
ATTMPTED FIRST DEGREE MURDER WITH A DEADLY WEA	1	0	40898	96.55	CONSP TO COMMIT 1ST DEG MURDER	1	0	40960	96.69
ATTMPTED MURDER PBL FOPS 99 3110CF CT2	1	0	40899	96.55	CONSP TO COMMIT 1ST DEGREE MURDER WHILE ARMED	1	0	40961	96.7
ATTP 1ST DEG MURDER	1	0	40900	96.55	CONSP TO COMMIT 2ND DEGREE MURDER	1	0	40962	96.7
ATTP MANSLAUGHTER	1	0	40901	96.55	CONSP TO COMMIT FIRST DEGREE MURDER WHILE ARME	1	0	40963	96.7
ATTP MURDER LAW OFFC	1	0	40902	96.56	CONSPIR COMM 1ST DEG MURDER	1	0	40964	96.7
ATTPD MURDER SEC DEG SHOOTING AT W IN BLDG	1	0	40903	96.56	CONSPIR T COMM 1ST DEG MURDER	1	0	40965	96.7
ATTPT MURDER FIRST DEGREE FOPS 92 2771CF CT3	1	0	40904	96.56	CONSPIRACT YO COMMIT FIRST DEGREE MURDER	1	0	40966	96.71
ATTPT MURDER IN 2ND DEG W O FIREARM	1	0	40905	96.56	CONSPIRACY MURDER 1ST DEGREE	1	0	40967	96.71
ATTPT SECOND DEGREE MURDER	1	0	40906	96.57	CONSPIRACY COMMIT MURDER AND OR ARMED ROBBERY	1	0	40968	96.71
ATTPT SECOND DEGREE MURDER WITH A DEADLY WEAP	1	0	40907	96.57	CONSPIRACY COMMIT MURDER FIRST DEG	1	0	40969	96.71
ATTEMPT MURDER 1ST DEGREE PREMEDITATED	1	0	40908	96.57	CONSPIRACY MURDER-FIRST DEGREE	1	0	40970	96.72
AUTO ACC DEATH PERS INJURY	1	0	40909	96.57	CONSPIRACY TO COMMIT 1ST DEG MURDER SEX BATT K	1	0	40971	96.72
B AND E WIT FEL MURDER	1	0	40910	96.57	CONSPIRACY TO COMMIT 2ND DEGREE MURDER	1	0	40972	96.72
B AND E WITC FEL ASLT MURDER	1	0	40911	96.58	CONSPIRACY TO COMMIT ILLEGAL KILLING POSSESSIN	1	0	40973	96.72
B AND E WITC MURDER	1	0	40912	96.58	CONSPIRACY TO COMMIT MURDER IN THE THIRD DEGRE	1	0	40974	96.73
BATT LESS 1DEG MURDER	1	0	40913	96.58	CONSPIRACY TO COMMIT MURDER SECOND DEGREE	1	0	40975	96.73
BATTERY LEO 3F INJ KILL POLICE DOG 3F	1	0	40914	96.58	CONSPIRACY TO COMMIT SECOND DEGREE MURDER	1	0	40976	96.73
BOATING UNDER INFLUENCE CAUSING DEATH	1	0	40915	96.59	CONSPIRE TO COMMIT 1ST DEG MURDER	1	0	40977	96.73
BOATING UNDER THE INFLUENCE MANSLAUGHTER	1	0	40916	96.59	CONVERSION 775 087 1 0000 F F MANSLAUGHTER	1	0	40978	96.74
BUI MANSLAUGHTER	1	0	40917	96.59	CONVERSION 782 04 0000 C F MANSLAUGHTER BY CU	1	0	40979	96.74
BUI AND CAUSE DEATH	1	0	40918	96.59	CONVERSION 782 071 0000 S F MANSLAUGHTER 84 M	1	0	40980	96.74

CONVERSION 782 071 0000 S F MANSLAUGHTER WITH	1	0	40981	96.74	OR W SUSP REV CAUSE DEATH SERI	1	0	41043	96.89
CONVERSION MANSLAUGHTER	1	0	40982	96.74	DR WLIC SUSP WSER BOD INDEATH	1	0	41044	96.89
CR DRIVING UNDER THE INFLUENCE DEATH OR INJURY	1	0	40983	96.75	DRIV G SUSP DL CAUSE DEATH SERIOUS INJURY	1	0	41045	96.89
CR DUI CAUSE DEATH TO ANY HUMAN	1	0	40984	96.75	DRIV LIC SUSP REV SERIOUS INJURY OR DEATH	1	0	41046	96.9
CR DUI MANSLAUGHTER WITH FAILURE TO RENDER AID	1	0	40985	96.75	DRIV RESULT IN DEATH	1	0	41047	96.9
CR DWI MANSLAUGHTER WITH FAILURE TO RENDER AID	1	0	40986	96.75	DRIV UNDER INFL RSLT DEATH	1	0	41048	96.9
CR LEAVING THE SCENE OF A CRASH WITH DEATH	1	0	40987	96.76	DRIV UNDER THE INFLUENCE MANSLAUGHTER	1	0	41049	96.9
CRASH INVOLVING DEATH FAIL TO STOP AND REMAIN	1	0	40988	96.76	DRIV W L SUSP DEATH OF SERIOUS BOD	1	0	41050	96.91
CRIM SOLICITATN TO COMMIT 1ST DEGREE MURDER	1	0	40989	96.76	DRIV W LIC SUSP CAUSING DEATH	1	0	41051	96.91
CRIMINAL SOLICITATION TO COMMIT MURDER 1ST DEG	1	0	40990	96.76	DRIV W LIC SUSP DEATH SER BOD INJ	1	0	41052	96.91
CRIMINAL SOLICITATION TO COMMITT MURDER IN TH	1	0	40991	96.77	DRIV WHILW LIC SUS DEATH BODILY INJ	1	0	41053	96.91
CRUELTY ANIMALSCAUSE DEATH OR PAIN AND SUFFE	1	0	40992	96.77	DRIV WITHOUT LICENSE RESLTING DEATH OR SER BOD	1	0	41054	96.91
CRUELTY TO ANIMALS DEATH OR PAIN OR SUFFERING	1	0	40993	96.77	DRIV WLIC CANCELSUSPENDREVOK CAUSING DEATH O	1	0	41055	96.92
CRUELTY TO ANIMALS DEATH PAIN OR SUFFERING RE	1	0	40994	96.77	DRIV WLICS CANCSUSPREV AND CAUS DEATHBOD INJ	1	0	41056	96.92
CRUELTY TO ANIMALS DEATH PAIN SUFFERING	1	0	40995	96.78	DRIV WLICS REVOKED CAUSING DEATHSERIOUS INJUR	1	0	41057	96.92
CULPABLE NEGLIG MANSLAUGHTER	1	0	40996	96.78	DRIV WNO VALID DL CAUSING SERIOUS BOD INJDEATH	1	0	41058	96.92
CULP NEGLIG ALLOW MINOR ACCESS WEAP INJ DEATH	1	0	40997	96.78	DRIV WNVOLCAUSING SERIOUS BODILY INJDEATH	1	0	41059	96.93
CULPABLE NEG MANSLAUGHTER	1	0	40998	96.78	DRIVE LICENSE SUSPEND DEATH INJUR	1	0	41060	96.93
CULPABLE NEGLIGENCE FIREARM MINOR DEATH	1	0	40999	96.78	DRIVE UNDER INFL RES IN DEATH	1	0	41061	96.93
CULPABLE NEGLIGENCE MANSLAUGHTER	1	0	41000	96.79	DRIVE UNTER INFLU RESULT DEATH	1	0	41062	96.93
D U I RESULTING IN DEATH	1	0	41001	96.79	DRIVE W LIC SUS DEATH SER BODY INJ	1	0	41063	96.94
D U I RESULT IN DEATH	1	0	41002	96.79	DRIVE W LIC SUSP DEATH BODILY INJ	1	0	41064	96.94
D U I RESULTING IN A DEATH	1	0	41003	96.79	DRIVE W LIC SUSP DEATH OR SER	1	0	41065	96.94
D W L S CARELESSLY CAUSING INJURY DEATH	1	0	41004	96.8	DRIVE W LIC SUSP DEATH SER BOD INJ	1	0	41066	96.94
D W/O L DWLS DEATH INJ	1	0	41005	96.8	DRIVE W LIC SUSP W DEATH	1	0	41067	96.95
DEAD WEAP WO INTENT TO KILL	1	0	41006	96.8	DRIVE W LIC SUSPENDED DEATH INJURY	1	0	41068	96.95
DEADLY WEAPON WITHOUT INTENT TO KILL DOMESTIC	1	0	41007	96.8	DRIVE W LIC SUSPENDED W DEATH	1	0	41069	96.95
DEATH BY INTOX DR	1	0	41008	96.81	DRIVE W LICENSE SUSP DEATH OR INJ	1	0	41070	96.95
DEATH INJ	1	0	41009	96.81	DRIVE WHILE LIC SUSP DEATH OR INJU	1	0	41071	96.95
DEATH INJURY	1	0	41010	96.81	DRIVE WHILE LIC SUSP DEATH SER INJ	1	0	41072	96.96
DEATH OR PERSON INJURY	1	0	41011	96.81	DRIVE WHILE LICEN SUSP W DEATH	1	0	41073	96.96
DEATH OR PERSONAL INJURIE	1	0	41012	96.82	DRIVE WHILE LICENSE SUSPENDED CAUSE DEATH OR S	1	0	41074	96.96
DEATH OR PERSONAL INJURY	1	0	41013	96.82	DRIVE WHILE LICENSE SUSPENDED DEATH VP	1	0	41075	96.96
DEATH PERSONAL INJ	1	0	41014	96.82	DRIVE WITH SUSPREV CAUSE DEATHSER INJURY ANDO	1	0	41076	96.97
DEATH SUS INJURY	1	0	41015	96.82	DRIVE WITHOUT LICENSE CAUSE DEATH SERIOUS INJ	1	0	41077	96.97
DEATH THREAT LETTER	1	0	41016	96.82	DRIVE WITHOUT LICENSE CAUSES DEATH SERIOUS IN	1	0	41078	96.97
DEATH, PERS INJURY	1	0	41017	96.83	DRIVE WITHOUT LICENSE CAUSES DEATH SERIOUS INJ	1	0	41079	96.97
DISPLAY FIREARM WHILE ATT FIRST DEGREE MURDER	1	0	41018	96.83	DRIVE WITHOUT LICENSE CAUSES DEATHSERIOUS INJ	1	0	41080	96.98
DL SUSP CAUSING DEATH	1	0	41019	96.83	DRIVE WITHOUT LICENSE CAUSING DEATHSERIOUS IN	1	0	41081	96.98
DL SUSP REVK INJ DEATH	1	0	41020	96.83	DRIVE WLIC SUSPREVSEIRIOUS INJURY OR DEATH	1	0	41082	96.98
DOG INJ KILL	1	0	41021	96.84	DRIVE WLICENSE CANCEL SUSP AND CAUSE DEATHSER	1	0	41083	96.98
DOM VIOL 2ND DEGREE MURDER DURING SPECIFIC FE	1	0	41022	96.84	DRIVE WNO VALID DL CAUSING DEATH OR GREAT BODI	1	0	41084	96.99
DOM VIOL 2ND DEGREE MURDER NOT PREMED NO FELON	1	0	41023	96.84	DRIVE WO LICENSE CAUSES DEATHSERIOUS INJURY	1	0	41085	96.99
DOM VIOL 3RD DEGREE MURDER DURING OTHER FELONY	1	0	41024	96.84	DRIVING U INFL RESULT IN DEATH	1	0	41086	96.99
DOM VIOL ATT FELONY MURDER WWEAPON	1	0	41025	96.85	DRIVING UNDER THE INFLUENCE MANSLAUGHTER ENCH	1	0	41087	96.99
DOM VIOL ATTEMPTED 2ND DEGREE MURDER	1	0	41026	96.85	DRIVING UNDER THE INFLUENCE MANSLAUGHTER ENHAN	1	0	41088	96.99
DOM VIOL ATTEMPTED FIRST DEG MURDER	1	0	41027	96.85	DRIVING UNDER THE INFLUENCEMANSLAUGHT	1	0	41089	97
DOM VIOL ATTEMPTED FIRST DEGREE MURDER	1	0	41028	96.85	DRIVING UNDER THE INFLUENCE MANSLAUGHTERIMPAL	1	0	41090	97
DOM VIOL ATTEMPTED FIRST DEGREE MURDER WITH A	1	0	41029	96.86	DRIVING W DL SUSP REVOK CAUSING DEATH BODILY	1	0	41091	97
DOM VIOL KILLING OF UNBORN CHILD/FETUS BY INJUR	1	0	41030	96.86	DRIVING W LIC SUS DEATH BODILY INJ	1	0	41092	97
DOM VIOL MANSLAUGHTER DV	1	0	41031	96.86	DRIVING W LICENSE SUSP DEATH SER B	1	0	41093	97.01
DOM VIOL MANSLAUGHTER WITH A DEADLY WEAPON	1	0	41032	96.86	DRIVING W LICENSE SUSP W DEATH OR SERIOUS INJU	1	0	41094	97.01
DOM VIOL MANSLAUGHTER WITH A FIREARM	1	0	41033	96.87	DRIVING W NO VALID DL CAUSING DEATH OR GREAT B	1	0	41095	97.01
DOM VIOL SECOND DEGREE MURDER WITH A WEAPON	1	0	41034	96.87	DRIVING W NO VALID DL RESULTING IN DEATH OR SE	1	0	41096	97.01
DOM VIOL WRITTEN THREAT TO KILL OR INJURE	1	0	41035	96.87	DRIVING WHILE LIC SUSP CAUSING DEATHSERIOUS IN	1	0	41097	97.02
DOMESTIC ATTEMPTED FIRST DEGREE MURDER WITH A	1	0	41036	96.87	DRIVING WHILE LICENSE SUSP DEATH	1	0	41098	97.02
DR UNDER THE INFLU MANSLAUGHTER	1	0	41037	96.87	DRIVING WHILE LICENSE SUSPENDED DEATH SERI	1	0	41099	97.02
DR W LIC CANC SUSP W DEATH INJURY	1	0	41038	96.88	DRIVING WHILE LICENSE SUSPENDED WITH DEATH	1	0	41100	97.02
DR W LIC SUS DEATH SERIOUS BOD INJ	1	0	41039	96.88	DRIVING WITH NO DRIVERS LICENSE CAUSING DEATH	1	0	41101	97.03
DR W LIC SUSP DEATH INJ	1	0	41040	96.88	DRIVING WITH NO VALID DL RESULTING IN DEATH	1	0	41102	97.03
DR W LIC SUSP DEATH SERIOUS BOD IN	1	0	41041	96.88	DRIVING WITHOUT DL CAUSING SERIOUS INJURYDEATH	1	0	41103	97.03
DR W LIC SUSP INJ DEATH	1	0	41042	96.89	DRIVING WITHOUT LICENSE CAUSING DEATH OR SERIO	1	0	41104	97.03

DRIVING W/IC SUSP WDEATHSERIOUS INJ	1	0	41105	97.04	DUI MANSLAUGHTER FAIL GIVE INFO OR RENDER AID	1	0	41167	97.18
DRIVING WO LICENSE/DWLS/DEATH/INJURY	1	0	41106	97.04	DUI MANSLAUGHTER FAIL TO GIVE INFORMATION/REND	1	0	41168	97.18
DRV U INF RESULT DEATH	1	0	41107	97.04	DUI MANSLAUGHTER FAIL TO RENDER AID	1	0	41169	97.19
DRV WHILE LIC SUSPENDED WITH DEATH OR SERIOUS	1	0	41108	97.04	DUI MANSLAUGHTER FAILURE TO RENDER AID	1	0	41170	97.19
DRVG W NO VALID DL CAUSE DEATH GREAT BODILY I	1	0	41109	97.04	DUI MANSLAUGHTER FOPS 08 2500CF CT2	1	0	41171	97.19
DRWLSR CAUSING DEATH OR SERIOUS BODILY INJURY	1	0	41110	97.05	DUI MANSLAUGHTER FOPS 90 2768CF CT2	1	0	41172	97.19
DUI DUBAL MANSLAUGHTER	1	0	41111	97.05	DUI MANSLAUGHTER FOPS 93 1415CF CT2	1	0	41173	97.2
DUI (DEATH RESULTING)	1	0	41112	97.05	DUI MANSLAUGHTER FOPS 95 3283CF CT2	1	0	41174	97.2
DUI CAUSE DEATH FAIL TO GIVE INFORMATION OR RE	1	0	41113	97.05	DUI MANSLAUGHTER FOPS 99 1519CF CT2	1	0	41175	97.2
DUI CAUSE DEATH HUMAN	1	0	41114	97.06	DUI MANSLAUGHTER IMPAIRMENT	1	0	41176	97.2
DUI CAUSE DEATH HUMAN UNBORN C	1	0	41115	97.06	DUI MANSLAUGHTER IMPAIRMENT AND OR	1	0	41177	97.2
DUI CAUSE DEATH HUMAN UNBORN CHILD	1	0	41116	97.06	DUI MANSLAUGHTER IMPAIRMENT AND OR 08	1	0	41178	97.21
DUI CAUSE DEATH TO HUMAN	1	0	41117	97.06	DUI MANSLAUGHTER IMPAIRMENT AND OR 08	1	0	41179	97.21
DUI CAUSE DEATH TO HUMAN OR UNBORN CHILD K4	1	0	41118	97.07	DUI MANSLAUGHTER IMPAIRMENT AND OR UBAL 08	1	0	41180	97.21
DUI CAUSING DEATH	1	0	41119	97.07	DUI MANSLAUGHTER IMPAIRMENT AND/OR 20	1	0	41181	97.21
DUI CAUSING DEATH TO A HUMAN B	1	0	41120	97.07	DUI MANSLAUGHTER LEAV SCENE OF ACC W PROP DAM	1	0	41182	97.22
DUI CAUSNG CONTRI DEATH HUMAN	1	0	41121	97.07	DUI MANSLAUGHTER LEAVE SCENE	1	0	41183	97.22
DUI DEATH	1	0	41122	97.08	DUI MANSLAUGHTER LEAVE SCENE INVOL INJURY	1	0	41184	97.22
DUI DEATH OF HUMAN	1	0	41123	97.08	DUI MANSLAUGHTER LEAVING SCENE OF ACC	1	0	41185	97.22
DUI INJURY WO DEATH	1	0	41124	97.08	DUI MANSLAUGHTER MANSL BY CULP NEG DUI SER INJ	1	0	41186	97.23
DUI MANLAUGHTER	1	0	41125	97.08	DUI MANSLAUGHTER MANSLAUGHTER CULP NEG CT2	1	0	41187	97.23
DUI MANSL 2CTS MANSL CULP NEG 2CTS DUI W	1	0	41126	97.08	DUI MANSLAUGHTER MANSLAUGHTER CULPABLE NEG	1	0	41188	97.23
DUI MANSL DUI DU PRP DAMAG 2 DUI BOD INJ 5	1	0	41127	97.09	DUI MANSLAUGHTER MANSLAUGHTER DUI 4CTS NVDL	1	0	41189	97.23
DUI MANSL MANSL CULP NEG DUI W SERIOUS INJURY	1	0	41128	97.09	DUI MANSLAUGHTER NO VALID DL WITH DEATH	1	0	41190	97.24
DUI MANSL MANSL CULP NEG DR U ALCH BEV 2 DUI	1	0	41129	97.09	DUI MANSLAUGHTER SPANISH INTERPRETER	1	0	41191	97.24
DUI MANSL MANSL CULP NEG DUI SER INJURY 2CTS	1	0	41130	97.09	DUI MANSLAUGHTER VEH HOMICIDE	1	0	41192	97.24
DUI MANSL MANSL CULP NEGLIGENCE	1	0	41131	97.1	DUI MANSLAUGHTER VEHICLE CAUSE DEATH TO ANY HU	1	0	41193	97.24
DUI MANSLA 2F 2CTS MANSLA CULP NEG 2F 2CTS	1	0	41132	97.1	DUI MANSLAUGHTER VEHICULAR HOMICIDE	1	0	41194	97.25
DUI MANSLAGHTER	1	0	41133	97.1	DUI MANSLAUGHTER9996378	1	0	41195	97.25
DUI MANSLAU	1	0	41134	97.1	DUI MANSLAUGHTER AND FAILURE TO RENDER AID	1	0	41196	97.25
DUI MANSLAUGHTER	1	0	41135	97.11	DUI MANSLGTR 2CTS MANSL CULP NEGL 2CTS DUI	1	0	41197	97.25
DUI MANSLAUGHT	1	0	41136	97.11	DUI MANSLTR MANSLTR CULP NEG DUI	1	0	41198	97.25
DUI MANSLAUGHT 2F MANS CUL NEG 2F DWLSR CAN 3F	1	0	41137	97.11	DUI MNSLAGTR MANSLTR LVNG SC AC W INJ DWLS	1	0	41199	97.26
DUI MANSLAUGHTER LEAVING THE SCENE	1	0	41138	97.11	DUI UBAL MANSLAUGHTER	1	0	41200	97.26
DUI MANSLAUGHTER LEAVING THE SCENE OF ACCIDE	1	0	41139	97.12	DUI VEHICLE CAUSE DEATH TO ANY HUMAN	1	0	41201	97.26
DUI MANSLAUGHTER 2CTS	1	0	41140	97.12	DUI W INJ DEATH	1	0	41202	97.26
DUI MANSLAUGHTER ENCHANCED	1	0	41141	97.12	DUI CAUSE DEATH TO HUMAN OR UNBORN CHILD K4	1	0	41203	97.27
DUI MANSLAUGHTER IMPAIRMENT OR UBAL	1	0	41142	97.12	DUI MANSLAUGHTER FAIL TO GIVE INFO/RENDER AID	1	0	41204	97.27
DUI MANSLAUGHTER LEAVING THE SCENE	1	0	41143	97.12	DWELL W MURDER W WEAP	1	0	41205	97.27
DUI MANSLAUGHTER SPANISH INTERPRETER	1	0	41144	97.13	DWI CAUSING DEATH	1	0	41206	97.27
DUI MANSLAUGHTER (2ND DEGREE)	1	0	41145	97.13	DWI DEATH MANSL	1	0	41207	97.28
DUI MANSLAUGHTER 12185GP	1	0	41146	97.13	DWI WITH DEATH	1	0	41208	97.28
DUI MANSLAUGHTER 1F LV SCENE INV DEATH 1F	1	0	41147	97.13	DWI WITH INJ OTH DEATH	1	0	41209	97.28
DUI MANSLAUGHTER 20	1	0	41148	97.14	DWL SUSP DEATH SERIOUS BODY INJURY	1	0	41210	97.28
DUI MANSLAUGHTER 2CTS DUI 2CTS M DUI	1	0	41149	97.14	DWLS CAUSING DEATH	1	0	41211	97.29
DUI MANSLAUGHTER 2F DUI ALCOH 3F DUI 1M 3CTS	1	0	41150	97.14	DWLS DEATH OR SERIOUS BODILY INJURY	1	0	41212	97.29
DUI MANSLAUGHTER 2F DUI W INJ OR PROP DAM 1M	1	0	41151	97.14	DWLS CAUSING DEATH INJURY FOPS 91 2694CF CT3	1	0	41213	97.29
DUI MANSLAUGHTER 2F FOPS 01 1068CF CT4	1	0	41152	97.15	DWLS DEATH OF SERIOUS BOD	1	0	41214	97.29
DUI MANSLAUGHTER 2F FOPS 10 2448CF CT2	1	0	41153	97.15	DWLS DEATH OR INJURY	1	0	41215	97.29
DUI MANSLAUGHTER 2F MANSL CULP NEG 2F DUI PR	1	0	41154	97.15	DWLS DEATH SERIOUS BODILY INJ	1	0	41216	97.3
DUI MANSLAUGHTER 2F MANSL CULP NEG 2F LVE SCNE	1	0	41155	97.15	DWLS DEATH SERIOUS INJ	1	0	41217	97.3
DUI MANSLAUGHTER 2F MANSLAUGHTER CULP NEGLI 2F	1	0	41156	97.16	DWLS DEATH SERIOUS INJURY	1	0	41218	97.3
DUI MANSLAUGHTER 2F MANSLAUGHTER CUP NEG 2F	1	0	41157	97.16	DWLS OR W O A VALID LICENSE DEATH SERIOUS INJU	1	0	41219	97.3
DUI MANSLAUGHTER 2F VEH HOM 2F DUI ALCO SUB 3F	1	0	41158	97.16	DWLS OR WITHOUT LICENSE DEATH SERIOUS INJURY	1	0	41220	97.31
DUI MANSLAUGHTER 2F VEH HOM 2F MANS CLP NEG 2F	1	0	41159	97.16	DWLS OR WO LICENSE DEATH SERIOUS INJURY VP	1	0	41221	97.31
DUI MANSLAUGHTER AND FAILURE TO RENDERN AID	1	0	41160	97.16	DWLS W DEATH SERIOUS INJ	1	0	41222	97.31
DUI MANSLAUGHTER AND LEAVE SCENE	1	0	41161	97.17	DWLS WITH DEATH	1	0	41223	97.31
DUI MANSLAUGHTER AND LEAVING SCENE	1	0	41162	97.17	DWLS WITHOUT A LICENSE DEATH SERIOUS INJURY VP	1	0	41224	97.32
DUI MANSLAUGHTER CAUSE DEATH OF A HUMAN OR UNB	1	0	41163	97.17	DWLS/DEATH/INJURY	1	0	41225	97.32
DUI MANSLAUGHTER CAUSE DEATH TO ANY HUMAN OR U	1	0	41164	97.17	DWLSR CAUSE DEATH INJURY	1	0	41226	97.32
DUI MANSLAUGHTER DUI	1	0	41165	97.18	DWLSR CAUSE DEATH SERIOUS INJ	1	0	41227	97.32
DUI MANSLAUGHTER DUI DUI INV PROP DAMAG 2CTS	1	0	41166	97.18	DWLSR CAUSES DEATH OR SERIOUS INJURY	1	0	41228	97.33

DWLSR CRASH CAUSING DEATH	1	0	41229	97.33	FIRST DEG MURDER MIN	1	0	41291	97.47
DWLSR DEATH SERIOUS INJURY	1	0	41230	97.33	FIRST DEG MURDER PREMEDITATED RECLASSIFIED	1	0	41292	97.48
DWLSR W BODILY INJ OR DEATH	1	0	41231	97.33	FIRST DEG PREMEDITATED MURDER W/WEAPON	1	0	41293	97.48
DWLSR W DEATH OR SERIOUS BODILY INJURY	1	0	41232	97.33	FIRST DEGR MURDER	1	0	41294	97.48
DWLSR WITH CRASH CAUSING DEATH OR SERIOUS BOD	1	0	41233	97.34	FIRST DEGREE FELONY MURDER PREMEDITATED	1	0	41295	97.48
DWLSR WITH DEATH	1	0	41234	97.34	FIRST DEGREE FELONY MURDER WITH A FIREARM	1	0	41296	97.49
DWQL CAUSING DEATH	1	0	41235	97.34	FIRST DEGREE FELONY PREMEDITATED MURDER	1	0	41297	97.49
DWOLCAUSING DEATH	1	0	41236	97.34	FIRST DEGREE MURDER PREMEDITATED	1	0	41298	97.49
EXP ATTEMPT TO COMMIT CAPITAL FELONY MURDER	1	0	41237	97.35	FIRST DEGREE MURDER SUSAN MAC IVOR	1	0	41299	97.49
EXP MANSLAUGHT KILL UNBORN CHILD BY INJ TO MOT	1	0	41238	97.35	FIRST DEGREE MURDER 1020LIFE DEATH OR GREAT B	1	0	41300	97.5
EXP MANSLAUGHTER WHILE INTOXICATED	1	0	41239	97.35	FIRST DEGREE MURDER CAP	1	0	41301	97.5
EXP VEHICULAR HOMICIDE LEAVING THE SCENE	1	0	41240	97.35	FIRST DEGREE MURDER COMMISSION OF FELONY	1	0	41302	97.5
F DUI MANSLAUGHTER	1	0	41241	97.36	FIRST DEGREE MURDER FIREARM SPANISH I	1	0	41303	97.5
F FIRST DEGREE FELONY MURDER	1	0	41242	97.36	FIRST DEGREE MURDER OF A LAW ENFORCEMENT OFFIC	1	0	41304	97.5
F MANSLAUGHTER	1	0	41243	97.36	FIRST DEGREE MURDER OF LEO	1	0	41305	97.51
F STOP ACC RES DEATH INJURY	1	0	41244	97.36	FIRST DEGREE MURDER PREMED OR ATTEMPTED	1	0	41306	97.51
F STOP ACC SCN RES DEATH INJ	1	0	41245	97.37	FIRST DEGREE MURDER PREMEDITATED	1	0	41307	97.51
F T STOP ACC W DEATH P INJ	1	0	41246	97.37	FIRST DEGREE MURDER PREMEDITATED DESIGN	1	0	41308	97.51
F T STOP ACC SCN RESULT DEATH	1	0	41247	97.37	FIRST DEGREE MURDER PREMEDITATED OR FELONY MUR	1	0	41309	97.52
FAIL GIVE AID INFO ACC W DEATH	1	0	41248	97.37	FIRST DEGREE MURDER W A FIREARM WHILE WEARING	1	0	41310	97.52
FAIL ST ACC SCN RSLT DEATH INJ	1	0	41249	97.37	FIRST DEGREE MURDER W A WEAPON	1	0	41311	97.52
FAIL ST ACCID R DEATH INJURIES	1	0	41250	97.38	FIRST DEGREE MURDER W/ DEADLY WEAPON	1	0	41312	97.52
FAIL STOP ACC DEATH INJURY	1	0	41251	97.38	FIRST DEGREE MURDER WA FIREARM	1	0	41313	97.53
FAIL STOP ACC DEATH OR INJURY	1	0	41252	97.38	FIRST DEGREE MURDER W/FIREARM	1	0	41314	97.53
FAIL STOP ACC INV DEATH INJ	1	0	41253	97.38	FIRST DEGREE MURDER WITH A FIREARM DISCH RESUL	1	0	41315	97.53
FAIL STOP ACC RES DEATH INJ	1	0	41254	97.39	FIRST DEGREE MURDER WITH A FIREARM TRANSFERRED	1	0	41316	97.53
FAIL STOP ACC RES DEATH OR INJURY	1	0	41255	97.39	FIRST DEGREE MURDER WITH A WEAPON CAPITAL	1	0	41317	97.54
FAIL STOP ACC RES INJ DEATH	1	0	41256	97.39	FIRST DEGREE MURDER WITH WEAPON	1	0	41318	97.54
FAIL STOP ACC RESULT DEATH PI	1	0	41257	97.39	FIRST DEGREE MURDERWITH A FIREARM	1	0	41319	97.54
FAIL STOP ACC SCEN DEATH INJUI	1	0	41258	97.4	FIRST DEGREE PREMEDITATED AND OR FELONY MURDER	1	0	41320	97.54
FAIL STOP ACC SCENE DEATH INJ	1	0	41259	97.4	FIRST DEGREE PREMEDITATED MURDER OF LEO W FIRE	1	0	41321	97.54
FAIL STOP ACC W DEATH OR INJ	1	0	41260	97.4	FIRST DEGREE PREMEDITATED MURDER W FIREARM	1	0	41322	97.55
FAIL STOP AT ACC RESLT DEATH	1	0	41261	97.4	FIRST DEGREE PREMEDITATED MURDER W WEAPON	1	0	41323	97.55
FAIL STOP AT ACC RESULT DEATH	1	0	41262	97.41	FIRST DEGREE PREMEDITATED MURDER WITH A WEAPON	1	0	41324	97.55
FAIL STOP AT ACC W INJ DEATH	1	0	41263	97.41	FIRST DEGREE PREMEDITATED MURDER W/WEAPON	1	0	41325	97.55
FAIL STOP AT ACCIDENT SCENE DEATH PERSONAL INJ	1	0	41264	97.41	FIRST DEGREE PREMEDITATED OR FELONY MURDER W W	1	0	41326	97.56
FAIL STOP ATTEND RESULT DEATH	1	0	41265	97.41	FIRST DERGEE MURDER WITH A FIREARM	1	0	41327	97.56
FAIL STOP RESULT DEATH	1	0	41266	97.42	FLEE OR ATTEMPT TO ELUDE WITH INJURY OR DEATH	1	0	41328	97.56
FAIL STOP RESULT DEATH INJ	1	0	41267	97.42	FOODPOISON FOOD OR WATER WIT KILL OR INJURE	1	0	41329	97.56
FAIL STOP SCENE RESUL DEATH INJ	1	0	41268	97.42	FORCE NOT LIKELY CAUSE DEATH IN	1	0	41330	97.57
FAIL STP ACC SCN RES DEATH INJ	1	0	41269	97.42	GANG PRINCIPAL TO MURDER IN THE SECOND DEGREE	1	0	41331	97.57
FAIL STP ACCD SC RSLT DEATH PI	1	0	41270	97.42	HIGH SPEED FLEEING CAUSING INJURY OR DEATH	1	0	41332	97.57
FAIL TO REMAIN AT CRASH INVOLVING DEATH	1	0	41271	97.43	HIT AND RUN FAIL STOP REM CRSH INVOLVE DEATH	1	0	41333	97.57
FAIL TO REPORT DEATH	1	0	41272	97.43	HIT AND RUN INVOLVING DEATH	1	0	41334	97.58
FAIL TO STOP ACC INVOLV DEATH PER INJURY	1	0	41273	97.43	HIT/RUN-FAIL TO STOP REMAIN AT CRASH INVOLVE DEATH	1	0	41335	97.58
FAIL TO STOP ACC W DEATH	1	0	41274	97.43	HOMICIDE NEGLIG MANSLAUGHTER	1	0	41336	97.58
FAIL TO STOP ACC W DEATH INJURY	1	0	41275	97.44	HOMICIDE PREMEDITATED MURDER	1	0	41337	97.58
FAIL TO STOP AT ACCID W DEATH	1	0	41276	97.44	HOMICIDE -WILFUL KILL NOT PREMEDITATED	1	0	41338	97.59
FAIL TO STOP ATT ACC DEATH OR INJ	1	0	41277	97.44	HOMICIDE 2ND DEGREE MURDER	1	0	41339	97.59
FAIL TO STOP REMAIN AT CRASH INVOL DEATH	1	0	41278	97.44	HOMICIDE ATTEMPTED 2ND DEGREE MURDER	1	0	41340	97.59
FAIL TO STOP REMAIN CRASH INVOLVE DEATH OR INJ	1	0	41279	97.45	HOMICIDE ATTEMPTED 2ND DEGREE MURDER W FIREARM	1	0	41341	97.59
FATALITY DRIVE W O LIC CARELESS OP CAUSE DEATH	1	0	41280	97.45	HOMICIDE ATTEMPTED ARMED SECOND DEGREE MURDER	1	0	41342	97.59
FATALITY VEHICLE HOMICIDE FAIL TO GIVE INFO RE	1	0	41281	97.45	HOMICIDE ATTEMPTED MANSLAUGHTER WITH WEAPON	1	0	41343	97.6
FEL ACC INVOLVING INJURY DEATH	1	0	41282	97.45	HOMICIDE CULP NEGLIC	1	0	41344	97.6
FEL MANSLAUGHTER	1	0	41283	97.46	HOMICIDE MANSLAUGHTER UNNECESSARY KILLING	1	0	41345	97.6
FEL MURDER 3 DEG	1	0	41284	97.46	HOMICIDE MURDER ATTEMPTED	1	0	41346	97.6
FELONY MURDER FIRST DEGREE	1	0	41285	97.46	HOMICIDE MURDER FIRST DEGREE	1	0	41347	97.61
FELONY MURDER IN THE THIRD DEGREE	1	0	41286	97.46	HOMICIDE MURDER NOT PREMEDITATED	1	0	41348	97.61
FELONY MURDER WITH A DEADLY WEAPON	1	0	41287	97.46	HOMICIDE MURDER RESULTING FROM DISTRIBUTION CO	1	0	41349	97.61
FIREARM AMEND FROM MURDER	1	0	41288	97.47	HOMICIDE MURDER SECOND DEGREE	1	0	41350	97.61
FIRST DEG MURDER	1	0	41289	97.47	HOMICIDE NEGLIG MANSL AGGRAV OF ELDERLY OR DIS	1	0	41351	97.62
FIRST DEG FELONY MURDER	1	0	41290	97.47	HOMICIDE NEGLIG MANSL AGGRAVE NEGLECT ELDERLY	1	0	41352	97.62

HOMICIDE NEGLIG MANSL VEH FAIL TO GIVE INFORMA	1	0	41353	97.62	INV DEATH OR PER INJ	1	0	41415	97.77
HOMICIDE NEGLIG MANSL VEH KILLING OF HUMAN BEI	1	0	41354	97.62	INV INJ OR DEATH	1	0	41416	97.77
HOMICIDE NEGLIG MANSL VEH KILLING OF PERSON VI	1	0	41355	97.63	INV INJURY OR DEATH	1	0	41417	97.77
HOMICIDE NEGLIG MANSL VEHAGGRAVATED OF CHILD	1	0	41356	97.63	INVL DEATH OR INJ	1	0	41418	97.77
HOMICIDE NEGLIG MANSL VEH DUI CAUSE DEATH TO A	1	0	41357	97.63	INVL INJURY DEATH	1	0	41419	97.78
HOMICIDE NEGLIGENCE MANSLAUGHTER AGGRAVATED O	1	0	41358	97.63	INVL PER INJ OR DEATH	1	0	41420	97.78
HOMICIDE NEGLIGENCE MANSLAUGHTER VEHICLE FAIL	1	0	41359	97.63	INVLV DEATH	1	0	41421	97.78
HOMICIDE NEGLIGMANSLAGGRAVATED OF CHILD	1	0	41360	97.64	INVOL DEATH OR INJ	1	0	41422	97.78
HOMICIDE OR MURDER OPEN COUNT	1	0	41361	97.64	INVOL DEATH OR PSNL INJ	1	0	41423	97.79
HOMICIDE SECONC DEG MURDER W DISCHARGE OF FIRE	1	0	41362	97.64	INVOL DEATH PERS INJ	1	0	41424	97.79
HOMICIDE SECONC DEGREE MURDER	1	0	41363	97.64	INVOL INJURY OR DEATH	1	0	41425	97.79
HOMICIDE SECONC DEGREE MURDER WITH FIREARM	1	0	41364	97.65	INVOL PERSONAL INJ OR DEATH	1	0	41426	97.79
HOMICIDE SPECIF FELONY COMMIT ACT COULD CAUSE	1	0	41365	97.65	INVOL DEATH	1	0	41427	97.8
HOMICIDE VEH	1	0	41366	97.65	INVOLVING DEATH	1	0	41428	97.8
HOMICIDE VESSEL	1	0	41367	97.65	INVOLUNTARY MANSLAUGHTER	1	0	41429	97.8
HOMICIDE WILFUL KILL	1	0	41368	97.66	INVOLV DEATH OF PERSON	1	0	41430	97.8
HOMICIDE WILFUL KILL ATTEMPT MURDER PREMEDITA	1	0	41369	97.66	INVOLV DEATH OR PERS INJ	1	0	41431	97.8
HOMICIDE WILFUL KILL ATTEMPTED MURDER	1	0	41370	97.66	INVOLV DEATH OR PERS INJUR	1	0	41432	97.81
HOMICIDE WILFUL KILL FELONY ATTEMPTED MURDER	1	0	41371	97.66	INVOLV DEATH OR PERSONAL INJURY	1	0	41433	97.81
HOMICIDE WILFUL KILL MURDER NOT PREMEDIT DUR SPE	1	0	41372	97.67	INVOLV INJ OR DEATH	1	0	41434	97.81
HOMICIDE WILFUL KILL MURDER PREMEDITATED OR FE	1	0	41373	97.67	INVOLV PERS INJURY DEATH	1	0	41435	97.81
HOMICIDE WILFUL KILL MURDER SOLICITATION	1	0	41374	97.67	INVOLVE DEATH INJ	1	0	41436	97.82
HOMICIDE WILFUL KILL MURDER THREAT KILL	1	0	41375	97.67	INVOLVE DEATH OR INJURY	1	0	41437	97.82
HOMICIDE WILFUL KILLWRITTEN THREAT KILL	1	0	41376	97.67	INVOLVE DEATH OR PERSON INJURY	1	0	41438	97.82
HOMICIDE WILFUL KILL	1	0	41377	97.68	INVOLVE DEATH PER INJURY	1	0	41439	97.82
HOMICIDEMURDER NOT PREMEDITATED DURING OTHER	1	0	41378	97.68	INVOLVE DEATH PERS INJURY	1	0	41440	97.83
HOMICIDENEFLIG MANSLVEH KILL PERSON OR VIABLE	1	0	41379	97.68	INVOLVE INJ OR DEATH	1	0	41441	97.83
HOMICIDENEGLIG MANSLOTHER THAN BY MOTOR VEHIC	1	0	41380	97.68	INVOLVE INJURY OR DEATH	1	0	41442	97.83
HOMICIDENEGLIG MANSLVEH NO SUCH OFFENSE IN THI	1	0	41381	97.69	INVOLVE PERSON INJ OR DEATH	1	0	41443	97.83
HOMICIDEWILFUL KILL MURDER NOT PREMEDITATED D	1	0	41382	97.69	INVOLVING DEATH AND PERSONAL INJUR	1	0	41444	97.84
HOMICIDEWILFUL KILL MSECND DEGREE MURDER	1	0	41383	97.69	INVOLVING DEATH OF INJURY	1	0	41445	97.84
HOMINEGLIG MANSLVEH DUI CAUSE DEATH HUMANUNBO	1	0	41384	97.69	INVOLVING DEATH OR PERSONAL INJUR	1	0	41446	97.84
ILLEGAL KILLING ALLIGATOR	1	0	41385	97.7	INVOLVING DEATH PERSONAL INJURY	1	0	41447	97.84
ILLEGAL KILLING ALLIGATORS 3F	1	0	41386	97.7	INVOLVING PERSONAL INJURY OR DEATH	1	0	41448	97.84
ILLEGAL KILLING OR POSSESSING OF AN ALLIGATOR	1	0	41387	97.7	KILL	1	0	41449	97.85
ILLEGAL KILLING POSS OR CAPTURE OF ALLIGATORE	1	0	41388	97.7	KILL AGGRAVATE ABUSE REGISTERED HORSE CAT	1	0	41450	97.85
ILLEGAL KILLING POSSESSING OR CAPTURING OF ALL	1	0	41389	97.71	KILL ABUSE TO BREED HORSES CATTLE	1	0	41451	97.85
INDICTMENT AMENDED 3CT MURDER IN 1ST DEGREE	1	0	41390	97.71	KILL INJURE POSS ALLIGATOR OR EGG WO AUTHORIT	1	0	41452	97.85
INJ DEATH	1	0	41391	97.71	KILL INJURE POSSESS ALLIGATOR OR EGG WITHOUT	1	0	41453	97.86
INJ KILL POLICE DOG	1	0	41392	97.71	KILL REG BREED OF CATT	1	0	41454	97.86
INJ KILL POLICE DOG 3F DWLS 3F DUI 3F	1	0	41393	97.71	KILL REG HORSE	1	0	41455	97.86
INJ KILL POLICE DOG 3F FOPS 01 1309CF CT2	1	0	41394	97.72	KILL UNBORN CHILD KYLE MAC IVOR	1	0	41456	97.86
INJ OR KILL POLICE DOG	1	0	41395	97.72	KILL UNBORN CHILD BY INJURY TO MOTHER	1	0	41457	97.87
INJURE KILL FIRE POLICE DOG HORSE	1	0	41396	97.72	KILL UNBORN QUICK CHILD INJURY TO MOTHER	1	0	41458	97.87
INJURE OR KILL PCUCE DOG FIRE DOG POLICE HORS	1	0	41397	97.72	KILL WOUND ENDANGERED THREATENED OR SPECIAL S	1	0	41459	97.87
INJUREKILLFIRE POLICE DOG	1	0	41398	97.75	KILL WOUND SPEC ENG TRHTND 3F POSS F ARM COMM	1	0	41460	97.87
INJUREKILLFIRE POLICE DOGHORSE	1	0	41399	97.75	KILL WOUND SPECIES DESIGN ENDANGERE	1	0	41461	97.88
INJURING KILLING A POLICE DOG	1	0	41400	97.75	KILL WOUNDING OF SPECIES DESIGNATED ENDANGERED	1	0	41462	97.88
INJURING KILLING POLICE DOG	1	0	41401	97.75	KILLING INJURY OR POSSESSION OF ALLIGATOR	1	0	41463	97.88
INJURING OR KILLING POLICE DOG	1	0	41402	97.74	KILLING AGGR ABUSE OF REGIST HORSES CATTLE	1	0	41464	97.88
INJURING OR KILLING POLICE DOG FIRE DOG OR POL	1	0	41403	97.74	KILLING AN ENDANGERED SPECIES	1	0	41465	97.88
INJURING OR KILLING POLICE DOGFIRE DOGSAR DOG	1	0	41404	97.74	KILLING OF HUMAN BEING OR UNBORN CHILD W VEH	1	0	41466	97.89
INJURING OR KILLING POLICE FIRE DOG	1	0	41405	97.74	KILLING OF PERSON OR VIABLE FETUS W VEHICLE	1	0	41467	97.89
INJURING OR KILLING POLICE FIRE OR SAR DOG OR	1	0	41406	97.75	KILLING OF UNBORN QUICK CHILD	1	0	41468	97.89
INJURY DEATH	1	0	41407	97.75	KILLING OR WOUNDING ANY SPECIES ENDANGERED	1	0	41469	97.89
INJURY OR DEATH	1	0	41408	97.75	KILLING REGIST BREED OF CATTLE	1	0	41470	97.9
INJURY RESULT DEATH	1	0	41409	97.75	KILLING UNBORN CHILD	1	0	41471	97.9
INTIMIDATION THREAT WITH DEATH SERIOUS BODILY	1	0	41410	97.76	LEAV SC ACC RSLT DEATH INJ	1	0	41472	97.9
INTIMIDATION WRITE OR THREAT KILL INJURE 3108	1	0	41411	97.76	LEAV SCE ACC INVOL DEATH	1	0	41473	97.9
INTIMIDATION WRITE SEND THREAT TO KILL OR INJ	1	0	41412	97.76	LEAV SCE ACC W INJ DEATH	1	0	41474	97.91
INTIMIDATIONWRITE SEND THREAT TO KILL OR INJ	1	0	41413	97.76	LEAV SCE ACC W INJUR DEATH	1	0	41475	97.91
INV DEATH OR INJ	1	0	41414	97.76	LEAV SCEN ACCIDT W INJURY DEATH	1	0	41476	97.91
INV DEATH OR INJURY	1	0							

LEAV SCENE ACCI INVOL INJUR DEATH	1	0	41477	97.91	LEAVING SCENE OF ACCIDENT WITH DEATH INJURY	1	0	41539	98.06
LEAV SCENE ACCIDENT INVOLVING DEATH 3F	1	0	41478	97.92	LEAVING SCENE OF ACCIDENT WITH DEATH WITHOUT R	1	0	41540	98.06
LEAV SCENE ACCIDENT W INJ DEATH	1	0	41479	97.92	LEAVING SCENE OF ACCIDENT WITH DEATH/INJURY	1	0	41541	98.06
LEAV SCENE CRASH INVOLV DEATH	1	0	41480	97.92	LEAVING SCENE OF ACCIDENT WITH DEATH/PERSONAL	1	0	41542	98.07
LEAV SCN ACCIDENT W INJ VEH HOMICIDE	1	0	41481	97.92	LEAVING SCENE OF ACCIDENT/DEATH	1	0	41543	98.07
LEAV SCN CRASH INVOLV DEATH	1	0	41482	97.92	LEAVING SCENE OF CRASH INVOLVING DEATH	1	0	41544	98.07
LEAV SCN CRASH INVOLVING DEATH	1	0	41483	97.93	LEAVING SCENE OF CRASH DEATH	1	0	41545	98.07
LEAV SCNE ACC W DEATH	1	0	41484	97.93	LEAVING SCENE OF CRASH WITH DEATH INVOLVING V	1	0	41546	98.08
LEAVE ACCIDENT SCENE DEATH	1	0	41485	97.93	LEAVING SCENE WITH ACCIDENT WITH DEATH	1	0	41547	98.08
LEAVE ACCIDENT SCENE INVOLVING DEATH 6057	1	0	41486	97.93	LEAVING SCNEE OF ACCIDENT INVOLVING DEATH	1	0	41548	98.08
LEAVE SC OF ACC INVOLVE DEATH	1	0	41487	97.94	LEAVING THE SCENE INVOLVING DEATH	1	0	41549	98.08
LEAVE SCENE ACC INVOLV INJ DEATH	1	0	41488	97.94	LEAVING THE SCENE OF ACC DEATH	1	0	41550	98.09
LEAVE SCENE ACC DEATH LEAVE SCENE INJ DWLS R	1	0	41489	97.94	LEAVING THE SCENE OF ACCIDENT INVOLVING DEATH	1	0	41551	98.09
LEAVE SCENE ACC DEATH OR INJURY	1	0	41490	97.94	LEAVING THE SCENE OF ACCIDENT W DEATH OR INJU	1	0	41552	98.09
LEAVE SCENE ACC INV DEATH	1	0	41491	97.95	LEAVING THE SCENE OF AN ACCIDENT DEATH	1	0	41553	98.09
LEAVE SCENE ACC INV DEATH 2F DUI W PROP DMG 1M	1	0	41492	97.95	LEAVING THE SCENE OF AN ACCIDENT W A DEATH	1	0	41554	98.09
LEAVE SCENE ACC INVOLV INJUR DEATH	1	0	41493	97.95	LEAVING THE SCENE OF AN ACCIDENT W/DEATH	1	0	41555	98.1
LEAVE SCENE ACC INVOLVING DEATH	1	0	41494	97.95	LEAVING THE SCENE OF CRASH INVOLVING DEATH	1	0	41556	98.1
LEAVE SCENE ACC W DEATH	1	0	41495	97.96	LEG DRG SELL DEATH	1	0	41557	98.1
LEAVE SCENE ACC W DEATH INJURY	1	0	41496	97.96	LESSER ATT MURDER FOPS 99 1596CF CT2	1	0	41558	98.1
LEAVE SCENE ACC W DEATH OR INJ	1	0	41497	97.96	LESSER INCLUDED OFFENSE 2ND DEGREE MURDER	1	0	41559	98.11
LEAVE SCENE ACC W INJURY DEATH	1	0	41498	97.96	LESSER MANSLAUGHTER	1	0	41560	98.11
LEAVE SCENE ACC W INJURY OR DEATH	1	0	41499	97.97	LESSER MANSLAUGHTER BY CULPABLE NEGLIGENCE	1	0	41561	98.11
LEAVE SCENE ACCID W DEATH INJ	1	0	41500	97.97	LIO MANSLAUGHTER	1	0	41562	98.11
LEAVE SCENE ACCIDE W INJ DEATH	1	0	41501	97.97	LIO MANSLAUGHTER	1	0	41563	98.12
LEAVE SCENE ACCIDENT DEATH INJURY	1	0	41502	97.97	LIO SECOND DEGREE MURDER WITH A FIREARM	1	0	41564	98.12
LEAVE SCENE ACCIDENT DEATH VP	1	0	41503	97.97	LSC DEATH ATT 7 1 14	1	0	41565	98.12
LEAVE SCENE ACCIDENT INJURY DEATH	1	0	41504	97.98	LSOA VEHICULAR HOMICIDE	1	0	41566	98.12
LEAVE SCENE ACCIDENT RESULT IN DEATH	1	0	41505	97.98	LSOA WITH DEATH	1	0	41567	98.13
LEAVE SCENE ACCIDENT W INJURY DEATH	1	0	41506	97.98	LV CENE OF CRASH INV DEATH	1	0	41568	98.13
LEAVE SCENE CRASH DEATH OF VULNERABLE ROAD USE	1	0	41507	97.98	LV SCENE CRASH INVOLVE DEATH	1	0	41569	98.13
LEAVE SCENE CRASH INVOL DEATH	1	0	41508	97.99	LV SCENE CRASH INVOLVING DEATH	1	0	41570	98.13
LEAVE SCENE CRASH INVOLVING DEATH	1	0	41509	97.99	LV SCENE INJURDEATH	1	0	41571	98.14
LEAVE SCENE CRASH W DEATH	1	0	41510	97.99	LV SCENE INV DEATH 1F NO VALID D L 2M	1	0	41572	98.14
LEAVE SCENE INJURY OR DEATH	1	0	41511	97.99	LV SCENE INVOLVE DEATH 1F DWLSR OR CANCELED 3F	1	0	41573	98.14
LEAVE SCENE INVOLV DEATH 2F FOPS 06 1591CF CT3	1	0	41512	98	LV SCENE OF ACC W/DEATH	1	0	41574	98.14
LEAVE SCENE INVOLV DEATH FOPS 97 1132CF CT2	1	0	41513	98	LV SCN ACC CAUSE DEATH	1	0	41575	98.14
LEAVE SCENE OF ACC INVOLV DEATH	1	0	41514	98	LV SCN ACC INV DEATH VEH HOMICIDE NO VALD D L	1	0	41576	98.15
LEAVE SCENE OF ACC W DEATH OR INJ	1	0	41515	98	LV SCN ACCID INVOL DEATH	1	0	41577	98.15
LEAVE SCENE OF ACC W INJ OR DEATH	1	0	41516	98.01	LV SCN CRASH DEATH	1	0	41578	98.15
LEAVE SCENE OF ACC W INJURY DEATH	1	0	41517	98.01	LV SCN CRASH INVOL DEATH	1	0	41579	98.15
LEAVE SCENE OF ACCIDENT W DEATH	1	0	41518	98.01	LV SCN CRASH INVOLVING DEATH	1	0	41580	98.16
LEAVE SCENE OF ACCIDENT WITH DEATH VP	1	0	41519	98.01	LV SCN INV DEATH 1F VEH HOM 1F RKLS W SER BOD	1	0	41581	98.16
LEAVE SCENE OF CRASH INVOLVING DEATH 2F	1	0	41520	98.01	LVE SCENE ACCID W DEATH	1	0	41582	98.16
LEAVE SCENE OF CRASH W DEATH	1	0	41521	98.02	LVE SCENE CRASH W DEATH 1F LVE SCENE W INJ 3F	1	0	41583	98.16
LEAVE SCENE WITH DEATH	1	0	41522	98.02	LVE SCENE INVOLVE DEATH	1	0	41584	98.17
LEAVE SCN ACC W DEATH OR INJ	1	0	41523	98.02	LVE SCENE OF ACC W DEATH OR INJ	1	0	41585	98.17
LEAVE SCN ACCIDENT W INJURY DEATH	1	0	41524	98.02	LVE SCENE OF ACC W INJ OR DEATH	1	0	41586	98.17
LEAVE THE SCENE OF A CRASH INVOLVING DEATH 1F	1	0	41525	98.03	LVE SCN CRASH INV DEATH 2F DUI 1M	1	0	41587	98.17
LEAVE THE SCENE OF CRASH INVOLVING DEATH 2F	1	0	41526	98.03	LVE SCN W DEATH 2F LVE SCN INJ 3F POSS MARIJ 1	1	0	41588	98.18
LEAVING SCENE ACCIDENT WDEATH	1	0	41527	98.03	LVG SCN ACC INV INJ DEATH FOPS 95 2358CF CT2	1	0	41589	98.18
LEAVING ACCIDENT W INJURY DEATH	1	0	41528	98.03	LVG SCN ACC INV INJ DEATH FOPS 99 1201CF CT3	1	0	41590	98.18
LEAVING SCENE ACCIDENT INVOLVING DEATH	1	0	41529	98.04	LVG SCN ACC INV DEATH LVG SCN ACC INV INJURY	1	0	41591	98.18
LEAVING SCENE CRASH INV DEATH	1	0	41530	98.04	LVNG SCENE ACCID W INJURY OR DEATH	1	0	41592	98.18
LEAVING SCENE CRASH INVOLVING DEATH 2F DUI 1M	1	0	41531	98.04	LVNG SCN ACC W DEATH FOPS 90 4373CF CT3	1	0	41593	98.19
LEAVING SCENE CRASH WDEATH	1	0	41532	98.04	LVNG SCN ACCDNT W DEATH FOPS 90 1509CF CT3	1	0	41594	98.19
LEAVING SCENE OF A CRASH RESULTING IN DEATH	1	0	41533	98.05	LVNG SCN CRSH INV DEATH 1F FOPS 07 2119CF CT2	1	0	41595	98.19
LEAVING SCENE OF ACC INVOLVING DEATH	1	0	41534	98.05	LVNG SCN OF ACC DEATH FOPS 89 3600CF CT4	1	0	41596	98.19
LEAVING SCENE OF ACC WITH DEATH	1	0	41535	98.05	MANGLAUGHTER WHILE OPERATING A VEHICLE	1	0	41597	98.2
LEAVING SCENE OF ACCIDENT INVOLVING DEATH 2	1	0	41536	98.05	MANGLAUGHTER WITH DEADLY WEAPON	1	0	41598	98.2
LEAVING SCENE OF ACCIDENT W/ DEATH OR INJURY	1	0	41537	98.05	MANLAUGHTER WITH A DEADLY WEAPON	1	0	41599	98.2
LEAVING SCENE OF ACCIDENT WDEATH	1	0	41538	98.06	MANSLS 2 DEG	1	0	41600	98.2

MANSL AGG UNDER 18	1	0	41601	98.21	MANSLAUGHTER BY DRK DRV	1	0	41663	98.35
MANSL AGGRV CHILD	1	0	41602	98.21	MANSLAUGHTER BY INTO	1	0	41664	98.35
MANSL BY AUTO CUPABLE NEGL	1	0	41603	98.21	MANSLAUGHTER BY INTOX PER	1	0	41665	98.36
MANSL BY CUL NEG	1	0	41604	98.21	MANSLAUGHTER BY INTOXICATED	1	0	41666	98.36
MANSL BY CULP MANSL	1	0	41605	98.22	MANSLAUGHTER BY INTOXICATED DRIVER	1	0	41667	98.36
MANSL BY CULP NEG RFD TO CARE DRI	1	0	41606	98.22	MANSLAUGHTER BY NEG	1	0	41668	98.36
MANSL BY DRUNK DRIVING	1	0	41607	98.22	MANSLAUGHTER BY OPR MV WHILE IMPAIRED	1	0	41669	98.37
MANSL BY INTOXICATION	1	0	41608	98.22	MANSLAUGHTER BY SHOOTING W SHOTGUN	1	0	41670	98.37
MANSL CULP NEG	1	0	41609	98.22	MANSLAUGHTER BY UNNECESSARY KILL	1	0	41671	98.37
MANSL CULP NEGLIGENCE FOPS 90 1463CF CT2	1	0	41610	98.23	MANSLAUGHTER CULP NEG FOPS 11 1510CF CT2	1	0	41672	98.37
MANSL DUI	1	0	41611	98.23	MANSLAUGHTER CULP NEG FOPS 95 3131CF CT2	1	0	41673	98.38
MANSL UNDER INFLUENCE INTOX LIQ	1	0	41612	98.23	MANSLAUGHTER CULP NEG FOPS 97 598CF CT2	1	0	41674	98.38
MANSL W WEAP	1	0	41613	98.23	MANSLAUGHTER CULP NEGLIGENCE	1	0	41675	98.38
MANSL WO FIREARM	1	0	41614	98.24	MANSLAUGHTER CULP NEGLIGENCE 2F FOPS 11 1678CF CT2	1	0	41676	98.38
MANSLATR ATT LEO	1	0	41615	98.24	MANSLAUGHTER CULP NEGLIGENCE FOPS 08 2236CF CT2	1	0	41677	98.39
MANSLATR W FIREARM	1	0	41616	98.24	MANSLAUGHTER CULP NEGLIGENCE FOPS 00 718CF CT3	1	0	41678	98.39
MANSLAUG BY CULP NEG	1	0	41617	98.24	MANSLAUGHTER CULP NEGLIGENCE FOPS 00 718CF CT4	1	0	41679	98.39
MANSLAUG CULP NEGLIGENCE	1	0	41618	98.25	MANSLAUGHTER CULP NEGLIGENCE NOT BY MOTOR VEH	1	0	41680	98.39
MANSLAUG CULP NEGLIGENCE	1	0	41619	98.25	MANSLAUGHTER CULPABLE NEG 2F POSS HEROIN 3F	1	0	41681	98.39
MANSLAUG W FIREARM	1	0	41620	98.25	MANSLAUGHTER CULPABLE NEG CULPABLE NEG 3CTS	1	0	41682	98.4
MANSLAUGH	1	0	41621	98.25	MANSLAUGHTER CULPABLE NEGL WITHOUT FIREARM	1	0	41683	98.4
MANSLAUGH W A WEAPON	1	0	41622	98.26	MANSLAUGHTER DEAD WEAP	1	0	41684	98.4
MANSLAUGHER 2F	1	0	41623	98.26	MANSLAUGHTER F1	1	0	41685	98.4
MANSLAUGHER WHILE DWI	1	0	41624	98.26	MANSLAUGHTER FEL	1	0	41686	98.41
MANSLAUGHER WITH A FIREARM	1	0	41625	98.26	MANSLAUGHTER FELONY	1	0	41687	98.41
MANSLAUGHER WO DEADLY WPN	1	0	41626	98.26	MANSLAUGHTER FIRST DEG	1	0	41688	98.41
MANSLAUGHT	1	0	41627	98.27	MANSLAUGHTER INTOX MOTORIST	1	0	41689	98.41
MANSLAUGHT BY CULPABLE NEGL	1	0	41628	98.27	MANSLAUGHTER INVOLUNTARY	1	0	41690	98.42
MANSLAUGHT OTHER THAN BY MOTOR VEH	1	0	41629	98.27	MANSLAUGHTER INVOLVING THE USE OF A MOTOR VEH	1	0	41691	98.42
MANSLAUGHT UNNECESS KILL	1	0	41630	98.27	MANSLAUGHTER LEO	1	0	41692	98.42
MANSLAUGHT UNNECESS KILL PREVENT UNLAW ACT	1	0	41631	98.28	MANSLAUGHTER MOTOR VEHICLE	1	0	41693	98.42
MANSLAUGHT	1	0	41632	98.28	MANSLAUGHTER NEGLIGENCE	1	0	41694	98.43
MANSLAUGHTEL	1	0	41633	98.28	MANSLAUGHTER NO FIREARM	1	0	41695	98.43
MANSLAUGHTER LIO	1	0	41634	98.28	MANSLAUGHTER OF AN ELDERLY PERSON	1	0	41696	98.43
MANSLAUGHTER DUI	1	0	41635	98.29	MANSLAUGHTER OPRT VEH WHILE INTOXICATD	1	0	41697	98.43
MANSLAUGHTER GENERALLY	1	0	41636	98.29	MANSLAUGHTER OTHER THAN BY MOTOR VEHICLE LIO	1	0	41698	98.43
MANSLAUGHTER UNNECESSARY KILLING	1	0	41637	98.29	MANSLAUGHTER PRINCPL SECOND DEGREE	1	0	41699	98.44
MANSLAUGHTER VOLUTARY OR INVOLUNTARY	1	0	41638	98.29	MANSLAUGHTER SECOND DEGREE	1	0	41700	98.44
MANSLAUGHTER AMENDED	1	0	41639	98.3	MANSLAUGHTER UNNECESSARY KILLING	1	0	41701	98.44
MANSLAUGHTER FIREARM	1	0	41640	98.3	MANSLAUGHTER USE FIREARM	1	0	41702	98.44
MANSLAUGHTER LESSER	1	0	41641	98.3	MANSLAUGHTER VEHICULAR HOMICIDE FELONY DWLS R	1	0	41703	98.45
MANSLAUGHTER LESSER OFF	1	0	41642	98.3	MANSLAUGHTER VESSEL	1	0	41704	98.45
MANSLAUGHTER LIO	1	0	41643	98.31	MANSLAUGHTER VOLUNTARY OR INVOLUNTARY WITH A W	1	0	41705	98.45
MANSLAUGHTER PRINCIPAL	1	0	41644	98.31	MANSLAUGHTER W A FIREARM	1	0	41706	98.45
MANSLAUGHTER 1ST DEGREE	1	0	41645	98.31	MANSLAUGHTER W A FIREARM	1	0	41707	98.46
MANSLAUGHTER 2ND DEGREE	1	0	41646	98.31	MANSLAUGHTER W MTR VEH	1	0	41708	98.46
MANSLAUGHTER AUTO	1	0	41647	98.31	MANSLAUGHTER W O F ARM	1	0	41709	98.46
MANSLAUGHTER BY AUTO	1	0	41648	98.32	MANSLAUGHTER W O FIREARM	1	0	41710	98.46
MANSLAUGHTER BY AUTOMOBILE	1	0	41649	98.32	MANSLAUGHTER W PISTOL	1	0	41711	98.47
MANSLAUGHTER BY CALPABLE NEGLIGENCE	1	0	41650	98.32	MANSLAUGHTER W FIREARM	1	0	41712	98.47
MANSLAUGHTER BY CALPABLE NEGLIGENCE	1	0	41651	98.32	MANSLAUGHTER W MTR VEH	1	0	41713	98.47
MANSLAUGHTER BY CULP NEG WPIRARM	1	0	41652	98.33	MANSLAUGHTER W O F ARM	1	0	41714	98.47
MANSLAUGHTER BY CULPABLE NEGLIGENCE	1	0	41653	98.33	MANSLAUGHTER W O FIREARM	1	0	41715	98.48
MANSLAUGHTER BY CULPABLE NEGLIGENCE	1	0	41654	98.33	MANSLAUGHTER W PISTOL	1	0	41716	98.48
MANSLAUGHTER BY CULPABLE NEGLIGENCE	1	0	41655	98.33	MANSLAUGHTER W SHOTGUN	1	0	41717	98.48
MANSLAUGHTER BY CULPABLE NEGLIGENCE	1	0	41656	98.34	MANSLAUGHTER W WEAPON LESSER	1	0	41718	98.48
MANSLAUGHTER BY CULPABLE NEGLIGENCE	1	0	41657	98.34	MANSLAUGHTER W/ DEADLY WEAPON	1	0	41719	98.48
MANSLAUGHTER BY CULPABLE NEGLIGENCE	1	0	41658	98.34	MANSLAUGHTER WEAPON	1	0	41720	98.49
MANSLAUGHTER BY CULPABLE NEGLIGENCE	1	0	41659	98.34	MANSLAUGHTER WPIRARM	1	0	41721	98.49
MANSLAUGHTER BY CULPABLE NEGLIGENCE	1	0	41660	98.35	MANSLAUGHTER WHILE ARMED	1	0	41722	98.49
MANSLAUGHTER BY CULPABLE NEGLIGENCE VEH HOMIC	1	0	41661	98.35	MANSLAUGHTER WHILE BOATING UNDER THE INFLUENCE	1	0	41723	98.49
MANSLAUGHTER BY CULPABLE NEGLIGENCE WITH DEADL	1	0	41662	98.35	MANSLAUGHTER WIFE	1	0	41724	98.5

MANS LAUGHTER WITH	1	0	41725	98.5
MANS LAUGHTER WITH A FIREARM VP	1	0	41725	98.5
MANS LAUGHTER WITH A FIREARM DEADLY WEAPON	1	0	41727	98.5
MANS LAUGHTER WITH A FIREARM LIO	1	0	41728	98.51
MANS LAUGHTER WITH A WEAPON LIO	1	0	41729	98.51
MANS LAUGHTER WITH A WEAPON LIO	1	0	41730	98.51
MANS LAUGHTER WITH AUTO	1	0	41731	98.51
MANS LAUGHTER WITH DEADLY WEAPON	1	0	41732	98.52
MANS LAUGHTER WITH FRAUD	1	0	41733	98.52
MANS LAUGHTER WITH INTOX	1	0	41734	98.52
MANS LAUGHTER WITH POSSESSION OF FIREARM	1	0	41735	98.52
MANS LAUGHTER WITH VEH	1	0	41736	98.52
MANS LAUGHTER WITH WEAPON 1ST DEGRE	1	0	41737	98.53
MANS LAUGHTER WITHOUT FIREARM	1	0	41738	98.53
MANS LAUGHTER, CULPABLE NEGLIGENCE	1	0	41739	98.53
MANS LAUGHTER/CULP NEGLIGENCE	1	0	41740	98.53
MANS LAUGHTER/CULPABLE NEGLIGENCE	1	0	41741	98.54
MANS LAUGHTER/CULPABLE NEGLIGENCE	1	0	41742	98.54
MANS LAUGHTER OTHER THAN BY MOTOR VEHICLE	1	0	41743	98.54
MANS LAUGHTER WITH A FIREARM WITH SPECIAL FIND	1	0	41744	98.54
MANS LAUGHTER BY CULPABLE NEGLIGENCE	1	0	41745	98.55
MANS LAUGHTER	1	0	41746	98.55
MANS LAUGHTER	1	0	41747	98.55
MANS LGT REF ORG CG VIOL PROB 120873	1	0	41748	98.55
MANS LTER UNNECS KILLING TO PREVENT UNLAWFUL AC	1	0	41749	98.56
MANS LAUGHTER	1	0	41750	98.56
MANS LAUGHTER VALUTARY OR INVOLUNTARY	1	0	41751	98.56
MANS LAUGHTER CULP NEG	1	0	41752	98.56
MANS LAUGHTER RECLASSIFIED	1	0	41753	98.56
MANS LAUGHTER	1	0	41754	98.57
MNSL BY CULP NEG VEH HOMICIDE DWLS CAUSING DTH	1	0	41755	98.57
MOVING TRAFFIC VIOL DRIVE WO LIC CAUSES DEATHS	1	0	41756	98.57
MURDER 1	1	0	41757	98.57
MURDER 2	1	0	41758	98.58
MURDER DANGEROUS ACT INVINCING A DEPRAVED MI	1	0	41759	98.58
MURDER 1ST DEGREE	1	0	41760	98.58
MURDER SECOND DEGREE F1PBL	1	0	41761	98.58
MURDER 1ST CAPITAL	1	0	41762	98.59
MURDER 1ST DEG / CONSPIRE	1	0	41763	98.59
MURDER 1ST DEG ATTEMPT	1	0	41764	98.59
MURDER 1ST DEG COMM FEL	1	0	41765	98.59
MURDER 1ST DEG LAW ENF OFF	1	0	41766	98.6
MURDER 1ST DEG PREMEDIATED DESIGN	1	0	41767	98.6
MURDER 1ST DEGR FEL	1	0	41768	98.6
MURDER 1ST DEGREE SENT LIFE	1	0	41769	98.6
MURDER 1ST DEGREE SENT LIFE	1	0	41770	98.6
MURDER 1ST DEGREE CAPITAL ATT MURDER 2F	1	0	41771	98.61
MURDER 1ST DEGREE FOPS 08 4222CF CT2	1	0	41772	98.61
MURDER 1ST DEGREE GUILTY LIFE CTS 907 DAY	1	0	41773	98.61
MURDER 1ST DEGREE PREMEDIATED DESIGN	1	0	41774	98.61
MURDER 1ST DEGREE PREMEDITATED AND OR FELONY M	1	0	41775	98.62
MURDER 1ST DEGREE PREMEDITATED CONSTRUCTIVE PO	1	0	41776	98.62
MURDER 1ST DEGREE PREMEDITATED WITH A FIREARM	1	0	41777	98.62
MURDER 1ST DEGREE PREMEDITATED WITH FIREARM	1	0	41778	98.62
MURDER 1ST DEGREE W FIREARM	1	0	41779	98.63
MURDER 1ST DEGREE WITH A WEAPON	1	0	41780	98.63
MURDER 1ST DEGREE/ATT	1	0	41781	98.63
MURDER 1ST DEGREE/ATTEMPT	1	0	41782	98.63
MURDER 1ST/DWEAP	1	0	41783	98.64
MURDER 2 DEG LEO PBL	1	0	41784	98.64
MURDER 2 ND DEG	1	0	41785	98.64
MURDER 2D LEO ATT DW	1	0	41786	98.64

MURDER 2F	1	0	41787	98.64
MURDER 2F ATT MURDER 1F CAPITAL	1	0	41788	98.65
MURDER 2F ATT MURDER 2F	1	0	41789	98.65
MURDER 2F W AGGRAVATORS	1	0	41790	98.65
MURDER 2ND	1	0	41791	98.65
MURDER 2ND DEG ATT MURDER F DEG	1	0	41792	98.66
MURDER 2ND DEG ATTEMPT DEADLY WEAPON	1	0	41793	98.66
MURDER 2ND DEG LEO	1	0	41794	98.66
MURDER 2ND DEG W FIREARM ATT MURDER 1ST DEG	1	0	41795	98.66
MURDER 2ND DEG.	1	0	41796	98.67
MURDER 2ND DEG/DEADLY WEAPON	1	0	41797	98.67
MURDER 2ND DEGREE (LES/INC)	1	0	41798	98.67
MURDER 2ND DEGREE - PBL	1	0	41799	98.67
MURDER 2ND DEGREE DANGER DEPRAVED WO PREMEDITA	1	0	41800	98.68
MURDER 2ND DEGREE W DEADLY WEP	1	0	41801	98.68
MURDER 2ND DEGREE WHILE ARMED WITH DEADLY WEAP	1	0	41802	98.68
MURDER 2ND DEGREE WHILE ARMED WITH FIREARM	1	0	41803	98.68
MURDER 2ND DEGREE WITH A DEADLY WEAPON	1	0	41804	98.69
MURDER 2ND DEGREE WITH FIREARM	1	0	41805	98.69
MURDER 2ND DEGREE WO PREMEDITATION	1	0	41806	98.69
MURDER 2ND DEGREE/WITH A FIREARM	1	0	41807	98.69
MURDER 2ND DWEAP	1	0	41808	98.69
MURDER 3 DEG W FIREARM	1	0	41809	98.7
MURDER 3RD DEG ATT	1	0	41810	98.7
MURDER 3RD DEG EXPLOITATION OF ELDERLY CT2	1	0	41811	98.7
MURDER 3RD DEGREE DISCHARGE WITH INJURY	1	0	41812	98.7
MURDER ATT LEO	1	0	41813	98.71
MURDER ATT MURDER ATT MURDER BURGLARY	1	0	41814	98.71
MURDER ATTEMPT	1	0	41815	98.71
MURDER ATTEMPTED LAW ENFOR OF	1	0	41816	98.71
MURDER DEAD WEAP	1	0	41817	98.72
MURDER DEADLY WEAPN	1	0	41818	98.72
MURDER FIRST DEGREE	1	0	41819	98.72
MURDER FIRST DEGREE ATTEMPTED MURDER 2CTS	1	0	41820	98.72
MURDER FIRST DEGREE BURGLARY	1	0	41821	98.73
MURDER FIRST DEGREE FEL MURDER DISHCRG INJURY	1	0	41822	98.73
MURDER FIRST DEGREE FELONY MURDER DISHCRG INJU	1	0	41823	98.73
MURDER FIRST DEGREE PREMED DISCHARGE INJURY	1	0	41824	98.73
MURDER FIRST DEGREE PREMEDITATED LEO	1	0	41825	98.73
MURDER FIRST DEGREE WHILE ARMED	1	0	41826	98.74
MURDER FOPS 88 381CF CT3	1	0	41827	98.74
MURDER HOMICIDE	1	0	41828	98.74
MURDER II	1	0	41829	98.74
MURDER IN 1ST DEGREE	1	0	41830	98.75
MURDER IN 2ND DEGREE	1	0	41831	98.75
MURDER IN 2ND DEGREE PBL AGG ASSAULT	1	0	41832	98.75
MURDER IN 2ND DEGREE W FIREARM	1	0	41833	98.75
MURDER IN FIRST DEG ATT MURDER PBL CAPITAL	1	0	41834	98.76
MURDER IN FIRST DEG SEXUAL BATTERY CAPITAL	1	0	41835	98.76
MURDER IN FIRST DEGREE CAPITAL	1	0	41836	98.76
MURDER IN FIRST DEGREE 2CTS	1	0	41837	98.76
MURDER IN FIRST DEGREE 2CTS CAPITAL	1	0	41838	98.77
MURDER IN FIRST DEGREE ARMED ROBBERY CT2	1	0	41839	98.77
MURDER IN FIRST DEGREE CAPITAL ATT MURDER	1	0	41840	98.77
MURDER IN FIRST DEGREE FOPS 05 113CF CT2	1	0	41841	98.77
MURDER IN FIRST DEGREE FOPS 08 961CF CT2	1	0	41842	98.77
MURDER IN FIRST DEGREE FOPS 95 2965CF CT2	1	0	41843	98.78
MURDER IN FIRST DEGREE FOPS 96 3309CF CT2	1	0	41844	98.78
MURDER IN FIRST DEGREE W FIREARM	1	0	41845	98.78
MURDER IN FIRST DEGREE W FIREARM	1	0	41846	98.78
MURDER IN SECOND DEGREE DEPRAVED MIND	1	0	41847	98.79
MURDER IN SECOND DEGREE PBL	1	0	41848	98.79

MURDER IN SECOND DEGREE (DISCHARGE FIREARM)	1	0	41849	98.79
MURDER IN SECOND DEGREE (POSSESS FIREARM)	1	0	41850	98.79
MURDER IN SECOND DEGREE 1F	1	0	41851	98.8
MURDER IN SECOND DEGREE ROBBERY	1	0	41852	98.8
MURDER IN SECOND DEGREE W FIREARM	1	0	41853	98.8
MURDER IN SECOND DEGREE WITH A DEADLY WEAPON	1	0	41854	98.8
MURDER IN THE FIRST DEGREE	1	0	41855	98.81
MURDER IN THE 1ST DEGREE CAPITAL	1	0	41856	98.81
MURDER IN THE 2ND DEGREE PBL	1	0	41857	98.81
MURDER IN THE 2ND DEGREE ATT 2ND DEG MURDER	1	0	41858	98.81
MURDER IN THE 2ND DEGREE W FIREARM	1	0	41859	98.81
MURDER IN THE FIRST DEG OF LEO WITH FIREARM	1	0	41860	98.82
MURDER IN THE FIRST DEGREE CAPITAL	1	0	41861	98.82
MURDER IN THE FIRST DEGREE CAPITAL	1	0	41862	98.82
MURDER IN THE FIRST DEGREE CAPITAL	1	0	41863	98.82
MURDER IN THE FIRST DEGREE CAPITAL	1	0	41864	98.83
MURDER IN THE FIRST DEGREE 2CTS CAPITAL	1	0	41865	98.83
MURDER IN THE FIRST DEGREE COMBINATION	1	0	41866	98.83
MURDER IN THE FIRST DEGREE PRINCIPAL	1	0	41867	98.83
MURDER IN THE FIRST DEGREE 2CTS	1	0	41868	98.84
MURDER IN THE FIRST DEGREE AGG CHILD ABUSE	1	0	41869	98.84
MURDER IN THE FIRST DEGREE BURGLARY	1	0	41870	98.84
MURDER IN THE FIRST DEGREE CAP FEL 2CTS	1	0	41871	98.84
MURDER IN THE FIRST DEGREE FELONY MURDER	1	0	41872	98.85
MURDER IN THE FIRST DEGREE FOPS 09 6159CF CT2	1	0	41873	98.85
MURDER IN THE FIRST DEGREE FOPS 95 2965CF CT2	1	0	41874	98.85
MURDER IN THE FIRST DEGREE ROBBERY	1	0	41875	98.85
MURDER IN THE FIRST DEGREE W A FIREARM FEL MU	1	0	41876	98.86
MURDER IN THE FIRST DEGREE W A FIREARM PREMEDI	1	0	41877	98.86
MURDER IN THE FIRST DEGREE WA FIREARMFEL MUR	1	0	41878	98.86
MURDER IN THE FIRST DEGREE WITH A FIREARM PR	1	0	41879	98.86
MURDER IN THE FIRST DEGREE WITH A FIREARM FE	1	0	41880	98.86
MURDER IN THE FIRST DEGREE 2CTS	1	0	41881	98.87
MURDER IN THE SEC DEG	1	0	41882	98.87
MURDER IN THE SECOND DEGREE NO PREMEDITATION	1	0	41883	98.87
MURDER IN THE SECOND DEGREE 1F PBL	1	0	41884	98.87
MURDER IN THE SECOND DEGREE BY THIRD PERSON	1	0	41885	98.88
MURDER IN THE SECOND DEGREE NO PREMEDITATION	1	0	41886	98.88
MURDER IN THE SECOND DEGREE PBL DV	1	0	41887	98.88
MURDER IN THE SECOND DEGREE PRINCIPAL	1	0	41888	98.88
MURDER IN THE SECOND DEGREE 1F PBL	1	0	41889	98.89
MURDER IN THE SECOND DEGREE FELONY MURDER	1	0	41890	98.89
MURDER IN THE SECOND DEGREE W DISCH FIREARM 1F	1	0	41891	98.89
MURDER IN THE SECOND DEGREE WA FIREARM	1	0	41892	98.89
MURDER IN THE SECOND DEGREE WHILE ARMED WITH A	1	0	41893	98.9
MURDER IN THE SECOND DEGREE WITH A FIREARM P	1	0	41894	98.9
MURDER IN THE THIRD DEGREE W FIREARM	1	0	41895	98.9
MURDER LAW ENFORCEMENT OFC	1	0	41896	98.9
MURDER NOT PREMEDI DURING SPECIFIC FELONY	1	0	41897	98.9
MURDER OF AN UNBORN CHILD	1	0	41898	98.91
MURDER OF AN UNBORN CHILD BY INJURY TO THE MO	1	0	41899	98.91
MURDER OPEN COUNT	1	0	41900	98.91
MURDER PREMEDITATED HOMICIDE WILLFUL KILL	1	0	41901	98.91
MURDER PREMEDITATED ATTEMPT	1	0	41902	98.92
MURDER PREMEDITATED HOMICIDE 1ST DEGREE	1	0	41903	98.92
MURDER PREMEDITATED HOMICIDEWILLFUL KILL	1	0	41904	98.92
MURDER ROBBERY	1	0	41905	98.92
MURDER SECOND DEG 1F FELONY AG FLEE ELUDE 1F	1	0	41906	98.93
MURDER SECOND DEG FELONY MURDER	1	0	41907	98.93
MURDER SECOND DEG WITH FIREARM	1	0	41908	98.93
MURDER SECOND DEGREE LESSER OFF	1	0	41909	98.93
MURDER SECOND DEGREE 1F PBL ATT MURDER 2F	1	0	41910	98.94

MURDER SECOND DEGREE ARMED WITH FIREARM	1	0	41911	98.94
MURDER SECOND DEGREE W FIREAR	1	0	41912	98.94
MURDER SECOND DEGREE WITH A FIREARM	1	0	41913	98.94
MURDER SECOND DEGREE WITH A WEAPON	1	0	41914	98.94
MURDER SECOND DEGREE WITH MACHINE GUN	1	0	41915	98.95
MURDER SECOND DEGREE WITH WEAPON	1	0	41916	98.95
MURDER THIRD DEG LEAV SCENE INV DEATH DWOVL	1	0	41917	98.95
MURDER THIRD DEGREE F2	1	0	41918	98.95
MURDER THIRD DEGREE W FIREARM	1	0	41919	98.96
MURDER THIRD DEGREE WHILE ARMED	1	0	41920	98.96
MURDER W DEADLY WEAP ATT	1	0	41921	98.96
MURDER W/ DEADL WEAP	1	0	41922	98.96
MURDER W/ DEADLY WEAP ATTMPT	1	0	41923	98.97
MURDER W/DEADLY WEAPON	1	0	41924	98.97
MURDER W/FIREARM	1	0	41925	98.97
MURDER WITH A FIREARM	1	0	41926	98.97
MURDER WITH FIREARM	1	0	41927	98.98
MURDER, SECOND DEG	1	0	41928	98.98
MURDER-FIRST DEGREE	1	0	41929	98.98
MURDER-FIRST DEGREE/PREMEDI	1	0	41930	98.98
MURDER/DWEAP	1	0	41931	98.98
MURDER/PREMEDI/ATTEMPT/DEADLY WEAPON/FA/AGG BAT	1	0	41932	98.99
MURDERRESULT FROM UNLAWFL DISTRIB OF CONT SUB	1	0	41933	98.99
MURDERSECOND DEGREE WITH A FIREARM	1	0	41934	98.99
NEGLECT OPER OF VEHIC CAUSING DEATH NO DL	1	0	41935	98.99
NEGLIGENT MANSLAUGHTER	1	0	41936	99
NO VALID D L CAUSING DEATH	1	0	41937	99
NO VALID D L CAUSING SERIOUS INJURY OR DEATH	1	0	41938	99
NO VALID DL RESULTING IN DEATH	1	0	41939	99
NO VALID DL W DEATH FOPS 00 611CF CT2	1	0	41940	99.01
NO VALID DRIVER S LICENSE INVOLVING A DEATH	1	0	41941	99.01
NO VALID DRIVER S LICENSE WITH DEATH OR SERIOU	1	0	41942	99.01
NO VALID DRIVERS LIC DEATH SER INJ	1	0	41943	99.01
NO VALID DRIVERS LICENSE DEATH OR SERIOUS BODI	1	0	41944	99.02
OBTAIN ACCESS STRUCTURE WO INJURY OR DEATH	1	0	41945	99.02
OPER MTR VEH W O DRIV LICENSE DEATH	1	0	41946	99.02
OPER VESSEL W INTOX MANSL DEATH	1	0	41947	99.02
OPERAT VESSEL UBA MANSLAUGHTER	1	0	41948	99.03
OPERATE VEH WO PROPER LICENSE DEATH SERIOUSINJ	1	0	41949	99.03
OPERATE VEHICLE WO LICENSE CAUSING DEATHSERIO	1	0	41950	99.03
OPERATING MOTOR VEHICLE WO DL DEATHSERIOUS IN	1	0	41951	99.03
OPR MOT VEH RECK MANNER CAUSE DEATH	1	0	41952	99.03
OR KILL	1	0	41953	99.04
PLED TO LESSER MURDER SECOND DEGREE	1	0	41954	99.04
POISON FOOD WATER OR MEDICINE WIT KILL OR INJ	1	0	41955	99.04
POISON FOOD WATER WITH INTENT TO KILL	1	0	41956	99.04
POL DOG HORSE INJURE KILL	1	0	41957	99.05
POL DOG INJ/KILL	1	0	41958	99.05
PREMEDITATED 1ST DEGREE MURDER	1	0	41959	99.05
PRI TO MANSLAUGHTER	1	0	41960	99.05
PRIN 1ST DEG TO 3RD DEG MURDER	1	0	41961	99.06
PRIN 2ND DEGREE MURDER	1	0	41962	99.06
PRIN ATT 1ST DEG MURDER W F A	1	0	41963	99.06
PRIN ATT FIRST DEG MURDER	1	0	41964	99.06
PRIN ILLEGAL KILLING OR POSS OF ALLIGATOR	1	0	41965	99.07
PRIN KILL WOUND ENDANG SPECIES	1	0	41966	99.07
PRIN SECOND DEGREE MURDER	1	0	41967	99.07
PRIN THIRD DEG MURDER W WEAPON	1	0	41968	99.07
PRIN TO ATTEMPTED 2ND DEG MURDER	1	0	41969	99.07
PRINC 1ST DEGR MURDER	1	0	41970	99.08
PRINC 1ST DEGREE PREMEDITATED MURDER	1	0	41971	99.08
PRINC 2ND DEG MURDER	1	0	41972	99.08

PRINC 2ND DEG MURDER FIREARM	1	0	41973	99.08
PRINC 2ND DEG MURDER POSS F A	1	0	41974	99.09
PRINC ATT 1ST DEG MURDER F A	1	0	41975	99.09
PRINC ATT FIRST DEG MURDER	1	0	41976	99.09
PRINC SECOND DEG MURDER	1	0	41977	99.09
PRINC SECOND DEGREE MURDER	1	0	41978	99.1
PRINC TO ATTEMPT FELONY MURDER	1	0	41979	99.1
PRINCIPAL 2ND DEG MURDER W FIREARM	1	0	41980	99.1
PRINCIPAL ATT FELONY MURDER	1	0	41981	99.1
PRINCIPAL ATTEMPTED SECOND DEGREE MURDER	1	0	41982	99.11
PRINCIPAL SECOND DEGREE MURDER WITH A FIREARM	1	0	41983	99.11
PRINCIPAL TO 1ST DEGREE MURDER IN CERTAIN FEL	1	0	41984	99.11
PRINCIPAL TO ATT FELONY MURDER	1	0	41985	99.11
PRINCIPAL TO ATT FIRST DEGREE MURDER WITH FIRE	1	0	41986	99.11
PRINCIPAL TO ATTEMPTED FELONY MURDER 2ND DEG	1	0	41987	99.12
PRINCIPAL TO ATTEMPTED FELONY MURDER 2ND DEGREE	1	0	41988	99.12
PRINCIPAL TO ATTEMPTED FELONY MURDER WITH A F	1	0	41989	99.12
PRINCIPAL TO ATTEMPTED FIRST DEGREE MURDER PR	1	0	41990	99.12
PRINCIPAL TO ATTEMPTED SECOND DEGREE MURDER W	1	0	41991	99.13
PRINCIPAL TO FIRST DEGREE MURDER FIREARM	1	0	41992	99.13
PRINCIPAL TO FIRST DEGREE MURDER W FIREARM CAP	1	0	41993	99.13
PRINCIPAL TO HOMICIDE	1	0	41994	99.13
PRINCIPAL TO HOMICIDE WILFUL KILL MURDER NOT P	1	0	41995	99.14
PRINCIPAL TO LEAVING SCENE WITH DEATH	1	0	41996	99.14
PRINCIPAL TO MURDER IN THE FIRST DEGREE WITH A	1	0	41997	99.14
PRINCIPAL TO MURDER IN THE SECOND DEGREE WITH	1	0	41998	99.14
PRINCIPAL TO SECOND DEGREE MURDER WITH A FIREA	1	0	41999	99.15
PRINCIPAL TO THIRD DEGREE MURDER LIFE FELONY	1	0	42000	99.15
PRINCIPAL TO THIRD DEGREE MURDER SECOND DEGREE	1	0	42001	99.15
PRINCIPAL TO VEHICULAR HOMICIDE	1	0	42002	99.15
PRINCIPLE TO 2ND DEGREE MURDER	1	0	42003	99.15
PRINCIPLE TO ATT 1ST DEGREE MURDER	1	0	42004	99.16
PRINCIPLE TO ATTEMPTED MURDER	1	0	42005	99.16
PRN ILL KILL POSS CPTR ALLIGAT	1	0	42006	99.16
PUBLIC ORDER CRIMES ATTEMPTED VOLUNTARY MANSL	1	0	42007	99.16
PW MURDER 1ST DEGREE	1	0	42008	99.17
RECKLESS VEHICULAR HOMICIDE	1	0	42009	99.17
RED MANSLAUGHTER	1	0	42010	99.17
RED TO MANSLAUGHTER	1	0	42011	99.17
REDUCED FROM ASSLT WITC MURDER	1	0	42012	99.18
REDUCED FROM MANSLAUGHTER	1	0	42013	99.18
REF 1ST DEGR MURDER	1	0	42014	99.18
REF 2 DEG MURDER AGG ASLT	1	0	42015	99.18
REF ACC AFT FACT 2ND DEG MURDER	1	0	42016	99.19
REF ACC FACT 1 DEG MURDER	1	0	42017	99.19
REF ACC INVOL DEATH W PERSON INSIDE	1	0	42018	99.19
REF ACC TO MURDER	1	0	42019	99.19
REF ACCIDENT INVOLVE DEATH PER INJURY	1	0	42020	99.2
REF AGGRAV ASSLT DEADLY WEAPON INTENT KILL	1	0	42021	99.2
REF ASSIST SELF MURDER	1	0	42022	99.2
REF ATT 2 DEG MURDER	1	0	42023	99.2
REF ATT 2ND DEG MURDER	1	0	42024	99.2
REF ATT 2ND DEGREE MURDER	1	0	42025	99.21
REF ATT MANSL	1	0	42026	99.21
REF ATT MURDER	1	0	42027	99.21
REF ATT MURDER 1 DEG	1	0	42028	99.21
REF ATT MURDER IN FIRST DEGREE 777 04	1	0	42029	99.22
REF ATT MURDER SEX BATT	1	0	42030	99.22
REF ATTEMPTED MURDER IN THE 1ST DEGREE	1	0	42031	99.22
REF ATTEMPTED MURDER IN THE 2ND DEGREE	1	0	42032	99.22
REF CONSP COMMIT HOMICIDE	1	0	42033	99.23
REF DUI MANSL	1	0	42034	99.23

REF DUI-MANSLAUGHTER	1	0	42035	99.23
REF DWI MANSLAUGHTER	1	0	42036	99.23
REF DWI MANSL	1	0	42037	99.24
REF DWLSR WITH DEATH TO ANOTHER HUMAN BEING	1	0	42038	99.24
REF HOMICIDE VEH RECK DRIV	1	0	42039	99.24
REF HOMICIDE WILFUL KILL MURDER PREMEDITATED	1	0	42040	99.24
REF KILLING CATTLE	1	0	42041	99.24
REF LEAV SCEN ACC W INJ DEATH	1	0	42042	99.25
REF LEAV SCENE OF ACC W O REND AID DEATH INJUR	1	0	42043	99.25
REF LEAVE SC ACCD INV DEATH	1	0	42044	99.25
REF LSA DEATH	1	0	42045	99.25
REF LVE SCENE ACCIDENT INVOL DEATH INJ	1	0	42046	99.26
REF MANSL	1	0	42047	99.26
REF MANSL AUTO WHL INTOX	1	0	42048	99.26
REF MANSL CULPABLE NEG	1	0	42049	99.26
REF MANSL INTOX MOTORIST	1	0	42050	99.27
REF MANSL VEH HOMIC	1	0	42051	99.27
REF MANSLAUGHTER BY CULPABLE NEGLIGENCE	1	0	42052	99.27
REF MANSLAUGHTER BY INTOX	1	0	42053	99.27
REF MURDER 1ST DWEAP AT	1	0	42054	99.28
REF MURDER 2ND DWEAP ATT	1	0	42055	99.28
REF MURDER SEC DEG	1	0	42056	99.28
REF MURDER SECOND DEGREE	1	0	42057	99.28
REF MURDER THIRD DEGREE	1	0	42058	99.28
REF MURDER W DEADLY WPN	1	0	42059	99.29
REF SOLICIT TO COMMIT MURDER	1	0	42060	99.29
REF-MANSLAUGHTER	1	0	42061	99.29
REF-MANSLAUGHTER/POSS WEAPON BY CONV FELON	1	0	42062	99.29
RESULT DEATH OR PERS INJURY	1	0	42063	99.3
RESULT IN DEATH OR PERS INJURIES	1	0	42064	99.3
RESULT IN DEATH PERS INJ	1	0	42065	99.3
RESULT IN INJ OR DEATH	1	0	42066	99.3
RESULT INJ DEATH	1	0	42067	99.31
RESULTING IN DEATH	1	0	42068	99.31
RESULTING IN DEATH OR PERSNL INJ	1	0	42069	99.31
RESUT DEATH OR PERSON INJ	1	0	42070	99.31
REV LEAVING SCENE OF ACCID INVOLVING DEATH	1	0	42071	99.32
ROBBERY PBL CTS 1 6 ATT MURDER 1 DEG CT7	1	0	42072	99.32
ROBBERY ARMD BURG ATT MURDER ROBBERY GRD THFT	1	0	42073	99.32
ROBBERY ARMED BURG ATPT MURDER ROBBERY GRD THF	1	0	42074	99.32
ROBBERY ATT MURDER 1 DEG ROBBERY ATT MURDER 1D	1	0	42075	99.32
ROBBERY ATTEMPTED MURDER IN FIRST DEGREE	1	0	42076	99.33
ROBBERY DEADLY WEAPON FIREARM DISCH DEATH PBL	1	0	42077	99.33
ROBBERY FIREARM DEATH OR GREAT BODILY HARM	1	0	42078	99.33
ROBBERY HOME INVASION 300 FIREARM GBH DEATH	1	0	42079	99.33
ROBBERY W FIREARM DEATH OR GREAT BODILY HARM	1	0	42080	99.34
S B I DUI MANSLAUGHTER	1	0	42081	99.34
SEC DEGREE FELONY MURDER BY ANOTHER W A WEAPON	1	0	42082	99.34
SECOND DEGREE PREMEDITATED MURDER	1	0	42083	99.34
SECOND DEFREE MURDER	1	0	42084	99.35
SECOND DEG MURDER	1	0	42085	99.35
SECOND DEG MURDER FIREARM	1	0	42086	99.35
SECOND DEG MURDER W A FIREARM	1	0	42087	99.35
SECOND DEG MURDER W O WEAPON	1	0	42088	99.36
SECOND DEG MURDER W WEAPON	1	0	42089	99.36
SECOND DEGREE FELONY MURDER	1	0	42090	99.36
SECOND DEGREE MURDER	1	0	42091	99.36
SECOND DEGREE MURDER WITH FIREARMCF	1	0	42092	99.36
SECOND DEGREE FELONY MURDER FIREARM	1	0	42093	99.37
SECOND DEGREE FELONY MURDER FIREARM POSSESS	1	0	42094	99.37
SECOND DEGREE FELONY MURDER FIREARM	1	0	42095	99.37
SECOND DEGREE FELONY MURDER RECLASSIFIED WITH	1	0	42096	99.37

SECOND DEGREE FELONY MURDER WHILE DISCHARGING	1	0	42097	99.38	SOLICITATION TO COMMIT FIRST DEG MURDER	1	0	42159	99.52
SECOND DEGREE FELONY MURDER WITH A WEAPON POSS	1	0	42098	99.38	SOLICITATION TO COMMIT FIRST DEGREE MURDER F1	1	0	42160	99.53
SECOND DEGREE FELONY MURDER WITH WEAPON	1	0	42099	99.38	SOLICITATION TO COMMIT MURDER FIRST DEG	1	0	42161	99.53
SECOND DEGREE MANSLAUGHTER	1	0	42100	99.38	SOLICITATION TO COMMIT MURDER IN FIRST DEG	1	0	42162	99.53
SECOND DEGREE MURDER LESSER	1	0	42101	99.39	SOLICITATION TO COMMIT MURDER IN FIRST DEG 1F	1	0	42163	99.53
SECOND DEGREE MURDER LESSER	1	0	42102	99.39	SOLICITATION TO COMMIT MURDER	1	0	42164	99.53
SECOND DEGREE MURDER ATTEMPT	1	0	42103	99.39	SOLICITATION/MURDER FIRST DEGREE	1	0	42165	99.54
SECOND DEGREE MURDER DEADLY WEAPON	1	0	42104	99.39	SOLICITATION TO COMMIT FIRST DEGREE MURDER	1	0	42166	99.54
SECOND DEGREE MURDER LESSER OFFENSE	1	0	42105	99.4	SOLIT T COMM 1ST DEG MURDER	1	0	42167	99.54
SECOND DEGREE MURDER WITH A WEAPON	1	0	42106	99.4	SUSP D/I DEATH SERIOUS INJURY	1	0	42168	99.54
SECOND DEGREE MURDER 1F	1	0	42107	99.4	SUSP DL DEATH SERIOUS INJURY	1	0	42169	99.55
SECOND DEGREE MURDER 1F PBL	1	0	42108	99.4	SUSP DRIV LIC DEATH SERIOUS INJURY	1	0	42170	99.55
SECOND DEGREE MURDER ACCESSORY AFTER THE FACT	1	0	42109	99.41	TC MURDER 2ND DEGREE ATTEMPT	1	0	42171	99.55
SECOND DEGREE MURDER DEADLY WEAPON	1	0	42110	99.41	TCATS DUI MANSLAUGHTER ENHANCED	1	0	42172	99.55
SECOND DEGREE MURDER LESSER OFFENSE	1	0	42111	99.41	TCATS DUI MANSLAUGHTER AND FAILURE TO RENDER	1	0	42173	99.56
SECOND DEGREE MURDER PBL LIO	1	0	42112	99.41	TCATS DUI MANSLAUGHTER ENHANCED	1	0	42174	99.56
SECOND DEGREE MURDER PBL VOP	1	0	42113	99.41	TCATS DUI MANSLAUGHTER ENHANCED	1	0	42175	99.56
SECOND DEGREE MURDER RECLASSIFIED WITH FIREARM	1	0	42114	99.42	TCATS DUI MANSLAUGHTER	1	0	42176	99.56
SECOND DEGREE MURDER W A FIREARM	1	0	42115	99.42	TCATS LEAVING SCENE OF ACCIDENT DEATH	1	0	42177	99.57
SECOND DEGREE MURDER W A WEAPON	1	0	42116	99.42	TCATS MANSLAUGHTER	1	0	42178	99.57
SECOND DEGREE MURDER W DEADLY	1	0	42117	99.42	TCATS MANSLAUGHTER BY CULPABLE NEGLIGENCE	1	0	42179	99.57
SECOND DEGREE MURDER W WEAPON	1	0	42118	99.43	TCATS NO DRIVER S LICENSE CAUSING DEATH	1	0	42180	99.57
SECOND DEGREE MURDER W/A FIREARM	1	0	42119	99.43	TCATS NO VALID DRIVER S LICENSE CAUSING DEATH	1	0	42181	99.58
SECOND DEGREE MURDER WITH	1	0	42120	99.43	TCATS NO VALID DRIVERS LICENSE INVOLVING DEATH	1	0	42182	99.58
SECOND DEGREE MURDER WITH A DEADLY WEAPON WHIL	1	0	42121	99.43	TCATS VEHICULAR HOMICIDE	1	0	42183	99.58
SECOND DEGREE MURDER WITH A FIREARM FS 782 04	1	0	42122	99.44	THIRD DEGREE FELONY MURDER WITH A FIREARM	1	0	42184	99.58
SECOND DEGREE MURDER WITH A FIREARM FIREARM DI	1	0	42123	99.44	THIRD DEGREE FELONY MURDER WITH A FIREARM 10 2	1	0	42185	99.58
SECOND DEGREE MURDER WITH A FIREARM PBL	1	0	42124	99.44	THIRD DEGREE FELONY MURDER WITHOUT DESIGN	1	0	42186	99.59
SECOND DEGREE MURDER WITH A FIREARM PBL ACTUAL	1	0	42125	99.44	THIRD DEGREE MURDER FELONY MURDER	1	0	42187	99.59
SECOND DEGREE MURDER WITH A FIREARM WHILE MASK	1	0	42126	99.45	THIRD DEGREE MURDER DURING OTHER FELONY	1	0	42188	99.59
SECOND DEGREE MURDER WITH A FIREARME	1	0	42127	99.45	THIRD DEGREE MURDER FEL MURD W/FIREARM	1	0	42189	99.59
SECOND DEGREE MURDER WITH A WEAPON LIO	1	0	42128	99.45	THIRD DEGREE MURDER NOT PREMEDITATED	1	0	42190	99.6
SECOND DEGREE MURDER WITH DISCHARGE OF A FIREA	1	0	42129	99.45	THIRD DEGREE MURDER W FIREARM	1	0	42191	99.6
SECOND DEGREE MURDER WITH FIREARM 10 20 LIFE	1	0	42130	99.45	THIRD DEGREE MURDER WITH A FIREARM	1	0	42192	99.6
SECOND DEGREE MURDER WITH FIREARM 1020LIFE	1	0	42131	99.46	THIRD DEGREE MURDER WITHOUT A FIREARM	1	0	42193	99.6
SECOND DEGREE MURDER WITH FIREARM LIO VP	1	0	42132	99.46	THIRDD DEGREE MURDER	1	0	42194	99.61
SECOND DEGREE MURDER WITH POSSESSION OF A FIR	1	0	42133	99.46	THREAT TO KILL	1	0	42195	99.61
SECOND DEGREE MURDER WITH WEAPON LIO	1	0	42134	99.46	TO COMMIT MANSLAUGHTER	1	0	42196	99.61
SECOND DEGREE MURDER/COMMISSION OF FELONY	1	0	42135	99.47	TO COMMIT MURDER IN FIRST DEGREE	1	0	42197	99.61
SECOND DEGREE MURDER/DISCHARGED FIREARM	1	0	42136	99.47	TO KILL BY PHONE	1	0	42198	99.62
SN DUI MANSLAUGHTER	1	0	42137	99.47	TO MURDER 2 DEG	1	0	42199	99.62
SOL MURDER 1ST DEGR	1	0	42138	99.47	TORTURE AN ANIMAL WINTENT TO HURTINJUREKILL	1	0	42200	99.62
SOL TO ATT MURDER IN THE 1ST DEG	1	0	42139	99.48	TRAFFIC MANSLAUGHTER	1	0	42201	99.62
SOL TO COM 1ST DEGREE MURDER	1	0	42140	99.48	TRESPASS W ATTEMPT TO TAKE OR KILL ANIMAL	1	0	42202	99.62
SOLIC COMMIT 1ST DEG MURDER	1	0	42141	99.48	TRESPASSING TAKE KILL ANIMAL ON PRIVATE LAND	1	0	42203	99.63
SOLIC COMMIT 1ST DEGREE MURDER	1	0	42142	99.48	TRESPASSING TAKE OR KILL ANIMAL ON PRIVATE LAN	1	0	42204	99.63
SOLIC CONSP TO COMMIT MURDER	1	0	42143	99.49	TRESPASSING TAKEKILL ANIMAL ON PRIVATE LAND	1	0	42205	99.63
SOLIC CONSP TO KILL REG BREED	1	0	42144	99.49	UBAL MANSLAUGHTER	1	0	42206	99.63
SOLICATATION TO COMMIT MURDER	1	0	42145	99.49	UNL BLOOD ALC MANSL	1	0	42207	99.64
SOLICATATION TO COMMIT MURDER IN FIRST DEGREE	1	0	42146	99.49	UNLAW BLOOD ALCOHOL MANSLAUGHTER	1	0	42208	99.64
SOLICIT COMMIT 2ND DEG MURDER	1	0	42147	99.49	UNLAW KILLING OF ALLIGAT	1	0	42209	99.64
SOLICIT COMMIT MURDER	1	0	42148	99.5	UNLAWFUL KILLING TO PREVENT UNLAWFUL ACT	1	0	42210	99.64
SOLICIT TO COMM 1ST DEG MURDER	1	0	42149	99.5	UNNEC KILL PREV UNL ACT	1	0	42211	99.65
SOLICIT TO COMMIT 1ST DEG MURDER	1	0	42150	99.5	UNNECESSARY KILL	1	0	42212	99.65
SOLICIT TO COMMIT MURDER 1 782 04 1 A	1	0	42151	99.5	UNNECESSARY KILL TO PREVENT UNLAWFUL ACT	1	0	42213	99.65
SOLICITATION COMMIT 1ST MURDER	1	0	42152	99.51	VEH HOMICID MANSL CULP NEGL RECKLES DRIV W SBI	1	0	42214	99.65
SOLICITATION COMMIT MURDER 1ST DEG	1	0	42153	99.51	VEH HOMICIDE 2F MANSLAUGHTER 2F	1	0	42215	99.66
SOLICITATION OF FIRST DEGREE MURDER	1	0	42154	99.51	VEH HOMICIDE RECK MANNER	1	0	42216	99.66
SOLICITATION OF SECOND DEGREE MURDER	1	0	42155	99.51	VEH HOMICIDE	1	0	42217	99.66
SOLICITATION TO COMMIT 1ST DEGREE MURDER	1	0	42156	99.52	VEHIC HOMICIDE	1	0	42218	99.66
SOLICITATION TO COMMIT 1ST DEGREE MURDER OF L	1	0	42157	99.52	VEHIC HOMICIDE 2F 4 CTS RECK DR W SBI 3F 2 CTS	1	0	42219	99.66
SOLICITATION TO COMMIT 2ND DEGREE MURDER	1	0	42158	99.52	VEHICLE HOMICIDE	1	0	42220	99.67

VEHICLE HOMICIDE FAIL TO GIVE INFO RENDER AID	1	0	42221	99.67	W DEATH OR PERS INJ	1	0	42283	99.82
VEHICLE HOMICIDE OF PERSON OR VIABLE FETUS	1	0	42222	99.67	W INJ OR DEATH 3CTS	1	0	42284	99.82
VEHICLE HOMICIDE RECKLESS	1	0	42223	99.67	W INJURIES DEATH	1	0	42285	99.82
VEHICLE HOMICIDE/RECKLESS	1	0	42224	99.68	W INJURIES OR DEATH	1	0	42286	99.82
VEHICULAR HOMICIDE	1	0	42225	99.68	W INT KILL	1	0	42287	99.83
VEHICULAR HOMICIDE AMENDED	1	0	42226	99.68	W INTENT TO COMMIT MURDER FIRST DEGREE	1	0	42288	99.83
VEHICULAR HOMICIDE FAILURE TO GIVE INFORMATION	1	0	42227	99.68	W O REND AID DEATH INJURY AC	1	0	42289	99.83
VEHICULAR HOMICIDE 3CTS	1	0	42228	99.69	W PER INJURY OR DEATH	1	0	42290	99.83
VEHICULAR HOMICIDE NOT ENHAN	1	0	42229	99.69	W/ DEATH	1	0	42291	99.83
VEHICULAR HOMICIDE 2550	1	0	42230	99.69	W/INT COMMIT MURDER IN 2ND DEGREE	1	0	42292	99.84
VEHICULAR HOMICIDE 2F 2 CTS DWLS R 3F	1	0	42231	99.69	WH INT TO KILL	1	0	42293	99.84
VEHICULAR HOMICIDE 2F FOPS 02 989CF CT2	1	0	42232	99.7	WILFUL KILL	1	0	42294	99.84
VEHICULAR HOMICIDE 2F FOPS 02 989CF CT3	1	0	42233	99.7	WILFUL KILL 1 DEG	1	0	42295	99.84
VEHICULAR HOMICIDE 2F FOPS 02 989CF CT4	1	0	42234	99.7	WILFUL KILL 2ND DEG	1	0	42296	99.85
VEHICULAR HOMICIDE 3718EAR	1	0	42235	99.7	WILFUL KILL-MURDER NOT PREMEDITATED NO FE	1	0	42297	99.85
VEHICULAR HOMICIDE AGGRAVATED BY LEAVING THE	1	0	42236	99.7	WILLFUL KILL WEAP	1	0	42298	99.85
VEHICULAR HOMICIDE DELAYED DEATH OF VICTIM	1	0	42237	99.71	WILLFUL KILL-WEAPON-MURDER, FIRST DEG	1	0	42299	99.85
VEHICULAR HOMICIDE F2	1	0	42238	99.71	WINT COMM 2ND DEG MURDER	1	0	42300	99.86
VEHICULAR HOMICIDE FAIL GIVE AID INFORMATION	1	0	42239	99.71	WINT COMM MURDER	1	0	42301	99.86
VEHICULAR HOMICIDE FAIL TO GIVE AID INFOR	1	0	42240	99.71	WIT COMMIT MURDER	1	0	42302	99.86
VEHICULAR HOMICIDE FAILURE TO RENDER AID	1	0	42241	99.72	WIT COMMIT 2 DEG MURDER	1	0	42303	99.86
VEHICULAR HOMICIDE FAILURE TO RENDER AID OR GI	1	0	42242	99.72	WIT COMMIT FEL MURDER	1	0	42304	99.87
VEHICULAR HOMICIDE FOPS 88 2203CF CT2	1	0	42243	99.72	WIT COMMIT MANSL	1	0	42305	99.87
VEHICULAR HOMICIDE FOPS 91 2209CF CT2	1	0	42244	99.72	WIT COMMIT MANSLAUGHTER	1	0	42306	99.87
VEHICULAR HOMICIDE FOPS 91 2756CF CT2	1	0	42245	99.73	WIT COMMIT MURDER 1 DEG	1	0	42307	99.87
VEHICULAR HOMICIDE FOPS 93 1805CF CT2	1	0	42246	99.73	WIT COMMIT MURDER 1 DEG W FIREARM	1	0	42308	99.87
VEHICULAR HOMICIDE FOPS 93 1805CF CT3	1	0	42247	99.73	WIT COMMIT MURDER 1ST DEG AMENDED	1	0	42309	99.88
VEHICULAR HOMICIDE FOPS 97 1961CF CT2	1	0	42248	99.73	WIT KILL	1	0	42310	99.88
VEHICULAR HOMICIDE IN SECOND DEGREE	1	0	42249	99.74	WIT MURDER AMENDED	1	0	42311	99.88
VEHICULAR HOMICIDE KILL PERSON OR FETUS WITH	1	0	42250	99.74	WIT MURDER 1 DEG	1	0	42312	99.88
VEHICULAR HOMICIDE KILLING OF HUMAN BEING OR	1	0	42251	99.74	WIT TO MURDER AMENDED CHARGE	1	0	42313	99.89
VEHICULAR HOMICIDE NO INFO AID GIVEN	1	0	42252	99.74	WITC 1ST DEG MURDER	1	0	42314	99.89
VEHICULAR HOMICIDE RECKLESS MANNER	1	0	42253	99.75	WITC FELONY TO WIT MURDER	1	0	42315	99.89
VEHICULAR HOMICIDE DELAYED DEATH OF VICTIM	1	0	42254	99.75	WITC MURDER 1ST DEG	1	0	42316	99.89
VEHICULAR HOMICIDE FAILURE TO GIVE INFO RENDER A	1	0	42255	99.75	WITC MURDER 2 DEG W OTHER THAN FIREARM	1	0	42317	99.9
VEHICULAR HOMICIDE VIC DIES ALMOST IMMEDIATE	1	0	42256	99.75	WITC MURDER ADDED CHARGE	1	0	42318	99.9
VEHICULAR HOMICIDE VICTIM DIES ALMOST IMMEDIATE	1	0	42257	99.75	WITC MURDER IN THE SECOND DEGREE	1	0	42319	99.9
VESSELL HOMICIDE	1	0	42258	99.76	WITC SEC DEG MURDER	1	0	42320	99.9
VOCC REF ATTEMPTED MURDER 1ST DEGREE	1	0	42259	99.76	WITH DEADLY WEAP WO INTENT TO KILL	1	0	42321	99.91
VOLUNTARY MANSLAUGHTER LESSER	1	0	42260	99.76	WITH DEADLY WEAPON WITHOUT INTENT TO KILL	1	0	42322	99.91
VOP ATT 2ND DEG MURDER	1	0	42261	99.76	WITH DEADLY WPN WO INTENT TO KILL	1	0	42323	99.91
VOP ATTEMPTED SECOND DEGREE MURDER W FIREARM	1	0	42262	99.77	WITH DEATH AND INJ	1	0	42324	99.91
VOP MANSLAUGHTER	1	0	42263	99.77	WITH DEATH INJURY	1	0	42325	99.92
VOP ON AGG ASSAULT W WEAPON NO INTENT TO KILL	1	0	42264	99.77	WITH DEATH OR INJURIES	1	0	42326	99.92
VOP ON ASSAULT W WEAPON NO INTENT TO KILL POSS	1	0	42265	99.77	WITH INJURY AND DEATH	1	0	42327	99.92
VOP ON DWLS CAUSING SERIOUS BODILY INJURY DEATH	1	0	42266	99.78	WITH INT TO MURDER	1	0	42328	99.92
VOP ON DWLS CAUSING SERIOUS INJURY OR DEATH	1	0	42267	99.78	WITH INTENT TO COMMIT MANSLAUGHTER	1	0	42329	99.92
VOP ON LIOMANSLAUGHTER	1	0	42268	99.78	WITH INTENT TO KILL	1	0	42330	99.93
VOP ON MANSLAUGHTER VOP	1	0	42269	99.78	WITH INTENT TO MURDER	1	0	42331	99.93
VOP ON SECOND DEGREE MURDER	1	0	42270	99.79	WITH PERSONAL INJ OR DEATH	1	0	42332	99.93
VOP ON THIRD DEGREE MURDER	1	0	42271	99.79	WITH PERSONAL INJURY OR DEATH	1	0	42333	99.93
VOP ON VEHICULAR HOMICIDE	1	0	42272	99.79	WITHOUT INTENT TO KILL	1	0	42334	99.94
W DEAD WEAP WO INTENT KILL	1	0	42273	99.79	WO INTENT TO KILL	1	0	42335	99.94
W DEAD WEAP WO INTENT TO KILL	1	0	42274	99.79	WOI TO KILL PERSON ROB	1	0	42336	99.94
W DEAD WEAP WO INTENT TO KILL 2 CNTS	1	0	42275	99.8	WOUND KILL ENDANGERED THREATENED SPECIES	1	0	42337	99.94
W DEADLY WEAP TO WIT A 22 PISTOL WO INTEN KILL	1	0	42276	99.8	WOUND KILL ENDANGERED THREAT SPECIAL SPECIES	1	0	42338	99.95
W DEADLY WPN W OUT INTENT TO KILL	1	0	42277	99.8	WRIT THREATS KILL BODY HARM	1	0	42339	99.95
W DEADLY WPN WO INTENT TO KILL	1	0	42278	99.8	WRIT THREATS KILL JANICE SAMMONS	1	0	42340	99.95
W DEATH FEL	1	0	42279	99.81	WRITE THREAT KILL BLDLY INJ	1	0	42341	99.95
W DEATH INJURY	1	0	42280	99.81	WRITE THREAT KILL INJUR	1	0	42342	99.96
W DEATH OR INJURIES	1	0	42281	99.81	WRITE THREAT TO KILL	1	0	42343	99.96
W DEATH OR PER INJURY	1	0	42282	99.81	WRITTEN THREAT TO KILL	1	0	42344	99.96

WRITTEN THREAT TO KILL BODILY INJ	1	0	42345	99.96
WRITTEN THREAT TO KILL BODILY INJURY 3 CTS	1	0	42346	99.96
WRITTEN THREAT TO KILL DO BODILY H	1	0	42347	99.97
WRITTEN THREAT TO KILL DO BODILY INJUR	1	0	42348	99.97
WRITTEN THREAT TO KILL DO BODILY INJURY	1	0	42349	99.97
WRITTEN THREAT TO KILL OR DO BOD HARM	1	0	42350	99.97
WRITTEN THREAT TO KILL OR DO BODILY HARM	1	0	42351	99.98
WRITTEN THREATS TO KILL OR DO BODILY INJURY	1	0	42352	99.98
WRITTEN THREATS KILL	1	0	42353	99.98
WRITTEN THREATS KILL OR BODY INJURY	1	0	42354	99.98
WRITTEN THREATS TO KILL BODILY INJURY 2F	1	0	42355	99.99
WRITTEN THREATS TO KILL OR BDLY HARM	1	0	42356	99.99
WRITTEN THREATS TO KILL OR DO BODILY HAR	1	0	42357	99.99
WRITTEN THREATS TO KILL OR DO BODILY HARM 2F	1	0	42358	99.99
WRITTEN THREATS TO KILL OR DO BODILY INJ 2F	1	0	42359	100
WRITTEN THREATS TO KILL OR DO BODILY INJURY I	1	0	42360	100
WRTN THREATS KILL OR BODILY INJ	1	0	42361	100

Number of judicial charges with a felony conviction that contain a statutory reference for 'SEXUAL OFFENSE'

Based on CCH data extracted December 1, 2018.

SOURCE: FDLE (2018). Tallahassee, FL

JUD_CRT_STATUTE	Frequency	Percent	Cumulative Frequency	Cumulative Percent
491.0112.1	4	0.01	78709	99.82
794.011	5830	7.39	26055	33.04
794.011.	10	0.01	78586	99.67
794.011.(2A)	5	0.01	78675	99.78
794.011.(3)	3	0	78748	99.87
794.011.(4)	4	0.01	78713	99.83
794.011.(5)	13	0.02	78504	99.56
794.011.(8B)	5	0.01	78680	99.79
794.011.0000	12	0.02	78529	99.59
794.011.1	7	0.01	78619	99.71
794.011.1A	1	0	78797	99.93
794.011.1A2	1	0	78798	99.94
794.011.1F	19	0.02	78382	99.41
794.011.1HC	1	0	78799	99.94
794.011.2	4059	5.15	48362	61.33
794.011.2000	2	0	78774	99.9
794.011.21	1	0	78800	99.94
794.011.2-1	105	0.13	77130	97.82
794.011.2-2	14	0.02	78463	99.51
794.011.2A	4629	5.87	35866	45.49
794.011.2A1	4	0.01	78717	99.83
794.011.2AA	1	0	78801	99.94
794.011.2B	774	0.98	68706	87.14
794.011.2D	1	0	78802	99.94
794.011.2E	1	0	78803	99.94
794.011.3	3167	4.02	51529	65.35
794.011.3,	1	0	78804	99.94
794.011.3000	1	0	78805	99.94
794.011.3A	1	0	78806	99.95
794.011.3B	1	0	78807	99.95
794.011.4	647	0.82	69353	87.96
794.011.4A	159	0.2	75349	95.56
794.011.4A00	1	0	78808	99.95
794.011.4B	289	0.37	73527	93.25
794.011.4BC	1	0	78809	99.95
794.011.4C	31	0.04	78027	98.96
794.011.4C3	1	0	78810	99.95
794.011.4D	15	0.02	78449	99.49
794.011.4E	115	0.15	76800	97.4
794.011.4F	27	0.03	78141	99.1
794.011.4G	14	0.02	78477	99.53
794.011.5	4098	5.2	44303	56.19

794.011.5000	1	0	78811	99.95
794.011.5A	132	0.17	75922	96.29
794.011.5B	125	0.16	76564	97.1
794.011.5C	30	0.04	78057	99
794.011.8	24	0.03	78216	99.2
794.011.85	2	0	78776	99.91
794.011.8A	131	0.17	76053	96.45
794.011.8B	4339	5.5	40205	50.99
794.011.8B00	1	0	78812	99.95
794.011.8B1	1	0	78813	99.95
794.011.8C	166	0.21	75029	95.16
794.011.AND	1	0	78814	99.96
794.011.E	5	0.01	78685	99.79
794.011.H	3	0	78751	99.88
794.0113	1	0	78815	99.96
794.0115	1	0	78816	99.96
794.023	21	0.03	78281	99.28
794.023.2A	42	0.05	77806	98.68
794.023.2B	28	0.04	78114	99.07
794.041	591	0.75	71144	90.23
794.041.2A	93	0.12	77320	98.06
794.041.2A00	3	0	78754	99.88
794.041.2B	1880	2.38	58788	74.56
794.041.2B00	2	0	78778	99.91
794.041.2D	1	0	78817	99.96
794.05	1238	1.57	64653	82
794.05.	130	0.16	76183	96.62
794.05.(1)	3	0	78757	99.88
794.05.0000	5	0.01	78690	99.8
794.05.1	1111	1.41	66941	84.9
794.05.12F	1	0	78818	99.96
794.05.1A	1	0	78819	99.96
794.050.1A	1	0	78820	99.96
796.07.2E	582	0.74	72309	91.71
798.01	4	0.01	78721	99.84
798.02	139	0.18	75790	96.12
800.01	6	0.01	78646	99.74
800.02	121	0.15	76685	97.26
800.03	67	0.08	77629	98.45
800.0400.0000	1	0	78841	99.99
800.04	14263	18.09	14263	18.09
800.04	161	0.2	75190	95.36
800.04.	277	0.35	73804	93.6
800.04.(1)	1	0	78821	99.96
800.04.(4A)	17	0.02	78418	99.45
800.04.(4B)	4	0.01	78725	99.84
800.04.(5)	2	0	78780	99.91

800.04.(5B)	4	0.01	78729	99.85
800.04.(5C2	10	0.01	78596	99.68
800.04.(6B)	7	0.01	78626	99.72
800.04.(7A)	3	0	78760	99.89
800.04.(7B)	1	0	78822	99.97
800.04.0	26	0.03	78167	99.14
800.04.0000	16	0.02	78434	99.47
800.04.02	2	0	78782	99.92
800.04.04	1	0	78823	99.97
800.04.1	2405	3.05	56908	72.17
800.04.1000	5	0.01	78695	99.8
800.04.124	1	0	78824	99.97
800.04.14	1	0	78825	99.97
800.04.1A1	12	0.02	78541	99.61
800.04.1AB	1	0	78826	99.97
800.04.2	1177	1.49	65830	83.49
800.04.2000	1	0	78827	99.97
800.04.2C	3	0	78763	99.89
800.04.2F	1	0	78828	99.97
800.04.3	1273	1.61	63415	80.43
800.04.3000	1	0	78829	99.97
800.04.4	1490	1.89	62142	78.81
800.04.4A	5962	7.56	20225	25.65
800.04.4A1	604	0.77	69957	88.72
800.04.4A1B	1	0	78830	99.98
800.04.4A2	19	0.02	78401	99.43
800.04.4A2B	2	0	78784	99.92
800.04.4B	991	1.26	67932	86.15
800.04.4C	8	0.01	78604	99.69
800.04.5	209	0.27	74487	94.47
800.04.51C2	1	0	78831	99.98
800.04.52C	2	0	78786	99.92
800.04.5A	209	0.27	74696	94.73
800.04.5A1	4	0.01	78733	99.85
800.04.5A2	12	0.02	78553	99.62
800.04.5AB	255	0.32	74059	93.93
800.04.5AC	5	0.01	78700	99.81
800.04.5AC1	21	0.03	78302	99.31
800.04.5AC2	129	0.16	76312	96.78
800.04.5AD	2	0	78788	99.92
800.04.5B	5182	6.57	31237	39.62
800.04.5C	115	0.15	76915	97.55
800.04.5C1	369	0.47	73238	92.88
800.04.5C2	2974	3.77	54503	69.12
800.04.5D	167	0.21	74863	94.94
800.04.5E	1	0	78832	99.98
800.04.6	82	0.1	77485	98.27

800.04.61	1	0	78833	99.98
800.04.61B	1	0	78834	99.98
800.04.6A	127	0.16	76439	96.94
800.04.6A1	83	0.11	77403	98.17
800.04.6A16	25	0.03	78192	99.17
800.04.6A1B	22	0.03	78238	99.23
800.04.6A1C	4	0.01	78737	99.86
800.04.6A2	22	0.03	78260	99.25
800.04.6A26	13	0.02	78517	99.58
800.04.6A2B	46	0.06	77675	98.51
800.04.6A2C	2	0	78790	99.93
800.04.6AB	41	0.05	77847	98.73
800.04.6B	1864	2.36	60652	76.92
800.04.6C	145	0.18	75651	95.94
800.04.7	157	0.2	75506	95.76
800.04.7A	596	0.76	70553	89.48
800.04.7A&B	1	0	78835	99.98
800.04.7A1	3	0	78766	99.89
800.04.7A1-	3	0	78769	99.9
800.04.7A2	5	0.01	78705	99.82
800.04.7A2A	1	0	78836	99.98
800.04.7A2C	1	0	78837	99.98
800.04.7AB	97	0.12	77227	97.94
800.04.7ABC	29	0.04	78086	99.03
800.04.7AC	38	0.05	77926	98.83
800.04.7AD	2	0	78792	99.93
800.04.7B	560	0.71	72869	92.42
800.04.7BC	7	0.01	78633	99.73
800.04.7C	583	0.74	71727	90.97
800.04.7D	41	0.05	77888	98.78
800.04.7E	1	0	78838	99.99
800.04.A	1	0	78839	99.99
800.04.B	21	0.03	78323	99.33
800.04.C	6	0.01	78652	99.75
800.04.F2	1	0	78840	99.99
800.041	6	0.01	78658	99.76
800.042	1	0	78842	99.99
800.043	1	0	78843	99.99
800.09	20	0.03	78343	99.36
810.14	4	0.01	78741	99.86
810.145	43	0.05	77764	98.62
810.14.13	1	0	78844	99.99
810.14.3	4	0.01	78745	99.87
810.145.	14	0.02	78491	99.55
810.145.2	77	0.1	77562	98.37
810.145.26	1	0	78845	99.99
810.145.28A3	1	0	78846	100

810.145.2A	6	0.01	78664	99.77
810.145.2A8A	11	0.01	78576	99.65
810.145.2AB8	3	0	78772	99.9
810.145.2C	2	0	78794	99.93
810.145.3	2	0	78796	99.93
810.145.6B	35	0.04	77961	98.87
810.145.7	8	0.01	78612	99.7
810.145.8	1	0	78847	100
810.145.8A	7	0.01	78640	99.73
810.145.8A1	12	0.02	78565	99.64
810.145.8A3	110	0.14	77025	97.69
810.145.8B	1	0	78848	100
825.1025.2	35	0.04	77996	98.92
825.1025.3	46	0.06	77721	98.57
825.1025.4	20	0.03	78363	99.38
826.04	219	0.28	74278	94.2
951.221.1	6	0.01	78670	99.77
985.4045.1A2	1	0	78849	100

Number of judicial charges with a felony conviction that contain an offense code that references 'SEXUAL OFFENSE' .

Based on CCH data extracted December 1, 2018.

SOURCE: FDLE (2018). Tallahassee, FL

JUD_OFF_CD	Frequency	Percent	Cumulative Frequency	Cumulative Percent
1199-SEX ASSLT-	47461	41.87	47461	41.87
3601-SEX OFFENSE-AGAINST CHILD-FONDLING-	36063	31.82	83524	73.69
3612-LEWD LASCV BEHAVIOR-	16330	14.41	99854	88.09
3699-SEX OFFENSE-	10252	9.04	110106	97.14
1103-RAPE-STRONGARM-	2901	2.56	113007	99.7
1116-STAT RAPE-NO FORCE-	96	0.08	113103	99.78
3605-INDECENT EXPOSURE-	80	0.07	113183	99.85
1100-SEX ASSLT-	78	0.07	113261	99.92
1102-RAPE WITH-	18	0.02	113279	99.94
3604-INCEST WITH MINOR-	13	0.01	113292	99.95
1117-SEX ASSLT-CARNAL ABUSE-	9	0.01	113301	99.96
1101-RAPE-GUN-	8	0.01	113309	99.96
3603-HOMOSEXUAL ACT WITH BOY-	8	0.01	113317	99.97
1113-SEX ASSLT-SODOMY-MAN-STGARM-	5	0	113322	99.97
1114-SEX ASSLT-SODOMY-GIRL-STGARM-	5	0	113327	99.98
3602-HOMOSEXUAL ACT WITH GIRL-	5	0	113332	99.98
3607-INCEST WITH ADULT-	5	0	113337	99.99
1109-SEX ASSLT-SODOMY-MAN-	3	0	113340	99.99
1104-SEX ASSLT-SODOMY-BOY-GUN-	2	0	113342	99.99
1105-SEX ASSLT-SODOMY-MAN-GUN-	2	0	113344	99.99
1108-SEX ASSLT-SODOMY-BOY-	2	0	113346	100
1112-SEX ASSLT-SODOMY-BOY-STGARM-	2	0	113348	100
3600-SEX OFFENSE-	2	0	113350	100
3609-HOMOSEXUAL ACT WITH WOMAN-	1	0	113351	100

Felony convictions

What is murder?

Who or what defines it?

Unlawful killing of human being – plain meaning

Voluntary? Intentional? Unintentional? Accidental? Attempted?

Existing statutory definition for murder - section 782.04, Fla. Stat. or new statutory definition

Chapter 782 Homicide

Examples of

Murder 1st, 2nd, 3rd degree

Manslaughter

Attempted felony murder

Accidental killing

Unnecessary killing

Justifiable use of deadly force

Excusable homicide

Vehicular homicide

Vessel homicide

Assisting self-murder

Killing of unborn child by injury to mother

Partial-birth abortion

What is felony sexual offense?

felony sexual offender

Who or what defines it?

What is a sentence?

Who or what defines it?

Where and how does anyone including the convicted know that the sentence is completed?

- FDLE
- Kroll sheet
- Criminal Justice

Crimes in Statutes

TITLE XLVI CRIMES

Ch.775-896

<u>Chapter 775</u>	GENERAL PENALTIES; REGISTRATION OF CRIMINALS
<u>Chapter 776</u>	JUSTIFIABLE USE OF FORCE
<u>Chapter 777</u>	PRINCIPAL; ACCESSORY; ATTEMPT; SOLICITATION; CONSPIRACY
<u>Chapter 782</u>	HOMICIDE
<u>Chapter 784</u>	ASSAULT; BATTERY; CULPABLE NEGLIGENCE
<u>Chapter 787</u>	KIDNAPPING; CUSTODY OFFENSES; HUMAN TRAFFICKING; AND RELATED OFFENSES
<u>Chapter 790</u>	WEAPONS AND FIREARMS
<u>Chapter 791</u>	SALE OF FIREWORKS
<u>Chapter 794</u>	SEXUAL BATTERY
<u>Chapter 796</u>	PROSTITUTION
<u>Chapter 797</u>	ABORTION
<u>Chapter 798</u>	ADULTERY; LEWD AND LASCIVIOUS BEHAVIOR
<u>Chapter 800</u>	LEWDNESS; INDECENT EXPOSURE
<u>Chapter 806</u>	ARSON AND CRIMINAL MISCHIEF
<u>Chapter 810</u>	BURGLARY AND TRESPASS
<u>Chapter 812</u>	THEFT, ROBBERY, AND RELATED CRIMES
<u>Chapter 815</u>	COMPUTER-RELATED CRIMES
<u>Chapter 817</u>	FRAUDULENT PRACTICES
	Part I: FALSE PRETENSES AND FRAUDS, GENERALLY (ss. 817.011-817.569)
	Part II: CREDIT CARD CRIMES (ss. 817.57-817.685)
	Part III: CREDIT SERVICE ORGANIZATIONS (ss. 817.7001-817.706)
	Part IV: CREDIT COUNSELING SERVICES (ss. 817.801-817.806)
<u>Chapter 818</u>	SALE OF MORTGAGED PERSONAL PROPERTY; SIMILAR OFFENSES
<u>Chapter 823</u>	PUBLIC NUISANCES
<u>Chapter 825</u>	ABUSE, NEGLECT, AND EXPLOITATION OF ELDERLY PERSONS AND DISABLED ADULTS
<u>Chapter 826</u>	BIGAMY; INCEST
<u>Chapter 827</u>	ABUSE OF CHILDREN
<u>Chapter 828</u>	ANIMALS: CRUELTY; SALES; ANIMAL ENTERPRISE PROTECTION
<u>Chapter 831</u>	FORGERY AND COUNTERFEITING
<u>Chapter 832</u>	VIOLATIONS INVOLVING CHECKS AND DRAFTS
<u>Chapter 836</u>	DEFAMATION; LIBEL; THREATENING LETTERS AND SIMILAR OFFENSES
<u>Chapter 837</u>	PERJURY
<u>Chapter 838</u>	BRIBERY; MISUSE OF PUBLIC OFFICE
<u>Chapter 839</u>	OFFENSES BY PUBLIC OFFICERS AND EMPLOYEES
<u>Chapter 843</u>	OBSTRUCTING JUSTICE
<u>Chapter 847</u>	OBSCENITY
<u>Chapter 849</u>	GAMBLING
<u>Chapter 856</u>	DRUNKENNESS; OPEN HOUSE PARTIES; LOITERING; PROWLING; DESERTION
<u>Chapter 859</u>	POISONS; ADULTERATED DRUGS
<u>Chapter 860</u>	OFFENSES CONCERNING AIRCRAFT, MOTOR VEHICLES, VESSELS, AND RAILROADS
<u>Chapter 861</u>	OFFENSES RELATED TO PUBLIC ROADS, TRANSPORT, AND WATERS
<u>Chapter 865</u>	VIOLATIONS OF CERTAIN COMMERCIAL RESTRICTIONS
<u>Chapter 870</u>	AFFRAYS; RIOTS; ROUTS; UNLAWFUL ASSEMBLIES
<u>Chapter 871</u>	DISTURBING RELIGIOUS AND OTHER ASSEMBLIES
<u>Chapter 872</u>	OFFENSES CONCERNING DEAD BODIES AND GRAVES
<u>Chapter 873</u>	SALE OF ANATOMICAL MATTER
<u>Chapter 874</u>	CRIMINAL GANG ENFORCEMENT AND PREVENTION
<u>Chapter 876</u>	CRIMINAL ANARCHY, TREASON, AND OTHER CRIMES AGAINST PUBLIC ORDER
<u>Chapter 877</u>	MISCELLANEOUS CRIMES
<u>Chapter 893</u>	DRUG ABUSE PREVENTION AND CONTROL
<u>Chapter 895</u>	OFFENSES CONCERNING RACKETEERING AND ILLEGAL DEBTS
<u>Chapter 896</u>	OFFENSES RELATED TO FINANCIAL TRANSACTIONS

Felony Sex Offenses

Number of judicial charges with a felony conviction that contain a statutory reference for 'SEXUAL OFFENSE'
Based on CCH data extracted December 1, 2018.
SOURCE: FDLE (2018). Tallahassee, FL

JUD_CRT_STATUTE	Frequency	Percent	Cumulative Frequency	Cumulative Percent
491.0112.1	4	0.01	78709	99.82
794.011	5830	7.39	26055	33.04
794.011.	10	0.01	78586	99.67
794.011.(2A)	5	0.01	78675	99.78
794.011.(3)	3	0	78748	99.87
794.011.(4)	4	0.01	78713	99.83
794.011.(5)	13	0.02	78504	99.56
794.011.(8B)	5	0.01	78680	99.79
794.011.0000	12	0.02	78529	99.59
794.011.1	7	0.01	78619	99.71
794.011.1A	1	0	78797	99.93
794.011.1A2	1	0	78798	99.94
794.011.1F	19	0.02	78382	99.41
794.011.1HC	1	0	78799	99.94
794.011.2	4059	5.15	48362	61.33
794.011.2000	2	0	78774	99.9
794.011.21	1	0	78800	99.94
794.011.2-1	105	0.13	77130	97.82
794.011.2-2	14	0.02	78463	99.51
794.011.2A	4629	5.87	35866	45.49
794.011.2A1	4	0.01	78717	99.83
794.011.2AA	1	0	78801	99.94
794.011.2B	774	0.98	68706	87.14
794.011.2D	1	0	78802	99.94
794.011.2E	1	0	78803	99.94
794.011.3	3167	4.02	51529	65.35
794.011.3,	1	0	78804	99.94
794.011.3000	1	0	78805	99.94
794.011.3A	1	0	78806	99.95
794.011.3B	1	0	78807	99.95
794.011.4	647	0.82	69353	87.96
794.011.4A	159	0.2	75349	95.56
794.011.4A00	1	0	78808	99.95
794.011.4B	289	0.37	73527	93.25
794.011.4BC	1	0	78809	99.95
794.011.4C	31	0.04	78027	98.96
794.011.4C3	1	0	78810	99.95
794.011.4D	15	0.02	78449	99.49
794.011.4E	115	0.15	76800	97.4
794.011.4F	27	0.03	78141	99.1
794.011.4G	14	0.02	78477	99.53
794.011.5	4098	5.2	44303	56.19

794.011.5000	1	0	78811	99.95
794.011.5A	132	0.17	75922	96.29
794.011.5B	125	0.16	76564	97.1
794.011.5C	30	0.04	78057	99
794.011.8	24	0.03	78216	99.2
794.011.85	2	0	78776	99.91
794.011.8A	131	0.17	76053	96.45
794.011.8B	4339	5.5	40205	50.99
794.011.8B00	1	0	78812	99.95
794.011.8B1	1	0	78813	99.95
794.011.8C	166	0.21	75029	95.16
794.011.AND	1	0	78814	99.96
794.011.E	5	0.01	78685	99.79
794.011.H	3	0	78751	99.88
794.0113	1	0	78815	99.96
794.0115	1	0	78816	99.96
794.023	21	0.03	78281	99.28
794.023.2A	42	0.05	77806	98.68
794.023.2B	28	0.04	78114	99.07
794.041	591	0.75	71144	90.23
794.041.2A	93	0.12	77320	98.06
794.041.2A00	3	0	78754	99.88
794.041.2B	1880	2.38	58788	74.56
794.041.2B00	2	0	78778	99.91
794.041.2D	1	0	78817	99.96
794.05	1238	1.57	64653	82
794.05.	130	0.16	76183	96.62
794.05.(1)	3	0	78757	99.88
794.05.0000	5	0.01	78690	99.8
794.05.1	1111	1.41	66941	84.9
794.05.12F	1	0	78818	99.96
794.05.1A	1	0	78819	99.96
794.050.1A	1	0	78820	99.96
796.07.2E	582	0.74	72309	91.71
798.01	4	0.01	78721	99.84
798.02	139	0.18	75790	96.12
800.01	6	0.01	78646	99.74
800.02	121	0.15	76685	97.26
800.03	67	0.08	77629	98.45
800.0400.0000	1	0	78841	99.99
800.04	14263	18.09	14263	18.09
800.04	161	0.2	75190	95.36
800.04.	277	0.35	73804	93.6
800.04.(1)	1	0	78821	99.96
800.04.(4A)	17	0.02	78418	99.45
800.04.(4B)	4	0.01	78725	99.84
800.04.(5)	2	0	78780	99.91

800.04.(5B)	4	0.01	78729	99.85	800.04.61	1	0	78833	99.98
800.04.(5C2	10	0.01	78596	99.68	800.04.61B	1	0	78834	99.98
800.04.(6B)	7	0.01	78626	99.72	800.04.6A	127	0.16	76439	96.94
800.04.(7A)	3	0	78760	99.89	800.04.6A1	83	0.11	77403	98.17
800.04.(7B)	1	0	78822	99.97	800.04.6A16	25	0.03	78192	99.17
800.04.0	26	0.03	78167	99.14	800.04.6A1B	22	0.03	78238	99.23
800.04.0000	16	0.02	78434	99.47	800.04.6A1C	4	0.01	78737	99.86
800.04.02	2	0	78782	99.92	800.04.6A2	22	0.03	78260	99.25
800.04.04	1	0	78823	99.97	800.04.6A26	13	0.02	78517	99.58
800.04.1	2405	3.05	56908	72.17	800.04.6A2B	46	0.06	77675	98.51
800.04.1000	5	0.01	78695	99.8	800.04.6A2C	2	0	78790	99.93
800.04.124	1	0	78824	99.97	800.04.6AB	41	0.05	77847	98.73
800.04.14	1	0	78825	99.97	800.04.6B	1864	2.36	60652	76.92
800.04.1A1	12	0.02	78541	99.61	800.04.6C	145	0.18	75651	95.94
800.04.1AB	1	0	78826	99.97	800.04.7	157	0.2	75506	95.76
800.04.2	1177	1.49	65830	83.49	800.04.7A	596	0.76	70553	89.48
800.04.2000	1	0	78827	99.97	800.04.7A&B	1	0	78835	99.98
800.04.2C	3	0	78763	99.89	800.04.7A1	3	0	78766	99.89
800.04.2F	1	0	78828	99.97	800.04.7A1-	3	0	78769	99.9
800.04.3	1273	1.61	63415	80.43	800.04.7A2	5	0.01	78705	99.82
800.04.3000	1	0	78829	99.97	800.04.7A2A	1	0	78836	99.98
800.04.4	1490	1.89	62142	78.81	800.04.7A2C	1	0	78837	99.98
800.04.4A	5962	7.56	20225	25.65	800.04.7AB	97	0.12	77227	97.94
800.04.4A1	604	0.77	69957	88.72	800.04.7ABC	29	0.04	78086	99.03
800.04.4A1B	1	0	78830	99.98	800.04.7AC	38	0.05	77926	98.83
800.04.4A2	19	0.02	78401	99.43	800.04.7AD	2	0	78792	99.93
800.04.4A2B	2	0	78784	99.92	800.04.7B	560	0.71	72869	92.42
800.04.4B	991	1.26	67932	86.15	800.04.7BC	7	0.01	78633	99.73
800.04.4C	8	0.01	78604	99.69	800.04.7C	583	0.74	71727	90.97
800.04.5	209	0.27	74487	94.47	800.04.7D	41	0.05	77888	98.78
800.04.51C2	1	0	78831	99.98	800.04.7E	1	0	78838	99.99
800.04.52C	2	0	78786	99.92	800.04.A	1	0	78839	99.99
800.04.5A	209	0.27	74696	94.73	800.04.B	21	0.03	78323	99.33
800.04.5A1	4	0.01	78733	99.85	800.04.C	6	0.01	78652	99.75
800.04.5A2	12	0.02	78553	99.62	800.04.F2	1	0	78840	99.99
800.04.5AB	255	0.32	74059	93.93	800.041	6	0.01	78658	99.76
800.04.5AC	5	0.01	78700	99.81	800.042	1	0	78842	99.99
800.04.5AC1	21	0.03	78302	99.31	800.043	1	0	78843	99.99
800.04.5AC2	129	0.16	76312	96.78	800.09	20	0.03	78343	99.36
800.04.5AD	2	0	78788	99.92	810.14	4	0.01	78741	99.86
800.04.5B	5182	6.57	31237	39.62	810.145	43	0.05	77764	98.62
800.04.5C	115	0.15	76915	97.55	810.14.13	1	0	78844	99.99
800.04.5C1	369	0.47	73238	92.88	810.14.3	4	0.01	78745	99.87
800.04.5C2	2974	3.77	54503	69.12	810.145.	14	0.02	78491	99.55
800.04.5D	167	0.21	74863	94.94	810.145.2	77	0.1	77562	98.37
800.04.5E	1	0	78832	99.98	810.145.26	1	0	78845	99.99
800.04.6	82	0.1	77485	98.27	810.145.28A3	1	0	78846	100

810.145.2A	6	0.01	78664	99.77	SE'
810.145.2A8A	11	0.01	78576	99.65	
810.145.2AB8	3	0	78772	99.9	
810.145.2C	2	0	78794	99.93	
810.145.3	2	0	78796	99.93	
810.145.6B	35	0.04	77961	98.87	
810.145.7	8	0.01	78612	99.7	
810.145.8	1	0	78847	100	
810.145.8A	7	0.01	78640	99.73	
810.145.8A1	12	0.02	78565	99.64	
810.145.8A3	110	0.14	77025	97.69	
810.145.8B	1	0	78848	100	
825.1025.2	35	0.04	77996	98.92	
825.1025.3	46	0.06	77721	98.57	
825.1025.4	20	0.03	78363	99.38	
826.04	219	0.28	74278	94.2	
951.221.1	6	0.01	78670	99.77	
985.4045.1A2	1	0	78849	100	

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Number of judicial charges with a felony conviction that contain a statutory reference for 'MURDER'.
Based on CCH data extracted December 1, 2018.
SOURCE: FDLE (2018). Tallahassee, FL

JUD_CRT_STATUTE	Frequency	Percent	Cumulative Frequency	Cumulative Percent
782	24	0.08	29531	98.86
782	1	0	29841	99.9
782.01	14	0.05	29671	99.33
782.011	1	0	29842	99.9
782.02	5	0.02	29750	99.59
782.021	3	0.01	29795	99.74
782.03	4	0.01	29784	99.71
782.04	4390	14.7	13113	43.9
782.04	22	0.07	29575	99.01
782..04.1A1	1	0	29840	99.89
782.04.	3	0.01	29798	99.75
782.04.(1)	22	0.07	29553	98.93
782.04.(1A1	5	0.02	29755	99.61
782.04.(1A2	1	0	29843	99.9
782.04.(2)	15	0.05	29627	99.18
782.04.(4)	1	0	29844	99.91
782.04.0	3	0.01	29801	99.76
782.04.0000	2	0.01	29821	99.83
782.04.01	1	0	29845	99.91
782.04.01A	70	0.23	29090	97.38
782.04.02	49	0.16	29423	98.5
782.04.04	3	0.01	29804	99.77
782.04.1	2346	7.85	21857	73.17
782.04.14	1	0	29846	99.91
782.04.1A	1794	6.01	23651	79.17
782.04.1A1	3981	13.33	17094	57.22
782.04.1A-1	3	0.01	29807	99.78
782.04.1A12	27	0.09	29507	98.78
782.04.1A1C	1	0	29847	99.92
782.04.1A2	435	1.46	26891	90.02
782.04.1A2D	1	0	29848	99.92
782.04.1A3	28	0.09	29480	98.69
782.04.1AA	5	0.02	29760	99.63
782.04.1B	73	0.24	29020	97.15
782.04.1B2	2	0.01	29823	99.84
782.04.1C	6	0.02	29745	99.57
782.04.1D	2	0.01	29825	99.84
782.04.2	8723	29.2	8723	29.2
782.04.2000	2	0.01	29829	99.86
782.04.21	15	0.05	29642	99.23
782.04.2-1	1	0	29849	99.92
782.04.2-2	2	0.01	29827	99.85

782.04.23	4	0.01	29788	99.72
782.04.2A	1	0	29850	99.93
782.04.2F	3	0.01	29810	99.79
782.04.3	729	2.44	25521	85.43
782.04.4	488	1.63	26009	87.07
782.04.777	1	0	29851	99.93
782.04.A	1	0	29852	99.93
782.04.C	2	0.01	29831	99.86
782.04.K	1	0	29853	99.94
782.040.1	10	0.03	29716	99.48
782.040.1A	53	0.18	29274	98
782.040.1B	19	0.06	29594	99.07
782.040.2	96	0.32	28947	96.9
782.040.3	5	0.02	29765	99.64
782.040.4	9	0.03	29725	99.51
782.041	13	0.04	29684	99.37
782.041.A2	2	0.01	29833	99.87
782.042	7	0.02	29732	99.53
782.05	1	0	29854	99.94
782.051	115	0.38	28754	96.26
782.051.	5	0.02	29770	99.66
782.051.1	447	1.5	26456	88.56
782.051.2	64	0.21	29221	97.82
782.051.2A	1	0	29855	99.94
782.051.3	50	0.17	29324	98.17
782.051.3A	2	0.01	29835	99.88
782.06	3	0.01	29813	99.8
782.07	2417	8.09	19511	65.32
782.07	97	0.32	28851	96.58
782.07.	195	0.65	28505	95.42
782.07.(1)	1	0	29856	99.95
782.07.(3)	1	0	29857	99.95
782.07.0	5	0.02	29775	99.68
782.07.0000	1	0	29858	99.95
782.07.1	1141	3.82	24792	82.99
782.07.1&3	3	0.01	29816	99.81
782.07.12	2	0.01	29837	99.88
782.07.1A	5	0.02	29780	99.69
782.07.1A1	2	0.01	29839	99.89
782.07.2	67	0.22	29157	97.61
782.07.3	200	0.67	28310	94.77
782.07.4	11	0.04	29695	99.41
782.07.F2	1	0	29859	99.96
782.071	422	1.41	27313	91.43
782.071.	15	0.05	29657	99.28
782.071.02	1	0	29860	99.96
782.071.1	410	1.37	27723	92.81

782.071.1A	387	1.3	28110	94.1
782.071.1B	134	0.45	28639	95.87
782.071.2	50	0.17	29374	98.33
782.071.2AB	1	0	29861	99.96
782.071.3	1	0	29862	99.97
782.071.5	1	0	29863	99.97
782.072	3	0.01	29819	99.82
782.072.1	4	0.01	29792	99.73
782.072.2	7	0.02	29739	99.55
782.08	11	0.04	29706	99.44
782.09	18	0.06	29612	99.13
782.09.1A	1	0	29864	99.97
782.104	1	0	29865	99.98
782.11	29	0.1	29452	98.59
782.11.	1	0	29866	99.98
782.14	1	0	29867	99.98
782.35	1	0	29868	99.99
782.4	1	0	29869	99.99
782.504	1	0	29870	99.99
782.907	1	0	29871	100
782.94	1	0	29872	100

782.071.1A	387	1.3	28110	94.1
782.071.1B	134	0.45	28639	95.87
782.071.2	50	0.17	29374	98.33
782.071.2AB	1	0	29861	99.96
782.071.3	1	0	29862	99.97
782.071.5	1	0	29863	99.97
782.072	3	0.01	29819	99.82
782.072.1	4	0.01	29792	99.73
782.072.2	7	0.02	29739	99.55
782.08	11	0.04	29706	99.44
782.09	18	0.06	29612	99.13
782.09.1A	1	0	29864	99.97
782.104	1	0	29865	99.98
782.11	29	0.1	29452	98.59
782.11.	1	0	29866	99.98
782.14	1	0	29867	99.98
782.35	1	0	29868	99.99
782.4	1	0	29869	99.99
782.504	1	0	29870	99.99
782.907	1	0	29871	100
782.94	1	0	29872	100

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Number of judicial charges with a felony conviction that contain a statutory reference for 'MURDER'.
Based on CCH data extracted December 1, 2018.
SOURCE: FDLE (2018). Tallahassee, FL

JUD_CRT_STATUTE	Frequency	Percent	Cumulative Frequency	Cumulative Percent
782	24	0.08	29531	98.86
782	1	0	29841	99.9
782.01	14	0.05	29671	99.33
782.011	1	0	29842	99.9
782.02	5	0.02	29750	99.59
782.021	3	0.01	29795	99.74
782.03	4	0.01	29784	99.71
782.04	4390	14.7	13113	43.9
782.04	22	0.07	29575	99.01
782.04.1A1	1	0	29840	99.89
782.04.	3	0.01	29798	99.75
782.04.(1)	22	0.07	29553	98.93
782.04.(1A1	5	0.02	29755	99.61
782.04.(1A2	1	0	29843	99.9
782.04.(2)	15	0.05	29627	99.18
782.04.(4)	1	0	29844	99.91
782.04.0	3	0.01	29801	99.76
782.04.0000	2	0.01	29821	99.83
782.04.01	1	0	29845	99.91
782.04.01A	70	0.23	29090	97.38
782.04.02	49	0.16	29423	98.5
782.04.04	3	0.01	29804	99.77
782.04.1	2346	7.85	21857	73.17
782.04.14	1	0	29846	99.91
782.04.1A	1794	6.01	23651	79.17
782.04.1A1	3981	13.33	17094	57.22
782.04.1A-1	3	0.01	29807	99.78
782.04.1A12	27	0.09	29507	98.78
782.04.1A1C	1	0	29847	99.92
782.04.1A2	435	1.46	26891	90.02
782.04.1A2D	1	0	29848	99.92
782.04.1A3	28	0.09	29480	98.69
782.04.1AA	5	0.02	29760	99.63
782.04.1B	73	0.24	29020	97.15
782.04.1B2	2	0.01	29823	99.84
782.04.1C	6	0.02	29745	99.57
782.04.1D	2	0.01	29825	99.84
782.04.2	8723	29.2	8723	29.2
782.04.2000	2	0.01	29829	99.86
782.04.21	15	0.05	29642	99.23
782.04.2-1	1	0	29849	99.92
782.04.2-2	2	0.01	29827	99.85

782.04.23	4	0.01	29788	99.72
782.04.2A	1	0	29850	99.93
782.04.2F	3	0.01	29810	99.79
782.04.3	729	2.44	25521	85.43
782.04.4	488	1.63	26009	87.07
782.04.777	1	0	29851	99.93
782.04.A	1	0	29852	99.93
782.04.C	2	0.01	29831	99.86
782.04.K	1	0	29853	99.94
782.040.1	10	0.03	29716	99.48
782.040.1A	53	0.18	29274	98
782.040.1B	19	0.06	29594	99.07
782.040.2	96	0.32	28947	96.9
782.040.3	5	0.02	29765	99.64
782.040.4	9	0.03	29725	99.51
782.041	13	0.04	29684	99.37
782.041.A2	2	0.01	29833	99.87
782.042	7	0.02	29732	99.53
782.05	1	0	29854	99.94
782.051	115	0.38	28754	96.26
782.051.	5	0.02	29770	99.66
782.051.1	447	1.5	26456	88.56
782.051.2	64	0.21	29221	97.82
782.051.2A	1	0	29855	99.94
782.051.3	50	0.17	29324	98.17
782.051.3A	2	0.01	29835	99.88
782.06	3	0.01	29813	99.8
782.07	2417	8.09	19511	65.32
782.07	97	0.32	28851	96.58
782.07.	195	0.65	28505	95.42
782.07.(1)	1	0	29856	99.95
782.07.(3)	1	0	29857	99.95
782.07.0	5	0.02	29775	99.68
782.07.0000	1	0	29858	99.95
782.07.1	1141	3.82	24792	82.99
782.07.1&3	3	0.01	29816	99.81
782.07.12	2	0.01	29837	99.88
782.07.1A	5	0.02	29780	99.69
782.07.1A1	2	0.01	29839	99.89
782.07.2	67	0.22	29157	97.61
782.07.3	200	0.67	28310	94.77
782.07.4	11	0.04	29695	99.41
782.07.F2	1	0	29859	99.96
782.071	422	1.41	27313	91.43
782.071.	15	0.05	29657	99.28
782.071.02	1	0	29860	99.96
782.071.1	410	1.37	27723	92.81

Number of judicial charges with the felony conviction that contain reference to 'SEXUAL OFFENSE' in the offense description.
Based on CCH data extracted December 3, 2018.
SOURCE: FDLE (2018). Tallahassee, FL

JUD. CRT. UT.	Frequency	Percent	Cumulative Frequency	Cumulative Percent
POSS PHOTOGRAPH OF SEXUAL PERFORMANCE BY CHILD	5453	3.85	5453	3.85
SEXUAL BATTERY	3651	2.57	9104	6.43
POSS PHOTOGRAPH OF SEX PERFORMANCE BY CHILD	3038	2.15	12142	8.57
OBSCENE MATERIAL POSSESS POSS PHOTOGRAPH OF SEX	2717	1.92	14859	10.49
1.1 ASSAULT CHILD	2547	1.81	17406	12.30
LEWD OR LASCIVIOUS BATTERY	2081	1.47	19487	13.83
POSS PHOTOGRAPH OF SEX PERFORMANCE	1975	1.4	21462	15.23
LEWD LASOV	1974	1.39	23436	16.62
POSS PHOTO MOVIE OF SEXUAL CONDUCT PERFOR	1839	1.31	25275	17.93
LEWD OR LASCIVIOUS MOLESTATION	1785	1.28	27060	19.25
SEXUAL PERFORMANCE BY A CHILD	1774	1.25	28834	20.51
SEX OFFN VIOL REGIST	1735	1.23	30569	21.73
SEX PERFORM CHILD POSN	1682	1.19	32251	22.92
ENGAGE CHILD FAMIL SEX	1448	1.02	33699	23.94
OBSCENE MATERIAL POSSESS POSS PHOTOGRAPH OF SEX	1442	1.02	35141	24.96
SEX BATT ON MINOR ATT	1301	0.92	36442	25.88
POSSESSION OF SEXUAL PERFORMANCE BY A CHILD	1285	0.91	37727	26.79
LEWD AND LASCIVIOUS ACT	1182	0.84	38909	27.63
ATTEMPTED SEXUAL BATTERY	1156	0.82	40065	28.44
SEX BATT ON MINOR ACT	1084	0.77	41149	29.21
UNLAWFUL POSS OF MATERIALS DEPICTING SEXUAL PE	1055	0.75	42204	29.96
SEX OFFENSE AGAINST CHILD FONDLING	1037	0.73	43241	30.69
FAILURE OF SEXUAL OFFENDER TO REPORT	1017	0.72	44258	31.41
LEWD LASOV ACT IN PRESENCE OF CHILD UNDER 16 YOA	851	0.6	45109	32.01
LEWD LASCIVIOUS ACT UPON CHILD	781	0.55	45890	32.56
POSS MAT DEPICTING SEXUAL PERFORM BY CHILD	748	0.53	46638	33.09
SEX BATT WEAPON INU	723	0.51	47361	33.6
SEX BATT NO SEEN INU	628	0.43	47989	34.03
LEWD LASCIVIOUS ACT UPON CHILD UNDER THE AGE OF 16	598	0.42	48587	34.45
POSSESS CONTROL OR INTENTIONALLY VIEW SEXUAL	557	0.4	49144	34.85
FAILURE OF SEX OFFENDER TO PROPERLY REGISTER	581	0.41	49725	35.27
POSSESS PHOTOS SEXUAL CONDUCT BY CHILD	546	0.39	50271	35.66
LEWD ACT UPON A CHILD	537	0.38	50808	36.04
LEWD LASO	526	0.37	51334	36.41
FAILURE TO COMPLY WITH SEX OFFENDER REPORTING	518	0.37	51852	36.78
SEXUAL ASSAULT	507	0.36	52359	37.14
SEXUAL ACTIVITY WITH A CHILD	470	0.33	52829	37.48
UNLAWFUL POSSESSION OF MATERIALS DEPICTING SEX	467	0.34	53296	37.82
SEXUAL BATTERY DEF 16 VICT 12	423	0.3	53719	38.17
PROSTITUTION OR LEWDNESS	447	0.32	54166	38.49
FAILURE TO REGISTER AS SEX OFFENDER	445	0.31	54611	38.8
LEWD OR LASCIVIOUS CONDUCT	444	0.31	55055	39.11
SEXUAL BATTERY CHILD UNDER 12	437	0.31	55492	39.42
UNLAWFUL SEXUAL ACTIVITY WITH A MINOR	419	0.3	55911	39.72
1.1 BATT ON CHILD	415	0.29	56326	40.01
LEWD LASOV	401	0.28	56727	40.3
SEXUAL BATTERY SLIGHT FORCE	397	0.28	57124	40.58
LEWD AND LASCIVIOUS ASSAULT OR ACT	382	0.27	57506	40.85
POSSESSION OF OBSCENE MATERIAL PHOTOGRAPH OF SEX	382	0.27	57888	41.12
FAILURE TO REGISTER AS SEXUAL OFFENDER	378	0.27	58266	41.39
POSS MATERIAL RE SEXUAL CONDUCT BY CHILD RECLA	377	0.27	58643	41.66
LEWD OR LASCIVIOUS EXHIBITION	376	0.27	58919	41.93
FAILURE TO REGISTER AS A SEXUAL OFFENDER	370	0.26	59289	42.19
POSSESSION OF PHOTOGRAPHS SEXUAL PERFORMANCE B	363	0.26	59652	42.45
SEX BATT CHILD UNDER 12	364	0.26	60016	42.71
INCEST	363	0.26	60379	42.97
POSSESSION OF SEXUAL PERFORMANCE BY A CHILD EN	360	0.26	60739	43.23
1.1 MOL CHILD 12 16	353	0.25	61092	43.48

Number of judicial charges with the felony conviction that contain a reference to 'SEXUAL OFFENSE' in the offense item field.
Based on CCH data extracted December 1, 2018.
SOURCE: FDLE (2018). Tallahassee, FL

JUD CRT CIT	Frequency	Percent	Cumulative Frequency	Cumulative Percent
POSS PHOTOGRAPH OF SEXUAL PERFORMANCE BY CHILD	5455	3.86	5455	3.86
SEXUAL BATTERY	3631	2.57	9086	6.43
POSS PHOTOGRAPH OF SEX PERFORMANCE BY CHILD	3038	2.13	12124	8.57
OBSCENE MATERIAL POSSES'S POSS PHOTOGRAPH OF SEX	2717	1.92	14841	10.49
L L ASSAULT CHILD	2647	1.87	17488	12.36
LEWD OR LASCIVIOUS BATTERY	2081	1.47	19569	13.83
POSS PHOTOGRAPH OF SEX PERFORMANCE	1873	1.34	21442	15.23
LEWD LASOV	1874	1.34	23316	16.62
POSS PHOTO MOVE OF SEXUAL CONDUCT PERFOR	1839	1.32	25155	17.99
LEWD OR LASCIVIOUS MOLESTATION	1785	1.26	26940	19.25
SEXUAL PERFORMANCE BY A CHILD	1774	1.25	28714	20.51
SEX OFFENSE VIOL REGIST	1735	1.23	30449	21.73
SEX PERFORM CHILD POSS	1682	1.19	32131	22.92
ENGAGE CHILD FAM SEX	1445	1.02	33576	23.94
OBSCENE MATERIAL POSSES'S POSS PHOTOGRAPH OF SEX	1442	1.02	35018	24.96
SEX BATTERY MINOR ATT	1301	0.92	36319	25.88
POSSESSION OF SEXUAL PERFORMANCE BY A CHILD	1285	0.91	37604	26.79
LEWD AND LASCIVIOUS ACT	1132	0.81	38736	27.65
ATTEMPTED SEXUAL BATTERY	1156	0.82	39892	28.44
SEX BATTERY MINOR ACT	1084	0.77	41076	29.21
UNLAWFUL POSS OF MATERIALS DEPICTING SEXUAL PE	1033	0.73	42109	29.98
SEX OFFENSE AGAINST CHILD FONDLING	1037	0.73	43146	30.69
FAILURE OF SEXUAL OFFENDER TO REPORT	1017	0.72	44163	31.41
LEWD LASOV ACT IN PRES OF CHILD UNDER 16 YOA	851	0.6	45014	32.01
LEWD LASCIVIOUS ACT UPON CHILD	781	0.55	45795	32.56
POSS MAT DEPICTING SEXUAL PERFORM BY CHILD	749	0.53	46544	33.09
SEX BATTERY WEAPON	725	0.51	47269	33.6
SEX BATTERY NO WEAPON	629	0.45	47898	34.05
LEWD LASOV ACT UPON CHILD UNDER THE AGE OF 16	526	0.38	48424	34.43
POSSES CONTROL OR INTENTIONALLY VIEW SEXUAL	399	0.28	48823	34.71
FAILURE OF SEX OFFENDER TO PROPERLY REGISTER	381	0.27	49204	34.97
POSSES PHOTO OF SEXUAL CONDUCT BY CHILD	346	0.25	49550	35.22
LEWD ACT UPON A CHILD	337	0.24	49887	35.46
LEWD LASOV	329	0.23	50216	35.69
FAILURE TO COMPLY WITH SEX OFFENDER REPORTING	318	0.22	50534	35.91
SEXUAL ASSAULT	307	0.22	50841	36.13
SEXUAL ACTIVITY WITH A CHILD	290	0.21	51131	36.34
UNLAWFUL POSSESSION OF MATERIALS DEPICTING SEX	287	0.2	51418	36.54
SEXUAL BATTERY DEF 18 VICT 12	283	0.2	51701	36.74
PROSTITUTION OR LEWDNESS	247	0.17	51948	36.91
FAILURE TO REGISTER AS SEX OFFENDER	245	0.17	52193	37.08
LEWD OR LASCIVIOUS CONDUCT	244	0.17	52437	37.25
SEXUAL BATTERY CHILD UNDER 12	237	0.17	52674	37.42
UNLAWFUL SEXUAL ACTIVITY WITH A MINOR	219	0.15	52893	37.57
L L BATTERY CHILD	218	0.15	53111	37.72
LEWD LASOV	201	0.14	53312	37.86
SEXUAL BATTERY SLIGHT FORCE	197	0.14	53509	37.99
LEWD AND LASCIVIOUS ASSAULT OR ACT	182	0.13	53691	38.12
POSSESSION OBSCENE MATERIAL PHOTOGRAPH OF SEXU	182	0.13	53873	38.25
FAILURE TO REGISTER AS SEXUAL OFFENDER	178	0.12	54051	38.37
POSS MATERIAL RE SEXUAL CONDUCT BY CHILD REGA	177	0.12	54228	38.49
LEWD OR LASCIVIOUS EXHIBITION	176	0.12	54404	38.61
FAILURE TO REGISTER AS A SEXUAL OFFENDER	170	0.12	54574	38.73
POSSESSION OF PHOTOGRAPH SEXUAL PERFORMANCE B	165	0.11	54739	38.84
SEX BATTERY CHILD UNDER 12	164	0.11	54903	38.95
INCEST	163	0.11	55066	39.06
POSSESSION OF SEXUAL PERFORMANCE BY A CHILD EX	160	0.11	55226	39.17
L L MOL CHILD 12 18	151	0.1	55377	39.27

Number of judicial charges with a felony conviction that contain a reference to 'MURDER' in the offense item field.
Based on CCH data extracted December 1, 2018.
SOURCE: FDLE (2018), Tallahassee, FL

AUD CRT DT	Frequency	Percent	Cumulative Frequency	Cumulative Percent
MANSLAUGHTER	5900	12.72	5900	12.72
DUI MANSLAUGHTER	1980	4.57	7880	17.4
SECOND DEGREE MURDER	1262	2.98	9142	20.58
FIRST DEGREE MURDER	1220	2.88	9962	23.25
MURDER FIRST DEGREE	1098	2.46	10908	25.73
MURDER 1ST DEG ATT	1090	2.48	11998	28.23
MURDER IN THE SECOND DEGREE	1029	2.49	12967	30.88
MURDER SECOND DEGREE	1015	2.4	14002	33.05
MURDER IN THE FIRST DEGREE	1007	2.38	15009	35.43
MURDER 1ST DEGREE	840	1.98	15849	37.41
MURDER 2ND DEG FBI	832	1.96	16681	39.58
VEHICULAR HOMICIDE	778	1.82	17454	41.2
MURDER 2ND DEG ATT	740	1.73	18194	42.59
MURDER	674	1.59	18868	44.84
MURDER 2ND DEG DWEP	425	1	19293	45.54
MANSL	413	0.97	19706	46.52
ATTEMPTED MURDER 1ST DEGREE	411	0.97	20117	47.46
ATTEMPTED FIRST DEGREE MURDER	397	0.94	20514	48.43
MURDER PREMEDITATED	384	0.91	20898	49.53
MURDER IN 2ND DEGREE	356	0.85	21257	50.18
MURDER 1ST DEGREE ATT	344	0.81	21601	50.89
WILFUL KILL	330	0.78	21931	51.77
MURDER SECOND DEGREE	307	0.72	22238	52.5
MURDER 2ND DEGREE	303	0.72	22541	53.21
ATTEMPTED MURDER IN THE SECOND DEGREE	298	0.7	22839	53.92
MURDER FIRST DEGREE	245	0.58	23084	54.46
ATT MURDER IN FIRST DEGREE 77704	244	0.58	23328	55.07
ATTEMPTED FIRST DEGREE MURDER WITH A FIREARM	228	0.54	23556	55.61
ATTEMPTED SECOND DEGREE MURDER	224	0.53	23780	56.14
DUI MANSLAUGHTER	210	0.5	23990	56.65
FIRST DEGREE MURDER WITH A FIREARM	201	0.47	24191	57.11
NEGLG MANSL VEH	186	0.45	24377	57.55
MANSLAUGHTER WITH A FIREARM	185	0.44	24562	57.96
SECOND DEGREE MURDER WITH A FIREARM	184	0.43	24746	58.42
MANSLAUGHTER DWEP	180	0.38	24926	58.8
HOMICIDE WILFUL KILL MURDER PREMEDITATED	157	0.37	25083	59.17
ATTEMPTED MURDER 2ND DEGREE	151	0.36	25237	59.55
MURDER 2ND FIREARM	140	0.33	25377	59.86
ACCIDENT INVOLVE DEATH PER IN	134	0.32	25511	60.18
MANSLAUGHTER VOLUNTARY OR INVOLUNTARY	131	0.31	25642	60.48
ATTEMPTED MURDER IN THE FIRST DEGREE	128	0.3	25770	60.76
MURDER FIRST DEGREE	128	0.3	25898	61.06
HOMICIDE WILFUL KILL MURDER NOT PREMEDITATED	112	0.26	26010	61.33
MANSLAUGHTER CULPABLE NEGLG	111	0.26	26121	61.62
ATTEMPTED SECOND DEGREE MURDER WITH A FIREARM	105	0.25	26227	61.87
AGGRAVATED MANSLAUGHTER OF A CHILD	103	0.25	26330	62.11
MURDER IN THE FIRST DEGREE CAPITAL FELONY	104	0.25	26434	62.36
MURDER 1ST DEGREE PREMEDITATED DESIGN	102	0.24	26536	62.6
MURDER IN THE SECOND DEGREE WITH A WEAPON	102	0.24	26638	62.84
WRITTEN THREATS TO KILL OR DO BODILY INJURY	102	0.24	26740	63.08
ATTEMPTED MURDER IN THE 1ST D	95	0.23	26835	63.32
1ST DEATH	94	0.22	26929	63.54
ATTEMPTED FELONY MURDER	93	0.22	27022	63.76
ATTEMPTED MURDER	90	0.21	27112	63.97
HOMICIDE WILFUL KILL MURDER NOT PREMEDITATED NO	86	0.21	27198	64.18
MURDER FIRST DEGREE	86	0.21	27284	64.39
THIRD DEGREE MURDER	88	0.21	27372	64.59

Number of judicial charges with a felony conviction that contain a reference to 'SEXUAL OFFENSE' in the offense description field.
Based on CCH data extracted December 1, 2018.
SOURCE: FIDLE (2018), Tallahassee, FL

JUD CRT LIT	Frequency	Percent	Cumulative Frequency	Cumulative Percent
POSS PHOTOGRAPH OF SEXUAL PERFORMANCE BY CHILD	3465	3.86	3465	3.86
SEXUAL BATTERY	3531	2.57	6996	6.43
POSSESS PHOTOGRAPH OF SEX PERFORMANCE BY CHILD	3038	2.15	10034	6.57
OBSCENE MATERIAL/POSSESS POSS PHOTOGRAPH OF SEX	2717	1.92	12751	10.49
L L ASSAULT CHILD	2847	1.87	15598	12.36
LEWD OR LASCIVIOUS BATTERY	2081	1.47	17679	13.83
POSSESS PHOTOGRAPH OF SEX PERFORMANCE	1975	1.4	19654	15.23
LEWD LASCIV	1874	1.36	21528	16.62
POSSESS PHOTO MOVIE OF SEXUAL CONDUCT PERFOR	1839	1.37	23367	17.99
LEWD OR LASCIVIOUS MOLESTATION	1785	1.26	25152	19.25
SEXUAL PERFORMANCE BY A CHILD	1774	1.25	26926	20.51
SEX OFFENSE VIOL REGIST	1735	1.23	28661	21.73
SEX PERFORM CHILD POSH	1682	1.19	30343	22.92
ENGAGE CHILD FALS SEX	1443	1.02	31786	23.94
OBSCENE MATERIAL POSSESS POSS PHOTOGRAPH OF SEX	1442	1.02	33228	24.96
SEX BATT ON MINOR ADULT	1301	0.92	34529	25.88
POSSESSION OF SEXUAL PERFORMANCE BY A CHILD	1285	0.91	35814	26.79
LEWD AND LASCIVIOUS ACT	1182	0.84	36996	27.63
ATTEMPTED SEXUAL BATTERY	1156	0.82	38152	28.44
SEX BATT ON MINOR ADULT	1084	0.77	39236	29.21
UNLAWFUL POSS OF MATERIALS DEPICTING SEXUAL PE	1055	0.75	40291	29.96
SEX OFFENSE AGAINST CHILD PONDING	1037	0.73	41328	30.69
FAILURE OF SEXUAL OFFENDER TO REPORT	1017	0.72	42345	31.41
LEWD LASCIV ACT IN PRESENCE OF CHILD UNDER 16 YOA	851	0.6	43196	32.01
LEWD LASCIVIOUS ACT UPON CHILD	781	0.56	43977	32.56
POSS MAT DEPICTING SEXUAL PERFORM BY CHILD	749	0.53	44726	33.09
SEX BATT WEAPON INJU	723	0.51	45449	33.6
SEX BATT NO WEAPON INJU	609	0.43	46058	34.03
LEWD LASCIV ACT UPON CHILD UNDER THE AGE OF 16	596	0.42	46654	34.45
POSSESS CONTROL OR INTENTIONALLY VIEW SEXUAL	565	0.42	47219	34.87
FAILURE OF SEX OFFENDER TO PROPERLY REGISTER	581	0.41	47800	35.27
POSSESS PHOTOGRAPH OF SEXUAL CONDUCT BY CHILD	546	0.39	48346	35.66
LEWD ACT UPON A CHILD	537	0.38	48883	36.04
LEWD LASCIV	526	0.37	49409	36.41
FAILURE TO COMPLY WITH SEX OFFENDER REPORTING	518	0.37	49927	36.78
SEXUAL ASSAULT	507	0.36	50434	37.14
SEXUAL ACTIVITY WITH A CHILD	490	0.35	51024	37.49
UNLAWFUL POSSESSION OF MATERIALS DEPICTING SEX	487	0.34	51511	37.83
SEXUAL BATTERY DEF 1B VICT 12	483	0.34	51994	38.17
PROSTITUTION OR LEWDNESS	447	0.32	52441	38.49
FAILURE TO REGISTER AS SEX OFFENDER	445	0.31	52886	38.8
LEWD OR LASCIVIOUS CONDUCT	444	0.31	53330	39.11
SEXUAL BATTERY CHILD UNDER 12	437	0.31	53767	39.42
UNLAWFUL SEXUAL ACTIVITY WITH A MINOR	419	0.3	54186	39.72
L L BATT ON CHILD	416	0.29	54602	40.01
LEWD LASCIV	401	0.28	55003	40.3
SEXUAL BATTERY SLIGHT FORCE	397	0.28	55400	40.58
LEWD AND LASCIVIOUS ASSAULT OR ACT	382	0.27	55782	40.85
POSSESSION OF OBSCENE MATERIAL PHOTOGRAPH OF SEXU	382	0.27	56164	41.12
FAILURE TO REGISTER AS SEXUAL OFFENDER	378	0.27	56542	41.39
POSS MATERIAL RE SEXUAL CONDUCT BY CHILD RECLA	377	0.27	56919	41.66
LEWD OR LASCIVIOUS EXHIBITION	376	0.27	57295	41.93
FAILURE TO REGISTER AS A SEXUAL OFFENDER	370	0.26	57665	42.19
POSSESSION OF PHOTOGRAPHS SEXUAL PERFORMANCE 6	365	0.26	58030	42.45
SEX BATT CHILD UNDER 12	364	0.26	58394	42.71
INCEST	363	0.26	58757	42.97
POSSESSION OF SEXUAL PERFORMANCE BY A CHILD EN	360	0.25	59117	43.22
L L MOL CHILD 12 16	355	0.25	59472	43.47

Number of judicial charges with the felony conviction that contain a reference to 'SEXUAL OFFENSE' in the offense literal field.
Based on COI data extracted December 1, 2018.
SOURCE: FDLE (2018). Tallahassee, FL

JUD CRT LIT	Frequency	Percent	Cumulative Frequency	Cumulative Percent
POSS PHOTOGRAPH OF SEXUAL PERFORMANCE BY CHILD	3453	5.86	5403	3.88
SEXUAL BATTERY	3631	2.57	9034	6.45
POSSESS PHOTOGRAPH OF SEX PERFORMANCE BY CHILD	3038	2.15	12132	8.57
OBSCENE MATERIAL POSSESS POSS PHOTOGRAPH OF SEX	2717	1.82	14849	10.40
L L ASSAULT CHILD	2547	1.87	17405	12.36
LEWD OR LASCIVIOUS BATTERY	2081	1.47	19487	13.83
POSSESS PHOTOGRAPH OF SEX PERFORMAN	1973	1.4	21460	15.23
LEWD LASCIV	1974	1.36	23434	16.62
POSSESS PHOTO MOVIE OF SEXUAL CONDUCT PERFOR	1939	1.37	25373	17.99
LEWD OR LASCIVIOUS MOLESTATION	1785	1.25	27158	19.25
SEXUAL PERFORMANCE BY A CHILD	1774	1.23	28932	20.51
SEX OFFENSE VIOL REGST	1739	1.23	30671	21.73
SEX PERFORM CHILD POSN	1682	1.19	32353	22.92
ENGAGE CHILD FAM SEX	1448	1.02	33801	23.94
OBSCENE MATERIAL POSSESS POSS PHOTOGRAPH OF SEX	1442	1.02	35243	24.96
SEX BATTERY MINOR ACT	1301	0.92	36544	25.88
POSSESSION OF SEXUAL PERFORMANCE BY A CHILD	1285	0.91	37829	26.79
LEWD AND LASCIVIOUS ACT	1182	0.84	39011	27.63
ATTEMPTED SEXUAL BATTERY	1156	0.82	40167	28.44
SEX BATTERY MINOR ACT	1084	0.77	41251	29.21
UNLAWFUL POSSESS OF MATERIALS DEPICTING SEXUAL PE	1033	0.73	42284	29.93
SEX OFFENSE AGAINST CHILD FONDLING	1027	0.73	43311	30.66
FAILURE OF SEXUAL OFFENDER TO REPORT	1017	0.72	44328	31.41
LEWD LASCIVIOUS ACT IN PRESENCE OF CHILD UNDER 18 YOA	851	0.6	45179	32.01
LEWD LASCIVIOUS ACT UPON CHILD	761	0.55	45940	32.56
POSSESS MATERIAL DEPICTING SEXUAL PERFORM BY CHILD	746	0.53	46686	33.09
SEX BATTERY WEAPON IN	723	0.51	47409	33.6
SEX BATTERY NO WEAPON	603	0.43	48012	34.03
LEWD LASCIVIOUS ACT UPON CHILD UNDER THE AGE OF 18	596	0.42	48608	34.45
POSSESS CONTROL OR INTENTIONALLY VIEW SEXUAL	585	0.42	49193	34.88
FAILURE OF SEX OFFENDER TO PROPERLY REGISTER	581	0.41	49774	35.27
POSSESS PHOTOSEXUAL CONDUCT BY CHILD	546	0.39	50320	35.66
LEWD ACT UPON A CHILD	527	0.38	50847	36.04
LEWD LASCIV	525	0.37	51372	36.41
FAILURE TO COMPLY WITH SEX OFFENDER REPORTING	515	0.37	51887	36.78
SEXUAL ASSAULT	507	0.36	52394	37.14
SEXUAL ACTIVITY WITH A CHILD	490	0.35	52884	37.48
UNLAWFUL POSSESSION OF MATERIALS DEPICTING SEX	487	0.34	53371	37.83
SEXUAL BATTERY DEF 18 VIOCT 12	483	0.34	53854	38.17
PROSTITUTION OR LEWDNESS	447	0.32	54301	38.48
FAILURE TO REGISTER AS SEX OFFENDER	448	0.31	54749	38.8
LEWD OR LASCIVIOUS CONDUCT	444	0.31	55193	39.11
SEXUAL BATTERY CHILD UNDER 12	437	0.31	55630	39.42
UNLAWFUL SEXUAL ACTIVITY WITH A MINOR	419	0.3	56049	39.72
L L BATTERY CHILD	415	0.29	56464	40.01
LEWD LASCIV	401	0.28	56865	40.3
SEXUAL BATTERY SIGHT FORCE	397	0.28	57262	40.58
LEWD AND LASCIVIOUS ASSAULT OR ACT	382	0.27	57644	40.85
POSSESSION OF OBSCENE MATERIAL PHOTOGRAPH OF SEXU	381	0.27	58025	41.12
FAILURE TO REGISTER AS SEXUAL OFFENDER	378	0.27	58403	41.39
POSSESS MATERIAL RE SEXUAL CONDUCT BY CHILD RECLA	377	0.27	58780	41.66
LEWD OR LASCIVIOUS EXHIBITION	376	0.27	59156	41.91
FAILURE TO REGISTER AS A SEXUAL OFFENDER	370	0.26	59526	42.16
POSSESSION OF PHOTOGRAPHS SEXUAL PERFORMANCE B	363	0.26	59889	42.43
SEX BATTERY CHILD UNDER 12	364	0.26	60253	42.69
INCEST	365	0.26	60618	42.95
POSSESSION OF SEXUAL PERFORMANCE BY A CHILD EN	360	0.25	60978	43.2
L L MOL CHILD 12 18	353	0.25	61331	43.45

Number of judicial charges with the felony conviction that contains a reference to "SEXUAL OFFENSE" in the offense item field.
Based on CCH data extracted December 1, 2018.
SOURCE: FDLE (2018), Tallahassee, FL

JUD CRT UT	Frequency	Percent	Cumulative Frequency	Cumulative Percent
POSS PHOTOGRAPH OF SEXUAL PERFORMANCE BY CHLD	5453	3.86	5453	3.86
SEXUAL BATTERY	5631	2.57	9084	6.43
POSSESS PHOTOGRAPH OF SEX PERFORMANCE BY CHLD	3038	2.15	12122	8.57
OBSCENE MATERIAL POSSESS POSS PHOTOGRAPH OF SEX	2717	1.92	14849	10.49
L L ASSAULT CHLD	2847	1.87	17695	12.36
LEWD OR LASCIVIOUS BATTERY	2081	1.47	19777	13.83
POSSESS PHOTOGRAPH OF SEX PERFORMAN	1975	1.4	21552	15.23
LEWD LASOV	1974	1.39	23526	16.62
POSSESS PHOTO MOVIE OF SEXUAL CONDUCT PERFOR	1929	1.37	25455	17.99
LEWD OR LASCIVIOUS MOLESTATION	1786	1.28	27240	19.27
SEXUAL PERFORMANCE BY A CHILD	1774	1.25	29014	20.91
SEX OPND VIOL REQST	1735	1.23	30759	21.73
SEX PERF CHLD POSN	1682	1.19	32441	22.92
ENGAGE CHLD FAM SEX	1448	1.02	33889	23.94
OBSCENE MATERIAL POSSESS POSS PHOTOGRAPH OF SEX	1442	1.02	35331	24.96
SEX BATT ON MINORATT	1301	0.92	36632	25.88
POSSESSION OF SEXUAL PERFORMANCE BY A CHILD	1288	0.91	37920	26.79
LEWD AND LASCIVIOUS ACT	1182	0.84	39102	27.63
ATTEMPTED SEXUAL BATTERY	1156	0.82	40258	28.44
SEX BATT ON MINORATT	1084	0.77	41342	29.21
UNLAWFUL POSS OF MATERIALS DEPICTING SEXUAL PE	1033	0.73	42375	29.95
SEX OFFENSE AGNST CHLD FONDLING	1027	0.73	43402	30.68
FAILURE OF SEXUAL OFFENDER TO REPORT	1017	0.72	44419	31.41
LEWD LASOV ACT IN PRES OF CHILD UNDER 18 YOA	851	0.6	45269	32.01
LEWD LASCIVIOUS ACT UPON CHILD	781	0.55	46050	32.56
POSS MAT DEPICTING SEXUAL PERF BY CHILD	745	0.53	46795	33.09
SEX BATT WEAP SER INU	725	0.51	47520	33.6
SEX BATT NO SER INU	682	0.48	48202	34.08
LEWD LASOV ACT UPON CHILD UNDER THE AGE OF 16	556	0.4	48758	34.48
POSSESS CONTROL OR INTENTIONALLY VIEW SEXUAL	525	0.38	49283	34.86
FAILURE OF SEX OFFENDER TO PROPERLY REGISTER	521	0.37	49804	35.23
POSSESS PHOTOS SEXUAL CONDUCT BY CHILD	546	0.39	50350	35.62
LEWD ACT UPON A CHILD	537	0.38	50887	36.01
LEWD LASC	525	0.37	51412	36.38
FAILURE TO COMPLY WITH SEX OFFENDER REPORTING	518	0.37	51930	36.75
SEXUAL ASSAULT	507	0.36	52437	37.11
SEXUAL ACTIVITY WITH A CHILD	490	0.35	53027	37.46
UNLAWFUL POSSESSION OF MATERIALS DEPICTING SEX	467	0.34	53494	37.8
SEXUAL BATTERY DEF 18 VIOF 12	425	0.3	54019	38.17
PROSTITUTION OR LEWDNESS	447	0.32	54466	38.48
FAILURE TO REGISTER AS SEX OFFENDER	446	0.31	54912	38.8
LEWD OR LASCIVIOUS CONDUCT	444	0.31	55356	39.11
SEXUAL BATTERY CHLD UNDER 12	457	0.31	55813	39.42
UNLAWFUL SEXUAL ACTIVITY WITH A MINOR	419	0.3	56232	39.72
L L BATT ON CHLD	418	0.29	56650	40.01
LEWD LASOV	401	0.28	57051	40.3
SEXUAL BATTERY SLIGHT FORCE	397	0.28	57448	40.58
LEWD AND LASCIVIOUS ASSAULT OR ACT	382	0.27	57830	40.85
POSSESS ON OBSCENE MATERIAL PHOTOGRAPH OF SEXU	382	0.27	58212	41.12
FAILURE TO REGISTER AS SEXUAL OFFENDER	378	0.27	58590	41.39
POSS MATERIAL RE SEXUAL CONDUCT BY CHILD REQ A	377	0.27	58967	41.66
LEWD OR LASCIVIOUS EXHIBITION	376	0.27	59343	41.93
FAILURE TO REGISTER AS A SEXUAL OFFENDER	370	0.26	59713	42.18
POSSESSION OF PHOTOGRAPHS SEXUAL PERFORMANCE B	365	0.26	60078	42.43
SEX BATT CHLD UNDER 12	364	0.26	60442	42.69
INCEST	365	0.26	60807	42.95
POSSESSION OF SEXUAL PERFORMANCE BY A CHILD EN	340	0.23	61147	43.2
L L MOL CHLD 12 18	323	0.23	61470	43.43

Number of judicial charges with the felony conviction that contain a reference to 'SEXUAL OFFENSE' in the offense item field.
Based on CJR data extracted December 4, 2018.
SOURCE: FDLE (2018). Tallahassee, FL.

JUD CRT LIT	Frequency	Percent	Cumulative Frequency	Cumulative Percent
POSS PHOTOGRAPH OF SEXUAL PERFORMANCE BY CHILD	5453	3.85	5453	3.85
SEXUAL BATTERY	3631	2.57	9084	6.43
POSSESS PHOTOGRAPH OF SEX PERFORMANCE BY CHILD	3038	2.13	12122	8.57
OBSCENE MATERIAL/POSSESS POSS PHOTOGRAPH OF SEX	2717	1.92	14849	10.49
L L ASSAULT CHILD	2647	1.87	17495	12.36
LEWD OR LASCIVIOUS BATTERY	2081	1.47	19577	13.83
POSSESS PHOTOGRAPH OF SEX PERFORMAN	1973	1.4	21551	15.23
LEWD LASOV	1974	1.39	23525	16.62
POSSESS PHOTO MOVIE OF SEXUAL CONDUCT PERFOR	1939	1.37	25465	17.99
LEWD OR LASCIVIOUS MOLESTATION	1785	1.26	27250	19.25
SEXUAL PERFORMANCE BY A CHILD	1774	1.25	29024	20.51
SEX OFFENSE VIOL REQUEST	1735	1.23	30759	21.73
SEX PER CHILD POSN	1682	1.19	32441	22.92
ENGAGE CHILD FAMS EX	1448	1.02	33889	23.94
OBSCENE MATERIAL/POSSESS POSS PHOTOGRAPH OF SEX	1442	1.02	35331	24.96
SEX BATTERY MINOR ACT	1301	0.92	36632	25.88
POSSESSION OF SEXUAL PERFORMANCE BY A CHILD	1285	0.91	37917	26.79
LEWD AND LASCIVIOUS ACT	1182	0.84	39099	27.63
ATTEMPTED SEXUAL BATTERY	1136	0.82	40235	28.44
SEX BATTERY MINOR ACT	1084	0.77	41319	29.21
UNLAWFUL POSS OF MATERIALS DEPICTING SEXUAL PE	1059	0.75	42378	29.96
SEX OFFENSE AGAINST CHILD FONDLE	1057	0.75	43435	30.69
FAILURE OF SEXUAL OFFENDER TO REPORT	1017	0.72	44452	31.41
LEWD LASOV ACT IN PRES OF CHILD UNDER 16 YOA	851	0.6	45303	32.01
LEWD LASCIVIOUS ACT UPON CHILD	781	0.55	46084	32.56
POSS MAT DEPICTING SEXUAL PERFORM BY CHILD	746	0.53	46830	33.09
SEX BATT WEAPON INJ	725	0.51	47555	33.6
SEX BATT NO SER INJ	608	0.43	48163	34.03
LEWD LASCIVIOUS ACT UPON CHILD UNDER THE AGE OF 16	596	0.42	48759	34.45
POSSESS CONTROL OR INTENTIONALLY VIEW SEXUAL	565	0.4	49324	34.85
FAILURE OF SEX OFFENDER TO PROPERLY REGISTER	561	0.4	49885	35.27
POSSESS PHOTOS SEXUAL CONDUCT BY CHILD	546	0.39	50431	35.65
LEWD ACT UPON A CHILD	537	0.38	50968	36.04
LEWD LASOV	525	0.37	51493	36.41
FAILURE TO COMPLY WITH SEX OFFENDER REPORTING	518	0.37	52011	36.78
SEXUAL ASSAULT	507	0.36	52518	37.14
SEXUAL ACTIVITY WITH A CHILD	490	0.35	53008	37.48
UNLAWFUL POSSESSION OF MATERIALS DEPICTING SEX	487	0.34	53495	37.83
SEXUAL BATTERY DEF 1B VICT 12	483	0.34	53978	38.17
PROSTITUTION OR LEWDNESS	447	0.32	54425	38.48
FAILURE TO REGISTER AS SEX OFFENDER	445	0.31	54870	38.8
LEWD OR LASCIVIOUS CONDUCT	444	0.31	55314	39.11
SEXUAL BATTERY CHILD UNDER 12	437	0.31	55751	39.42
UNLAWFUL SEXUAL ACTIVITY WITH A MINOR	416	0.3	56167	39.72
L L BATT ON CHILD	416	0.29	56583	40.01
LEWD LASOV	401	0.28	56984	40.3
SEXUAL BATTERY SLIGHT FORCE	377	0.27	57361	40.58
LEWD AND LASCIVIOUS ASSAULT OR ACT	372	0.27	57733	40.85
POSSESSION OF OBSCENE MATERIAL PHOTOGRAPH OF SEXU	362	0.26	58095	41.12
FAILURE TO REGISTER AS SEXUAL OFFENDER	378	0.27	58473	41.39
POSS MATERIAL RE SEXUAL CONDUCT BY CHILD RECLA	377	0.27	58850	41.66
LEWD OR LASCIVIOUS EXHIBITION	376	0.27	59226	41.93
FAILURE TO REGISTER AS A SEXUAL OFFENDER	370	0.26	59596	42.18
POSSESSION OF PHOTOGRAPHS SEXUAL PERFORMANCE B	365	0.26	59961	42.45
SEX BATT CHILD UNDER 12	364	0.26	60325	42.69
INCEST	365	0.26	60690	42.95
POSSESSION OF SEXUAL PERFORMANCE BY A CHILD EN	360	0.25	61050	43.2
L L MOLE CHILD 12 16	353	0.25	61403	43.45

Number of judicial charges with the felony conviction that contain a reference to 'SEXUAL OFFENSE' in the offense (item) field.
Based on CCH data extracted December 1, 2018.
SOURCE: FDLE (2018). Tallahassee, FL

JUD CRT INT	Frequency	Percent	Cumulative Frequency	Cumulative Percent
POSS PHOTOGRAPH OF SEXUAL PERFORMANCE BY CHILD	5453	3.88	5453	3.88
SEXUAL BATTERY	3631	2.57	9084	6.45
POSSESS PHOTOGRAPH OF SEX PERFORMANCE BY CHILD	3038	2.13	12122	8.57
OBSCENE MATERIAL POSSESS POSS PHOTOGRAPH OF SEX	2717	1.92	14839	10.49
LEW ASSAULT CHILD	2547	1.82	17386	12.31
LEWD OR LASCIVIOUS BATTERY	2081	1.47	19467	13.78
POSSESS PHOTOGRAPH OF SEX PERFORMANCE	1975	1.4	21442	15.18
LEWD LASOV	1874	1.33	23316	16.51
POSSESS PHOTO MOVIE OF SEXUAL CONDUCT PERFOR	1539	1.07	24855	17.58
LEWD OR LASCIVIOUS MOLESTATION	1785	1.28	26640	18.86
SEXUAL PERFORMANCE BY A CHILD	1774	1.28	28414	20.14
SEX OFFENSE VIOL REGIST	1735	1.23	30149	21.37
SEX PER CHILD POSN	1622	1.19	31771	22.56
ENGAGE CHILD FAIR SEX	1448	1.02	33219	23.58
OBSCENE MATERIAL POSSESS POSS PHOTOGRAPH OF SEX	1442	1.02	34661	24.6
SEX BATT ON MINOR ATT	1301	0.92	35962	25.52
POSSESSION OF SEXUAL PERFORMANCE BY A CHILD	1285	0.91	37247	26.43
LEWD AND LASCIVIOUS ACT	1182	0.84	38429	27.27
ATTEMPTED SEXUAL BATTERY	1156	0.82	39585	28.09
SEX BATT ON MINOR ADT	1084	0.77	40669	28.86
UNLAWFUL POSS OF MATERIALS DEPICTING SEXUAL PE	1035	0.73	41704	29.59
SEX OFFENSE AGAINST CHILD FONDLING	1037	0.73	42741	30.32
FAILURE OF SEXUAL OFFENDER TO REPORT	1017	0.72	43758	31.04
LEWD LASOV ACT IN PRE OF CHILD UNDER 16 YOA	851	0.6	44609	31.64
LEWD LASCIVIOUS ACT UPON CHILD	781	0.55	45390	32.19
POSS MAT DEPICTING SEXUAL PER BY CHILD	742	0.53	46132	32.72
SEX BATT V/EAPEER INU	723	0.51	46855	33.23
SEX BATT NO SER INU	602	0.43	47457	33.66
LEWD LASCIVIOUS ACT UPON CHILD UNDER THE AGE OF 16	598	0.42	48055	34.08
POSSESS CONTROL OR INTENTIONALLY VIEW SEXUAL	585	0.42	48640	34.5
FAILURE OF SEX OFFENDER TO PROPERLY REGISTER	581	0.41	49221	34.91
POSSESS PHOTOS SEXUAL CONDUCT BY CHILD	545	0.39	49766	35.3
LEWD ACT UPON A CHILD	537	0.38	50303	35.68
LEWD LASC	525	0.37	50828	36.05
FAILURE TO COMPLY WITH SEX OFFENDER REPORTING	518	0.37	51346	36.42
SEXUAL ASSAULT	507	0.36	51853	36.78
SEXUAL ACTIVITY WITH A CHILD	480	0.34	52333	37.12
UNLAWFUL POSSESSION OF MATERIALS DEPICTING SEX	467	0.34	52800	37.46
SEXUAL BATTERY DEF 16 VICT 12	465	0.34	53265	37.8
PROSTITUTION OR LEWDNESS	447	0.32	53712	38.12
FAILURE TO REGISTER AS SEX OFFENDER	445	0.31	54157	38.43
LEWD OR LASCIVIOUS CONDUCT	444	0.31	54601	38.74
SEXUAL BATTERY CHILD UNDER 12	437	0.31	55038	39.05
UNLAWFUL SEXUAL ACTIVITY WITH A MINOR	415	0.3	55453	39.35
LEW BATT ON CHILD	415	0.29	55868	39.64
LEWD LASOV	401	0.28	56269	39.92
SEXUAL BATTERY SUGHT FORCE	397	0.28	56666	40.2
LEWD AND LASCIVIOUS ASSAULT OR ACT	382	0.27	57048	40.47
POSSESSION OBSCENE MATERIAL PHOTOGRAPH OF SEXU	382	0.27	57430	40.74
FAILURE TO REGISTER AS SEXUAL OFFENDER	378	0.27	57808	41.01
POSS MATERIAL RE SEXUAL CONDUCT BY CHILD RECLA	377	0.27	58185	41.28
LEWD OR LASCIVIOUS EXHIBITION	376	0.27	58561	41.55
FAILURE TO REGISTER AS A SEXUAL OFFENDER	370	0.26	58931	41.81
POSSESSION OF PHOTOGRAPHS SEXUAL PERFORMANCE B	365	0.26	59296	42.07
SEX BATT CHILD UNDER AGE 12	364	0.26	59660	42.33
INCEST	363	0.26	59923	42.59
POSSESSION OF SEXUAL PERFORMANCE BY A CHILD EN	360	0.25	60283	42.84
LEW MOL CHILD 12 16	353	0.25	60636	43.09

Number of judicial charges with the felony conviction that contains a reference to 'SEXUAL OFFENSE' in the offense item1 field.
Based on CJD data extracted December 1, 2018.
SOURCE: FDLE (2018). Tallahassee, FL

JUD_CRT_ITEM	Frequency	Percent	Cumulative Frequency	Cumulative Percent
POSS PHOTOGRAPH OF SEXUAL PERFORMANCE BY CHILD	5483	3.86	5483	3.86
SEXUAL BATTERY	3831	2.37	9314	6.43
POSSESS PHOTOGRAPH OF SEX PERFORMANCE BY CHILD	3038	2.18	12352	8.57
OBSCENE MATERIAL POSSESS POSS PHOTOGRAPH OF SEX	2717	1.92	15069	10.49
L L ASSAULT CHILD	2647	1.87	17716	12.36
LEWD OR LASCIVIOUS BATTERY	2081	1.47	19797	13.83
POSSESS PHOTOGRAPH OF SEX PERFORMAN	1975	1.4	21772	15.23
LEWD LASCIV	1874	1.35	23646	16.62
POSSESS PHOTO MOVIE OF SEXUAL CONDUCT PERFOR	1839	1.33	25485	17.99
LEWD OR LASCIVIOUS MOLESTATION	1785	1.28	27270	19.25
SEXUAL PERFORMANCE BY A CHILD	1774	1.25	29044	20.51
SEX OFFENSE VIOL REGIST	1733	1.23	30777	21.73
SEX PERFORM CHILD POSH	1682	1.19	32459	22.92
ENGAGE CHILD RAMP SEX	1448	1.02	33907	23.94
OBSCENE MATERIAL POSSESS POSS PHOTOGRAPH OF SEX	1442	1.02	35349	24.96
SEX BATTERY MINOR ACT	1301	0.92	36650	25.88
POSSESSION OF SEXUAL PERFORMANCE BY A CHILD	1285	0.91	37935	26.79
LEWD AND LASCIVIOUS ACT	1182	0.84	39117	27.63
ATTEMPTED SEXUAL BATTERY	1156	0.82	40273	28.44
SEX BATTERY MINOR ACT	1084	0.77	41357	29.21
UNLAWFUL POS OF MATERIALS DEPICTING SEXUAL PE	1039	0.73	42396	29.98
SEX OFFENSE AGAINST CHILD FOR DURING	1037	0.73	43433	30.69
FAILURE OF SEXUAL OFFENDER TO REPORT	1017	0.72	44450	31.41
LEWD LASCIV ACT IN PRES OF CHILD UNDER 16 YOA	881	0.6	45331	32.01
LEWD LASCIV INDEPENDENT ACT UPON CHILD	781	0.55	46112	32.56
POSS MAT DEPICTING SEXUAL PERFORM BY CHILD	746	0.53	46858	33.09
SEX BATT WEAPON IN	723	0.51	47581	33.6
SEX BATT NO WEAPON	688	0.48	48269	34.08
LEWD LASCIV UPON CHILD UNDER THE AGE OF 16	596	0.42	48865	34.48
POSSESS CONTROL OR INTENTIONALLY VIEW SEXUAL	589	0.42	49454	34.88
FAILURE OF SEX OFFENDER TO PROPERLY REGISTER	581	0.41	50035	35.27
POSSESS PHOTOS SEXUAL CONDUCT BY CHILD	545	0.39	50580	35.66
LEWD ACT UPON A CHILD	537	0.38	51117	36.04
LEWD LASC	526	0.37	51643	36.41
FAILURE TO COMPLY WITH SEX OFFENDER REPORTING	518	0.37	52161	36.78
SEXUAL ASSAULT	507	0.36	52668	37.14
SEXUAL ACTIVITY WITH A CHILD	490	0.35	53158	37.48
UNLAWFUL POSSESSION OF MATERIALS DEPICTING SEX	487	0.34	53645	37.83
SEXUAL BATTERY DEF 1B VICT 12	483	0.34	54128	38.17
PROSTITUTION OR LEWDNESS	447	0.32	54575	38.48
FAILURE TO REGISTER AS SEX OFFENDER	443	0.31	55018	38.8
LEWD OR LASCIVIOUS CONDUCT	444	0.31	55462	39.11
SEXUAL BATTERY CHILD UNDER 12	437	0.31	55899	39.42
UNLAWFUL SEXUAL ACTIVITY WITH A MINOR	416	0.3	56315	39.72
L L BATT ON CHILD	416	0.29	56731	40.01
LEWD LASCIV	401	0.28	57132	40.3
SEXUAL BATTERY SLIGHT FORCE	397	0.28	57529	40.58
LEWD AND LASCIVIOUS ASSAULT OR ACT	382	0.27	57911	40.89
POSSESS ON OBSCENE MATERIAL PHOTOGRAPH OF SEXU	382	0.27	58293	41.12
FAILURE TO REGISTER AS SEXUAL OFFENDER	378	0.27	58671	41.38
POSS MATERIAL RE SEXUAL CONDUCT BY CHILD REG LA	377	0.27	59048	41.65
LEWD OR LASCIVIOUS EXHIBITION	376	0.27	59424	41.91
FAILURE TO REGISTER AS A SEXUAL OFFENDER	370	0.26	59794	42.18
POSSESSION OF PHOTOGRAPHS SEXUAL PERFORMANCE B	365	0.26	60159	42.43
SEX BATT CHILD UNDER AGE 12	364	0.26	60523	42.69
INCEST	365	0.26	60888	42.95
POSSESSION OF SEXUAL PERFORMANCE BY A CHILD EN	360	0.25	61248	43.2
L L MOL CHILD 12 16	353	0.25	61601	43.45

Number of judicial charges with a felony conviction that contain a reference to "MURDER" in the offense item field.
Based on CCH data extracted December 1, 2018.
SOURCE: FDLE (2018). To Defendants, FL

JUD_CRT_LIT	Frequency	Percent	Cumulative Frequency	Cumulative Percent
MANSLAUGHTER	5590	12.72	3390	12.72
DUI MANSLAUGHTER	1980	4.67	7370	17.4
SECOND DEGREE MURDER	1262	2.96	8632	20.38
FIRST DEGREE MURDER	1220	2.88	9852	23.26
MURDER - FIRST DEGREE	1098	2.48	10950	25.73
MURDER 1ST DEGREE	1090	2.48	11948	28.21
MURDER IN THE SECOND DEGREE	1028	2.43	12976	30.66
MURDER - SECOND DEGREE	1018	2.4	14004	33.06
MURDER IN THE FIRST DEGREE	1007	2.38	15011	35.43
MURDER 1ST DEGREE	840	1.98	15851	37.41
MURDER 2ND DEGREE	832	1.96	16683	39.38
VEHICULAR HOMICIDE	778	1.82	17461	41.2
MURDER 2ND DEGREE	740	1.73	18201	42.93
MURDER	674	1.59	18875	44.54
MURDER 2ND DEGREE	428	1	19303	45.54
MANSL	418	0.97	19721	46.52
ATTEMPTED MURDER 1ST DEGREE	411	0.97	20132	47.49
ATTEMPTED FIRST DEGREE MURDER	397	0.94	20529	48.43
MURDER PREMEDITATED	384	0.91	20913	49.33
MURDER IN 2ND DEGREE	358	0.85	21271	50.18
MURDER 1ST DEGREE	344	0.81	21615	50.99
WILLFUL KILL	330	0.78	21945	51.77
MURDER SECOND DEGREE	307	0.72	22252	52.5
MURDER 2ND DEGREE	308	0.72	22560	53.21
ATTEMPTED MURDER IN THE SECOND DEGREE	298	0.7	22858	53.92
MURDER FIRST DEGREE	245	0.58	23103	54.49
ATT MURDER IN FIRST DEGREE 77704	244	0.58	23347	55.07
ATTEMPTED FIRST DEGREE MURDER WITH A FIREARM	238	0.54	23585	55.61
ATTEMPTED SECOND DEGREE MURDER	224	0.53	23809	56.14
DUI MANSLAUGHTER	210	0.5	24019	56.65
FIRST DEGREE MURDER WITH A FIREARM	201	0.47	24220	57.11
NEGLECT MANSL VEH	189	0.45	24409	57.56
MANSLAUGHTER WITH A FIREARM	188	0.44	24597	57.99
SECOND DEGREE MURDER WITH A FIREARM	184	0.45	24781	58.42
MANSLAUGHTER DWBAP	180	0.38	24961	58.8
HOMICIDE WILLFUL KILL MURDER PREMEDITATED	187	0.37	25148	59.17
ATTEMPTED MURDER 2ND DEGREE	181	0.36	25329	59.53
MURDER 2ND DEGREE	140	0.33	25469	59.86
ACCIDENT INVOLVE DEATH PER IN	154	0.32	25623	60.18
MANSLAUGHTER VOLUNTARY OR INVOLUNTARY	151	0.31	25774	60.48
ATTEMPTED MURDER IN THE FIRST DEGREE	125	0.3	25899	60.79
MURDER - FIRST DEGREE	128	0.3	26027	61.09
HOMICIDE WILLFUL KILL MURDER NOT PREMEDITATED	112	0.26	26139	61.35
MANSLAUGHTER - CULPABLE NEGLIGENCE	111	0.26	26250	61.62
ATTEMPTED SECOND DEGREE MURDER WITH A FIREARM	106	0.25	26356	61.87
AGGRAVATED MANSLAUGHTER OF A CHILD	108	0.25	26464	62.11
MURDER IN THE FIRST DEGREE CAPITAL FELONY	104	0.25	26568	62.36
MURDER 1ST DEGREE PREMEDITATED DESIGN	102	0.24	26670	62.6
MURDER IN THE SECOND DEGREE WITH A WEAPON	102	0.24	26772	62.84
WRITTEN THREATS TO KILL OR DO BODILY INJURY	102	0.24	26874	63.08
ATTEMPTED MURDER IN THE 1ST D	96	0.23	26970	63.32
15A DEATH	94	0.22	27064	63.54
ATTEMPTED FELONY MURDER	93	0.22	27157	63.76
ATTEMPTED MURDER	90	0.21	27247	63.97
HOMICIDE WILLFUL KILL MURDER NOT PREMEDITATED	86	0.21	27333	64.18
MURDER FIRST DEGREE	88	0.21	27421	64.38
THIRD DEGREE MURDER	82	0.21	27503	64.59

Number of judicial charges with a felony conviction that contain a statutory reference for 'SEXUAL OFFENSE' .
Based on CCH data extracted December 1, 2018.
SOURCE: FDLE (2018). Tallahassee, FL

JUD_CRT_STATUTE	Frequency	Percent	Cumulative Frequency	Cumulative Percent
800.04	14263	18.09	14263	18.09
800.04.4A	5962	7.56	20225	25.65
794.011	5830	7.39	26055	33.04
800.04.5B	5182	6.57	31237	39.62
794.011.2A	4629	5.87	35866	45.49
794.011.8B	4339	5.5	40205	50.99
794.011.5	4098	5.2	44303	56.19
794.011.2	4059	5.15	48362	61.33
794.011.3	3167	4.02	51529	65.35
800.04.5C2	2974	3.77	54503	69.12
800.04.1	2405	3.05	56908	72.17
794.041.2B	1880	2.38	58788	74.56
800.04.6B	1864	2.36	60652	76.92
800.04.4	1490	1.89	62142	78.81
800.04.3	1273	1.61	63415	80.43
794.05	1238	1.57	64653	82
800.04.2	1177	1.49	65830	83.49
794.05.1	1111	1.41	66941	84.9
800.04.4B	991	1.26	67932	86.15
794.011.2B	774	0.98	68706	87.14
794.011.4	647	0.82	69353	87.96
800.04.4A1	604	0.77	69957	88.72
800.04.7A	596	0.76	70553	89.48
794.041	591	0.75	71144	90.23
800.04.7C	583	0.74	71727	90.97
796.07.2E	582	0.74	72309	91.71
800.04.7B	560	0.71	72869	92.42
800.04.5C1	369	0.47	73238	92.88
794.011.4B	289	0.37	73527	93.25
800.04.	277	0.35	73804	93.6
800.04.5AB	255	0.32	74059	93.93
826.04	219	0.28	74278	94.2
800.04.5	209	0.27	74487	94.47
800.04.5A	209	0.27	74696	94.73
800.04.5D	167	0.21	74863	94.94
794.011.8C	166	0.21	75029	95.16
800.04	161	0.2	75190	95.36
794.011.4A	159	0.2	75349	95.56
800.04.7	157	0.2	75506	95.76
800.04.6C	145	0.18	75651	95.94
798.02	139	0.18	75790	96.12
794.011.5A	132	0.17	75922	96.29
794.011.8A	131	0.17	76053	96.45
794.05.	130	0.16	76183	96.62

800.04.5AC2	129	0.16	76312	96.78
800.04.6A	127	0.16	76439	96.94
794.011.5B	125	0.16	76564	97.1
800.02	121	0.15	76685	97.26
794.011.4E	115	0.15	76800	97.4
800.04.5C	115	0.15	76915	97.55
810.145.8A3	110	0.14	77025	97.69
794.011.2-1	105	0.13	77130	97.82
800.04.7AB	97	0.12	77227	97.94
794.041.2A	93	0.12	77320	98.06
800.04.6A1	83	0.11	77403	98.17
800.04.6	82	0.1	77485	98.27
810.145.2	77	0.1	77562	98.37
800.03	67	0.08	77629	98.45
800.04.6A2B	46	0.06	77675	98.51
825.1025.3	46	0.06	77721	98.57
810.145	43	0.05	77764	98.62
794.023.2A	42	0.05	77806	98.68
800.04.6AB	41	0.05	77847	98.73
800.04.7D	41	0.05	77888	98.78
800.04.7AC	38	0.05	77926	98.83
810.145.6B	35	0.04	77961	98.87
825.1025.2	35	0.04	77996	98.92
794.011.4C	31	0.04	78027	98.96
794.011.5C	30	0.04	78057	99
800.04.7ABC	29	0.04	78086	99.03
794.023.2B	28	0.04	78114	99.07
794.011.4F	27	0.03	78141	99.1
800.04.0	26	0.03	78167	99.14
800.04.6A16	25	0.03	78192	99.17
794.011.8	24	0.03	78216	99.2
800.04.6A1B	22	0.03	78238	99.23
800.04.6A2	22	0.03	78260	99.25
794.023	21	0.03	78281	99.28
800.04.5AC1	21	0.03	78302	99.31
800.04.B	21	0.03	78323	99.33
800.09	20	0.03	78343	99.36
825.1025.4	20	0.03	78363	99.38
794.011.1F	19	0.02	78382	99.41
800.04.4A2	19	0.02	78401	99.43
800.04.(4A)	17	0.02	78418	99.45
800.04.0000	16	0.02	78434	99.47
794.011.4D	15	0.02	78449	99.49
794.011.2-2	14	0.02	78463	99.51
794.011.4G	14	0.02	78477	99.53
810.145.	14	0.02	78491	99.55
794.011.(5)	13	0.02	78504	99.56
800.04.6A26	13	0.02	78517	99.58
794.011.0000	12	0.02	78529	99.59

800.04.1A1	12	0.02	78541	99.61
800.04.5A2	12	0.02	78553	99.62
810.145.8A1	12	0.02	78565	99.64
810.145.2A8A	11	0.01	78576	99.65
794.011.	10	0.01	78586	99.67
800.04.(5C2	10	0.01	78596	99.68
800.04.4C	8	0.01	78604	99.69
810.145.7	8	0.01	78612	99.7
794.011.1	7	0.01	78619	99.71
800.04.(6B)	7	0.01	78626	99.72
800.04.7BC	7	0.01	78633	99.73
810.145.8A	7	0.01	78640	99.73
800.01	6	0.01	78646	99.74
800.04.C	6	0.01	78652	99.75
800.041	6	0.01	78658	99.76
810.145.2A	6	0.01	78664	99.77
951.221.1	6	0.01	78670	99.77
794.011.(2A)	5	0.01	78675	99.78
794.011.(8B)	5	0.01	78680	99.79
794.011.E	5	0.01	78685	99.79
794.05.0000	5	0.01	78690	99.8
800.04.1000	5	0.01	78695	99.8
800.04.5AC	5	0.01	78700	99.81
800.04.7A2	5	0.01	78705	99.82
491.0112.1	4	0.01	78709	99.82
794.011.(4)	4	0.01	78713	99.83
794.011.2A1	4	0.01	78717	99.83
798.01	4	0.01	78721	99.84
800.04.(4B)	4	0.01	78725	99.84
800.04.(5B)	4	0.01	78729	99.85
800.04.5A1	4	0.01	78733	99.85
800.04.6A1C	4	0.01	78737	99.86
810.14	4	0.01	78741	99.86
810.14.3	4	0.01	78745	99.87
794.011.(3)	3	0	78748	99.87
794.011.H	3	0	78751	99.88
794.041.2A00	3	0	78754	99.88
794.05.(1)	3	0	78757	99.88
800.04.(7A)	3	0	78760	99.89
800.04.2C	3	0	78763	99.89
800.04.7A1	3	0	78766	99.89
800.04.7A1-	3	0	78769	99.9
810.145.2AB8	3	0	78772	99.9
794.011.2000	2	0	78774	99.9
794.011.85	2	0	78776	99.91
794.041.2B00	2	0	78778	99.91
800.04.(5)	2	0	78780	99.91
800.04.02	2	0	78782	99.92
800.04.4A2B	2	0	78784	99.92

800.04.52C	2	0	78786	99.92
800.04.5AD	2	0	78788	99.92
800.04.6A2C	2	0	78790	99.93
800.04.7AD	2	0	78792	99.93
810.145.2C	2	0	78794	99.93
810.145.3	2	0	78796	99.93
794.011.1A	1	0	78797	99.93
794.011.1A2	1	0	78798	99.94
794.011.1HC	1	0	78799	99.94
794.011.21	1	0	78800	99.94
794.011.2AA	1	0	78801	99.94
794.011.2D	1	0	78802	99.94
794.011.2E	1	0	78803	99.94
794.011.3,	1	0	78804	99.94
794.011.3000	1	0	78805	99.94
794.011.3A	1	0	78806	99.95
794.011.3B	1	0	78807	99.95
794.011.4A00	1	0	78808	99.95
794.011.4BC	1	0	78809	99.95
794.011.4C3	1	0	78810	99.95
794.011.5000	1	0	78811	99.95
794.011.8B00	1	0	78812	99.95
794.011.8B1	1	0	78813	99.95
794.011.AND	1	0	78814	99.96
794.0113	1	0	78815	99.96
794.0115	1	0	78816	99.96
794.041.2D	1	0	78817	99.96
794.05.12F	1	0	78818	99.96
794.05.1A	1	0	78819	99.96
794.050.1A	1	0	78820	99.96
800.04.(1)	1	0	78821	99.96
800.04.(7B)	1	0	78822	99.97
800.04.04	1	0	78823	99.97
800.04.124	1	0	78824	99.97
800.04.14	1	0	78825	99.97
800.04.1AB	1	0	78826	99.97
800.04.2000	1	0	78827	99.97
800.04.2F	1	0	78828	99.97
800.04.3000	1	0	78829	99.97
800.04.4A1B	1	0	78830	99.98
800.04.51C2	1	0	78831	99.98
800.04.5E	1	0	78832	99.98
800.04.61	1	0	78833	99.98
800.04.61B	1	0	78834	99.98
800.04.7A&B	1	0	78835	99.98
800.04.7A2A	1	0	78836	99.98
800.04.7A2C	1	0	78837	99.98
800.04.7E	1	0	78838	99.99
800.04.A	1	0	78839	99.99

800.04.1A1	12	0.02	78541	99.61
800.04.5A2	12	0.02	78553	99.62
810.145.8A1	12	0.02	78565	99.64
810.145.2A8A	11	0.01	78576	99.65
794.011.	10	0.01	78586	99.67
800.04.(5C2	10	0.01	78596	99.68
800.04.4C	8	0.01	78604	99.69
810.145.7	8	0.01	78612	99.7
794.011.1	7	0.01	78619	99.71
800.04.(6B)	7	0.01	78626	99.72
800.04.7BC	7	0.01	78633	99.73
810.145.8A	7	0.01	78640	99.73
800.01	6	0.01	78646	99.74
800.04.C	6	0.01	78652	99.75
800.041	6	0.01	78658	99.76
810.145.2A	6	0.01	78664	99.77
951.221.1	6	0.01	78670	99.77
794.011.(2A)	5	0.01	78675	99.78
794.011.(8B)	5	0.01	78680	99.79
794.011.E	5	0.01	78685	99.79
794.05.0000	5	0.01	78690	99.8
800.04.1000	5	0.01	78695	99.8
800.04.5AC	5	0.01	78700	99.81
800.04.7A2	5	0.01	78705	99.82
491.0112.1	4	0.01	78709	99.82
794.011.(4)	4	0.01	78713	99.83
794.011.2A1	4	0.01	78717	99.83
798.01	4	0.01	78721	99.84
800.04.(4B)	4	0.01	78725	99.84
800.04.(5B)	4	0.01	78729	99.85
800.04.5A1	4	0.01	78733	99.85
800.04.6A1C	4	0.01	78737	99.86
810.14	4	0.01	78741	99.86
810.14.3	4	0.01	78745	99.87
794.011.(3)	3	0	78748	99.87
794.011.H	3	0	78751	99.88
794.041.2A00	3	0	78754	99.88
794.05.(1)	3	0	78757	99.88
800.04.(7A)	3	0	78760	99.89
800.04.2C	3	0	78763	99.89
800.04.7A1	3	0	78766	99.89
800.04.7A1-	3	0	78769	99.9
810.145.2AB8	3	0	78772	99.9
794.011.2000	2	0	78774	99.9
794.011.85	2	0	78776	99.91
794.041.2B00	2	0	78778	99.91
800.04.(5)	2	0	78780	99.91
800.04.02	2	0	78782	99.92
800.04.4A2B	2	0	78784	99.92

800.04.52C	2	0	78786	99.92
800.04.5AD	2	0	78788	99.92
800.04.6A2C	2	0	78790	99.93
800.04.7AD	2	0	78792	99.93
810.145.2C	2	0	78794	99.93
810.145.3	2	0	78796	99.93
794.011.1A	1	0	78797	99.93
794.011.1A2	1	0	78798	99.94
794.011.1HC	1	0	78799	99.94
794.011.21	1	0	78800	99.94
794.011.2AA	1	0	78801	99.94
794.011.2D	1	0	78802	99.94
794.011.2E	1	0	78803	99.94
794.011.3,	1	0	78804	99.94
794.011.3000	1	0	78805	99.94
794.011.3A	1	0	78806	99.95
794.011.3B	1	0	78807	99.95
794.011.4A00	1	0	78808	99.95
794.011.4BC	1	0	78809	99.95
794.011.4C3	1	0	78810	99.95
794.011.5000	1	0	78811	99.95
794.011.8B00	1	0	78812	99.95
794.011.8B1	1	0	78813	99.95
794.011.AND	1	0	78814	99.96
794.0113	1	0	78815	99.96
794.0115	1	0	78816	99.96
794.041.2D	1	0	78817	99.96
794.05.12F	1	0	78818	99.96
794.05.1A	1	0	78819	99.96
794.050.1A	1	0	78820	99.96
800.04.(1)	1	0	78821	99.96
800.04.(7B)	1	0	78822	99.97
800.04.04	1	0	78823	99.97
800.04.124	1	0	78824	99.97
800.04.14	1	0	78825	99.97
800.04.1AB	1	0	78826	99.97
800.04.2000	1	0	78827	99.97
800.04.2F	1	0	78828	99.97
800.04.3000	1	0	78829	99.97
800.04.4A1B	1	0	78830	99.98
800.04.51C2	1	0	78831	99.98
800.04.5E	1	0	78832	99.98
800.04.61	1	0	78833	99.98
800.04.61B	1	0	78834	99.98
800.04.7A&B	1	0	78835	99.98
800.04.7A2A	1	0	78836	99.98
800.04.7A2C	1	0	78837	99.98
800.04.7E	1	0	78838	99.99
800.04.A	1	0	78839	99.99

800.04.F2	1	0	78840	99.99
800.0400.0000	1	0	78841	99.99
800.042	1	0	78842	99.99
800.043	1	0	78843	99.99
810.14.13	1	0	78844	99.99
810.145.26	1	0	78845	99.99
810.145.28A3	1	0	78846	100
810.145.8	1	0	78847	100
810.145.8B	1	0	78848	100
985.4045.1A2	1	0	78849	100

Number of judicial charges with a felony conviction that contain a statutory reference for 'SEXUAL OFFENSE'.
Based on CCH data extracted December 1, 2018.
SOURCE: FDLE (2018). Tallahassee, FL

JUD CRT STATUTE	Frequency	Percent	Cumulative Frequency	Cumulative Percent
800.04	14263	18.09	14263	18.09
800.04.4A	5962	7.56	20225	25.65
794.011	5830	7.39	26055	33.04
800.04.5B	5182	6.57	31237	39.62
794.011.2A	4629	5.87	35866	45.49
794.011.8B	4339	5.5	40205	50.99
794.011.5	4098	5.2	44303	56.19
794.011.2	4059	5.15	48362	61.33
794.011.3	3167	4.02	51529	65.35
800.04.5C2	2974	3.77	54503	69.12
800.04.1	2405	3.05	56908	72.17
794.041.2B	1880	2.38	58788	74.56
800.04.6B	1864	2.36	60652	76.92
800.04.4	1490	1.89	62142	78.81
800.04.3	1273	1.61	63415	80.43
794.05	1238	1.57	64653	82
800.04.2	1177	1.49	65830	83.49
794.05.1	1111	1.41	66941	84.9
800.04.4B	991	1.26	67932	86.15
794.011.2B	774	0.98	68706	87.14
794.011.4	647	0.82	69353	87.96
800.04.4A1	604	0.77	69957	88.72
800.04.7A	596	0.76	70553	89.48
794.041	591	0.75	71144	90.23
800.04.7C	583	0.74	71727	90.97
796.07.2E	582	0.74	72309	91.71
800.04.7B	560	0.71	72869	92.42
800.04.5C1	369	0.47	73238	92.88
794.011.4B	289	0.37	73527	93.25
800.04.	277	0.35	73804	93.6
800.04.5AB	255	0.32	74059	93.93
826.04	219	0.28	74278	94.2
800.04.5	209	0.27	74487	94.47
800.04.5A	209	0.27	74696	94.73
800.04.5D	167	0.21	74863	94.94
794.011.8C	166	0.21	75029	95.16
800.04	161	0.2	75190	95.36
794.011.4A	159	0.2	75349	95.56
800.04.7	157	0.2	75506	95.76
800.04.6C	145	0.18	75651	95.94
798.02	139	0.18	75790	96.12
794.011.5A	132	0.17	75922	96.29
794.011.8A	131	0.17	76053	96.45
794.05.	130	0.16	76183	96.62

800.04.5AC2	129	0.16	76312	96.78
800.04.6A	127	0.16	76439	96.94
794.011.5B	125	0.16	76564	97.1
800.02	121	0.15	76685	97.26
794.011.4E	115	0.15	76800	97.4
800.04.5C	115	0.15	76915	97.55
810.145.8A3	110	0.14	77025	97.69
794.011.2-1	105	0.13	77130	97.82
800.04.7AB	97	0.12	77227	97.94
794.041.2A	93	0.12	77320	98.06
800.04.6A1	83	0.11	77403	98.17
800.04.6	82	0.1	77485	98.27
810.145.2	77	0.1	77562	98.37
800.03	67	0.08	77629	98.45
800.04.6A2B	46	0.06	77675	98.51
825.1025.3	46	0.06	77721	98.57
810.145	43	0.05	77764	98.62
794.023.2A	42	0.05	77806	98.68
800.04.6AB	41	0.05	77847	98.73
800.04.7D	41	0.05	77888	98.78
800.04.7AC	38	0.05	77926	98.83
810.145.6B	35	0.04	77961	98.87
825.1025.2	35	0.04	77996	98.92
794.011.4C	31	0.04	78027	98.96
794.011.5C	30	0.04	78057	99
800.04.7ABC	29	0.04	78086	99.03
794.023.2B	28	0.04	78114	99.07
794.011.4F	27	0.03	78141	99.1
800.04.0	26	0.03	78167	99.14
800.04.6A16	25	0.03	78192	99.17
794.011.8	24	0.03	78216	99.2
800.04.6A1B	22	0.03	78238	99.23
800.04.6A2	22	0.03	78260	99.25
794.023	21	0.03	78281	99.28
800.04.5AC1	21	0.03	78302	99.31
800.04.B	21	0.03	78323	99.33
800.09	20	0.03	78343	99.36
825.1025.4	20	0.03	78363	99.38
794.011.1F	19	0.02	78382	99.41
800.04.4A2	19	0.02	78401	99.43
800.04.(4A)	17	0.02	78418	99.45
800.04.0000	16	0.02	78434	99.47
794.011.4D	15	0.02	78449	99.49
794.011.2-2	14	0.02	78463	99.51
794.011.4G	14	0.02	78477	99.53
810.145.	14	0.02	78491	99.55
794.011.(5)	13	0.02	78504	99.56
800.04.6A26	13	0.02	78517	99.58
794.011.0000	12	0.02	78529	99.59

800.04.F2	1	0	78840	99.99
800.0400.0000	1	0	78841	99.99
800.042	1	0	78842	99.99
800.043	1	0	78843	99.99
810.14.13	1	0	78844	99.99
810.145.26	1	0	78845	99.99
810.145.28A3	1	0	78846	100
810.145.8	1	0	78847	100
810.145.8B	1	0	78848	100
985.4045.1A2	1	0	78849	100

Number of judicial charges with a felony conviction that contain a statutory reference for 'SEXUAL OFFENSE' .
Based on CCH data extracted December 1, 2018.
SOURCE: FDLE (2018). Tallahassee, FL

JUD_CRT_STATUTE	Frequency	Percent	Cumulative Frequency	Cumulative Percent
800.04	14263	18.09	14263	18.09
800.04.4A	5962	7.56	20225	25.65
794.011	5830	7.39	26055	33.04
800.04.5B	5182	6.57	31237	39.62
794.011.2A	4629	5.87	35866	45.49
794.011.8B	4339	5.5	40205	50.99
794.011.5	4098	5.2	44303	56.19
794.011.2	4059	5.15	48362	61.33
794.011.3	3167	4.02	51529	65.35
800.04.5C2	2974	3.77	54503	69.12
800.04.1	2405	3.05	56908	72.17
794.041.2B	1880	2.38	58788	74.56
800.04.6B	1864	2.36	60652	76.92
800.04.4	1490	1.89	62142	78.81
800.04.3	1273	1.61	63415	80.43
794.05	1238	1.57	64653	82
800.04.2	1177	1.49	65830	83.49
794.05.1	1111	1.41	66941	84.9
800.04.4B	991	1.26	67932	86.15
794.011.2B	774	0.98	68706	87.14
794.011.4	647	0.82	69353	87.96
800.04.4A1	604	0.77	69957	88.72
800.04.7A	596	0.76	70553	89.48
794.041	591	0.75	71144	90.23
800.04.7C	583	0.74	71727	90.97
796.07.2E	582	0.74	72309	91.71
800.04.7B	560	0.71	72869	92.42
800.04.5C1	369	0.47	73238	92.88
794.011.4B	289	0.37	73527	93.25
800.04.	277	0.35	73804	93.6
800.04.5AB	255	0.32	74059	93.93
826.04	219	0.28	74278	94.2
800.04.5	209	0.27	74487	94.47
800.04.5A	209	0.27	74696	94.73
800.04.5D	167	0.21	74863	94.94
794.011.8C	166	0.21	75029	95.16
800.04	161	0.2	75190	95.36
794.011.4A	159	0.2	75349	95.56
800.04.7	157	0.2	75506	95.76
800.04.6C	145	0.18	75651	95.94
798.02	139	0.18	75790	96.12
794.011.5A	132	0.17	75922	96.29
794.011.8A	131	0.17	76053	96.45
794.05.	130	0.16	76183	96.62

800.04.5AC2	129	0.16	76312	96.78
800.04.6A	127	0.16	76439	96.94
794.011.5B	125	0.16	76564	97.1
800.02	121	0.15	76685	97.26
794.011.4E	115	0.15	76800	97.4
800.04.5C	115	0.15	76915	97.55
810.145.8A3	110	0.14	77025	97.69
794.011.2-1	105	0.13	77130	97.82
800.04.7AB	97	0.12	77227	97.94
794.041.2A	93	0.12	77320	98.06
800.04.6A1	83	0.11	77403	98.17
800.04.6	82	0.1	77485	98.27
810.145.2	77	0.1	77562	98.37
800.03	67	0.08	77629	98.45
800.04.6A2B	46	0.06	77675	98.51
825.1025.3	46	0.06	77721	98.57
810.145	43	0.05	77764	98.62
794.023.2A	42	0.05	77806	98.68
800.04.6AB	41	0.05	77847	98.73
800.04.7D	41	0.05	77888	98.78
800.04.7AC	38	0.05	77926	98.83
810.145.6B	35	0.04	77961	98.87
825.1025.2	35	0.04	77996	98.92
794.011.4C	31	0.04	78027	98.96
794.011.5C	30	0.04	78057	99
800.04.7ABC	29	0.04	78086	99.03
794.023.2B	28	0.04	78114	99.07
794.011.4F	27	0.03	78141	99.1
800.04.0	26	0.03	78167	99.14
800.04.6A16	25	0.03	78192	99.17
794.011.8	24	0.03	78216	99.2
800.04.6A1B	22	0.03	78238	99.23
800.04.6A2	22	0.03	78260	99.25
794.023	21	0.03	78281	99.28
800.04.5AC1	21	0.03	78302	99.31
800.04.B	21	0.03	78323	99.33
800.09	20	0.03	78343	99.36
825.1025.4	20	0.03	78363	99.38
794.011.1F	19	0.02	78382	99.41
800.04.4A2	19	0.02	78401	99.43
800.04.(4A)	17	0.02	78418	99.45
800.04.0000	16	0.02	78434	99.47
794.011.4D	15	0.02	78449	99.49
794.011.2-2	14	0.02	78463	99.51
794.011.4G	14	0.02	78477	99.53
810.145.	14	0.02	78491	99.55
794.011.(5)	13	0.02	78504	99.56
800.04.6A26	13	0.02	78517	99.58
794.011.0000	12	0.02	78529	99.59

800.04.1A1	12	0.02	78541	99.61
800.04.5A2	12	0.02	78553	99.62
810.145.8A1	12	0.02	78565	99.64
810.145.2A8A	11	0.01	78576	99.65
794.011.	10	0.01	78586	99.67
800.04.(5C2	10	0.01	78596	99.68
800.04.4C	8	0.01	78604	99.69
810.145.7	8	0.01	78612	99.7
794.011.1	7	0.01	78619	99.71
800.04.(6B)	7	0.01	78626	99.72
800.04.7BC	7	0.01	78633	99.73
810.145.8A	7	0.01	78640	99.73
800.01	6	0.01	78646	99.74
800.04.C	6	0.01	78652	99.75
800.041	6	0.01	78658	99.76
810.145.2A	6	0.01	78664	99.77
951.221.1	6	0.01	78670	99.77
794.011.(2A)	5	0.01	78675	99.78
794.011.(8B)	5	0.01	78680	99.79
794.011.E	5	0.01	78685	99.79
794.05.0000	5	0.01	78690	99.8
800.04.1000	5	0.01	78695	99.8
800.04.5AC	5	0.01	78700	99.81
800.04.7A2	5	0.01	78705	99.82
491.0112.1	4	0.01	78709	99.82
794.011.(4)	4	0.01	78713	99.83
794.011.2A1	4	0.01	78717	99.83
798.01	4	0.01	78721	99.84
800.04.(4B)	4	0.01	78725	99.84
800.04.(5B)	4	0.01	78729	99.85
800.04.5A1	4	0.01	78733	99.85
800.04.6A1C	4	0.01	78737	99.86
810.14	4	0.01	78741	99.86
810.14.3	4	0.01	78745	99.87
794.011.(3)	3	0	78748	99.87
794.011.H	3	0	78751	99.88
794.041.2A00	3	0	78754	99.88
794.05.(1)	3	0	78757	99.88
800.04.(7A)	3	0	78760	99.89
800.04.2C	3	0	78763	99.89
800.04.7A1	3	0	78766	99.89
800.04.7A1-	3	0	78769	99.9
810.145.2AB8	3	0	78772	99.9
794.011.2000	2	0	78774	99.9
794.011.85	2	0	78776	99.91
794.041.2B00	2	0	78778	99.91
800.04.(5)	2	0	78780	99.91
800.04.02	2	0	78782	99.92
800.04.4A2B	2	0	78784	99.92

800.04.52C	2	0	78786	99.92
800.04.5AD	2	0	78788	99.92
800.04.6A2C	2	0	78790	99.93
800.04.7AD	2	0	78792	99.93
810.145.2C	2	0	78794	99.93
810.145.3	2	0	78796	99.93
794.011.1A	1	0	78797	99.93
794.011.1A2	1	0	78798	99.94
794.011.1HC	1	0	78799	99.94
794.011.21	1	0	78800	99.94
794.011.2AA	1	0	78801	99.94
794.011.2D	1	0	78802	99.94
794.011.2E	1	0	78803	99.94
794.011.3,	1	0	78804	99.94
794.011.3000	1	0	78805	99.94
794.011.3A	1	0	78806	99.95
794.011.3B	1	0	78807	99.95
794.011.4A00	1	0	78808	99.95
794.011.4BC	1	0	78809	99.95
794.011.4C3	1	0	78810	99.95
794.011.5000	1	0	78811	99.95
794.011.8B00	1	0	78812	99.95
794.011.8B1	1	0	78813	99.95
794.011.AND	1	0	78814	99.96
794.0113	1	0	78815	99.96
794.0115	1	0	78816	99.96
794.041.2D	1	0	78817	99.96
794.05.12F	1	0	78818	99.96
794.05.1A	1	0	78819	99.96
794.050.1A	1	0	78820	99.96
800.04.(1)	1	0	78821	99.96
800.04.(7B)	1	0	78822	99.97
800.04.04	1	0	78823	99.97
800.04.124	1	0	78824	99.97
800.04.14	1	0	78825	99.97
800.04.1AB	1	0	78826	99.97
800.04.2000	1	0	78827	99.97
800.04.2F	1	0	78828	99.97
800.04.3000	1	0	78829	99.97
800.04.4A1B	1	0	78830	99.98
800.04.51C2	1	0	78831	99.98
800.04.5E	1	0	78832	99.98
800.04.61	1	0	78833	99.98
800.04.61B	1	0	78834	99.98
800.04.7A&B	1	0	78835	99.98
800.04.7A2A	1	0	78836	99.98
800.04.7A2C	1	0	78837	99.98
800.04.7E	1	0	78838	99.99
800.04.A	1	0	78839	99.99

800.04.F2	1	0	78840	99.99
800.0400.0000	1	0	78841	99.99
800.042	1	0	78842	99.99
800.043	1	0	78843	99.99
810.14.13	1	0	78844	99.99
810.145.26	1	0	78845	99.99
810.145.28A3	1	0	78846	100
810.145.8	1	0	78847	100
810.145.8B	1	0	78848	100
985.4045.1A2	1	0	78849	100

Number of judicial charges with a felony conviction that contain a statutory reference for 'SEXUAL OFFENSE'.
Based on CCH data extracted December 1, 2018.
SOURCE: FDLE (2018). Tallahassee, FL

JUD_CRT_STATUTE	Frequency	Percent	Cumulative Frequency	Cumulative Percent
800.04	14263	18.09	14263	18.09
800.04.4A	5962	7.56	20225	25.65
794.011	5830	7.39	26055	33.04
800.04.5B	5182	6.57	31237	39.62
794.011.2A	4629	5.87	35866	45.49
794.011.8B	4339	5.5	40205	50.99
794.011.5	4098	5.2	44303	56.19
794.011.2	4059	5.15	48362	61.33
794.011.3	3167	4.02	51529	65.35
800.04.5C2	2974	3.77	54503	69.12
800.04.1	2405	3.05	56908	72.17
794.041.2B	1880	2.38	58788	74.56
800.04.6B	1864	2.36	60652	76.92
800.04.4	1490	1.89	62142	78.81
800.04.3	1273	1.61	63415	80.43
794.05	1238	1.57	64653	82
800.04.2	1177	1.49	65830	83.49
794.05.1	1111	1.41	66941	84.9
800.04.4B	991	1.26	67932	86.15
794.011.2B	774	0.98	68706	87.14
794.011.4	647	0.82	69353	87.96
800.04.4A1	604	0.77	69957	88.72
800.04.7A	596	0.76	70553	89.48
794.041	591	0.75	71144	90.23
800.04.7C	583	0.74	71727	90.97
796.07.2E	582	0.74	72309	91.71
800.04.7B	560	0.71	72869	92.42
800.04.5C1	369	0.47	73238	92.88
794.011.4B	289	0.37	73527	93.25
800.04.	277	0.35	73804	93.6
800.04.5AB	255	0.32	74059	93.93
826.04	219	0.28	74278	94.2
800.04.5	209	0.27	74487	94.47
800.04.5A	209	0.27	74696	94.73
800.04.5D	167	0.21	74863	94.94
794.011.8C	166	0.21	75029	95.16
800.04	161	0.2	75190	95.36
794.011.4A	159	0.2	75349	95.56
800.04.7	157	0.2	75506	95.76
800.04.6C	145	0.18	75651	95.94
798.02	139	0.18	75790	96.12
794.011.5A	132	0.17	75922	96.29
794.011.8A	131	0.17	76053	96.45
794.05.	130	0.16	76183	96.62

800.04.5AC2	129	0.16	76312	96.78
800.04.6A	127	0.16	76439	96.94
794.011.5B	125	0.16	76564	97.1
800.02	121	0.15	76685	97.26
794.011.4E	115	0.15	76800	97.4
800.04.5C	115	0.15	76915	97.55
810.145.8A3	110	0.14	77025	97.69
794.011.2-1	105	0.13	77130	97.82
800.04.7AB	97	0.12	77227	97.94
794.041.2A	93	0.12	77320	98.06
800.04.6A1	83	0.11	77403	98.17
800.04.6	82	0.1	77485	98.27
810.145.2	77	0.1	77562	98.37
800.03	67	0.08	77629	98.45
800.04.6A2B	46	0.06	77675	98.51
825.1025.3	46	0.06	77721	98.57
810.145	43	0.05	77764	98.62
794.023.2A	42	0.05	77806	98.68
800.04.6AB	41	0.05	77847	98.73
800.04.7D	41	0.05	77888	98.78
800.04.7AC	38	0.05	77926	98.83
810.145.6B	35	0.04	77961	98.87
825.1025.2	35	0.04	77996	98.92
794.011.4C	31	0.04	78027	98.96
794.011.5C	30	0.04	78057	99
800.04.7ABC	29	0.04	78086	99.03
794.023.2B	28	0.04	78114	99.07
794.011.4F	27	0.03	78141	99.1
800.04.0	26	0.03	78167	99.14
800.04.6A16	25	0.03	78192	99.17
794.011.8	24	0.03	78216	99.2
800.04.6A1B	22	0.03	78238	99.23
800.04.6A2	22	0.03	78260	99.25
794.023	21	0.03	78281	99.28
800.04.5AC1	21	0.03	78302	99.31
800.04.B	21	0.03	78323	99.33
800.09	20	0.03	78343	99.36
825.1025.4	20	0.03	78363	99.38
794.011.1F	19	0.02	78382	99.41
800.04.4A2	19	0.02	78401	99.43
800.04.(4A)	17	0.02	78418	99.45
800.04.0000	16	0.02	78434	99.47
794.011.4D	15	0.02	78449	99.49
794.011.2-2	14	0.02	78463	99.51
794.011.4G	14	0.02	78477	99.53
810.145.	14	0.02	78491	99.55
794.011.(5)	13	0.02	78504	99.56
800.04.6A26	13	0.02	78517	99.58
794.011.0000	12	0.02	78529	99.59

800.04.1A1	12	0.02	78541	99.61
800.04.5A2	12	0.02	78553	99.62
810.145.8A1	12	0.02	78565	99.64
810.145.2A8A	11	0.01	78576	99.65
794.011.	10	0.01	78586	99.67
800.04.(5C2	10	0.01	78596	99.68
800.04.4C	8	0.01	78604	99.69
810.145.7	8	0.01	78612	99.7
794.011.1	7	0.01	78619	99.71
800.04.(6B)	7	0.01	78626	99.72
800.04.7BC	7	0.01	78633	99.73
810.145.8A	7	0.01	78640	99.73
800.01	6	0.01	78646	99.74
800.04.C	6	0.01	78652	99.75
800.041	6	0.01	78658	99.76
810.145.2A	6	0.01	78664	99.77
951.221.1	6	0.01	78670	99.77
794.011.(2A)	5	0.01	78675	99.78
794.011.(8B)	5	0.01	78680	99.79
794.011.E	5	0.01	78685	99.79
794.05.0000	5	0.01	78690	99.8
800.04.1000	5	0.01	78695	99.8
800.04.5AC	5	0.01	78700	99.81
800.04.7A2	5	0.01	78705	99.82
491.0112.1	4	0.01	78709	99.82
794.011.(4)	4	0.01	78713	99.83
794.011.2A1	4	0.01	78717	99.83
798.01	4	0.01	78721	99.84
800.04.(4B)	4	0.01	78725	99.84
800.04.(5B)	4	0.01	78729	99.85
800.04.5A1	4	0.01	78733	99.85
800.04.6A1C	4	0.01	78737	99.86
810.14	4	0.01	78741	99.86
810.14.3	4	0.01	78745	99.87
794.011.(3)	3	0	78748	99.87
794.011.H	3	0	78751	99.88
794.041.2A00	3	0	78754	99.88
794.05.(1)	3	0	78757	99.88
800.04.(7A)	3	0	78760	99.89
800.04.2C	3	0	78763	99.89
800.04.7A1	3	0	78766	99.89
800.04.7A1-	3	0	78769	99.9
810.145.2AB8	3	0	78772	99.9
794.011.2000	2	0	78774	99.9
794.011.85	2	0	78776	99.91
794.041.2B00	2	0	78778	99.91
800.04.(5)	2	0	78780	99.91
800.04.02	2	0	78782	99.92
800.04.4A2B	2	0	78784	99.92

800.04.52C	2	0	78786	99.92
800.04.5AD	2	0	78788	99.92
800.04.6A2C	2	0	78790	99.93
800.04.7AD	2	0	78792	99.93
810.145.2C	2	0	78794	99.93
810.145.3	2	0	78796	99.93
794.011.1A	1	0	78797	99.93
794.011.1A2	1	0	78798	99.94
794.011.1HC	1	0	78799	99.94
794.011.21	1	0	78800	99.94
794.011.2AA	1	0	78801	99.94
794.011.2D	1	0	78802	99.94
794.011.2E	1	0	78803	99.94
794.011.3,	1	0	78804	99.94
794.011.3000	1	0	78805	99.94
794.011.3A	1	0	78806	99.95
794.011.3B	1	0	78807	99.95
794.011.4A00	1	0	78808	99.95
794.011.4BC	1	0	78809	99.95
794.011.4C3	1	0	78810	99.95
794.011.5000	1	0	78811	99.95
794.011.8B00	1	0	78812	99.95
794.011.8B1	1	0	78813	99.95
794.011.AND	1	0	78814	99.96
794.0113	1	0	78815	99.96
794.0115	1	0	78816	99.96
794.041.2D	1	0	78817	99.96
794.05.12F	1	0	78818	99.96
794.05.1A	1	0	78819	99.96
794.050.1A	1	0	78820	99.96
800.04.(1)	1	0	78821	99.96
800.04.(7B)	1	0	78822	99.97
800.04.04	1	0	78823	99.97
800.04.124	1	0	78824	99.97
800.04.14	1	0	78825	99.97
800.04.1AB	1	0	78826	99.97
800.04.2000	1	0	78827	99.97
800.04.2F	1	0	78828	99.97
800.04.3000	1	0	78829	99.97
800.04.4A1B	1	0	78830	99.98
800.04.51C2	1	0	78831	99.98
800.04.5E	1	0	78832	99.98
800.04.61	1	0	78833	99.98
800.04.61B	1	0	78834	99.98
800.04.7A&B	1	0	78835	99.98
800.04.7A2A	1	0	78836	99.98
800.04.7A2C	1	0	78837	99.98
800.04.7E	1	0	78838	99.99
800.04.A	1	0	78839	99.99

800.04.F2	1	0	78840	99.99
800.0400.0000	1	0	78841	99.99
800.042	1	0	78842	99.99
800.043	1	0	78843	99.99
810.14.13	1	0	78844	99.99
810.145.26	1	0	78845	99.99
810.145.28A3	1	0	78846	100
810.145.8	1	0	78847	100
810.145.8B	1	0	78848	100
985.4045.1A2	1	0	78849	100

Number of judicial charges with a felony conviction that contain an offense code that references 'SEXUAL OFFENSE'.

Based on CCH data extracted December 1, 2018.

SOURCE: FDLE (2018). Tallahassee, FL

JUD_OFF_CD	Frequency	Percent	Cumulative Frequency	Cumulative Percent
1199-SEX ASSLT-	47461	41.87	47461	41.87
3601-SEX OFFENSE-AGAINST CHILD-FONDLING-	36063	31.82	83524	73.69
3612-LEWD LASCV BEHAVIOR-	16330	14.41	99854	88.09
3699-SEX OFFENSE-	10252	9.04	110106	97.14
1103-RAPE-STRONGARM-	2901	2.56	113007	99.7
1116-STAT RAPE-NO FORCE-	96	0.08	113103	99.78
3605-INDECENT EXPOSURE-	80	0.07	113183	99.85
1100-SEX ASSLT-	78	0.07	113261	99.92
1102-RAPE WITH-	18	0.02	113279	99.94
3604-INCEST WITH MINOR-	13	0.01	113292	99.95
1117-SEX ASSLT-CARNAL ABUSE-	9	0.01	113301	99.96
1101-RAPE-GUN-	8	0.01	113309	99.96
3603-HOMOSEXUAL ACT WITH BOY-	8	0.01	113317	99.97
1113-SEX ASSLT-SODOMY-MAN-STGARM-	5	0	113322	99.97
1114-SEX ASSLT-SODOMY-GIRL-STGARM-	5	0	113327	99.98
3602-HOMOSEXUAL ACT WITH GIRL-	5	0	113332	99.98
3607-INCEST WITH ADULT-	5	0	113337	99.99
1109-SEX ASSLT-SODOMY-MAN-	3	0	113340	99.99
1104-SEX ASSLT-SODOMY-BOY-GUN-	2	0	113342	99.99
1105-SEX ASSLT-SODOMY-MAN-GUN-	2	0	113344	99.99
1108-SEX ASSLT-SODOMY-BOY-	2	0	113346	100
1112-SEX ASSLT-SODOMY-BOY-STGARM-	2	0	113348	100
3600-SEX OFFENSE-	2	0	113350	100
3609-HOMOSEXUAL ACT WITH WOMAN-	1	0	113351	100

Number of judicial charges with a felony conviction that contain an offense code that references 'SEXUAL OFFENSE' .

Based on CCH data extracted December 1, 2018.

SOURCE: FDLE (2018). Tallahassee, FL

JUD_OFF_CD	Frequency	Percent	Cumulative Frequency	Cumulative Percent
1199-SEX ASSLT-	47461	41.87	47461	41.87
3601-SEX OFFENSE-AGAINST CHILD-FONDLING-	36063	31.82	83524	73.69
3612-LEWD LASCV BEHAVIOR-	16330	14.41	99854	88.09
3699-SEX OFFENSE-	10252	9.04	110106	97.14
1103-RAPE-STRONGARM-	2901	2.56	113007	99.7
1116-STAT RAPE-NO FORCE-	96	0.08	113103	99.78
3605-INDECENT EXPOSURE-	80	0.07	113183	99.85
1100-SEX ASSLT-	78	0.07	113261	99.92
1102-RAPE WITH-	18	0.02	113279	99.94
3604-INCEST WITH MINOR-	13	0.01	113292	99.95
1117-SEX ASSLT-CARNAL ABUSE-	9	0.01	113301	99.96
1101-RAPE-GUN-	8	0.01	113309	99.96
3603-HOMOSEXUAL ACT WITH BOY-	8	0.01	113317	99.97
1113-SEX ASSLT-SODOMY-MAN-STGARM-	5	0	113322	99.97
1114-SEX ASSLT-SODOMY-GIRL-STGARM-	5	0	113327	99.98
3602-HOMOSEXUAL ACT WITH GIRL-	5	0	113332	99.98
3607-INCEST WITH ADULT-	5	0	113337	99.99
1109-SEX ASSLT-SODOMY-MAN-	3	0	113340	99.99
1104-SEX ASSLT-SODOMY-BOY-GUN-	2	0	113342	99.99
1105-SEX ASSLT-SODOMY-MAN-GUN-	2	0	113344	99.99
1108-SEX ASSLT-SODOMY-BOY-	2	0	113346	100
1112-SEX ASSLT-SODOMY-BOY-STGARM-	2	0	113348	100
3600-SEX OFFENSE-	2	0	113350	100
3609-HOMOSEXUAL ACT WITH WOMAN-	1	0	113351	100

Number of judicial charges with a felony conviction that contain an offense code that references 'SEXUAL OFFENSE' .

Based on CCH data extracted December 1, 2018.

SOURCE: FDLE (2018). Tallahassee, FL

JUD_OFF_CD	Frequency	Percent	Cumulative Frequency	Cumulative Percent
1199-SEX ASSLT-	47461	41.87	47461	41.87
3601-SEX OFFENSE-AGAINST CHILD-FONDLING-	36063	31.82	83524	73.69
3612-LEWD LASCV BEHAVIOR-	16330	14.41	99854	88.09
3699-SEX OFFENSE-	10252	9.04	110106	97.14
1103-RAPE-STRONGARM-	2901	2.56	113007	99.7
1116-STAT RAPE-NO FORCE-	96	0.08	113103	99.78
3605-INDECENT EXPOSURE-	80	0.07	113183	99.85
1100-SEX ASSLT-	78	0.07	113261	99.92
1102-RAPE WITH-	18	0.02	113279	99.94
3604-INCEST WITH MINOR-	13	0.01	113292	99.95
1117-SEX ASSLT-CARNAL ABUSE-	9	0.01	113301	99.96
1101-RAPE-GUN-	8	0.01	113309	99.96
3603-HOMOSEXUAL ACT WITH BOY-	8	0.01	113317	99.97
1113-SEX ASSLT-SODOMY-MAN-STGARM-	5	0	113322	99.97
1114-SEX ASSLT-SODOMY-GIRL-STGARM-	5	0	113327	99.98
3602-HOMOSEXUAL ACT WITH GIRL-	5	0	113332	99.98
3607-INCEST WITH ADULT-	5	0	113337	99.99
1109-SEX ASSLT-SODOMY-MAN-	3	0	113340	99.99
1104-SEX ASSLT-SODOMY-BOY-GUN-	2	0	113342	99.99
1105-SEX ASSLT-SODOMY-MAN-GUN-	2	0	113344	99.99
1108-SEX ASSLT-SODOMY-BOY-	2	0	113346	100
1112-SEX ASSLT-SODOMY-BOY-STGARM-	2	0	113348	100
3600-SEX OFFENSE-	2	0	113350	100
3609-HOMOSEXUAL ACT WITH WOMAN-	1	0	113351	100

Number of judicial charges with a felony conviction that contain an offense code that references 'SEXUAL OFFENSE' .

Based on CCH data extracted December 1, 2018.

SOURCE: FDLE (2018). Tallahassee, FL

JUD_OFF_CD	Frequency	Percent	Cumulative Frequency	Cumulative Percent
1199-SEX ASSLT-	47461	41.87	47461	41.87
3601-SEX OFFENSE-AGAINST CHILD-FONDLING-	36063	31.82	83524	73.69
3612-LEWD LASCV BEHAVIOR-	16330	14.41	99854	88.09
3699-SEX OFFENSE-	10252	9.04	110106	97.14
1103-RAPE-STRONGARM-	2901	2.56	113007	99.7
1116-STAT RAPE-NO FORCE-	96	0.08	113103	99.78
3605-INDECENT EXPOSURE-	80	0.07	113183	99.85
1100-SEX ASSLT-	78	0.07	113261	99.92
1102-RAPE WITH-	18	0.02	113279	99.94
3604-INCEST WITH MINOR-	13	0.01	113292	99.95
1117-SEX ASSLT-CARNAL ABUSE-	9	0.01	113301	99.96
1101-RAPE-GUN-	8	0.01	113309	99.96
3603-HOMOSEXUAL ACT WITH BOY-	8	0.01	113317	99.97
1113-SEX ASSLT-SODOMY-MAN-STGARM-	5	0	113322	99.97
1114-SEX ASSLT-SODOMY-GIRL-STGARM-	5	0	113327	99.98
3602-HOMOSEXUAL ACT WITH GIRL-	5	0	113332	99.98
3607-INCEST WITH ADULT-	5	0	113337	99.99
1109-SEX ASSLT-SODOMY-MAN-	3	0	113340	99.99
1104-SEX ASSLT-SODOMY-BOY-GUN-	2	0	113342	99.99
1105-SEX ASSLT-SODOMY-MAN-GUN-	2	0	113344	99.99
1108-SEX ASSLT-SODOMY-BOY-	2	0	113346	100
1112-SEX ASSLT-SODOMY-BOY-STGARM-	2	0	113348	100
3600-SEX OFFENSE-	2	0	113350	100
3609-HOMOSEXUAL ACT WITH WOMAN-	1	0	113351	100

Number of judicial charges with a felony conviction that contain a statutory reference for 'MURDER' .

Based on CCH data extracted December 1, 2018.

SOURCE: FDLE (2018). Tallahassee, FL

JUD_CRT_STATUTE	Frequency	Percent	Cumulative Frequency	Cumulative Percent
782.04.2	8723	29.2	8723	29.2
782.04	4390	14.7	13113	43.9
782.04.1A1	3981	13.33	17094	57.22
782.07	2417	8.09	19511	65.32
782.04.1	2346	7.85	21857	73.17
782.04.1A	1794	6.01	23651	79.17
782.07.1	1141	3.82	24792	82.99
782.04.3	729	2.44	25521	85.43
782.04.4	488	1.63	26009	87.07
782.051.1	447	1.5	26456	88.56
782.04.1A2	435	1.46	26891	90.02
782.071	422	1.41	27313	91.43
782.071.1	410	1.37	27723	92.81
782.071.1A	387	1.3	28110	94.1
782.07.3	200	0.67	28310	94.77
782.07.	195	0.65	28505	95.42
782.071.1B	134	0.45	28639	95.87
782.051	115	0.38	28754	96.26
782.07	97	0.32	28851	96.58
782.040.2	96	0.32	28947	96.9
782.04.1B	73	0.24	29020	97.15
782.04.01A	70	0.23	29090	97.38
782.07.2	67	0.22	29157	97.61
782.051.2	64	0.21	29221	97.82
782.040.1A	53	0.18	29274	98
782.051.3	50	0.17	29324	98.17
782.071.2	50	0.17	29374	98.33
782.04.02	49	0.16	29423	98.5
782.11	29	0.1	29452	98.59
782.04.1A3	28	0.09	29480	98.69
782.04.1A12	27	0.09	29507	98.78
782	24	0.08	29531	98.86
782.04.(1)	22	0.07	29553	98.93
782.04	22	0.07	29575	99.01
782.040.1B	19	0.06	29594	99.07
782.09	18	0.06	29612	99.13
782.04.(2)	15	0.05	29627	99.18
782.04.21	15	0.05	29642	99.23
782.071.	15	0.05	29657	99.28
782.01	14	0.05	29671	99.33
782.041	13	0.04	29684	99.37
782.07.4	11	0.04	29695	99.41

782.08	11	0.04	29706	99.44
782.040.1	10	0.03	29716	99.48
782.040.4	9	0.03	29725	99.51
782.042	7	0.02	29732	99.53
782.072.2	7	0.02	29739	99.55
782.04.1C	6	0.02	29745	99.57
782.02	5	0.02	29750	99.59
782.04.(1A1	5	0.02	29755	99.61
782.04.1AA	5	0.02	29760	99.63
782.040.3	5	0.02	29765	99.64
782.051.	5	0.02	29770	99.66
782.07.0	5	0.02	29775	99.68
782.07.1A	5	0.02	29780	99.69
782.03	4	0.01	29784	99.71
782.04.23	4	0.01	29788	99.72
782.072.1	4	0.01	29792	99.73
782.021	3	0.01	29795	99.74
782.04.	3	0.01	29798	99.75
782.04.0	3	0.01	29801	99.76
782.04.04	3	0.01	29804	99.77
782.04.1A-1	3	0.01	29807	99.78
782.04.2F	3	0.01	29810	99.79
782.06	3	0.01	29813	99.8
782.07.1&3	3	0.01	29816	99.81
782.072	3	0.01	29819	99.82
782.04.0000	2	0.01	29821	99.83
782.04.1B2	2	0.01	29823	99.84
782.04.1D	2	0.01	29825	99.84
782.04.2-2	2	0.01	29827	99.85
782.04.2000	2	0.01	29829	99.86
782.04.C	2	0.01	29831	99.86
782.041.A2	2	0.01	29833	99.87
782.051.3A	2	0.01	29835	99.88
782.07.12	2	0.01	29837	99.88
782.07.1A1	2	0.01	29839	99.89
782..04.1A1	1	0	29840	99.89
782	1	0	29841	99.9
782.011	1	0	29842	99.9
782.04.(1A2	1	0	29843	99.9
782.04.(4)	1	0	29844	99.91
782.04.01	1	0	29845	99.91
782.04.14	1	0	29846	99.91
782.04.1A1C	1	0	29847	99.92
782.04.1A2D	1	0	29848	99.92
782.04.2-1	1	0	29849	99.92
782.04.2A	1	0	29850	99.93
782.04.777	1	0	29851	99.93

782.04.A	1	0	29852	99.93
782.04.K	1	0	29853	99.94
782.05	1	0	29854	99.94
782.051.2A	1	0	29855	99.94
782.07.(1)	1	0	29856	99.95
782.07.(3)	1	0	29857	99.95
782.07.0000	1	0	29858	99.95
782.07.F2	1	0	29859	99.96
782.071.02	1	0	29860	99.96
782.071.2AB	1	0	29861	99.96
782.071.3	1	0	29862	99.97
782.071.5	1	0	29863	99.97
782.09.1A	1	0	29864	99.97
782.104	1	0	29865	99.98
782.11.	1	0	29866	99.98
782.14	1	0	29867	99.98
782.35	1	0	29868	99.99
782.4	1	0	29869	99.99
782.504	1	0	29870	99.99
782.907	1	0	29871	100
782.94	1	0	29872	100

Number of judicial charges with a felony conviction that contain a statutory reference for 'MURDER' .

Based on CCH data extracted December 1, 2018.

SOURCE: FDLE (2018). Tallahassee, FL

JUD_CRT_STATUTE	Frequency	Percent	Cumulative Frequency	Cumulative Percent
782.04.2	8723	29.2	8723	29.2
782.04	4390	14.7	13113	43.9
782.04.1A1	3981	13.33	17094	57.22
782.07	2417	8.09	19511	65.32
782.04.1	2346	7.85	21857	73.17
782.04.1A	1794	6.01	23651	79.17
782.07.1	1141	3.82	24792	82.99
782.04.3	729	2.44	25521	85.43
782.04.4	488	1.63	26009	87.07
782.051.1	447	1.5	26456	88.56
782.04.1A2	435	1.46	26891	90.02
782.071	422	1.41	27313	91.43
782.071.1	410	1.37	27723	92.81
782.071.1A	387	1.3	28110	94.1
782.07.3	200	0.67	28310	94.77
782.07.	195	0.65	28505	95.42
782.071.1B	134	0.45	28639	95.87
782.051	115	0.38	28754	96.26
782.07	97	0.32	28851	96.58
782.040.2	96	0.32	28947	96.9
782.04.1B	73	0.24	29020	97.15
782.04.01A	70	0.23	29090	97.38
782.07.2	67	0.22	29157	97.61
782.051.2	64	0.21	29221	97.82
782.040.1A	53	0.18	29274	98
782.051.3	50	0.17	29324	98.17
782.071.2	50	0.17	29374	98.33
782.04.02	49	0.16	29423	98.5
782.11	29	0.1	29452	98.59
782.04.1A3	28	0.09	29480	98.69
782.04.1A12	27	0.09	29507	98.78
782	24	0.08	29531	98.86
782.04.(1)	22	0.07	29553	98.93
782.04	22	0.07	29575	99.01
782.040.1B	19	0.06	29594	99.07
782.09	18	0.06	29612	99.13
782.04.(2)	15	0.05	29627	99.18
782.04.21	15	0.05	29642	99.23
782.071.	15	0.05	29657	99.28
782.01	14	0.05	29671	99.33
782.041	13	0.04	29684	99.37
782.07.4	11	0.04	29695	99.41

782.08	11	0.04	29706	99.44
782.040.1	10	0.03	29716	99.48
782.040.4	9	0.03	29725	99.51
782.042	7	0.02	29732	99.53
782.072.2	7	0.02	29739	99.55
782.04.1C	6	0.02	29745	99.57
782.02	5	0.02	29750	99.59
782.04.(1A1	5	0.02	29755	99.61
782.04.1AA	5	0.02	29760	99.63
782.040.3	5	0.02	29765	99.64
782.051.	5	0.02	29770	99.66
782.07.0	5	0.02	29775	99.68
782.07.1A	5	0.02	29780	99.69
782.03	4	0.01	29784	99.71
782.04.23	4	0.01	29788	99.72
782.072.1	4	0.01	29792	99.73
782.021	3	0.01	29795	99.74
782.04.	3	0.01	29798	99.75
782.04.0	3	0.01	29801	99.76
782.04.04	3	0.01	29804	99.77
782.04.1A-1	3	0.01	29807	99.78
782.04.2F	3	0.01	29810	99.79
782.06	3	0.01	29813	99.8
782.07.1&3	3	0.01	29816	99.81
782.072	3	0.01	29819	99.82
782.04.0000	2	0.01	29821	99.83
782.04.1B2	2	0.01	29823	99.84
782.04.1D	2	0.01	29825	99.84
782.04.2-2	2	0.01	29827	99.85
782.04.2000	2	0.01	29829	99.86
782.04.C	2	0.01	29831	99.86
782.041.A2	2	0.01	29833	99.87
782.051.3A	2	0.01	29835	99.88
782.07.12	2	0.01	29837	99.88
782.07.1A1	2	0.01	29839	99.89
782..04.1A1	1	0	29840	99.89
782	1	0	29841	99.9
782.011	1	0	29842	99.9
782.04.(1A2	1	0	29843	99.9
782.04.(4)	1	0	29844	99.91
782.04.01	1	0	29845	99.91
782.04.14	1	0	29846	99.91
782.04.1A1C	1	0	29847	99.92
782.04.1A2D	1	0	29848	99.92
782.04.2-1	1	0	29849	99.92
782.04.2A	1	0	29850	99.93
782.04.777	1	0	29851	99.93

782.04.A	1	0	29852	99.93
782.04.K	1	0	29853	99.94
782.05	1	0	29854	99.94
782.051.2A	1	0	29855	99.94
782.07.(1)	1	0	29856	99.95
782.07.(3)	1	0	29857	99.95
782.07.0000	1	0	29858	99.95
782.07.F2	1	0	29859	99.96
782.071.02	1	0	29860	99.96
782.071.2AB	1	0	29861	99.96
782.071.3	1	0	29862	99.97
782.071.5	1	0	29863	99.97
782.09.1A	1	0	29864	99.97
782.104	1	0	29865	99.98
782.11.	1	0	29866	99.98
782.14	1	0	29867	99.98
782.35	1	0	29868	99.99
782.4	1	0	29869	99.99
782.504	1	0	29870	99.99
782.907	1	0	29871	100
782.94	1	0	29872	100

Number of judicial charges with a felony conviction that contain a statutory reference for 'MURDER' .

Based on CCH data extracted December 1, 2018.

SOURCE: FDLE (2018). Tallahassee, FL

JUD CRT STATUTE	Frequency	Percent	Cumulative Frequency	Cumulative Percent
782.04.2	8723	29.2	8723	29.2
782.04	4390	14.7	13113	43.9
782.04.1A1	3981	13.33	17094	57.22
782.07	2417	8.09	19511	65.32
782.04.1	2346	7.85	21857	73.17
782.04.1A	1794	6.01	23651	79.17
782.07.1	1141	3.82	24792	82.99
782.04.3	729	2.44	25521	85.43
782.04.4	488	1.63	26009	87.07
782.051.1	447	1.5	26456	88.56
782.04.1A2	435	1.46	26891	90.02
782.071	422	1.41	27313	91.43
782.071.1	410	1.37	27723	92.81
782.071.1A	387	1.3	28110	94.1
782.07.3	200	0.67	28310	94.77
782.07.	195	0.65	28505	95.42
782.071.1B	134	0.45	28639	95.87
782.051	115	0.38	28754	96.26
782.07	97	0.32	28851	96.58
782.040.2	96	0.32	28947	96.9
782.04.1B	73	0.24	29020	97.15
782.04.01A	70	0.23	29090	97.38
782.07.2	67	0.22	29157	97.61
782.051.2	64	0.21	29221	97.82
782.040.1A	53	0.18	29274	98
782.051.3	50	0.17	29324	98.17
782.071.2	50	0.17	29374	98.33
782.04.02	49	0.16	29423	98.5
782.11	29	0.1	29452	98.59
782.04.1A3	28	0.09	29480	98.69
782.04.1A12	27	0.09	29507	98.78
782	24	0.08	29531	98.86
782.04.(1)	22	0.07	29553	98.93
782.04	22	0.07	29575	99.01
782.040.1B	19	0.06	29594	99.07
782.09	18	0.06	29612	99.13
782.04.(2)	15	0.05	29627	99.18
782.04.21	15	0.05	29642	99.23
782.071.	15	0.05	29657	99.28
782.01	14	0.05	29671	99.33
782.041	13	0.04	29684	99.37
782.07.4	11	0.04	29695	99.41

782.08	11	0.04	29706	99.44
782.040.1	10	0.03	29716	99.48
782.040.4	9	0.03	29725	99.51
782.042	7	0.02	29732	99.53
782.072.2	7	0.02	29739	99.55
782.04.1C	6	0.02	29745	99.57
782.02	5	0.02	29750	99.59
782.04.(1A1	5	0.02	29755	99.61
782.04.1AA	5	0.02	29760	99.63
782.040.3	5	0.02	29765	99.64
782.051.	5	0.02	29770	99.66
782.07.0	5	0.02	29775	99.68
782.07.1A	5	0.02	29780	99.69
782.03	4	0.01	29784	99.71
782.04.23	4	0.01	29788	99.72
782.072.1	4	0.01	29792	99.73
782.021	3	0.01	29795	99.74
782.04.	3	0.01	29798	99.75
782.04.0	3	0.01	29801	99.76
782.04.04	3	0.01	29804	99.77
782.04.1A-1	3	0.01	29807	99.78
782.04.2F	3	0.01	29810	99.79
782.06	3	0.01	29813	99.8
782.07.1&3	3	0.01	29816	99.81
782.072	3	0.01	29819	99.82
782.04.0000	2	0.01	29821	99.83
782.04.1B2	2	0.01	29823	99.84
782.04.1D	2	0.01	29825	99.84
782.04.2-2	2	0.01	29827	99.85
782.04.2000	2	0.01	29829	99.86
782.04.C	2	0.01	29831	99.86
782.041.A2	2	0.01	29833	99.87
782.051.3A	2	0.01	29835	99.88
782.07.12	2	0.01	29837	99.88
782.07.1A1	2	0.01	29839	99.89
782..04.1A1	1	0	29840	99.89
782	1	0	29841	99.9
782.011	1	0	29842	99.9
782.04.(1A2	1	0	29843	99.9
782.04.(4)	1	0	29844	99.91
782.04.01	1	0	29845	99.91
782.04.14	1	0	29846	99.91
782.04.1A1C	1	0	29847	99.92
782.04.1A2D	1	0	29848	99.92
782.04.2-1	1	0	29849	99.92
782.04.2A	1	0	29850	99.93
782.04.777	1	0	29851	99.93

782.04.A	1	0	29852	99.93
782.04.K	1	0	29853	99.94
782.05	1	0	29854	99.94
782.051.2A	1	0	29855	99.94
782.07.(1)	1	0	29856	99.95
782.07.(3)	1	0	29857	99.95
782.07.0000	1	0	29858	99.95
782.07.F2	1	0	29859	99.96
782.071.02	1	0	29860	99.96
782.071.2AB	1	0	29861	99.96
782.071.3	1	0	29862	99.97
782.071.5	1	0	29863	99.97
782.09.1A	1	0	29864	99.97
782.104	1	0	29865	99.98
782.11.	1	0	29866	99.98
782.14	1	0	29867	99.98
782.35	1	0	29868	99.99
782.4	1	0	29869	99.99
782.504	1	0	29870	99.99
782.907	1	0	29871	100
782.94	1	0	29872	100

Number of judicial charges with a felony conviction that contain a statutory reference for 'MURDER'.

Based on CCH data extracted December 1, 2018.

SOURCE: FDLE (2018). Tallahassee, FL

JUD_CRT_STATUTE	Frequency	Percent	Cumulative Frequency	Cumulative Percent
782.04.2	8723	29.2	8723	29.2
782.04	4390	14.7	13113	43.9
782.04.1A1	3981	13.33	17094	57.22
782.07	2417	8.09	19511	65.32
782.04.1	2346	7.85	21857	73.17
782.04.1A	1794	6.01	23651	79.17
782.07.1	1141	3.82	24792	82.99
782.04.3	729	2.44	25521	85.43
782.04.4	488	1.63	26009	87.07
782.051.1	447	1.5	26456	88.56
782.04.1A2	435	1.46	26891	90.02
782.071	422	1.41	27313	91.43
782.071.1	410	1.37	27723	92.81
782.071.1A	387	1.3	28110	94.1
782.07.3	200	0.67	28310	94.77
782.07.	195	0.65	28505	95.42
782.071.1B	134	0.45	28639	95.87
782.051	115	0.38	28754	96.26
782.07	97	0.32	28851	96.58
782.040.2	96	0.32	28947	96.9
782.04.1B	73	0.24	29020	97.15
782.04.01A	70	0.23	29090	97.38
782.07.2	67	0.22	29157	97.61
782.051.2	64	0.21	29221	97.82
782.040.1A	53	0.18	29274	98
782.051.3	50	0.17	29324	98.17
782.071.2	50	0.17	29374	98.33
782.04.02	49	0.16	29423	98.5
782.11	29	0.1	29452	98.59
782.04.1A3	28	0.09	29480	98.69
782.04.1A12	27	0.09	29507	98.78
782	24	0.08	29531	98.86
782.04.(1)	22	0.07	29553	98.93
782.04	22	0.07	29575	99.01
782.040.1B	19	0.06	29594	99.07
782.09	18	0.06	29612	99.13
782.04.(2)	15	0.05	29627	99.18
782.04.21	15	0.05	29642	99.23
782.071.	15	0.05	29657	99.28
782.01	14	0.05	29671	99.33
782.041	13	0.04	29684	99.37
782.07.4	11	0.04	29695	99.41

782.08	11	0.04	29706	99.44
782.040.1	10	0.03	29716	99.48
782.040.4	9	0.03	29725	99.51
782.042	7	0.02	29732	99.53
782.072.2	7	0.02	29739	99.55
782.04.1C	6	0.02	29745	99.57
782.02	5	0.02	29750	99.59
782.04.(1A1	5	0.02	29755	99.61
782.04.1AA	5	0.02	29760	99.63
782.040.3	5	0.02	29765	99.64
782.051.	5	0.02	29770	99.66
782.07.0	5	0.02	29775	99.68
782.07.1A	5	0.02	29780	99.69
782.03	4	0.01	29784	99.71
782.04.23	4	0.01	29788	99.72
782.072.1	4	0.01	29792	99.73
782.021	3	0.01	29795	99.74
782.04.	3	0.01	29798	99.75
782.04.0	3	0.01	29801	99.76
782.04.04	3	0.01	29804	99.77
782.04.1A-1	3	0.01	29807	99.78
782.04.2F	3	0.01	29810	99.79
782.06	3	0.01	29813	99.8
782.07.1&3	3	0.01	29816	99.81
782.072	3	0.01	29819	99.82
782.04.0000	2	0.01	29821	99.83
782.04.1B2	2	0.01	29823	99.84
782.04.1D	2	0.01	29825	99.84
782.04.2-2	2	0.01	29827	99.85
782.04.2000	2	0.01	29829	99.86
782.04.C	2	0.01	29831	99.86
782.041.A2	2	0.01	29833	99.87
782.051.3A	2	0.01	29835	99.88
782.07.12	2	0.01	29837	99.88
782.07.1A1	2	0.01	29839	99.89
782..04.1A1	1	0	29840	99.89
782	1	0	29841	99.9
782.011	1	0	29842	99.9
782.04.(1A2	1	0	29843	99.9
782.04.(4)	1	0	29844	99.91
782.04.01	1	0	29845	99.91
782.04.14	1	0	29846	99.91
782.04.1A1C	1	0	29847	99.92
782.04.1A2D	1	0	29848	99.92
782.04.2-1	1	0	29849	99.92
782.04.2A	1	0	29850	99.93
782.04.777	1	0	29851	99.93

782.04.A	1	0	29852	99.93
782.04.K	1	0	29853	99.94
782.05	1	0	29854	99.94
782.051.2A	1	0	29855	99.94
782.07.(1)	1	0	29856	99.95
782.07.(3)	1	0	29857	99.95
782.07.0000	1	0	29858	99.95
782.07.F2	1	0	29859	99.96
782.071.02	1	0	29860	99.96
782.071.2AB	1	0	29861	99.96
782.071.3	1	0	29862	99.97
782.071.5	1	0	29863	99.97
782.09.1A	1	0	29864	99.97
782.104	1	0	29865	99.98
782.11.	1	0	29866	99.98
782.14	1	0	29867	99.98
782.35	1	0	29868	99.99
782.4	1	0	29869	99.99
782.504	1	0	29870	99.99
782.907	1	0	29871	100
782.94	1	0	29872	100

Number of judicial charges with a felony conviction that contain an offense code that references 'MURDER'.

Based on CCH data extracted December 1, 2018.

SOURCE: FDLE (2018). Tallahassee, FL

JUD_OFF_CD	Frequency	Percent	Cumulative Frequency	Cumulative Percent
0912-HOMICIDE-WILLFUL KILL-WEAPON-	33183	56.72	33183	56.72
0999-HOMICIDE-	13118	22.42	46301	79.14
0909-HOMICIDE-NEGLIG MANS�-VEH-	7558	12.92	53859	92.05
0910-HOMICIDE-NEGLIG MANS�-WEAPON-	3193	5.46	57052	97.51
0913-HOMICIDE-MANS�-	763	1.3	57815	98.82
0900-HOMICIDE-	304	0.52	58119	99.34
0911-HOMICIDE-WILLFUL KILL-GUN-	246	0.42	58365	99.76
0903-HOMICIDE-WILLFUL KILL-NONFAMILY-GUN-	46	0.08	58411	99.83
0908-HOMICIDE-WILLFUL KILL-POL OFF-	33	0.06	58444	99.89
0904-HOMICIDE-WILLFUL KILL-NONFAMILY-	31	0.05	58475	99.94
0901-HOMICIDE-WILLFUL KILL-FAMILY-GUN-	19	0.03	58494	99.98
0902-HOMICIDE-WILLFUL KILL-FAMILY-	11	0.02	58505	99.99
0906-HOMICIDE-WILLFUL KILL-PUB OFF-	2	0	58507	100
0907-HOMICIDE-WILLFUL KILL-POL OFF-GUN-	1	0	58508	100

Number of judicial charges with a felony conviction that contain an offense code that references 'MURDER' .

Based on CCH data extracted December 1, 2018.

SOURCE: FDLE (2018). Tallahassee, FL

JUD_OFF_CD	Frequency	Percent	Cumulative Frequency	Cumulative Percent
0912-HOMICIDE-WILLFUL KILL-WEAPON-	33183	56.72	33183	56.72
0999-HOMICIDE-	13118	22.42	46301	79.14
0909-HOMICIDE-NEGLIG MANSL-VEH-	7558	12.92	53859	92.05
0910-HOMICIDE-NEGLIG MANSL-WEAPON-	3193	5.46	57052	97.51
0913-HOMICIDE-MANSL-	763	1.3	57815	98.82
0900-HOMICIDE-	304	0.52	58119	99.34
0911-HOMICIDE-WILLFUL KILL-GUN-	246	0.42	58365	99.76
0903-HOMICIDE-WILLFUL KILL-NONFAMILY-GUN-	46	0.08	58411	99.83
0908-HOMICIDE-WILLFUL KILL-POL OFF-	33	0.06	58444	99.89
0904-HOMICIDE-WILLFUL KILL-NONFAMILY-	31	0.05	58475	99.94
0901-HOMICIDE-WILLFUL KILL-FAMILY-GUN-	19	0.03	58494	99.98
0902-HOMICIDE-WILLFUL KILL-FAMILY-	11	0.02	58505	99.99
0906-HOMICIDE-WILLFUL KILL-PUB OFF-	2	0	58507	100
0907-HOMICIDE-WILLFUL KILL-POL OFF-GUN-	1	0	58508	100

Number of judicial charges with a felony conviction that contain an offense code that references 'MURDER' .

Based on CCH data extracted December 1, 2018.

SOURCE: FDLE (2018). Tallahassee, FL

JUD_OFF_CD	Frequency	Percent	Cumulative Frequency	Cumulative Percent
0912-HOMICIDE-WILLFUL KILL-WEAPON-	33183	56.72	33183	56.72
0999-HOMICIDE-	13118	22.42	46301	79.14
0909-HOMICIDE-NEGLIG MANSL-VEH-	7558	12.92	53859	92.05
0910-HOMICIDE-NEGLIG MANSL-WEAPON-	3193	5.46	57052	97.51
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0910-HOMICIDE-NEGLIG MANS�-WEAPON-	3193	5.46	57052	97.51
0913-HOMICIDE-MANS�-	763	1.3	57815	98.82
0900-HOMICIDE-	304	0.52	58119	99.34
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0906-HOMICIDE-WILLFUL KILL-PUB OFF-	2	0	58507	100
0907-HOMICIDE-WILLFUL KILL-POL OFF-GUN-	1	0	58508	100

Matthews, Maria I.

From: Giesecke, Timothy <TimothyGiesecke@fdle.state.fl.us>
Sent: Wednesday, December 5, 2018 9:23 AM
To: Matthews, Maria I.; Jessica Andrews
Cc: Brown, Toshia; Marconnet, Amber
Subject: RE: FDLE records

EMAIL RECEIVED FROM EXTERNAL SOURCE

Maria – Thank you for your email and I have to apologize for not getting this to you more timely. I've had Jessica working on a number of different tasks associated with our CCH implementation that have consumed her time here this week. It is on our list of things to address this afternoon. As soon as we can get this finalized, we will share with you and your staff.

I want to caveat one of your comments below. The information we provide to you this week is informal based on our cursory review of what we have in our CCH system. There is not time for our General Counsel's Office to review or provide legal guidance within the short timeframes we are working with. I want to be transparent that what we are providing to you this week should not be considered a final list of offenses but our informal opinion of what may meet the broad definitions below of "murder" or "felony sexual offense". Ultimately, we will need you to tell us which offenses you want us to match on and we can work with you on that further after your initial review.

Again, I'm sorry for the delay. We will work on this more this afternoon.

Tim Giesecke
Bureau Chief
FDLE's Crime Information Bureau
timothygiesecke@fdle.state.fl.us
850-410-7980

From: Matthews, Maria I. [mailto:Maria.Matthews@DOS.MyFlorida.com]
Sent: Wednesday, December 05, 2018 6:27 AM
To: Andrews, Jessica; Giesecke, Timothy
Cc: Brown, Toshia; Marconnet, Amber
Subject: RE: FDLE records

Hi Jessica and Timothy

I know you guys are in the middle of system transition this week but any chance FDLE could provide us the information below this week?

I'm at conference for supervisors of elections this week and the issue of implementation for constitutional four is at the forefront of issues.

The information requested would help us greatly in moving forward to lay the re-set foundation for developing the procedural criteria for valid matches on felony based on the new categories.

Thanks so much.

Respectfully,

Maria Matthews
Director, Division of Elections

From: Matthews, Maria I.
Sent: Friday, November 30, 2018 4:10 PM
To: Andrews, Jessica <JessicaAndrews@fdle.state.fl.us>
Cc: Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>; Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>; Giesecke, Timothy <TimothyGiesecke@fdle.state.fl.us>
Subject: RE: FDLE records

Thanks for the reply Jessica.

Given FDLE's circumstances in transitioning to new system, I understand that the match criteria cannot be changed at this time nor are we really in a position to request it at this time until we have further information and guidance from a number of sources.

What we are looking for is what offenses (including statutory cites) does FDLE consider to fall within the terms of murder and felony sexual offenses. In other words:

- A list of all the offenses including statutory cites that FDLE considers falls into "murders." For example, in our minds, it would include any unlawful killing such as manslaughter, homicide, etc., but we want to know what FDLE considers since you are a criminal justice agency and we are not.
- A list of all the offenses including statutory cites that FDLE considers falls into "felony sexual offenses." For example, in our minds, it wouldn't matter whether the convicted felon for a sexual offense is registered or not but we want to know what does FDLE consider it to be. We can't answer whether computer pornograph is or not but we want to know does FDLE.

Thank you in advance for getting this information.

Respectfully,

Maria Matthews, Esq.
Division of Elections, Director
Florida Department of State
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6520

Maria.matthews@dos.myflorida.com

This response is provided for reference only and does not constitute legal advice or representation. As applied to a particular set of facts or circumstances, interested parties should refer to the Florida Statutes and applicable case law, and/or consult a private attorney before drawing any legal conclusions or relying upon the information provided. Please note: Florida has a broad public records law. Written communications to or from state officials regarding state business constitute public records and are available to the public and media upon request unless the information is subject to a specific statutory exemption. Therefore, your e-mail message may be subject to public disclosure.

From: Andrews, Jessica [<mailto:JessicaAndrews@fdle.state.fl.us>]
Sent: Friday, November 30, 2018 2:24 PM
To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Cc: Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>; Marconnet, Amber

<Amber.Marcconnet@DOS.MyFlorida.com>; Giesecke, Timothy <TimothyGiesecke@fdle.state.fl.us>

Subject: RE: FDLE records

EMAIL RECEIVED FROM EXTERNAL SOURCE

Maria –

I apologize for the delay in response, but as you can appreciate things have been very busy over here on our end. As discussed, we are not currently in a position to modify the current match criteria programming in place with the implementation of our new CCH system occurring next week, but we can begin to have the discussions related to how that criteria should be changed. We also acknowledge that any change to this criteria would need to be agreed upon by both parties and incorporated through an update to the existing MOU in place between our agencies and may also require a change to our portion of FS 98.093(2)(d) which currently states that FDLE will identify those persons maintained with the CCH file who have been convicted of a felony who also appear in the voter registration records. We would need this to reflect the specific felony charges for which we are responsible for identifying since it would no longer be all.

As discussed, Florida Statute is not a required field within CCH and as a result many of our records do not include them. However, we do have standardized offense codes that categorize offense types along chapter lines that could be used when a statutory cite is not present. I have asked our Statistical Analysis Center (FSAC) to put together some data for you to indicate how both murder and sexual offenses may be categorized within CCH today (both by statute and offense code) to serve as a starting point for refining the selection criteria moving forward. However, this is not data that will be produced by the deadline you requested. I anticipate receiving initial data from the FSAC on Tuesday and then after review should be in a position to share that with you and your folks. In the meantime, some thought should be given on your side as to which statutory references you would like us to select from moving forward. For example, while murder may be covered under 782 and may be more easily defined, there may be items like manslaughter, for instance, that you may or may not want to consider. Same for sex offenses. Would you consider offenses like computer pornography? Only offenses for which a subject may be required to register, etc.? I think this is where some back and forth will need to occur to ultimately get at what you will need. It is not as clean a look as 'all felony convictions'.

Please let me know if you have any questions and I'll be in touch next week after I receive the initial swag from the FSAC.

Jessica

Jessica L. Andrews
Senior Management Analyst Supervisor
Criminal History Record Maintenance
Crime Information Bureau
Criminal Justice Information Services
Florida Department of Law Enforcement
(850) 410-7983 –desk
(850) 879-0442 - cell
jessicaandrews@fdle.state.fl.us

From: Matthews, Maria I. [<mailto:Maria.Matthews@DOS.MyFlorida.com>]

Sent: Thursday, November 29, 2018 5:44 PM

To: Andrews, Jessica
Cc: Brown, Toshia; Marconnet, Amber
Subject: FDLE records

Jessica:

Thanks for speaking with us yesterday about FDLE records and criteria matching for felony convictions for 'murder' and "sexual offense."

I understand that at this juncture, FDLE is scheduled to undergo a significant modernization transition next week so any action to move forward with modifying the match criteria, if at all possible to narrow the scope of convicted felons is not possible at this time. In addition, any change would require a concurrent change in our interagency agreement.

There are a lot of unknowns regarding implementation of constitutional amendment #4.

It will be a significant challenge for us to vet under our current process for all convicted felons. Therefore, we will be erring on the side of the applicant as being eligible based on his or her affirmation of eligibility.

Moreover, it appears that other entities including but not limited to the DOC, Executive Clemency Board, Legislature, Clerk of Court and others may be drawn into the implementation discussion in the next couple of months.

In the interim, you had indicated that you could provide us with the statutory cites that would fall under "murder" and those that would fall under "sexual offense" per FDLE's categorization. Any chance you could provide that Information to me before 3 pm Friday?

Thanks in advance.

Respectfully,

Maria Matthews, Esq.
Division of Elections, Director
Florida Department of State
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6520

Maria.matthews@dos.myflorida.com

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The Department of State is committed to excellence.
Please take our [Customer Satisfaction Survey](#)

Matthews, Maria I.

- offenses -

Subject: DOS Conference Call

Start: Wed 11/28/2018 10:30 AM
End: Wed 11/28/2018 11:00 AM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Andrews, Jessica

EMAIL RECEIVED FROM EXTERNAL SOURCE

RE: Amendment 4

We will call you – just let me know what number to call in on.

Thanks - Jessica

From: Brown, Toshia
Sent: Tuesday, February 5, 2019 9:06 AM
To: Crum, Jeff
Cc: Matthews, Maria I.; Marconnet, Amber; Modrow, Janet; Anderson, Artesa E.; Spitler, Doug H.
Subject: RE: Follow-up info...
Attachments: DOC Interagency Agreement.pdf

Importance: High

Jeff,

We receive a zip file Mon- Fri containing new DOC numbers. The zip file name is DOCDATA_YYYYMMDD..zip and contains a file called DOSDATA.

DC_XFR ▶ TO_FVRS

^ Name

 DOCDATA_20190204..ZIP

This is the web service we call but it appears the certificate is invalid.

<https://dcorrectionsws.dos.myflorida.com:8120/DOSWebService/OffenderSearchService.svc/Offenders/?DCNumber=123456>

Since the process started, there are 2,135 DOC numbers that were sent to us but there is no data is found on the web service. (ie. 165953, 129744, X89163, 572978, 374761, L91668, X18101)

Questions:

1. How often is the web service refreshed?
2. What triggers a DOC number to become inactive?
3. Does the DOS web service and the public offender site contain inactive records?
4. Are DOC numbers reused?
5. Does the file only contain felony records?
6. Could we get a file that would identify who is out of the DOC including parole and probation?
7. What fields are available in the web service?
8. Does the release date reflect a projected release date or an actual release date?

Also, I have attached the most current agreement for your review.

Thank you,

Toshia H. Brown

Chief, Bureau of Voter Registration Services
Division of Elections

INTERAGENCY AGREEMENT

BETWEEN

THE FLORIDA DEPARTMENT OF CORRECTIONS

AND

THE FLORIDA DEPARTMENT OF STATE

This Interagency Agreement ("Agreement") is between the Florida Department of Corrections ("Department") and the Florida Department of State ("Agency"), which are the parties hereto.

WITNESSETH

WHEREAS, the parties are authorized to enter into this Agreement pursuant to the general provisions of Section 119.01, Florida Statutes, regarding express legislative intent that providing access to public records is a duty of each agency,

THEREFORE, the parties agree to the following:

PURPOSE

This Agreement is to establish the general conditions and joint processes that will enable the Department to share in accordance with Section 98.093(2)(f), Florida Statutes, electronic information with the Agency who, by law, must maintain current and accurate voter registration records in the statewide voter registration system. Under Section 97.012(15), Florida Statutes, the Secretary of State must conduct preliminary investigations into any reported irregularities or fraud involving voter registration, voting, candidate petition, or issue petition activities and submit his or her findings to the Statewide Prosecutor or the State Attorney for the judicial circuit in which the alleged violation occurred for prosecution if warranted. Under Section 303(a)(2) of the Help America Vote Act (Public Law 107-252) and Section 98.075, Florida Statutes, the Agency must also identify by comparison, or coordination with other agency records, registered voters who are not eligible for reasons such as a felony conviction, declaration of mental incapacity with a removal of voting rights, or death, and subject to notice, must remove the names of these persons from the official voter registration system. Providing the Agency access to requested data (e.g., inmate commitment information) will enhance its ability to comply with these statutory duties as well as to alleviate any backlogs.

I. TERM OF AGREEMENT

This Agreement shall begin on July 1, 2016, or the date on which it is signed by both parties, whichever is later, and shall end at midnight on June 30, 2021. In the event this Agreement is signed by the parties on different dates, the latter date shall control.

This Agreement may be renewed for an additional five (5) year period, after the initial agreement term, upon the same terms and conditions contained herein, and upon agreement of both parties. Exercise of the renewal option is at the Department's sole discretion and shall be conditioned, at a minimum, on the Agency's performance of this Agreement and subject to the availability of funds. The Department, if it desires to exercise its renewal option, will provide written notice to the Agency no later than thirty (30) days prior to the agreement expiration date. The renewal term shall be considered separate and shall require the exercise of a renewal amendment that shall be signed by both parties.

II. SCOPE OF AGREEMENT

The Department and the Agency agree that the Department will not be providing data matching files for the Agency's records that do not contain a Department inmate number. The Department and the Agency further agree to carry out their respective duties and responsibilities outlined below, subject to controlling law, policy(ies) and/or procedures, and in consideration of the mutual interests and understandings expressed herein.

A. Department Responsibilities

The Department will perform the following duties in support of this Inter-Agency Agreement:

1. Allow the Agency to electronically access through a Virtual Private Network (VPN) connection to the Department's Inmate Records Imaging System Database ("IRIS database") for the limited purpose of viewing the inmate photo identification cards, commitment information, and legal documents in order to obtain identification of the individual, copies of court judgments of inmates committed to the custody of the Department, and copies of administrative appeals that affect the inmate sentence. Access to the IRIS database is a service provided by the Department of Management Services (DMS).
2. Require the appropriate Security Coordinator for the Office of Institutions to review and approve all requests for individual user access using form DC2-611, Information Resources Security Request -- Outside Agency (Attachment A). For each outside agency user, the outside agency representative will complete form DC2-611. Upon completion of the DC2-611, the Security Coordinator will approve or disapprove the access based on background check criteria. Users will not be able to access the Department's IRIS database until they have been granted access rights. Each user's access will require a unique user-ID and confidential password.
3. Require the appropriate Security Coordinator for the Office of Institutions to submit modifications or deletions to the Agency's authorized users to the Department's Office of Information Technology (OIT) through the web-based security access request system.
4. Require the appropriate Security Coordinator for the Office of Institutions to review user accounts at regular intervals not to exceed one year in order to identify those accounts not being used.
5. Require the appropriate Security Coordinator for the Office of Institutions to coordinate training upon notification of user access accounts being established. Training for purposes of this Agreement must include, but is not limited to, proper procedures relating to the maintenance and use of passwords.
6. Require the appropriate Information Security Coordinator and Information Security Administrator to review all requests for access privileges to the network for users to ensure that only those with a current need to know have the minimum access required. The Department will use a web-based security request process for this purpose.
7. Notify the Agreement Manager for the Agency in the event that scheduled maintenance will be occurring and access through the VPN will be temporarily suspended.
8. Provide a web service that will allow a search of the Department of Corrections databases and return the following data: last name, first name, date of birth, Florida

Driver License number or Florida Identification number, last four digits of social security number, Department of Corrections number, and incarceration, supervision or release status. Other data fields may be added to the list of data that is returned if mutually agreed upon in writing by both agencies' Agreement Managers. The data provided will have a latency of twenty-four hours. Search capabilities for the web service will include:

- last name and date of birth;
- Florida Drivers license or Florida Identification number;
- Last name and last four digits of social security number; and
- Department of Corrections number.

B. Agency Responsibilities

The Agency will perform the following duties in support of this Inter-Agency Agreement:

1. Provide computer workstations and any equipment needed to make a connection to the Department's VPN network. The Department will not be responsible for providing or maintaining any equipment to make the connection.
2. Provide the following information to the Department prior to electronically accessing the Department's IRIS database through the VPN: a description of its information systems external network connections and network security architecture, including computing device anti-virus and/or malware implementation; documentation that connections will be made only to computing devices utilizing Windows 2000, XP, Vista or Windows 7 operating systems; and documentation to ensure that connections will be made only to those computing devices utilizing antivirus software compatible with the Department's host checking methods.
3. Submit written requests to the Department's appropriate Security Coordinator in the Office of Institutions for individuals requiring or no longer requiring access to the Department's IRIS database. Only four (4) designated supervisors who have previously received training can be granted access to the database at any given time. For each user, the Agency's representative will complete form DC2-611 and submit it to the appropriate Security Coordinator for the Department's Office of Institutions. Documentation verifying that a Level II background check has been conducted by the Agency will accompany the DC2-611.
4. Ensure that designated users are properly trained in the authorized use of the IRIS database. Training will be coordinated by the Security Coordinator from the Department's Office of Institutions.
5. Ensure that only users who have an individually assigned unique user-ID with confidential password issued by the Department's Information Security Group access to the IRIS database. Under no circumstance is anyone to attempt or gain access to the Department's IRIS database with a user-ID and password not assigned to that person. Sharing of passwords constitutes a serious breach of system security and shall be the basis for automatic termination of access privilege. Further, any misuse of the IRIS database or failure to comply with the operating guidelines can lead to an administrative, internal, and/or criminal investigation. Users shall adhere to the following rules relating to password selection and storage:

AGREEMENT #1A15-1123

- Passwords shall not be related to one's job or personal life;
 - Passwords should be composed of a private combination of alphanumeric characters and any other possible characters in an effort to make the password as difficult as possible for others to determine;
 - Passwords shall be six to fourteen characters in length and case sensitive;
 - Passwords will have a maximum duration of ninety days for user accounts established under this agreement;
 - Passwords will not be stored in a readable form in batch files, automatic log-in scripts, software macros, terminal function keys, in computers without access control systems, or in other locations where unauthorized persons might discover them;
 - Passwords will not be written down in some readily decipherable form and left in a place where unauthorized persons can view them;
 - When a user suspects that a password has become known, that password will immediately be changed;
 - If users need to share computer-resident data, they will use electronic mail, public directories on local area network servers, and other mechanisms. Passwords will never be shared with or revealed to others; and
 - Users will not log in using their own login credentials and allow another person access to resources.
6. Notify the Department when a user no longer requires, or is no longer permitted, access to the IRIS database or has separated from the Agency. Employment changes requiring this action include termination, transfer, promotion and/or function change, and leave of absence with a duration of thirty days or more.
 7. Provide for IRIS database access on workstations placed in areas where unauthorized viewing of the information on computer terminals can be prevented and provide for shredding of any documents inadvertently printed and containing information that is confidential and exempt from disclosure as provided in Section VII, B and C.
 8. Use the information received from the Department only for the purposes described in this Agreement.
 9. Notify the Department if unscheduled IRIS database interruptions occur by contacting the Department's Outside Agency Helpdesk at (850) 717-3106.
 10. Protect and maintain the confidentiality and security of information as provided in Section VII., B., and C., including redacting information deemed confidential and exempt from disclosure on copies of court judgments provided to the county supervisors of elections. This information shall include, but not be limited to, the following: medical, psychological and dental records (Section 945.10(1)(a), and 456.057(7), Florida Statutes, Federal Rule 45 C.F.R., Section 164.502); HIV/AIDS testing information and/or substance abuse treatment records (Section 381.004, 397.501(7), and 397.752, Florida Statutes, 42 U.S.C. Section 290dd-2, Federal Rule 42 C.F.R. Part 2); biometric identification information, including fingerprints, (Section 119.071(5)(g), Florida Statutes); social security numbers (Section 119.071(5)(a), Florida Statutes); preplea, pretrial intervention, pre-sentence, or post-sentence investigations (PSIs) (Section 945.10(1)(b), Florida Statutes); information regarding a person in the federal witness protection program (Section 945.10(1)(c), Florida Statutes); Florida Commission on Offender Review records (Section 945.10(1)(d), Florida Statutes); information which if released, would jeopardize a person's safety (Statute 945.10(1)(e), Florida Statutes);

information regarding a victim's statement and identity (Section 945.10(1)(f), and 119.071(2)(j), Florida Statutes); FCIC/NCIC and criminal justice information (Section 943.053, Florida Statutes); and educational records (Section 1002.22(2)(d), Florida Statutes).

11. Shall only view the inmate commitment information and inmate photo identification card, currently authorized for viewing by the four designated supervisors employed by the Agency, and will not view or use other information contained on the IRIS database.

III. FINANCIAL OBLIGATIONS

The Agency shall reimburse the Department for all costs incurred by the Department resulting from the utilization of this Agreement.

- 1) This will include, but is not limited to, the following:
 - a. The current Annual Maintenance Fee for one imaging client software license is \$122.57;
 - b. The annual cost for all four (4) imaging client software licenses will be \$490.28 annually; and
 - c. The total cost for this five (5) year agreement is \$2,451.40.
- 2) In the event that the Department's current imaging client software licensing agreement changes, licensing fees will be adjusted to reflect the new licensing costs. Any cost adjustment will be subject to the formal written amendment provisions of Section V. B., of this Inter-agency Agreement.

The Department's Bureau of Finance and Accounting will prepare an invoice as requested by the Department's Agreement Manager and will send it to the Agency. The Agency shall render payment within 30 days of the invoice date. The Agency shall contact the Department's Agreement Manager to resolve any issues related to the invoiced charges prior to the expiration of the 30 days above or the invoice is considered to be accepted as accurate. The Department's invoice shall be mailed to the Agency at the following address:

Division of Administrative Services
Chief, Bureau of Planning, Budget, & Financial Services
c/o Ary Miller, Division of Elections (Senior Management Analyst, II)
Ste 428, R. A. Gray Building
500 S. Bronough Street
Tallahassee, Florida 32399-0250

The Agency shall reimburse the Department by way of Journal Transfer (JT). Such requests shall include the appropriate JT account codes and the contact names and telephone numbers of authorized staff with the Agency. The benefiting code for the JT from the Agency to the Department will be:

✓	Fund:	70-10-1-000361-70010-00-00
✓	BF Object:	242000
✓	BF Category:	100777
✓	Contact:	Brenda Rivera (850)-717-3825

IV. AGREEMENT MANAGEMENT

A. Department's Agreement Administrator

The Agreement Administrator for the Department is responsible for maintaining the official Agreement file, processing any amendments or termination of the Agreement, and for maintaining records of all formal correspondence between the Department and the Agency regarding administration of the Agreement.

The address and telephone number of the Department's Agreement Administrator is:

Operations Manager, Contract Administration
Bureau of Contract Management and Monitoring
Florida Department of Corrections
501 South Calhoun Street
Tallahassee, Florida 32399-2500
Telephone: (850) 717-3681
Fax: (850) 488-7189

B. Agreement Managers

The parties have identified the following individuals as Agreement Managers. These individuals are responsible for enforcing performance of the Agreement terms and conditions and shall serve as liaison/agency contact regarding issues arising out of this Agreement.

FLORIDA DEPARTMENT OF CORRECTIONS

Don Davis
Chief of Systems Development
501 South Calhoun Street
Tallahassee, FL 32399-2500
(850) 717-3717 (telephone)
(850) 922-6786 (fax)
davis.don@mail.dc.state.fl.us (e-mail)

FLORIDA DEPARTMENT OF STATE

Division of Elections
c/o Toshia Brown, Chief
Bureau of Voter Registration Services
Ste 316, R. A. Gray Building
500 S. Bronough Street
Tallahassee, Florida 32399-0250
850-245-6200

FLORIDA DEPARTMENT OF STATE

Douglas H. Spitler, Jr.
Network Administrator - BDIS
Florida Department of State
R.A. Gray Building
500 S. Bronough Street
Tallahassee, Florida 32399-0250
(850) 245-6118 (telephone)

(850) 545-8785 (cell)
Doug.Spitzer@doh.mvflorida.com (e-mail)

V. REVIEW AND MODIFICATION

Upon request of either party, both parties will review this Agreement in order to determine whether its terms and conditions are still appropriate. The parties agree to renegotiate terms and conditions hereof if it is mutually determined that significant changes in this Agreement are necessary. There are no obligations to agree by either party.

Modifications to the provisions of this Agreement, with the exception of Section IV., AGREEMENT MANAGEMENT, shall be valid only through execution of a formal written amendment to the Agreement.

VI. TERMINATION

This Agreement may be terminated at any time upon the mutual consent of both parties or unilaterally by either party upon no less than thirty (30) calendar days' notice. Notice shall be delivered by express mail or other method whereby a receipt of delivery may be obtained.

In addition, this Agreement may be terminated with 24 hours notice by the Department for any failure of the Agency to comply with the terms of this Agreement or any applicable Florida law.

VII. OTHER CONDITIONS

A. Waiver and Assumption of Risk

The Department and the Agency are state agencies or political subdivisions as defined in Section 768.28, Florida Statutes, and agree to be fully responsible for acts and omissions of their own agents or employees to the extent permitted by law. Nothing herein is intended to serve as a waiver of sovereign immunity by either party to which sovereign immunity may be applicable. Further, nothing herein shall be construed as consent by a state agency or political subdivision of the State of Florida to be sued by third parties in any matter arising out of this Agreement or any other contract.

B. Confidentiality

The Agency shall ensure all staff assigned to this Agreement maintains confidentiality with reference to individual participants receiving services in accordance with applicable local, state, and federal laws, rules, and regulations. The Department and the Agency agree that all information and records obtained in the course of providing services under this Agreement shall be subject to confidentiality and disclosure provisions of applicable federal and state statutes and regulations adopted pursuant thereto.

The Agency agrees to keep all Department personnel information (i.e., DC staff telephone numbers, addresses, etc.) strictly confidential and shall not disclose said information to any person, unless released in writing by said Department.

C. Data Sharing

The Department and the Agency acknowledge their separate obligations to store and disseminate data in compliance with the requirements of Public Records Law, Chapter 119, Florida Statutes, and with other applicable statutes that constitute express exceptions to the requirements of Section 119.07(1), Florida Statutes, by making certain categories of records confidential, exempt from disclosure, or accessible as prescribed by statute. The Agency acknowledges that the data exchanged between them has been provided for official purposes and that public access to such data is limited and prescribed by statute. The Agency therefore agrees, consistent with public records law, to refer third parties requesting delivery of information to the originating party. The Agency further agrees to disseminate data only in compliance with confidentiality restrictions and in recognition of the exemptions from disclosure provided by law and to provide advance copies of documents involving the other party's data for review to determine if there has been an inadvertent disclosure of confidential information as described herein prior to publication.

D. Disputes

Any dispute concerning performance of the terms of this Inter-Agency Agreement shall be resolved informally by the Inter-Agency Agreement Managers. Any dispute that cannot be resolved informally shall be reduced to writing and delivered to the Department's Chief Information Officer. The Chief Information Officer shall decide the dispute, reduce the decision to writing, and deliver a copy to the parties, the Inter-Agency Agreement Managers and the Inter-Agency Agreement Administrator.

E. Disclaimer for Release of Information

The Department is not the official records custodian of the scanned court documents on IRIS. The Department can only offer copies of documents in the condition in which they are received from the courts and scanned into the IRIS system. The clerks of court are the official custodians of the sentencing documents and should be contacted for official copies to ensure complete legibility and accuracy. The original commitment information on IRIS reflects court documents available at the time of incarceration only.

Because the Department conducts audits of commitment documents, up to a 6-month delay can occur in document scanning and availability on IRIS. The Agency has been put on notice that review of IRIS data may not be complete. Due to a possible 6-month time lag between the Department receiving the inmate into custody and the court documents being scanned into the IRIS database, the Department has advised the Agency to contact the court clerks directly for the most accurate and up-to-date information on new commitments.

IRIS only contains records of incarcerated felons, not persons convicted of misdemeanors. IRIS does not contain any records of felony or misdemeanor offenders under supervision (e.g., probation). IRIS only contains scanned documents from 1998 to the present. Documents relating to misdemeanor offenders, offenders under supervision, and offenders sentenced prior to 1998 should be obtained from the appropriate clerks of court.

F. Prison Rape Elimination Act (PREA)

The Agency shall report any violations of the Prison Rape Elimination Act (PREA), Federal Rule 28 C.F.R. Part 115, to the Department of Corrections' Agreement Manager.

G. Cooperation with Inspector General

In accordance with Section 20.055(5), Florida Statutes, the Agency understands and will comply with its duty to cooperate with the Inspector General in any investigation, audit, inspection, review, or hearing.

AUTHORIZATION FOR SIGNATURE

IN WITNESS THEREOF, the parties hereto have caused this Inter-Agency Agreement to be executed by their undersigned officials as duly authorized.

DEPARTMENT OF STATE

SIGNED
BY:



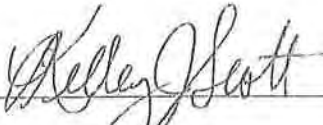
NAME: Jennifer L. Kennedy

TITLE: Assistant Secretary of State and Chief of Staff
Department of State

DATE: 6/14/16

DEPARTMENT OF CORRECTIONS

SIGNED
BY:



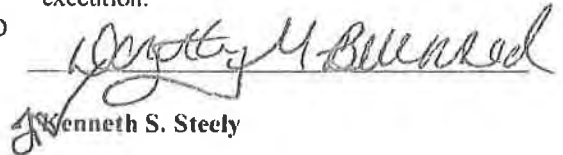
NAME: Kelley J. Scott

TITLE: Director, Office of Administration
Department of Corrections

DATE: 6/17/16

Approved as to form and legality, subject to execution:

SIGNED
BY:



NAME: Kenneth S. Stealy

TITLE: General Counsel
Department of Corrections

DATE: 6/16/16

☐ New Request (has never had a CDC sign-on)
☐ Function Upgrade (keep old job function capabilities and add job function capabilities circled on this form)
☐ Former name _____
☐ Delete User's Access

**Department of Corrections
Information Resources Security Request-Outside Agency**

Please print or type the following information about the person being authorized to use the Department of Corrections' information system. If any of these fields or any signatures are missing or if they are not legible, this form will be returned and a user id code will not be assigned.

Last Name First Name Middle Initial Social Security Number

Race Sex Date of Birth

Driver License Number State of Issuance

Agency Name Circuit Number

Telephone Number of person being authorized E-Mail Address

Does this person currently have a Department of Corrections UserID or have they ever had one? ☐ No ☐ Yes

If yes, User ID

Please check your function below.

- ☐ Outside Agency Inquiry (all users)
☐ FOR STATE ATTORNEYS & STATEWIDE PROSECUTOR ONLY: Sentencing Guidelines Group
☐ FOR FLORIDA ATTORNEY GENERAL'S OFFICE ONLY: Special Attorney General Transactions - Victims
☐ Special Revenue Transaction - COPS
☐ FDLE: Special profile for C.O.P.S. -(all others O/S Agency only)
☐ I.R.I.S.-Special profiles for D.O.S. & FDLE (Sex Offender & Career Criminal Units)
☐ Special Instructions: _____

Person Authorized: This person being authorized to use the Department's information resources understands that he/she is being given authority to access and/or modify secure Department information. By signature below, this person agrees not to disclose password information to anyone else, not to write down the password, and to adhere to all Department security policies and procedures.

Signature of Person Authorized Title of Person Authorized

Authorizing Supervisor: By signature below, the unit supervisor is verifying that the person being authorized access does perform the job function as stated on this form and needs the requested authority to perform his/her job function. The unit supervisor also acknowledges that it is the supervisor's responsibility to notify the Information Security Section when the authorized person leaves employment, changes jobs or needs any change in authorization. When immediate suspension of access is warranted, please call 850-487-1550.

Signature of Authorizing Supervisor Print Name and Title of Supervisor Date Telephone Number

The Information Security Section will assign a UserID code and password for the authorized person. When this is completed, the Office of Information Security Section will notify the Bureau of Admission and Release-Specialist Services (850) 717-3106, who will schedule individuals for mandatory training prior to distributing UserID codes. Mail the completed forms to: Department of Corrections, Bureau of Admission and Release-Specialist Services 501 South Calhoun Street, Tallahassee, FL 32399-2500.

DC2-611 (Revised 6/13/11)

In accordance with s. 119.071(5)(a)? F.S. your social security number is being collected as an approved identifier for providing user access to the Department of Corrections Information Systems.

This collection is imperative for the performance of this agency's duties and responsibilities for completion of background checks as well as FCIC/NCIC.

The Department will not use the social security number collected for any purpose other than the purpose provided above.

DOC Reconciliation Tasks

1. Create code to automate the processing of a reconciliation file.
 - a. Identify missing records (records to add)
 - i. Create a file for these records and run through the normal file processing application for new records.
 - b. Identify records to remove (records exist in DOS but not in the file)
 - i. Create a file of the records that need to be removed and run through the normal file processing application (doesn't exist) for removing records.
2. Create code to handle the removal of records no longer active in DOC.
 - a. Schema change to add delete flag and removed date
 - b. Code to update the matches
 - c. Code to notify the SOE if match at county level
 - d. Update existing match code to ignore records that have been deleted

Matthews, Maria I.

From: Matthews, Maria I.
Sent: Wednesday, July 31, 2019 8:58 AM
To: Mcvay Brad (ashley.davis@dos.myflorida.com); Davis, Ashley E.; O'Brien, Colleen E.
Subject: Follow-up Request - Felon File Processing/Notice to the Potentially Ineligible Voter
Attachments: Update: Felon File Processing/Notice to the Potentially Ineligible Voter

Brad et al.,

Any update on the matter below and attached and if we can provide guidance?

Maria

From: Tammy Jones <tammy@votelevy.com>
Sent: Tuesday, July 30, 2019 7:20 PM
To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>; Cannon, Vicki P. <vcannon@votenassau.com>; Labasky, Ron - FSASE Legal Counsel <rlabasky@bplawfirm.net>
Subject: Re: Felon File Processing/Notice to the Potentially Ineligible Voter

EMAIL RECEIVED FROM EXTERNAL SOURCE

Hi Director Matthews,

Just circling back to see if anything was decided on the uniformed template for potentially ineligible voters.

Please advice as letters are being mailed and we would like to provide similar documentation.

Sincerely,
Tammy



Tammy Jones

Supervisor of Elections

Levy County Supervisor of Elections

Office: 352-486-5163 Fax: 352-486-5146

421 S. Court St. | Bronson, FL 32621 | www.VoteLevy.com



NOTICE: Under Florida law e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Sent: Monday, July 1, 2019 10:56 AM
To: Cannon, Vicki P. <vcannon@votenassau.com>; Tammy Jones <tammy@votelevy.com>; Labasky, Ron - FSASE Legal Counsel <rlabasky@bplawfirm.net>

Cc: Cannon, Vicki P. <vcannon@votenassau.com>

Subject: RE: Felon File Processing/Notice to the Potentially Ineligible Voter

Just letting you know, I have not forgotten about this. We are still bandying about a potential 1 page- template.

From: Matthews, Maria I.

Sent: Tuesday, June 25, 2019 5:00 PM

To: Vicki Cannon <vcannon@votenassau.com>

Cc: Cannon, Vicki P. <vcannon@votenassau.com>

Subject: RE: Felon File Processing/Notice to the Potentially Ineligible Voter

Got it! Thanks.

From: Vicki Cannon <vcannon@votenassau.com>

Sent: Tuesday, June 25, 2019 3:57 PM

To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>

Cc: Cannon, Vicki P. <vcannon@votenassau.com>

Subject: RE: Felon File Processing/Notice to the Potentially Ineligible Voter

EMAIL RECEIVED FROM EXTERNAL SOURCE

Maria,

We found a typo in the last sentence of the first paragraph—try as we might. FOCR should be FCOR. Wanted to let you know in case you use any part of our document. Have a great day and thanks so much for EVERYTHING you do!

Vicki P. Cannon

Supervisor of Elections of Nassau County

96135 Nassau Place, Suite 3, Yulee, Florida 32097

Direct: 904.491.7500 | Toll Free: 1.866.260.4301 | Fax: 904.432.1400

vcannon@votenassau.com | www.votenassau.com | [Facebook](#) | [Twitter](#) | [Newsletter Sign Up](#)

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, please do not send electronic mail (email) to this entity. Instead, please contact this office by phone or in writing.

From: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>

Sent: Tuesday, June 25, 2019 9:14 AM

To: Jones, Tammy <tammy@votelevy.com>

Cc: Vicki Cannon <vcannon@votenassau.com>; Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>; Labasky, Ron - FSASE Legal Counsel <rlabasky@bplawfirm.net>; Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>; Brenda Shubert <bshubert@votenassau.com>; O'Brien, Colleen E. <Colleen.OBrien@dos.myflorida.com>; McVay, Brad R. <Brad.McVay@dos.myflorida.com>

Subject: RE: Felon File Processing/Notice to the Potentially Ineligible Voter

Thanks for sharing – great starting point.

From: Tammy Jones <tammy@votelevy.com>

Sent: Monday, June 24, 2019 4:35 PM

To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>

Cc: Cannon, Vicki P. <vcannon@votenassau.com>; Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>; Labasky, Ron - FSASE Legal Counsel <rlabasky@bplawfirm.net>; Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>;

Shubert, Brenda T. <bshubert@votenassau.com>; O'Brien, Colleen E. <Colleen.O'Brien@dos.myflorida.com>; McVay, Brad R. <Brad.McVay@dos.myflorida.com>

Subject: Re: Felon File Processing/Notice to the Potentially Ineligible Voter

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Director Matthews,

Attached is a word document that Vicki and Ron have been working on for the "instructions for seeking restoration of civil rights". Your team can use what they feel is relevant as they prepare a uniform template.

Have a great evening,
Tammy



Tammy Jones

Supervisor of Elections

Levy County Supervisor of Elections

Office: 352-486-5163 Fax: 352-486-5146

421 S. Court St. | Bronson, FL 32621 | www.VoteLevy.com



NOTICE: Under Florida law e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>

Sent: Monday, June 24, 2019 2:39 PM

To: Tammy Jones

Cc: Cannon, Vicki P.; Brown, Toshia; Labasky, Ron - FSASE Legal Counsel; Marconnet, Amber; Shubert, Brenda T.; O'Brien, Colleen E.; McVay, Brad R.

Subject: FW: Felon File Processing/Notice to the Potentially Ineligible Voter

Supervisors Jones and Cannon,

I am out of the office today but I am copying legal and will discuss further with them about what further guidance we can provide and the establishment of a uniform template for notice.

To date, we have never dictated the content of these notices as the law simply says to include the instructions for seeking to restore civil rights. Obviously that was just one way before – clemency. Constitutional amendment 4 changes that.

My initial thoughts are that the messaging will probably be along the following lines and you would probably also include copies of section 4, Article VI and s.8, Article IV of the Florida Constitution based on the new language in section 98.075(7)(a)1.f., Fla. Stat. (SB 7066):

In Florida, pursuant to section 4, Article VI of the Florida Constitution (effective January 8, 2019), if convicted of a felony, voting rights can only be restored through clemency or by completion of all terms of your sentence including parole and probation, whichever may be applicable:

1. To apply for clemency, please find enclosed an [application](#) for clemency. More information is available from the Florida Commission on Offender Review at

<https://www.fcor.state.fl.us/restoration.shtml>

Toll Free: 1-800-435-8286

Phone: (850) 488-2952

Fax: (850) 488-0695

Email: ClemencyWeb@fcor.state.fl.us

The Office of Executive Clemency

Florida Commission on Offender Review

4070 Esplanade Way

Tallahassee, FL 32399-2450

2. To determine if you have completed all the terms of your sentence as to one or more felony conviction(s), please contact the Florida Department of Corrections [trying to find number that they could contact in Tallahassee] and/or the Clerk of Court in the jurisdiction in which you were convicted [I will find out what number the clerk of courts might recommend but it may be jurisdictional specific and for out-of-state, not easy to determine].

Respectfully,

Maria Matthews, Esq.
Division of Elections, Director
Florida Department of State
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6520

Maria.matthews@dos.myflorida.com

This response is provided for reference only and does not constitute legal advice or representation. As applied to a particular set of facts or circumstances, interested parties should refer to the Florida Statutes and applicable case law, and/or consult a private attorney before drawing any legal conclusions or relying upon the information provided.

Please note: Florida has a broad public records law. Written communications to or from state officials regarding state business constitute public records and are available to the public and media upon request unless the information is subject to a specific statutory exemption. Therefore, your e-mail message may be subject to public disclosure.

From: Tammy Jones <tammy@votelevy.com>

Sent: Monday, June 24, 2019 12:57 PM

To: Cannon, Vicki P. <vcannon@votenassau.com>; Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>; Labasky, Ron - FSASE Legal Counsel <rlabasky@bplawfirm.net>

Cc: Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>; Marconnet, Amber

<Amber.Marconnet@DOS.MyFlorida.com>; Shubert, Brenda T. <bshubert@votenassau.com>

Subject: Re: Felon File Processing

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Director Matthews,

As follow-up to Supervisor Cannon's email concerning instructions for seeking restoration of civil rights, I would like to request a template for our Supervisors from the Division of Elections. We need guidance from you and know this area is a sensitive one for all parties. We as Supervisors want to make sure we provide CORRECT information to voters that are potentially ineligible. Since some names have already been released to us this information is needed as soon as possible. I, along with many Supervisors have already mailed out our initial letters and might need to follow-up with additional information to ensure the most accurate information is provided.

In addition to the uniform template for instructions to seek restoration of civil rights, we need guidance on the following:

- 1) Beginning July 1st, if we receive a public record request concerning any names that have been submitted to the counties for removal, what information should NOT be provided and what is allowable? (HB 281 Likewise, if the Division of Elections gets a request for felon files (names, landscape/portrait orientation documents, etc.) that have been sent to SOEs, what will the Division's response be to the requestor?
- 2) Sample notification letter with all required statements as outlined in SB7066 (FS 98.075(7)(1)1.a-f).
- 3) Since documentation must be provided to our potentially ineligible voter showing what the conviction was, what document do we send and what information MUST be redacted? Below is Amber Marconnet's email which specifies that the *landscape orientation* document that SOEs are provided should not be sent to the PIV as it contains confidential information. I want to make sure that the *portrait orientation* document will not contain confidential information and is the only document that meets the requirement of FS 98.075(7)(a)1.a. (see attached portrait example)

Thanks you for your time on this VERY important matter. I appreciate your partnership with our association.

Tammy



Tammy Jones

Supervisor of Elections

Levy County Supervisor of Elections

Office: 352-486-5163 Fax: 352-486-5146

421 S. Court St. | Bronson, FL 32621 | www.VoteLevy.com



NOTICE: Under Florida law e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Dear Supervisors and staff,

We have received questions about what can be included in your felon packet when mailing the notice of ineligibility to the voter. The law requires a copy of the documentation upon which the potential ineligibility is based. See section [98.075\(7\)\(a\)1.a.](#)

For the potential ineligibility case files we are currently sending you, we are basing the ineligibility on DOC information that the registered voter is in prison or under supervision with the Florida Department of Corrections (DOC) as part of their sentence for a felony conviction.

Therefore the documentation you would include in the notice to the voter is the public (portrait orientation) DOC screenshot of the "Corrections Offender Network" which should be in the case files sent to you. You would **not** include a copy of the DOC-BVRS screenshot (landscape orientation) because that version contains confidential information.

You can use the below link to search the DOC Corrections Offender Network before and after noticing the voter:

<http://www.dc.state.fl.us/OffenderSearch/Search.aspx>

If you have any questions about a case file, please contact me at amber.marconnet@dos.myflorida.com or 850.245.6224.

Thank you,

Amber Marconnet

Sr. Management Analyst Supervisor
Division of Elections, Bureau of Voter Registration Services
R.A. Gray Building, Room 316
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6224

From: Vicki Cannon <vcannon@votenassau.com>
Sent: Tuesday, June 18, 2019 4:10 PM
To: Matthews, Maria I.; Tammy Jones; Ronald Labasky (rlabasky@bplawfirm.net)
Cc: Brown, Toshia; Marconnet, Amber; Brenda Shubert; Vicki Cannon
Subject: RE: Felon File Processing

I would like to ask for guidance on processing the electronic case files of potentially ineligible registered voters (PIV) we have been receiving over the past week. My questions are as follows:

1. It appears that SB 7066 has not been signed by the Governor and, even if he had signed it, the effective date would be 7/1/2019. So, until the effective date (if the Governor does sign the bill), do we follow current law? Shouldn't we wait July 1, 2019 until we begin processing these files?
2. If we are to follow SB 7066 now and/or in the future, FS 98.075(7)(a)1.f. (see page 44 of SB 7066) provides that the notice shall include....."*Instructions for seeking restoration of civil rights pursuant to s. 8, Art. IV of the State Constitution and information explaining voting rights restoration pursuant to s. 4., Art. VI of the State Constitution following a felony conviction, if applicable.*" Does any state agency have this information in a document that all 67 counties could use or is it expected that 67 counties will come up with this information? At

this time, with old laws and proposed laws not yet signed by the Governor or effective, I am very uncomfortable with having to notify the PIV within 7 days of receipt of notice or information, as is required by current law and SB 7066.

3. If the State isn't going to provide the information, can the FSASE provide a uniform document for the process?

Thank you so much for your attention to this matter.

Vicki P. Cannon

Supervisor of Elections of Nassau County

96135 Nassau Place, Suite 3, Yulee, Florida 32097

Direct: 904.491.7500 | Toll Free: 1.866.260.4301 | Fax: 904.432.1400

vcannon@votenassau.com | www.votenassau.com | [Facebook](#) | [Twitter](#) | [Newsletter Sign Up](#)

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, please do not send electronic mail (email) to this entity. Instead, please contact this office by phone or in writing.

From: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>

Sent: Friday, June 7, 2019 10:27 AM

To: SOEList <FVRSSOE@dos.myflorida.com>; SOEStaffContacts <SOEStaffContacts@dos.myflorida.com>

Cc: Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>; Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>

Subject: Felon File Processing

Dear Supervisors and staff,

The Division will begin today to forward electronically case files of potentially ineligible registered voters who have been identified as convicted of a felony and are currently in prison or under supervision with the Florida Department of Corrections (DOC) as part of their sentence.

In each case file, you will find a copy of a screen shot of 'the inmate' or of the person as supervised based on information from the Florida Department of Corrections' official's webpage. See attached examples. These official screen shots will take the place of a copy of the judgment and will constitute the "documentation upon which the potential ineligibility is based" pursuant to section 98.075(7), Fla. Stat. Therefore, a judgment will not be included in the case file.

To determine if a person is still in prison or under supervision with DOC, you may search the online "Corrections Offender Network" by name or DC number. We recommend you search by the DC number that is in the screen shot in the case file sent to you. You may [Search All Corrections Offender Databases](#) whereby it will return information indicating another link to either the active inmate or supervised offender database. Click on the link for the detailed and updated information on the status.

If you have any questions about a case file, please contact Amber Marconnet, amber.marconnet@dos.myflorida.com; 850.245.6224.

Respectfully,

Maria Matthews, Esq.
Division of Elections, Director
Florida Department of State

500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6520

Maria.matthews@dos.myflorida.com

This response is provided for reference only and does not constitute legal advice or representation. As applied to a particular set of facts or circumstances, interested parties should refer to the Florida Statutes and applicable case law, and/or consult a private attorney before drawing any legal conclusions or relying upon the information provided.

Please note: Florida has a broad public records law. Written communications to or from state officials regarding state business constitute public records and are available to the public and media upon request unless the information is subject to a specific statutory exemption. Therefore, your e-mail message may be subject to public disclosure.

Template for Instructions to the Voter Regarding Restoration of Voting Rights

DRAFT ONLY – Not Finalized or Approved

Please note that you must satisfy all requirements in law to be eligible to register and vote in Florida.

Effective January 8, 2019, section 4 of Article VI of the Florida Constitution provides the following:

....

(a) No person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent, shall be qualified to vote or hold office until restoration of civil rights or removal of disability. Except as provided in subsection (b) of this section, any disqualification from voting arising from a felony conviction shall terminate and voting rights shall be restored upon completion of all terms of sentence including parole or probation.

(b) No person convicted of murder or a felony sexual offense shall be qualified to vote until restoration of civil rights.

...

Therefore, voting rights in Florida can only be restored through clemency pursuant to section 8, Art. V of the Florida Constitution, or by completion of all terms of a sentence including parole or probation pursuant to section 4., Art. VI of the Florida Constitution, whichever may be applicable to the type of felony conviction(s):

1. To apply for clemency, please find enclosed an application for clemency. For more information, contact:

The Executive Board of Clemency

Toll Free: 1-800-435-8286

Phone: (850) 488-2952

Fax: (850) 488-0695

Email: ClemencyWeb@fcor.state.fl.us

The Office of Executive Clemency

Florida Commission on Offender Review

4070 Esplanade Way

Tallahassee, FL 32399-2450

For specific information on the types of clemency and the clemency process, visit the website for **Florida Commission on Offender Review** at <https://www.fcor.state.fl.us/restoration.shtml>

2. To determine if you have completed all the terms of your sentence including parole or probation as to one or more felony conviction(s), please contact one or more of the following offices as may be applicable:

- **Florida Department of Corrections**

(in county or city where imprisoned or supervised)

[insert City], call XXX-XXX-XXXX

Main line 850-488-5021

Visit online _____

- **Clerk of the Circuit Court and Comptroller**

(If not convicted in the county below, you will need to contact the clerk of court in the county or counties in which you were convicted. If convicted out of state, you will need to contact the clerk of the court in the state in which you were convicted.)

For _____ County, call XXX-XXX-XXXX,

Visit online _____

- **Clerk of Clerk for Federal District Court**

For [insert North, Middle or Southern] District Court

Call xxx-xxx-xxxx or visit online _____

Section 98.07()(a)1., Fla. Stat.

Matthews, Maria I.

From: Matthews, Maria I.
Sent: Wednesday, July 31, 2019 8:59 AM
To: Tammy Jones; Cannon, Vicki P.; Labasky, Ron - FSASE Legal Counsel
Subject: RE: Felon File Processing/Notice to the Potentially Ineligible Voter

I have pinged the legal office again.

From: Tammy Jones <tammy@votelevy.com>
Sent: Tuesday, July 30, 2019 7:20 PM
To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>; Cannon, Vicki P. <vcannon@votenassau.com>; Labasky, Ron - FSASE Legal Counsel <rlabasky@bplawfirm.net>
Subject: Re: Felon File Processing/Notice to the Potentially Ineligible Voter

EMAIL RECEIVED FROM EXTERNAL SOURCE

Hi Director Matthews,

Just circling back to see if anything was decided on the uniformed template for potentially ineligible voters.

Please advice as letters are being mailed and we would like to provide similar documentation.

Sincerely,
Tammy



Tammy Jones

Supervisor of Elections

Levy County Supervisor of Elections

Office: 352-486-5163 Fax: 352-486-5146

421 S. Court St. | Bronson, FL 32621 | www.VoteLevy.com



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From: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Sent: Monday, July 1, 2019 10:56 AM
To: Cannon, Vicki P. <vcannon@votenassau.com>; Tammy Jones <tammy@votelevy.com>; Labasky, Ron - FSASE Legal Counsel <rlabasky@bplawfirm.net>
Cc: Cannon, Vicki P. <vcannon@votenassau.com>
Subject: RE: Felon File Processing/Notice to the Potentially Ineligible Voter

ust letting you know, I have not forgotten about this. We are still bandying about a potential 1 page- template.

From: Matthews, Maria I.
Sent: Tuesday, June 25, 2019 5:00 PM
To: Vicki Cannon <vcannon@votenassau.com>
Cc: Cannon, Vicki P. <vcannon@votenassau.com>
Subject: RE: Felon File Processing/Notice to the Potentially Ineligible Voter

Got it! Thanks.

From: Vicki Cannon <vcannon@votenassau.com>
Sent: Tuesday, June 25, 2019 3:57 PM
To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Cc: Cannon, Vicki P. <vcannon@votenassau.com>
Subject: RE: Felon File Processing/Notice to the Potentially Ineligible Voter

EMAIL RECEIVED FROM EXTERNAL SOURCE

Maria,

We found a typo in the last sentence of the first paragraph—try as we might. FOCR should be FCOR. Wanted to let you know in case you use any part of our document. Have a great day and thanks so much for EVERYTHING you do!

Vicki P. Cannon

Supervisor of Elections of Nassau County
96135 Nassau Place, Suite 3, Yulee, Florida 32097
Direct: 904.491.7500 | Toll Free: 1.866.260.4301 | Fax: 904.432.1400
vcannon@votenassau.com | www.votenassau.com | [Facebook](#) | [Twitter](#) | [Newsletter Sign Up](#)

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From: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Sent: Tuesday, June 25, 2019 9:14 AM
To: Jones, Tammy <tammy@votelevy.com>
Cc: Vicki Cannon <vcannon@votenassau.com>; Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>; Labasky, Ron - FSASE Legal Counsel <rlabasky@bplawfirm.net>; Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>; Brenda Shubert <bshubert@votenassau.com>; O'Brien, Colleen E. <Colleen.O'Brien@dos.myflorida.com>; McVay, Brad R. <Brad.McVay@dos.myflorida.com>
Subject: RE: Felon File Processing/Notice to the Potentially Ineligible Voter

Thanks for sharing – great starting point.

From: Tammy Jones <tammy@votelevy.com>
Sent: Monday, June 24, 2019 4:35 PM
To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Cc: Cannon, Vicki P. <vcannon@votenassau.com>; Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>; Labasky, Ron - FSASE Legal Counsel <rlabasky@bplawfirm.net>; Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>; Shubert, Brenda T. <bshubert@votenassau.com>; O'Brien, Colleen E. <Colleen.O'Brien@dos.myflorida.com>; McVay, Brad R. <Brad.McVay@dos.myflorida.com>
Subject: Re: Felon File Processing/Notice to the Potentially Ineligible Voter

EMAIL RECEIVED FROM EXTERNAL SOURCE

Director Matthews,

Attached is a word document that Vicki and Ron have been working on for the "instructions for seeking restoration of civil rights". Your team can use what they feel is relevant as they prepare a uniform template.

Have a great evening,
Tammy



Tammy Jones

Supervisor of Elections

Levy County Supervisor of Elections

Office: 352-486-5163 Fax: 352-486-5146

421 S. Court St. | Bronson, FL 32621 | www.VoteLevy.com



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From: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>

Sent: Monday, June 24, 2019 2:39 PM

To: Tammy Jones

Cc: Cannon, Vicki P.; Brown, Toshia; Labasky, Ron - FSASE Legal Counsel; Marconnet, Amber; Shubert, Brenda T.; O'Brien, Colleen E.; McVay, Brad R.

Subject: FW: Felon File Processing/Notice to the Potentially Ineligible Voter

Supervisors Jones and Cannon,

I am out of the office today but I am copying legal and will discuss further with them about what further guidance we can provide and the establishment of a uniform template for notice.

To date, we have never dictated the content of these notices as the law simply says to include the instructions for seeking to restore civil rights. Obviously that was just one way before – clemency. Constitutional amendment 4 changes that.

My initial thoughts are that the messaging will probably be along the following lines and you would probably also include copies of section 4, Article VI and s.8, Article IV of the Florida Constitution based on the new language in section 98.075(7)(a)1.f., Fla. Stat. (SB 7066):

In Florida, pursuant to section 4, Article VI of the Florida Constitution (effective January 8, 2019), if convicted of a felony, voting rights can only be restored through clemency or by completion of all terms of your sentence including parole and probation, whichever may be applicable:

1. To apply for clemency, please find enclosed an [application](#) for clemency. More information is available from the Florida Commission on Offender Review at

<https://www.fcor.state.fl.us/restoration.shtml>

Toll Free: 1-800-435-8286

Phone: (850) 488-2952

Fax: (850) 488-0695

Email: ClemencyWeb@fcor.state.fl.us

The Office of Executive Clemency

Florida Commission on Offender Review

4070 Esplanade Way

Tallahassee, FL 32399-2450

2. To determine if you have completed all the terms of your sentence as to one or more felony conviction(s), please contact the Florida Department of Corrections [trying to find number that they could contact in Tallahassee] and/or the Clerk of Court in the jurisdiction in which you were convicted [I will find out what number the clerk of courts might recommend but it may be jurisdictional specific and for out-of-state, not easy to determine].

Respectfully,

Maria Matthews, Esq.
Division of Elections, Director
Florida Department of State
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6520

Maria.matthews@dos.myflorida.com

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Please note: Florida has a broad public records law. Written communications to or from state officials regarding state business constitute public records and are available to the public and media upon request unless the information is subject to a specific statutory exemption. Therefore, your e-mail message may be subject to public disclosure.

From: Tammy Jones <tammy@votelevy.com>

Sent: Monday, June 24, 2019 12:57 PM

To: Cannon, Vicki P. <vcannon@votenassau.com>; Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>; Labasky, Ron - FSASE Legal Counsel <rlabasky@bplawfirm.net>

Cc: Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>; Marconnet, Amber

<Amber.Marconnet@DOS.MyFlorida.com>; Shubert, Brenda T. <bshubert@votenassau.com>

Subject: Re: Felon File Processing

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Director Matthews,

As follow-up to Supervisor Cannon's email concerning instructions for seeking restoration of civil rights, I would like to request a template for our Supervisors from the Division of Elections. We need guidance from you and know this area is a sensitive one for all parties. We as Supervisors want to make sure we provide CORRECT information to voters that are potentially ineligible. Since some names have already been released to us this information is needed as soon as possible. I, along with many Supervisors have already mailed out our initial letters and might need to follow-up with additional information to ensure the most accurate information is provided.

In addition to the uniform template for instructions to seek restoration of civil rights, we need guidance on the following:

- 1) Beginning July 1st, if we receive a public record request concerning any names that have been submitted to the counties for removal, what information should NOT be provided and what is allowable? (HB 281 Likewise, if the Division of Elections gets a request for felon files (names, landscape/portrait orientation documents, etc.) that have been sent to SOEs, what will the Division's response be to the requestor?
- 2) Sample notification letter with all required statements as outlined in SB7066 (FS 98.075(7)(1)1.a-f).
- 3) Since documentation must be provided to our potentially ineligible voter showing what the conviction was, what document do we send and what information MUST be redacted? Below is Amber Marconnet's email which specifies that the *landscape orientation* document that SOEs are provided should not be sent to the PIV as it contains confidential information. I want to make sure that the *portrait orientation* document will not contain confidential information and is the only document that meets the requirement of FS 98.075(7)(a)1.a. (see attached portrait example)

Thanks you for your time on this VERY important matter. I appreciate your partnership with our association.

Tammy



Tammy Jones

Supervisor of Elections

Levy County Supervisor of Elections

Office: 352-486-5163 Fax: 352-486-5146

421 S. Court St. | Bronson, FL 32621 | www.VoteLevy.com



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Dear Supervisors and staff,

We have received questions about what can be included in your felon packet when mailing the notice of ineligibility to the voter. The law requires a copy of the documentation upon which the potential ineligibility is based. See section [98.075\(7\)\(a\)1.a.](#)

For the potential ineligibility case files we are currently sending you, we are basing the ineligibility on DOC information that the registered voter is in prison or under supervision with the Florida Department of Corrections (DOC) as part of their sentence for a felony conviction.

Therefore the documentation you would include in the notice to the voter is the public (portrait orientation) DOC screenshot of the "Corrections Offender Network" which should be in the case files sent to you. You would **not** include a copy of the DOC-BVRS screenshot (landscape orientation) because that version contains confidential information.

You can use the below link to search the DOC Corrections Offender Network before and after noticing the voter:

<http://www.dc.state.fl.us/OffenderSearch/Search.aspx>

If you have any questions about a case file, please contact me at amber.marconnet@dos.myflorida.com or 850.245.6224.

Thank you,

Amber Marconnet

Sr. Management Analyst Supervisor
Division of Elections, Bureau of Voter Registration Services
R.A. Gray Building, Room 316
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6224

From: Vicki Cannon <vcannon@votenassau.com>
Sent: Tuesday, June 18, 2019 4:10 PM
To: Matthews, Maria I.; Tammy Jones; Ronald Labasky (rlabasky@bplawfirm.net)
Cc: Brown, Toshia; Marconnet, Amber; Brenda Shubert; Vicki Cannon
Subject: RE: Felon File Processing

I would like to ask for guidance on processing the electronic case files of potentially ineligible registered voters (PIV) we have been receiving over the past week. My questions are as follows:

1. It appears that SB 7066 has not been signed by the Governor and, even if he had signed it, the effective date would be 7/1/2019. So, until the effective date (if the Governor does sign the bill), do we follow current law? Shouldn't we wait July 1, 2019 until we begin processing these files?
2. If we are to follow SB 7066 now and/or in the future, FS 98.075(7)(a)1.f. (see page 44 of SB 7066) provides that the notice shall include....."Instructions for seeking restoration of civil rights pursuant to s. 8, Art. IV of the State Constitution and information explaining voting rights restoration pursuant to s. 4., Art. VI of the State Constitution following a felony conviction, if applicable." Does any state agency have this information in a document that all 67 counties could use or is it expected that 67 counties will come up with this information? At

this time, with old laws and proposed laws not yet signed by the Governor or effective, I am very uncomfortable with having to notify the PIV within 7 days of receipt of notice or information, as is required by current law and SB 7066.

3. If the State isn't going to provide the information, can the FSASE provide a uniform document for the process?

Thank you so much for your attention to this matter.

Vicki P. Cannon

Supervisor of Elections of Nassau County

96135 Nassau Place, Suite 3, Yulee, Florida 32097

Direct: 904.491.7500 | Toll Free: 1.866.260.4301 | Fax: 904.432.1400

vcannon@votenassau.com | www.votenassau.com | [Facebook](#) | [Twitter](#) | [Newsletter Sign Up](#)

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From: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>

Sent: Friday, June 7, 2019 10:27 AM

To: SOEList <FVRSSOE@dos.myflorida.com>; SOEStaffContacts <SOEStaffContacts@dos.myflorida.com>

Cc: Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>; Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>

Subject: Felon File Processing

Dear Supervisors and staff,

The Division will begin today to forward electronically case files of potentially ineligible registered voters who have been identified as convicted of a felony and are currently in prison or under supervision with the Florida Department of Corrections (DOC) as part of their sentence.

In each case file, you will find a copy of a screen shot of 'the inmate' or of the person as supervised based on information from the Florida Department of Corrections' official's webpage. See attached examples. These official screen shots will take the place of a copy of the judgment and will constitute the "documentation upon which the potential ineligibility is based" pursuant to section 98.075(7), Fla. Stat. Therefore, a judgment will not be included in the case file.

To determine if a person is still in prison or under supervision with DOC, you may search the online "Corrections Offender Network" by name or DC number. We recommend you search by the DC number that is in the screen shot in the case file sent to you. You may [Search All Corrections Offender Databases](#) whereby it will return information indicating another link to either the active inmate or supervised offender database. Click on the link for the detailed and updated information on the status.

If you have any questions about a case file, please contact Amber Marconnet, amber.marconnet@dos.myflorida.com; 850.245.6224.

Respectfully,

Maria Matthews, Esq.
Division of Elections, Director
Florida Department of State

500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6520

Maria.matthews@dos.myflorida.com

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JUDICIARY CREATES PUBLIC USER GROUP

The federal Judiciary has created a public user group to provide advice and feedback on ways to expand and improve its electronic public access services. The Electronic Public Access (EPA) Public User Group membership will be selected from interested applicants that represent a cross-section of Public Access to Court Electronic Records (PACER) users. For additional information click here.

NEXTGEN CM/ECF

The Federal Judiciary has developed a Next Generation (NextGen) Case Management/ Electronic Case Files (CM/ECF) system that will allow you to use the same account for both PACER and electronic filing access.

More information on the improvements to PACER and CM/ECF is available. Check back for updates as courts go live on the new system.

Click here if you received a notice about NextGen CM/ECF from a federal court or just have questions about NextGen CM/ECF.



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PACER ANNOUNCEMENTS

- Online Payment Service Interruption 08/10/2019 (07/19/2019)
- July 2019 Newsletter (07/15/2019)
- Judiciary Creates Public User Group (06/27/2019)
- New PACER Service Center Relocation Address (06/20/2019)
- Multi-Court PACER Fee Exemption Request Form for Researchers (10/19/2017)
- Data Scraping Scripts Time Change to Alleviate Slowness (8/10/2017)
- New Limit for Credit Card Payments Effective June 1, 2015 (07/23/2015)
- Training on Changes to PACER (12/08/2014)
- Restoration of Access to Legacy Case Information (10/31/2014)

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Matthews, Maria I.

From: Matthews, Maria I.
Sent: Thursday, August 29, 2019 3:12 PM
To: Richard; Kimberly Renspie; Chris Hart
Cc: Marconnet, Amber; Brown, Toshia
Subject: RE: Voter registration and the Clerks of Court
Attachments: Final- Challenges and Highlights -COC Records 20190827.docx; Schell, Taylor 2.pdf; Scalisi, Anthony.pdf; Schell, Taylor 1.pdf; Conyers, Ellis.pdf; Mills, Ernest.pdf; Jory, Anthony.pdf; Melvin, Adam.pdf; Penagos, Carlos.pdf; Gary, Debaun.pdf

Richard, Kimberly and Chris:

Thank you for the outreach to work on the details of clerk of court records and system.

Please find attached references to some of the Division's experience with court records, what are some perceived challenges, and ideas for going forward that could help us fulfill our statutory duties.

I am also attached records examples showing the challenges we will face in trying to determine financial obligations imposed by a sentencing document and what appears on CCIS and how to read that for felony convictions. My staff simply are not versed or professionally trained at this level to understand court documents to this level.

Let me know when you might be available to set up a meeting so we can walk through these examples and discuss in further details. Amber Marconnet and Toshia Brown would be a key part of that call/meeting.

Respectfully,

Maria Matthews, Esq.
Division of Elections, Director
Florida Department of State
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6520
Maria.matthews@dos.myflorida.com

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-----Original Message-----

From: Matthews, Maria I.
Sent: Tuesday, August 20, 2019 12:16 PM
To: Richard <richard@reherring.com>
Cc: Chris Hart <chrishart@flclerks.com>; Kimberly Renspie <krenspie@flclerks.com>; Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>

Subject: RE: Voter registration and the Clerks of Court

Richard,

Absolutely. Let me get with my staff and then we can share what those challenges and processes are.

Respectfully,

Maria Matthews, Esq.
Division of Elections, Director
Florida Department of State
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6520

Maria.matthews@dos.myflorida.com

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-----Original Message-----

From: Richard <richard@reherring.com>

Sent: Tuesday, August 20, 2019 11:57 AM

To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>

Cc: Chris Hart <chrishart@flclerks.com>; Kimberly Renspie <krenspie@flclerks.com>

Subject: Voter registration and the Clerks of Court

EMAIL RECEIVED FROM EXTERNAL SOURCE

Maria,

I am doing some contract work for the Florida Association of Court Clerks and Comptrollers to help ensure that the data they have related to restoration of voting rights is provided as smoothly as possible. In your presentation yesterday, you mentioned that Clerks responses to requests for information vary. Last month, the Clerks established a "quick response team" to address exactly that kind of issue through advisories, best practices, and any other policy development that can help Clerks to provide information quickly.

That group asked me to ask you if you can give them any more information on the DOS process for gathering additional data from Clerks, including any outstanding issues. It is their intent to solve (quickly) any problems that exist or that have recurred in the past.

They are absolutely committed to serving their constituents and their government partners, so information on any issues your Division has, no matter how small, will be appreciated.

Please forgive the direct contact, if there's a more formal way this request needs to be made, I'm happy to take that path.

Thanks,

Richard Herring

(850) 264-6531

Division of Elections

The following is a compilation of notable highlights and challenges the Division has encountered over the years in obtaining court records in support of a voter record/felony record match that indicates a registered voter may be ineligible to be registered due to an adjudication of felony conviction without the right to vote restored.

Clerk of Court Records - Highlights:

Counties

- Overall, the counties have been very helpful. For the volume of request, they are for the most part responsive and handle them very efficiently. Most are also very good at helping us figure out the 'nonsense' case numbers we frequently receive from FDLE (e.g., **Orange**, **Duval**, and **Monroe**).
- We are not without error so all of the counties deserve praise for resending us court documents that have been requested in the past but misplaced by our office.
- While **Duval** often does not provide the judgment, they alternatively type up a summary sheet of the judgment, particularly for older cases. This mitigates misplaced or unattended requests.
- **St. Lucie** is an example of a county that appears to use CCIS as fully intended - with the full case file scanned, as this is an already established, password-protected way for other government agencies to view court documents. They are very quick with communication and returns on requests that are not yet scanned into CCIS. If we have a problem downloading the entire file, they break it up into manageable parts without hesitation.
- Communications with clerk of court is very important. **Gadsden** deserves praise for working with us to tell us that it is easier for them to receive all requests at the end of the day to process the following day. This is workable for us due to the small size of the county and ensures organization and timeliness at the clerk's office.
- **Okaloosa** county is very good about providing certified copies of court minutes when an actual judgment is not available.
- People and counties that stand out to us as being excellent contacts over the years
 - **Brevard** – Wendy Kiersted and Sandra Scheerhorn
 - **Broward** – Doris Pava-Ruiz
 - **Charlotte** – Cindee Sierant
 - **Clay** – Michelle Thrasher and Lisa Sanchez
 - **Collier** – Lorraine Stoll
 - **Duval** – Natayla Anderson
 - **Gadsden** – Perla Palomo and Kathy Young
 - **Gulf** – Tonya Knox
 - **Jackson** – Jeanie Hooppell
 - **Lee** – Sue Murray and Alex Fields
 - **Leon** – Jon Mickler
 - **Madison** – Judy Townsend
 - **Miami-Dade** – Barbara Glass
 - **Monroe** – Debbie Niles, Nancy Auten, and Chandra Matthews
 - **Okaloosa** – Tim Sadler and Don Allgood
 - **Orange** – Donna Lokey

- **Palm Beach** – Sandra Powers and Tracy Corey
- **Pinellas** – Wayne Totin
- **Polk** – Tina Hill
- **Sarasota** – Joanie Bolden
- **Seminole** – Sheila McCloud
- **Sumter** – Melissa Gashaw
- **Suwannee** – Trudy Meeks

Clerk of Court Records - Challenges

Counties in General

- Several counties have returned “file not found” or “N/A” as responses to our requests. This is different from a return of “met retention” or “destroyed” that we get with some older MM cases. We heard anecdotally from one county (**Brevard**) that misplaced older cases can occur if the file has been pulled several times and not placed in proper order. For example, they may scan the file barcode then scan the barcode for its location in the warehouse and sometimes the person putting it back doesn’t do this correctly for the computer to have an accurate record of the current location. This may represent an issue with following procedures for archiving.
- Several counties, including **Sarasota** and **Duval**, will not provide a statement when documents, such as arrest reports, are not available. This makes it difficult to prove insufficient documentation, especially with older cases.
- Many counties do not send all documents requested and include no response addressing the missing items. We have to reach out again for clarification as to whether they exist at all or did someone just forget to include them.
- The requesting process on the public sites for most counties since the Supreme Court order seem like overkill for another government agency’s requests. They made documents more widely accessible to the public, but we seem to have less direct access than before. Even if they are available online, we have to wait for redaction or they are difficult to locate because the images are not labeled in a way that makes them easily identifiable; they have image numbers rather than document titles, like arrest report or judgment. Many of these counties (**Lee, Leon, Okaloosa, Orange**, etc.) have had to create alternate ways to get the information we need to us because our requests do not fit neatly into the access matrix. As recently as March, **Escambia** has stated that they cannot grant us access to the information we need because of the matrix.

County-specific

- **Bay and Jefferson**
 - Counties have had issues with providing archived documents due to storm damage.
- **Broward County**
 - Longest wait for requested documents historically occurs with Broward County Clerk of Court Archives. Previously, all requests went to one staff but have since expanded we believe to include two other trainees. Requests for archived documents typically take 3-4 days unless sent by mail.

- **Miami-Dade**

- Frequently returns the statement that the case documents are held with the Miami-Dade Police Department, not the Clerk of Court. We do not have an established relationship nor are comfortable reaching out to the police department.
- Protracted responses which we attribute to large county, many document requests, and staffing shortage (which they have stated). The office tries to expedite responses by grouping requests in batch responses with case sheets in lieu of actual judgments. We have not seen marked difference in turnaround time.
- We observe many more errors with felony division records (e.g., wrong case, wrong defendant, missing a requested page, etc.) than with other counties, but then again they also process a larger number of requests. Assigned staff rotates frequently which makes it difficult to circle back to the same person about the errors. Communications however have improved. Miami-Dade misdemeanor section has always been great with communication and turnaround time.

- **Palm Beach**

- The clerk of court office can only provide us with docket printouts when we request older misdemeanor cases since they destroy the documents after a set retention period. However, there is no written mention of this included with the printout for us to include in the case file as proof.
- The office responds back in large batches rather than once the request is completed. While we understand the efficiencies for the clerk, it can delay being able to move forward with a potentially invalid registered voter file.

- **Pasco**

- The clerk of court office has roughly 10 different contacts that our requests need to be sent to, though they usually complete the order the same day. We recommend that a general email inbox be set up to funnel requests or set up a contact group for them in our email. The latter may necessitate keeping the email distribution list current with office staff changes.

- **Sarasota**

- The clerk of court office has switched to faxed requests after several emails were misplaced and only the cover sheets were printed out. I had to resend several requests by fax that were already emailed to them.

- **Seminole**

- The clerk of court intake division asks that requested be faxed but we have encountered an issue with these faxes being misplaced, taken by other workers, or sitting in inboxes for far too long. Worked with Sheila McCloud and the issue got better.

Access Links

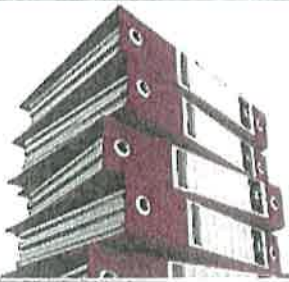
lyFlorida
Criminal History
Crime Information
Inmate Information
Official Records
Drivers License
Information

FOR GOVERNMENTAL USE ONLY

The Comprehensive Case Information System (CCIS), offered by Florida's Clerks of Court, is a secured single point of search for state wide court case information. The information held by the Clerks of Court that may be accessed through CCIS includes court case information, Official Records and performance and accountability measures. Users of CCIS include the judicial community, state and local law enforcement, state agencies and the Florida Legislature. In addition information that may be accessed includes criminal history records, inmate data, and driver license information through links to the websites of the Florida Department of Law Enforcement, the Department of Corrections and the Department of Highway Safety and Motor Vehicles.

User Name: Password: Remember Me: ☐[Forgot your password?](#)

Official Records.



Search records now.

- Search thousands of official records across counties, all in one place. [Click here](#) for counties current range of dates.
- Frequently ordering records? Create an account for streamlined checkout.
- Purchase records using our secure payment gateway.
- Don't waste time waiting in line at the courthouse.
- [Click here for high-volume searches.](#)

Search Now

Have questions?

Login to your account.

Username

password

Forgot your password?

Login

Become a subscriber.

Creating an account gives you a discount on all the records you order and speeds up your payment process. You can also view your official record order history at any time.

Subscribe

Getting started.



What forms of payment can I use?

You can pay by credit card (Visa, Mastercard, AMEX or Discover) or debit card.



What information do I need?

You can use a document number, otherwise you can browse records by county, person's name, etc.



Do I need to create an account?

No. Creating an account gives you a discount and also speeds up your payment process, but it is not required.



Can I download a PDF of the record?

Many documents are available for download. Otherwise you will receive the documents by mail within 3-5 business days.



What do I do if I have more questions?

You can [click here](#) to view a list of frequently asked questions. You can also send us a message on [the contact page](#).

Are these records the same as the courthouse?

Yes. MyFloridaCounty is very comprehensive. Additional records may be available at the courthouse.

Check order status.

To check the status of your order, enter the order number in the field below. This number can be found on the confirmation receipt that was emailed to you.

Order Number

Check

Participation Counties.

Click Here

to view a list of participating counties and their document date ranges.

[Privacy Policy](#) | [Terms of Service](#) | [State License Notices/ Disclosures](#) | [Accessibility Policy](#) | [Sitemap](#)

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About MyFloridaCounty.com



Questions?

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[Traffic Citations FAQ](#)
[Official Records FAQ](#)



CIVITEK

Citizen
Solutions



OFFICE OF EXECUTIVE CLEMENCY FLORIDA COMMISSION ON OFFENDER REVIEW

BEFORE SEARCHING, PLEASE NOTE:

- This Restoration of Civil Rights (RCR) search only returns information regarding civil rights that have been **GRANTED** by the Board of Executive Clemency.
- You will **NOT** be able to determine **STATUS** or **ELIGIBILITY** on pending cases.
- If your rights were granted without a hearing, you may search from this page for your **CERTIFICATE**.
- If your rights were granted at a Clemency Meeting, you will need to contact our office for a copy of your **EXECUTIVE ORDER**.
- Executive Orders for other forms of Clemency Granted such as Pardons, Firearm Authority, Remission of Fines, or Commutation of Sentence can be obtained by contacting this office.
- If a more recent felony conviction has occurred after the date granted on the certificate, you will need to contact the Office of Executive Clemency to verify your current status or to request information on eligibility to have your rights restored again.

Contact the Office of Executive Clemency

Toll Free: 1-800-435-8286
Phone: (850) 488-2952
Fax: (850) 488-0695
Email: ClemencyWeb@fcor.state.fl.us

The Office of Executive Clemency
Florida Commission on Offender Review
4070 Esplanade Way
Tallahassee, FL 32399-2450

SEARCH FOR CERTIFICATE:

- Enter the **FIRST**, then **LAST NAME** used at the time of conviction.
- Enter the **DATE OF BIRTH** or Florida Department of Corrections **ID NUMBER**.

Restoration of Civil Rights Search

*First Name:

*Last Name:

*Date of Birth (e.g. mm/dd/yyyy):

*Department of Corrections ID Number:

Search Database

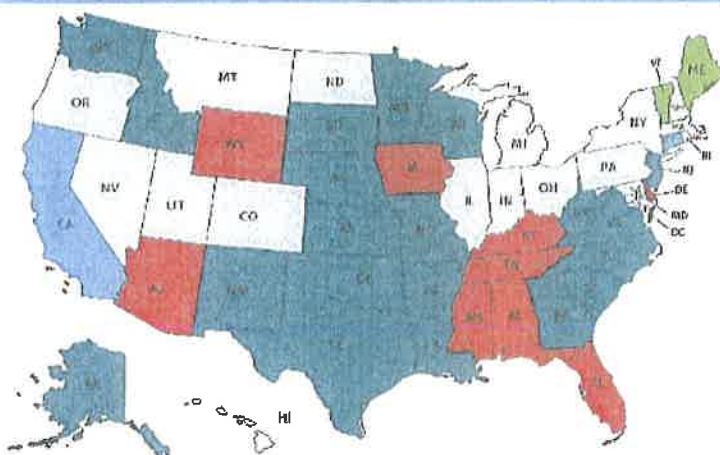
*First and Last Name and either the Date of Birth or Department of Corrections ID Number are required.

Florida Commission on Offender Review Home Page
If your right to vote has been restored, click here to obtain an online application and information to register to vote

Last updated on: 7/2/2019 10:28:17 AM PST | Author: ProCon.org

State Felon Voting Laws

State Felon Voting Laws July 2, 2019



- May lose vote permanently (9 states)
- Vote restored after prison, parole, & probation (20 states)
- Vote restored after prison & parole (2 states)
- Vote restored after prison (17 states & DC)
- Unrestricted; May vote from prison (2 states)



Felon Voting Homepage



Top Pro & Con Quotes



Top 10 Pro & Con Arguments



Historical Timeline

RECOMMENDED to you...

- 1 Did You Know?
- 2 Readers' Comments
- 3 **State Felon Voting Laws**
- 4 Number of People by State Who Cannot Vote Due to a Felony Conviction
- 5 Video: Should felons who have completed their sentence

Click on each state to view the rules or felon disenfranchisement applications for disenfranchisement and summary have been provided for the states that require them.

	(9 States) May Lose Vote Permanently	(20 States) Vote Restored After Prison, Parole, & Probation	(7 States) Vote Restored After Prison & Parole	(17 States & DC) Vote Restored After Prison	(2 States) May Vote from Prison
Alabama	X (notes)				
Alaska		X			
Arizona	X (notes)				
Arkansas		X			
California			X (notes)		
Colorado				X (notes)	
Connecticut				X	
Delaware					X
Delaware	X (notes)				
Florida	X (notes)				
Georgia			X		
Hawaii					X
Idaho		X			
Illinois					X
Indiana					X
Iowa	X (notes)				
Kansas		X			
Kentucky	X (notes)				
Louisiana		X (notes)			
Maine					X
Maryland				X (notes)	
Massachusetts					X
Michigan					X
Minnesota		X			
Mississippi	X (notes)				

	(9 States) May Lose Vote Permanently	(20 States) Vote Restored After Prison, Parole, & Probation	(7 States) Vote Restored After Prison & Parole	(17 States & DC) Vote Restored After Prison	(2 States) May Vote from Prison
Missouri		X			
Montana				X	
Nebraska		X (notes)			
Nevada				X (notes)	
New Hampshire				X	
New Jersey		X			
New Mexico		X			
New York				X (notes)	
North Carolina		X			
North Dakota				X	
Ohio				X	
Oklahoma		X			
Oregon				X	
Pennsylvania				X	
Rhode Island				X	
South Carolina		X			
South Dakota		X (notes)			
Tennessee	X (notes)				
Texas		X			
Utah				X	
Vermont					X
Virginia		X (notes)			
Washington		X (notes)			
West Virginia		X			
Wisconsin		X			
Wyoming	X (notes)				

	(9 States) May Lose Vote Permanently	(20 States) Vote Restored After Prison, Parole, & Probation	(7 States) Vote Restored After Prison & Parole	(17 States & DC) Vote Restored After Prison	(2 States) May Vote from Prison
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- **Alabama** - Some people convicted of a felony may apply to have their vote restored immediately upon completion of their full sentence. Those convicted of certain felony offenses such as murder, rape, incest, sexual crime against children, and treason are not eligible for re-enfranchisement.

Instructions for Voting Restoration, State of Alabama (accessed Oct. 24, 2017)

- **Arizona** - Automatic voting restoration upon completion of sentence and payment of all fines for first-time, single-felony offenders. Second-time felony offenders may apply for restoration with their county after completion of their sentence.

Instructions for Voting Restoration, State of Arizona (accessed Oct. 24, 2017)

- **California** - On Sep. 28, 2016, California Gov. Jerry Brown signed AB 2456, a bill that allows convicted felons who are serving time in county jails (rather than state prison) the ability to vote from within jail.

Assembly Bill No. 2456 (accessed Oct. 4, 2016)

- **Colorado** - On July 1, 2019, a law went into effect that reenfranchises people convicted of felonies who have been released from prison, but who are serving parole.

Sources:

Alex Eumass, "As of Today, 11,467 Colorado Parolees Can Register to Vote. Will They?" coloradoindependent.com, July, 2019

- **Delaware** - On Apr. 16, 2013 the Delaware Senate passed the *Hazel D. Plant Voter Restoration Act* in a 15-6 vote. The act amended the Delaware Constitution by removing the five year waiting period for most felons to regain the ability to vote. People convicted of a felony (with some exceptions) are now automatically eligible to vote after serving their full sentence including incarceration, parole, and probation.

Exceptions: People convicted of murder or manslaughter, a felony offense against public administration involving bribery, improper influence, or abuse of office, or a felony sexual offense remain permanently disqualified from voting.

Hazel D. Plant Voter Restoration Act (accessed Apr. 16, 2013)

Delaware Constitution Article V Section 2 (accessed Feb. 12, 2014)

- **Florida** - On Nov. 6, 2018, Florida voters passed Amendment 4 (64% in favor - 36% opposed), allowing people with prior felony convictions (other than murder and sex offenses) to automatically regain the ability to vote once they have served their terms of incarceration and completed all parole and probation. On June 27, 2019, Governor Ron DeSantis signed a bill that will require all felons to pay off restitution, court fees, and fines before they will be eligible to regain the right to vote.

Sources:

The Washington Post, "Florida Passes Amendment to Restore Felons' Voting Rights" washingtonpost.com, Nov. 7, 2018

Brooks Sipe, "Florida Gov Signs Law Requiring Felons to Pay Court Fines Before They Can Vote" thehill.com, June 28, 2019

According to the Florida Rights Restoration Coalition website (accessed Nov. 7, 2018), "If you were convicted of a felony in another state and had your civil rights restored before you became a Florida resident, you do not need to apply for RCR [restoration of civil rights] in Florida."

- **Iowa** - On Jan. 14, 2011, the Republican Governor of Iowa, Terry Branstad, issued executive order 70, rescinding a law allowing people convicted of a felony to automatically have their ability to vote restored after completing their sentences. The automatic voting restoration law had been instituted by former Democratic Governor Tom Vilsack's signing of executive order 42 in 2005. Felons in Iowa must now pay all outstanding monetary obligations to the court in addition to completing their sentence and period of parole or probation. People convicted of a felony may then apply for restoration of the ability to vote.

Executive Order 70 (accessed Jan. 14, 2011, Terry Branstad, Governor (R))

Executive Order 42 (accessed July 4, 2005, Thomas J. Vilsack, JD, Governor (D))

Iowa Streamlined Application for Restoration of Citizenship Rights (accessed Oct. 20, 2017)

- **Kentucky** - On Nov. 24, 2015, Kentucky Gov. Steven L. Beshear issued executive order 2015-071 to automatically restore the right to vote to nonviolent felons who have completed probation, parole, and who have no outstanding court-ordered restitution payments. On Dec. 22, 2015, newly elected Gov. Matthew G. Bevin issued executive order 2015-052, rescinding the previous Governor's executive order.

As a result, people convicted of any felony in Kentucky must individually apply with the Governor to have their voting rights restored.

Executive Order 2015-052 (accessed Dec. 22, 2015, Matthew G. Bevin, Governor (R))

Executive Order 2015-071 (accessed Nov. 24, 2015, Steven L. Beshear, Governor (D))

Kentucky Application for Restoration of Civil Rights (accessed Oct. 24, 2017)

- **Louisiana** - On May 31, 2018, Louisiana Gov. John Bel Edwards signed House Bill 265 into law. Once the law goes into effect on Mar. 1, 2019, all people who have been convicted of a felony in Louisiana, and who have not been incarcerated in prison during the previous five years, will be allowed to register to vote, even if they are still serving a term of probation or parole.

House Bill 265 [PDF](#) (Signed May 31, 2018, John Bel Edwards, Governor (D))

Maryland - On Feb. 9, 2016, the Maryland General Assembly overrode the Governor's veto of SB 340 and restored the vote to all convicted felons immediately upon their release from prison. Previously, convicted felons in Maryland had to complete all parole and probation before they were able to vote.

Senate Bill 340 [PDF](#) (Accessed Feb. 9, 2016)

- **Mississippi** - People convicted of a felony are barred from voting only if they have been convicted of one or more of the following specific felony crimes: "murder, rape, bribery, theft, arson, obtaining money or goods under false pretense, perjury, forgery, embezzlement, bigamy, armed robbery, extortion, felony bad check, felony shoplifting, larceny, receiving stolen property, robbery, timber larceny, unlawful taking of a motor vehicle, statutory rape, carjacking, or larceny under lease or rental agreement."

To regain the ability to vote, an individual, after completion of his/her sentence, must go to his/her state representative and convince them to personally author a bill restoring the vote to that individual. Both houses of the legislature must then pass the bill. Re-enfranchisement can also be granted directly by the governor.

Individuals convicted of felonies in Mississippi remain eligible to vote for US President in federal elections.

Mississippi Constitution Article 12, Section 241 [PDF](#) (Accessed June 8, 2012)

Mississippi Constitution Article 12, Section 242 [PDF](#) (Accessed June 8, 2012)

- **Nebraska** - People convicted of a felony are automatically permitted to vote two years after completion of their sentence of incarceration and all parole and probation for all convictions except treason.

Felon Voting Rights FAQ [PDF](#) (Accessed Oct. 24, 2017)

- **Nevada** - On May 30, 2019, Nevada's governor signed Assembly Bill 431, which allowed for the automatic restoration of voting privileges to all people upon release from prison.

Nevada Assembly Bill 431 [PDF](#) (Accessed May 30, 2019)

- **New York** - On Apr. 18, 2018, New York Governor Andrew Cuomo issued Executive Order 181 to restore a right to vote to parolees, dependant upon review of records by the Governor's Office. The Commissioner of the Department of Corrections and Community Supervision will submit records for individuals released from prison in the prior month beginning on May 1, 2018 for review. Previously, voting was allowed only after completion of parole.

Executive Order No. 181 [PDF](#) (Signed Apr. 18, 2018, Andrew M. Cuomo, JD, Governor (D))

- **South Dakota** - On Mar. 19, 2012, HB 1247 was enacted. The bill took the ability to vote away from convicted felons serving terms of probation. Previously, only people on parole or incarcerated were ineligible to register to vote. Now convicted felons must serve their full term of incarceration, parole, and probation before they may register to vote.

South Dakota: HB 1247 [PDF](#) (Accessed June 8, 2012)

- **Tennessee** - All people convicted of a felony since 1981, except for some serious felonies such as murder, rape, treason and voter fraud, may apply to the Board of Probation and Parole for voting restoration upon completion of their sentences.

People convicted of a felony between Jan. 15, 1973, and May 17, 1981, are eligible to register to vote regardless of the crime committed. People convicted of certain felonies prior to Jan. 15, 1973 may be barred from voting.

Tennessee Restoration of Voting Rights [PDF](#) (Accessed Oct. 24, 2017)

- Virginia - On Apr. 18, 2014 Governor Terry McAuliffe announced changes to Virginia's restoration of rights process. Under the new rules, people convicted of non-violent felonies (including drug crimes) will have their ability to vote automatically restored providing that they:

1. have completed their term of incarceration and all probation or parole;
2. have paid all court costs, fines, and any restitution; and
3. have no pending felony charges.

On June 23, 2015 Governor McAuliffe announced that "outstanding court costs and fees will no longer prohibit an individual from having his or her rights restored."

On Apr. 22, 2016, Governor McAuliffe signed an order restoring the vote to all 200,000+ felons in Virginia, regardless of their charge, who had completed their term of incarceration and their term of probation or parole. The *New York Times* reports (Apr. 22, 2016, "Virginia Governor Restores Voting Rights to Felons") that the governor's action will not apply to felons released in the future, although the Governor's aides say he plans "to issue similar orders on a monthly basis to cover people as they are released."

On July 22, 2016 the Virginia Supreme Court overturned Gov. Terry McAuliffe's blanket restoration of voting rights for over 200,000 convicted felons. In a press release the Governor stated that he "will expeditiously sign nearly 13,000 individual orders to restore the fundamental rights of the citizens who have had their rights restored and registered to vote. And I will continue to sign orders until I have completed restoration for all 200,000 Virginians."

According to an email from the Virginia Department of Elections that was provided to ProCon.org on Mar. 28, 2018, "Virginia applies the restoration policy of the state the conviction was handed down. So, for instance, if a person was convicted in an automatic restoration state such as California, and then moved to Virginia, that individual would be eligible to register to vote in Virginia."

More information about restoration of voting rights in Virginia is available at restore.virginia.gov

Governor McAuliffe's Statement on the Virginia Supreme Court Decision #1 (accessed July 26, 2016)

Governor McAuliffe Restores Voting and Civil Rights to Over 200,000 Virginians #1 (accessed Apr. 22, 2016)

Governor McAuliffe Announces New Reforms to Restoration of Rights Process #1 (accessed July 2, 2016)

Governor McAuliffe's Letter Outlining His Policy Changes #1 (accessed Apr. 21, 2016)

- Washington - All people with a felony conviction must re-register to vote after completion of their sentence and all parole and probation. However, the Secretary of State's website states that "your voting rights can be revoked if the sentencing court determines that you have failed to comply with the terms of your legal financial obligations."

Felons and Voting Rights #1 (accessed Oct. 25, 2017)

Wyoming - "Effective July 1, 2017, W.S. §7-13-105 allows individuals convicted, that are first-time non-violent felons, to automatically have their right to vote restored if they completed their supervision or were discharged from an institution on or after January 1, 2010. Individuals who completed their sentence prior to January 1, 2010, are required to apply for restoration of the right to vote." All others convicted of a felony must be pardoned or have their rights restored by the governor.

Wyoming Restoration of Voting Rights #1 (accessed Oct. 24, 2017)

Wyoming Restoration of Voting Rights Application #1 (accessed Oct. 24, 2017)

RESTORATION OF CIVIL RIGHTS OF A FEDERAL OR MILITARY OFFENSE

NOTICE TO APPLICANT

Please read the application instructions carefully, and complete the application accordingly.

Submission of incomplete applications or applications that do not comply with instructions may result in the Board's Clemency Section soliciting you in writing for the correct documentation.

Failure to comply with instructions will delay processing.

For your records, make copies of all documentation that you submit to the Board's Clemency Section.

Due to the inability to retain records for extended time periods for incomplete applications, we are advising you NOT to provide originals of personal items, including but not exclusive to photos, transcripts, birth and other certificates, achievement awards, licenses, literature, social security and other identification cards or items, notebooks or binders, and clemency proclamations. You may in lieu of originals provide copies of these documents with your submitted application.

RESTORATION OF CIVIL RIGHTS OF A FEDERAL OR MILITARY OFFENSE

INSTRUCTIONS & CHECKLIST

Mail completed applications to: TEXAS BOARD OF PARDONS AND PAROLES
ATTN: CLEMENCY SECTION
8610 SHOAL CREEK BLVD.
AUSTIN, TX 78757

1. Submit a completed application form. Please respond to **all** items. If necessary, use "N/A," "Unknown," "None," or "Do not remember."
2. Applications must be typed or printed legibly in **black or blue ink**.
3. **Three** or more affidavits/letters of recommendation attesting to the good character of the applicant. (Input from family members will only be accepted as supplemental information.) Affidavits/letters must:
 - (a) be addressed to the Board of Pardons and Paroles, as in the example, "To the Board of Pardons and Paroles:" (Do not address letters to the Board's Clemency Section or "To whom it may concern");
 - (b) contain a recommendation for Restoration of Civil Rights, as in the example, "I recommend restoration of civil rights on behalf of (applicant's name)";
 - (c) contain the name, occupation, signature, telephone number and mailing address of the writer;
 - (d) be current and not submitted as part of a previous clemency application; and
 - (e) be originals (photocopies and faxes are not acceptable).
4. Certified court documentation (indictment, judgment and sentence) for each adult conviction. For these purposes, adult is defined as all arrests committed when age 16 or older or when younger than age 16 but certified as an adult. If the court ordered a **fine/assessment** and/or **restitution**, furnish a statement confirming the amount paid.
5. Offense (arrest) reports for each adult conviction. Obtain these documents from the arresting agency. The documents do not need to be certified. If you were not arrested, provide a statement that you were not arrested and explain any interaction you had with law enforcement agencies before trial.
6. Must comply with the Texas Code of Criminal Procedure, Art. 48.05. Restoration of Civil Rights.
7. Complete the attached application form as presented. You may submit attached documents as instructed in the application. Do not alter the presentation of this application either through reformatting or rewriting. Do not bind or staple the application with any other submitted material.
8. The application must be signed and dated by the applicant.
 - **ALL APPLICANTS**, including non-Texas residents, must provide an official criminal history statement from the sheriff of the county of residence.
 - The entire criminal history will be considered for the purposes of this application. References may be contacted to verify information.
 - If the Board recommends restoration of civil rights, the Governor makes the final decision. The applicant will be notified in writing upon final action.
 - If the Board of Pardons and Paroles or the Governor denies the application, the individual may not file another application before the first anniversary of the date of the denial.

- Please let us know of any change of address or telephone number.
- If the Board of Pardons and Paroles makes a recommendation to restore the civil rights of an individual, the Governor may either grant or deny the restoration of civil rights to the individual. If the Governor grants restoration of civil rights, the Governor shall issue a certificate of restoration of civil rights (proclamation).
- On the Application Page 1 of 6, A. Demographic Information, where asked to provide the applicant's current name, input the full name as it might appear on a Governor's proclamation.

GENERAL INFORMATION

Definition - A restoration of civil rights under this article is a form of pardon that restores all civil rights under the laws of this state that an individual forfeits as a result of the individual's conviction of an offense, except as specifically provided in the certificate of restoration.

The **Texas Code of Criminal Procedure, Art. 48.05. Restoration of Civil Rights** relates to consideration of a request for restoration of civil rights of certain individuals convicted of a federal or military offense. An individual convicted of a federal or military offense may submit an application for restoration of civil rights forfeited under the laws of this state as a result of the conviction.

Article 48.05 applies to a federal or military offense, other than an offense involving violence or the threat of violence, drugs, or firearms.

An individual may not apply for restoration of civil rights under this article unless:

- (1) the individual has completed the sentence for the offense;
- (2) the conviction occurred three or more years before the date of application; and
- (3) the individual has not been convicted at any other time of an offense under the laws of this state, another state, or the United States.

A Restoration of Civil Rights restores the following civil rights:

1. Right to vote.
2. Right to hold public office.
3. Right to serve on a jury.
4. Licensing privileges for certain types of employment (however, you must check with the appropriate licensing authority to determine if a full pardon is necessary to be licensed). If available, please provide written documentation from that authority advising that you will not be considered for a license without receiving a full pardon. If the licensing authority will not provide you with written documentation, please obtain and furnish the name of the licensing authority, phone number, and name of the person you contacted.
5. Right to serve as Executor or Administrator of an estate.

A RESTORATION OF CIVIL RIGHTS DOES NOT NECESSARILY RESTORE THE RIGHT TO BEAR ARMS. Many felons also lose their right to bear arms with the federal government. Additionally, you may or may not qualify for a State of Texas license to carry a concealed handgun. You **MUST** check with **BOTH** the Federal Bureau of Alcohol, Tobacco & Firearms **AND** the Texas Department of Public Safety for your status **BEFORE** bearing any arms.

A RESTORATION OF CIVIL RIGHTS DOES NOT expunge an arrest under the criminal laws. This can only be accomplished by petitioning a district court in the county of conviction.

A RESTORATION OF CIVIL RIGHTS DOES NOT restore the right of the applicant to drive and operate a motor vehicle upon public highways after an automatic suspension of that license as a result of a conviction for Driving While Intoxicated or other similar suspension, unless the Governor's certificate of restoration of civil rights specifically so states.

A RESTORATION OF CIVIL RIGHTS DOES NOT relieve the convicted person of any outstanding fines, fees, restitution or reparation as ordered by the Court.

APPLICATION FOR RESTORATION OF CIVIL RIGHTS OF A FEDERAL OR MILITARY OFFENSE TO THE TEXAS BOARD OF PARDONS & PAROLES

TO THE BOARD OF PARDONS AND PAROLES OF TEXAS:

I hereby request the Board of Pardons and Paroles or its designated agent to file this application for Clemency, to investigate the statements herein made under oath and, if the facts so justify, make a favorable recommendation to the Governor of the State of Texas that a Restoration of Civil Rights of a federal or military offense, to which I may be entitled under the laws of the State of Texas, be granted.

A. DEMOGRAPHIC INFORMATION

Current full name	Last Name	☐ Jr. ☐ III ☐ Sr. ☐ IV	First Name	Full Middle Name
Name(s) convicted under				
Race and sex	Race _____ Sex _____			
Date and place of birth	Date of birth _____ Place of birth _____			
Driver's license	State _____ License Number _____			
Alias names (including maiden name, name by former marriage and nicknames), birth dates, social security #'s, etc.				
Current marital status	☐ Married – Spouse's Name: ☐ Divorced ☐ Separated ☐ Single			
Children / support / alimony	I have _____ children under the age of 18 years. I am supporting the following named children under the age of 18 years: _____ I currently pay \$ _____ / month in child support. I currently pay \$ _____ / month in alimony.			

B. ADDRESSES

Current Mailing Address <i>Indicate your current mailing address.</i>			Current Physical Address <i>Provide information even if the physical and mailing addresses are the same.</i>		
Number and street	Apartment		Number and street	Apartment	
City	State	ZipCode	City	State	ZipCode
Home phone number [] _____			County of residence _____		
Work phone number [] _____			Years resided at physical residence _____		
Email Address _____					

Previous Addresses

List **all** previous physical addresses since age 18. Do not use post office boxes. If you lived in an apartment complex, list your apartment number. *All time periods must be accounted for.* Include complete dates (months and years of residence), addresses, city, state and zip codes. Complete this page before attaching any additional page(s). Place attachments behind this page.

From (month/year):	Number and street	Apartment
To (month/year):	City	State Zip Code
From (month/year):	Number and street	Apartment
To (month/year):	City	State Zip Code
From (month/year):	Number and street	Apartment
To (month/year):	City	State Zip Code
From (month/year):	Number and street	Apartment
To (month/year):	City	State Zip Code

C. EMPLOYMENT

Please give a comprehensive adult (since age 18) employment history, beginning with your present employment and working backwards. Include employer's name, address, your job position working title, description of job duties, salary, dates employed, and reason for leaving. Complete this page before attaching any additional page(s). Place attachments behind this page.

From (month/year):	Employer name
To (month/year):	Employer address
Job position (working title)	Description of your work duties
Average monthly salary	Reason for leaving

From (month/year):	Employer name
To (month/year):	Employer address
Job position (working title)	Description of your work duties
Average monthly salary	Reason for leaving

From (month/year):	Employer name
To (month/year):	Employer address
Job position (working title)	Description of your work duties
Average monthly salary	Reason for leaving

From (month/year):	Employer name
To (month/year):	Employer address
Job position (working title)	Description of your work duties
Average monthly salary	Reason for leaving

D. STATUS

Does the federal or military conviction for which you are requesting restoration of civil rights involve violence, the threat of violence, drugs or firearms?	☐ Yes ☐ No
Have you completed the sentence for the federal or military conviction?	☐ Yes ☐ No
Did the conviction for the federal or military offense occur three or more years before the date of application?	☐ Yes ☐ No
Other than the federal or military conviction for which you are requesting restoration of civil rights, have you ever been convicted at any other time of an offense under the laws of Texas, another state, or the United States? <i>If "yes," attach an explanation page and place it behind this page. For each additional conviction, identify the offense, offense date, arrest date, arresting agency, cause number, court, court disposition, disposition date, and final disposition.</i>	☐ Yes ☐ No
Have you ever been incarcerated in a federal or military institution, or any Texas or non-Texas penal institution? <i>If "yes," list your institutional identification numbers. Include the institution (facility name) and location.</i>	☐ Yes ☐ No ID Number: _____ Institution: _____ Location: _____
Do you have any pending criminal charges? <i>If "yes," attach an explanation page and place it behind this page. Place the attachment behind this page. For each pending criminal charge, identify the offense, offense date, arrest date, arresting agency, cause number, court, court disposition, disposition date and final disposition.</i>	☐ Yes ☐ No
Have you ever been granted a pardon by the federal government, another state, or Texas? <i>If "yes," attach an explanation page and place it behind this page. Provide information about the grantor, the date granted, and conviction pardoned (offense, offense date, cause number, court, court disposition, disposition date and final disposition).</i>	☐ Yes ☐ No

(1) State the reasons and circumstances for requesting restoration of civil rights.

Complete this page before attaching any additional page(s). Place any attachments immediately behind this page.

- (2) What have you done since your conviction to show that you deserve restoration of civil rights consideration, including rehabilitative efforts that you have made?

[illegible]

F. CERTIFICATION BY APPLICANT

Please read the following statements carefully and indicate your understanding and acceptance by signing in the space provided. This application must be signed.

I hereby give my permission to the Board of Pardons and Paroles or its designated agent to make any inquiry and receive any information of record that it may deem proper in the investigation of this application for clemency; and

I understand that compliance with these requirements is sufficient for the Board's consideration of this application, but compliance does not necessarily mean that favorable action will result.

I hereby swear upon my oath that I am the subject herein named and the facts contained in this application are true and correct.

Applicant's Signature (Full Name)

Date

CRIMINAL HISTORY INFORMATION

Provide information on all adult criminal offenses (list one offense per page) and the disposition of each arrest. For these purposes, adult is defined as all arrests committed when age 16 or older or when younger than age 16 but certified as an adult. All blanks must be completed for each criminal offense. Included in this application are two (2) blank "Criminal History Information" pages provided in the event that you have multiple arrests.

Photocopy as many of these blank pages as needed to list additional offenses.

Criminal Offense:

List the offense as it appears in the court documentation.

Are you requesting Restoration of Civil Rights of a Federal or Military Offense for this offense?

☐ Yes / ☐ No

Only federal or military convictions that comply with the Texas Code of Criminal Procedure, Art. 48.05
Restoration of Civil Rights are eligible for clemency consideration.

Additional Information about the Criminal Offense

Jurisdiction:

Notate as "Federal" if adjudicated in a federal court. If this is a state offense, specify the state and county where the offense occurred.

Cause Number:

Court of Adjudication:

Mark "N/A" if not adjudicated in a Court.

Disposition/Sentence Date:

Date of sentencing or other form of court adjudication.

Court Disposition/Sentence:

Examples of possible responses that you may modify to reflect your circumstance:

5 years federal probation
5 years TDCJ
2 years State Jail Felony

2 years probation
2 years deferred adjudication probation
30 days jail

Class C Misdemeanor
No Bill
Charge dismissed

No formal charge
Released without prosecution
Plea in Bar

Fine ordered in the Sentence?

☐ Yes ☐ No

If "Yes", indicate the amount: \$ _____

Was the fine paid in full?

☐ Yes ☐ No

Assessment ordered in the Sentence?

☐ Yes ☐ No

If "Yes", indicate the amount: \$ _____

Was the assessment paid in full?

☐ Yes ☐ No

Restitution ordered in the Sentence?

☐ Yes ☐ No

If "Yes", indicate the amount: \$ _____

Was the restitution paid in full?

☐ Yes ☐ No

Final Disposition:

Examples of possible responses that you may modify to reflect your circumstance:

Discharged federal sentence 00/00/0000
Satisfactorily discharged federal probation sentence
Currently on probation
Satisfactorily discharged deferred adjudication probation sentence
Misdemeanor sentence completed
State Jail Felony sentence completed
TDCJ-CID sentence completed
Currently on parole

Unsatisfactorily discharged federal probation sentence
Discharged probation sentence
Unsatisfactorily discharged deferred adjudication probation sentence
Jail sentence completed
Currently incarcerated in a State Jail facility
Currently incarcerated in TDCJ-CID
Charge dismissed (no billed, no formal charge)

On this "Subject's Version" page you are providing additional information – your version of events – about the offense that you listed on the preceding "Criminal History Information" page. Describe in your own words the factual circumstances of the offense.

Criminal Offense:**Location:****Offense date(s):**

Law enforcement agency involved:

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Place all court documents and offense/arrest reports for this offense after your Subject's Version page(s). Refer to application instruction Page 1 of 1 for information on documents to provide with the application.

CRIMINAL HISTORY INFORMATION

Provide information on all adult criminal offenses (list one offense per page) and the disposition of each arrest. For these purposes, adult is defined as all arrests committed when age 16 or older or when younger than age 16 but certified as an adult. All blanks must be completed for each criminal offense. Included in this application are two (2) blank "Criminal History Information" pages provided in the event that you have multiple arrests.

Photocopy as many of these blank pages as needed to list additional offenses.

Criminal Offense:

List the offense as it appears in the court documentation.

Are you requesting Restoration of Civil Rights of a Federal or Military Offense for this offense?

☐ Yes / ☐ No

Only federal or military convictions that comply with the Texas Code of Criminal Procedure, Art. 48.05 Restoration of Civil Rights are eligible for clemency consideration

Additional Information about the Criminal Offense

Jurisdiction:

Notate as "Federal" if adjudicated in a federal court. If this is a state offense, specify the state and county where the offense occurred.

Cause Number:

Court of Adjudication:

Mark "N/A" if not adjudicated in a Court

Disposition/Sentence Date:

Date of sentencing or other form of court adjudication

Court Disposition/Sentence:

Examples of possible responses that you may modify to reflect your circumstance:

5 years federal probation
5 years TDCJ
2 years State Jail Felony

2 years probation
2 years deferred adjudication probation
30 days jail

Class C Misdemeanor
No Bill
Charge dismissed

No formal charge
Released without prosecution
Plea in Bar

Fine ordered in the Sentence?

☐ Yes ☐ No

If "Yes", indicate the amount:

\$ _____

Was the fine paid in full?

☐ Yes ☐ No

Assessment ordered in the Sentence?

☐ Yes ☐ No

If "Yes", indicate the amount:

\$ _____

Was the assessment paid in full?

☐ Yes ☐ No

Restitution ordered in the Sentence?

☐ Yes ☐ No

If "Yes", indicate the amount:

\$ _____

Was the restitution paid in full?

☐ Yes ☐ No

Final Disposition:

Examples of possible responses that you may modify to reflect your circumstance:

Discharged federal sentence 00/00/0000
Satisfactorily discharged federal probation sentence
Currently on probation
Satisfactorily discharged deferred adjudication probation sentence
Misdemeanor sentence completed
State Jail Felony sentence completed
TDCJ-CID sentence completed
Currently on parole

Unsatisfactorily discharged federal probation sentence
Discharged probation sentence
Unsatisfactorily discharged deferred adjudication probation sentence
Jail sentence completed
Currently incarcerated in a State Jail facility
Currently incarcerated in TDCJ-CID
Charge dismissed (no billed, no formal charge)

On this "Subject's Version" page you are providing additional information – your version of events – about the offense that you listed on the preceding "Criminal History Information" page. Describe in your own words the factual circumstances of the offense.

[illegible]

Place all court documents and offense/arrest reports for this offense after your Subject's Version page(s). Refer to application instruction Page 1 of 1 for information on documents to provide with the application.

RESTORATION OF CIVIL RIGHTS OF A FEDERAL OR MILITARY OFFENSE CHECKLIST

Before submitting your application, please ensure that you have complied with all application instructions and have reviewed the checklist information provided on this page. Incomplete applications will not be forwarded to the Texas Board of Pardons and Paroles for voting consideration.

Eligibility

Did you review your eligibility for restoration of civil rights of a federal or military offense consideration by reviewing the attached copy of the Texas Code of Criminal Procedure, Article 48.05, Restoration of Civil Rights?

Completing the Restoration of Civil Rights Application Form

Did you complete the application form as instructed? Review to ensure that you have complied with all instructions, including the following:

- (1) Type or print legibly in black or blue ink;
- (2) Do not alter the presentation of the application by reformatting or rewriting the form, and do not bind or staple the application;
- (3) Respond to all items, if necessary using "N/A," "Unknown," "None," or "Do not remember;"
- (4) For each adult conviction for which you are requesting restoration of civil rights of a federal or military offense, complete application pages titled "Criminal History Information" and "Subject's Version" as instructed, with a complete and detailed Subject's Version of Offense with location, offense date, law enforcement agency involved, events leading up to the offense and your extent of involvement in the case;
- (5) Sign with full name the application form with a date of signature.

Letters of Recommendation

Did you provide at least three (3) letters/affidavits of recommendation that comply with application instructions? (Criteria for acceptable letters provided on application Page 1 of 2.)

Criminal History Statement

Did you provide an official criminal history statement from the sheriff of your county of residence?

Certified Court Documentation

Did you provide appropriate certified court documentation (indictment/complaint/information, judgment & sentence) or clerk statement (fine/restitution paid) for **all convictions** for which you are requesting restoration of civil rights of a federal or military offense. Refer to application instruction Page 2 of 2, Procedures for Obtaining Court Documentation, for detailed instructions.

Offense/Arrest Reports

Did you provide offense reports for **all convictions** for which you are requesting restoration of civil rights of a federal or military offense from the appropriate law enforcement agency? For example, if you were arrested by the United States Marshal's Service, you must request offense reports from that agency. If you were not arrested, provide a statement that you were not arrested and explain any interaction you had with law enforcement agencies before trial.

If you are unsure of the arresting agency, you may access public record information pertaining to criminal convictions by accessing the Texas Department of Public Safety (DPS) Crime Records Service website <http://records.txdps.state.tx.us/>; or you may contact DPS to request assistance in acquiring criminal history information.

TEXAS CODE OF CRIMINAL PROCEDURE
CHAPTER 48. PARDON AND PAROLE
ART. 48.05. RESTORATION OF CIVIL RIGHTS

- (a)
 - (1) An individual convicted of an offense described by Subdivision (2) of this subsection may, except as provided by Subsection (b) of this article, submit an application for restoration of any civil rights forfeited under the laws of this state as a result of the conviction.
 - (2) This article applies to:
 - (A) a federal offense, other than an offense involving:
 - (i) violence or the threat of violence;
 - (ii) drugs; or
 - (iii) firearms; and
 - (B) an offense under the laws of another country, other than an offense involving:
 - (i) violence or the threat of violence;
 - (ii) drugs; or
 - (iii) firearms, if the elements of the offense are substantially similar to elements of an offense under the laws of this state punishable as a felony.
- (b) An individual may not apply for restoration of civil rights under this article unless:
 - (1) the individual has completed the sentence for the offense;
 - (2) the conviction occurred:
 - (A) three or more years before the date of application, if the offense is a federal offense; or
 - (B) two or more years before the date of application, if the offense is an offense under the laws of another country; and
 - (3) the individual has not been convicted at any other time of an offense under the laws of this state, another state, or the United States.
- (c) An application for restoration of civil rights must contain:
 - (1) a completed application on a form adopted by the Board of Pardons and Paroles;
 - (2) three or more affidavits attesting to the good character of the applicant; and
 - (3) proof that the applicant has completed the sentence for the offense.

- (d) The applicant must submit the application to:
 - (1) the sheriff of the county in which the applicant resides at the time of application or resided at the time of conviction of the offense, if the individual resided in this state at that time; or
 - (2) the Board of Pardons and Paroles.
- (e) If an application is submitted to a sheriff, the sheriff shall review the application and recommend to the Board of Pardons and Paroles whether the individual's civil rights should be restored. If the sheriff recommends restoration of the individual's civil rights, the board may either:
 - (1) concur in the recommendation and forward the recommendation to the governor; or
 - (2) independently review the application to determine whether to recommend to the governor the restoration of the individual's civil rights.
- (f) If the sheriff does not recommend the restoration of the individual's civil rights, the individual may apply directly to the Board of Pardons and Paroles.
- (g) If an application is submitted to the Board of Pardons and Paroles without first being submitted to a sheriff, the board shall review the application and recommend to the governor as to whether the individual's civil rights should be restored.
- (h) The Board of Pardons and Paroles may require or obtain additional information as necessary to perform a review under Subsection (e)(2) or Subsection (g) of this article.
- (i) On receipt from the Board of Pardons and Paroles of a recommendation to restore the civil rights of an individual, the governor may either grant or deny the restoration of civil rights to the individual. If the governor grants the restoration of civil rights to the individual, the governor shall issue a certificate of restoration of civil rights.
- (j) If an application under this article is denied by the Board of Pardons and Paroles or the governor, the individual may not file another application under this article before the first anniversary of the date of the denial.
- (k) A restoration of civil rights under this article is a form of pardon that restores all civil rights under the laws of this state that an individual forfeits as a result of the individual's conviction of an offense, except as specifically provided in the certificate of restoration.



FLORIDA COMMISSION ON OFFENDER REVIEW

(850) 922 0000

SERVING THE CITIZENS OF FLORIDA SINCE 1941

Linda N. Coonrod,
Chairman

[Home](#) [Organization](#) [Clemency](#) [Release](#) [Media](#) [Inmate Supporters](#) [Victims' Rights](#) [Contact Us](#)

With the passage of Amendment 4 in the November 2018 General Election, the Clemency Board will temporarily postpone consideration of pending applications for restoration of civil rights while the new framework required to implement the constitutional changes is defined, which may include the need for implementing legislation in the upcoming legislative session. The Clemency Board will continue to process and hear pending applications for other forms of clemency, including commutations, pardons, restoration of firearm authority, remission of fines or forfeitures, and restoration of alien status.

ORGANIZATION

- Overview
- Commissioner Bios
- Reports / Publications
- Contact Us
- Additional Resources
- PQC Meetings & Minutes
- 2017 Certification of Minor Violations Rules

CLEMENCY

- Clemency Overview
- Office of Executive Clemency
- Search for Rights Already Granted / Print Certificate
- Apply for Restoration of Civil Rights
- Frequently Asked Questions

RELEASE TYPES

- Parole
- Conditional Release
- Addiction Recovery
- Conditional Medical Release
- Frequently Asked Questions About Release Types

DATABASES USED BY FCOR

- 1) **Management of Application for Clemency (MAC)** – This is the data repository of all clemency applications, including but not limited to Restoration of Civil Rights, that are submitted to the Office of Executive Clemency and the Florida Commission on Offender Review. It includes information on individuals previously granted restoration of civil rights.
- 2) **Corrections Data Center (CDC)** – This is the Florida Department of Corrections (FDC) offender based information system. CDC provides information about the applicant during the time they were incarcerated or under FDC supervision. Information may include court-ordered and outstanding financial obligations (via the Court Ordered Payment System – COPS); violations of supervision, re-sentencing, revocation information, detainers, and sentence completion date.
- 3) **Comprehensive Case Information System (CCIS)** – CCIS provides statewide court information on criminal cases and other case types which may include court dockets, dispositions, sentencing, and payment of certain monetary obligations. This database of court cases and related information for all 67 counties in Florida is provided by the Florida Association of Court Clerks. Information in CCIS is based solely on the information uploaded and entered by each Florida county Clerks of Court.
- 4) **eAgent (FCIC/NCIC)** – Florida Crime Information Center/National Crime Information Center. This requires certification through the Florida Department of Law Enforcement (FDLE) and provides a history of the Florida (FCIC) and National (NCIC) criminal record.

FCIC/NCIC are databases accessed through the eAgent portal that provide access to criminal history records and other criminal related data for Florida and on a national level. Through a variety of queries which must be conducted for each applicant, information such as prior arrest dates, arresting agencies, charges, adjudication dates, and associated judicial agencies can be obtained. Access to this system is only available to individuals within a criminal justice or related agency that have met the required criteria and have been certified to access the system. FCIC/NCIC is also used to help determine if an applicant has an active criminal warrant, is currently incarcerated or under community supervision, has any active or expired protection orders or injunctions, and if there are any possible concerns regarding the applicant's citizenship or alien status.

- 5) **Clerks of Court (Websites/Official Records)** – The Clerk of Court is the primary source for obtaining judgment and sentencing documents, which will provide the most accurate disposition information needed to complete the investigation. Typically, the fastest means to obtain court documents from the Clerk of Court is by accessing the documents on the Clerk of Court's website or through CCIS. If documents are not available online, requests can be sent via email or through an online web request form (if offered). Requests may also be sent via fax; however, the visual quality of documents is often compromised when faxed. U.S. mail is another slower option. If the investigating office is near the courthouse, requests can also be

made in person. Different Clerk of Courts have different preferred methods for receiving requests for documents.

- 6) **OnBase - Inmate Records Imaging System (IRIS)** – OnBase is the Florida Department of Corrections electronic document imaging system which contains digital images of historical records for inmates and offenders who are no longer in FDC custody. Probation files are typically not added unless the offender was initially incarcerated with FDC and then later released to probation/parole. This is useful for documents related to prison commitments (judgment and sentence), pre-sentence investigations (PSI), detainers, restitution orders, violations of probation, police reports, victim information, and co-defendants.
- 7) **Driver and Vehicle Information Database (DAVID)** – DAVID, which is managed by the Florida Department of Highway Safety and Motor Vehicles, provides name, address, and citizenship information; driver history details including criminal and non-criminal traffic offenses/infractions; vehicle registration information; and a history of prior Florida residences.
- 8) **Public Access to Court Electronic Records (PACER)** – is an online public access service that allows registered users to obtain case and docket information from federal district and appellate courts to include criminal, civil, and bankruptcy cases.
- 9) **Inactive Offender File Search** – In 2010, the Florida Department of Corrections implemented an imaging process for closed supervision cases similar to that of OnBase/IRIS which has historical records for inmates and offenders who are no longer in FDC custody. Cases closed after this date are available for viewing. Cases closed before this date may be imaged in the future as time and availability permits. Documents related to supervision orders (judgment and sentence), restitution orders, violations of probation, satisfaction of conditions of supervision, and termination of supervision may be located.
- 10) **Judicial Inquiry System (JIS)** – JIS is a secure, 24-hour, web-based query tool by the Office of the State Courts Administrator which combines data gathered from several key state, local, and federal law enforcement and legal entities and then produces real-time data in a single report to the judiciary and other criminal justice entities. Data sources include:
 - CCIS
 - DAVID
 - FCIC/NCIC
 - FDC
 - Department of Juvenile Justice (DJJ)
 - Apriss – Up-to-date arrest information for FL jails and 42 other states.

- 11) **Federal Bureau of Prisons (FBOP)** - This is an online search tool that provides information about inmates who have been in federal custody from 1983 to present. Federal inmates in custody prior to 1982 were not tracked in the BOP inmate management computer system and their information must therefore be obtained through the National Archives Records Administration (NARA). Limited information may be obtained which includes when a federal inmate completed the incarceration portion of their sentence.
- 12) **Social Security Death Index (SSDI) / Genealogy Bank or Death Record / National Cemetery Administration-** These multiple websites/data resources may be used to determine if an applicant is believed to be deceased.



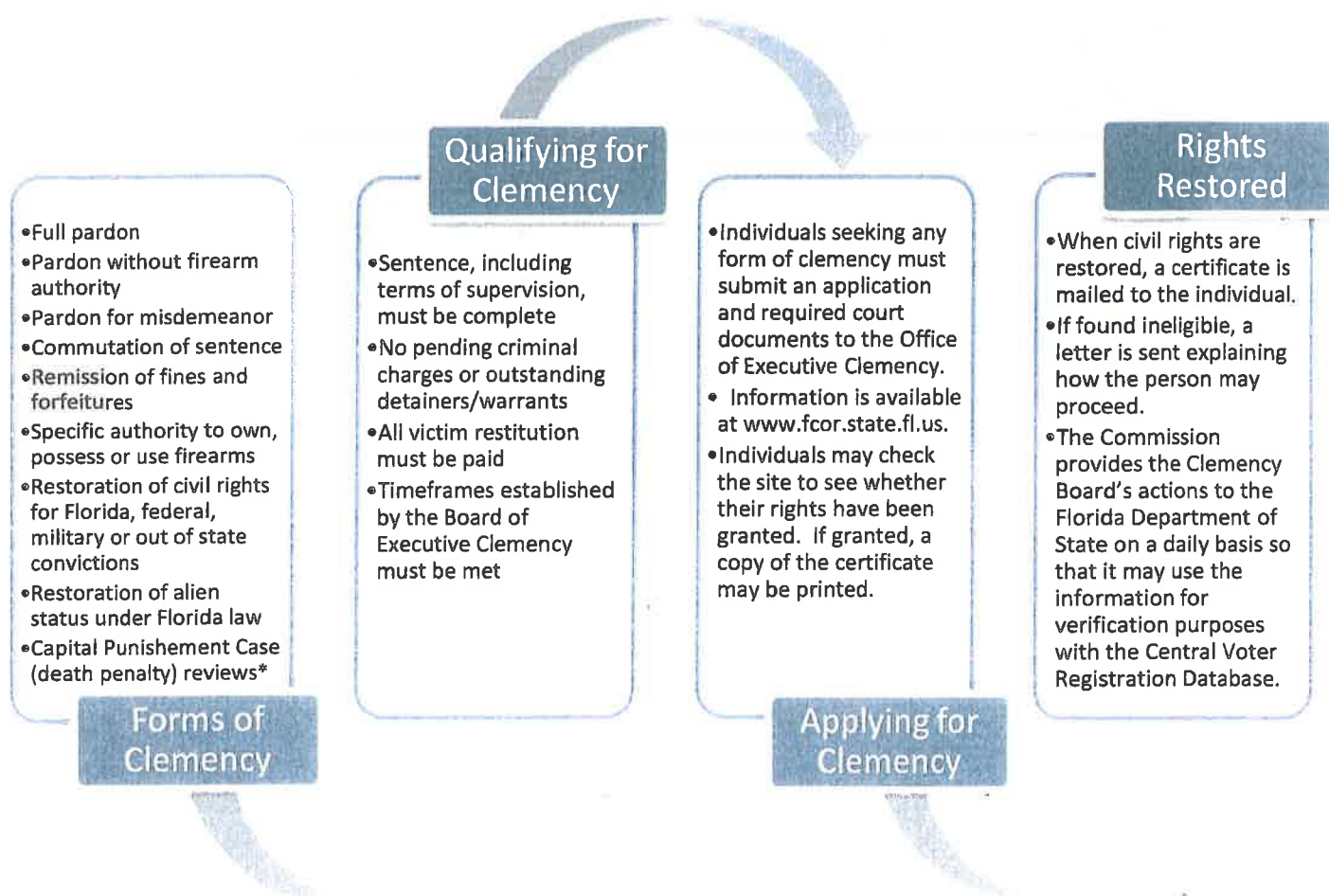
FLORIDA COMMISSION ON OFFENDER REVIEW

SERVING THE CITIZENS OF FLORIDA SINCE 1941

Executive Clemency Timeline: 1991-2015

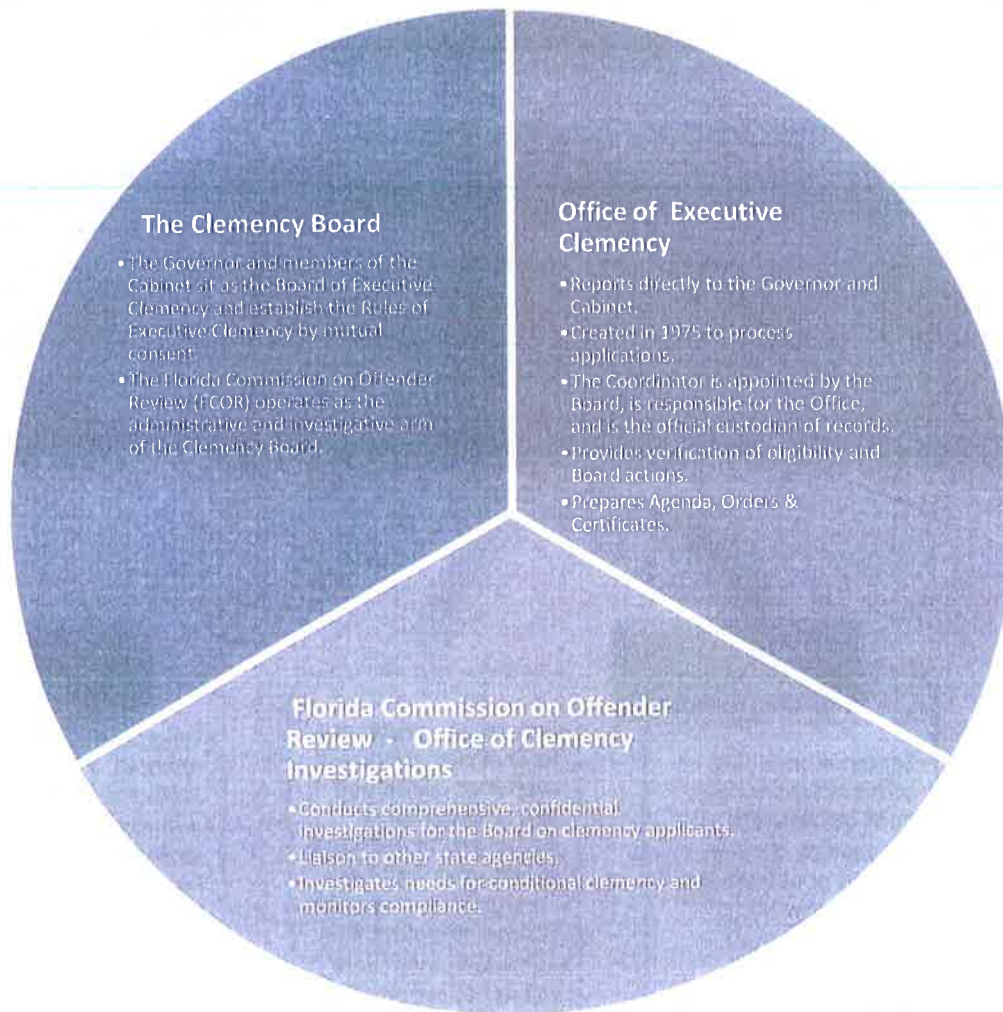
CLEMENCY Under the Florida Constitution, a person convicted of a felony loses the right to vote, serve on a jury, hold public office, and possess a firearm.

Clemency is the constitutionally authorized process that provides the means through which convicted felons may be considered for relief from punishment and seek restoration of their civil rights. The clemency function is an act of mercy that absolves an individual from all, or any part, of the punishment that the law imposes. This is a power to grant full or conditional pardons, or commute punishment. There are rules for these procedures, and these powers to grant clemency are vested in the Governor with the agreement of two Cabinet members who are also statewide elected officials. The Governor also has the sole power to deny clemency.



*Capital Punishment Clemency Cases follow a different qualifying and application process. For more information visit <https://www.fcor.state.fl.us/clemencyOverview.shtml>

Clemency Administration





2011- Present - Governor Scott's Administration

- Under Governor Scott's Administration, The Florida Board of Executive Clemency amended the Rules of Executive Clemency (Rules), which became effective on March 9, 2011.
- The Rule changes resulted in the redesign of the application, related instructional information, and website content.
- Felons seeking to have their rights restored must complete a five (5) or seven (7) year waiting period upon completion of the sentence to become eligible.

• >>more info



2007-2010 - Governor Crist's Administration

- Under Governor Crist's Administration, Rule revisions were made effective on April 5, 2007.
- For restoration of civil rights, the Board implemented Rules which designated three levels of eligibility based upon the severity of offense for exoffenders who had completed their sentences or supervision and paid all restitution.

• >>more info



1999-2006 - Governor Bush's Administration

- Under Governor Bush's Administration, Rule revisions were made effective January 1, 2000.
- The Board amended the rule on the restoration of civil rights to add a list of disqualifying crimes and new language stating that restoration of civil rights does not relieve a person from the registration, notification requirements, or any other obligations and restrictions imposed by law upon sexual predators or sexual offenders.

• >>more info



1991-1998 - Governor Chiles' Administration

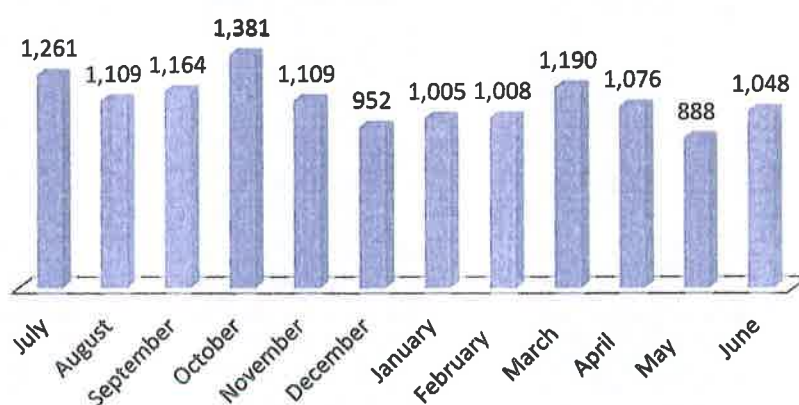
- Under Governor Chiles' Administration, Rule revisions were made effective January 1992.
- The Board expanded the Commission's duties to allow capital case inmates to receive interviews by panels of three commissioners and created a waiver procedure for female inmates to be evaluated by special panels if they met criteria to claim they were victims of the "battered woman syndrome." Requests for clemency increased due to more inmates being ineligible for any other form of early release consideration.

• >>more info

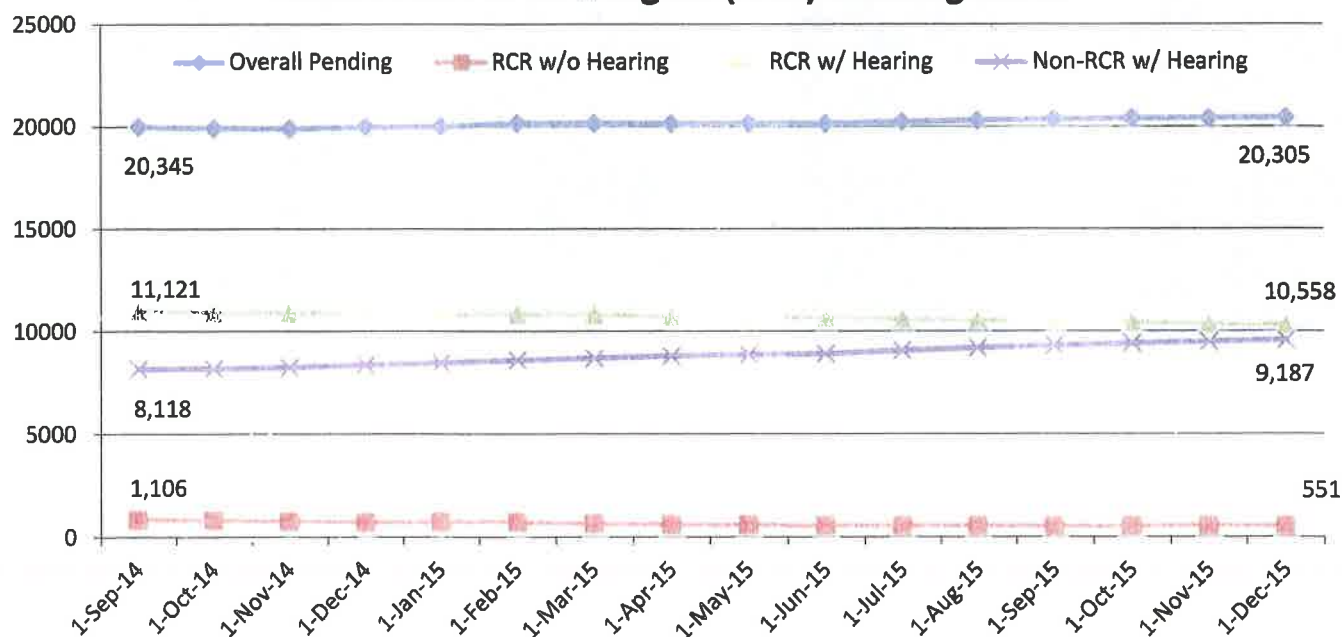
Recent Activity

Customer
Service

- Stakeholders are provided updates of the most current information by phone and email.
- FCOR staff is trained to assist the public efficiently and courteously.
- Applicants are informed of their eligibility in timely manner.
- FCOR Website (as of September 2015): Searches for Restoration of Civil Rights: 1,123,585; RCR Certificates Located: 129,403; RCR Certificates Printed 78,457; RCR Certificates Available: 376,648.

Executive Clemency Toll Free Line
Calls Received FY 2014-15

Restoration of Civil Rights (RCR) Pending Cases



Funding

- Additional \$350,000 in recurring OPS General Revenue funds for clemency received in 2012 Legislative Session.
- Additional \$25,000 in non-recurring OPS General Revenue funds for clemency received in 2013 Legislative Session.
- Nine additional full-time clemency employees (FTEs), \$46,500 increase in OPS funds for clemency phone operators, and \$125,000 in contracted services funding to manage clemency for capital case proceedings received in 2014 Legislative Session.

Victims' Services

- Identifies, locates and contacts victims of record by working with State Attorneys and the Attorney General's Victims' Services Office.
- Provides guidance, support and assistance to victims and victim's family members throughout the clemency process and at Clemency Hearings.

2011- Present Governor Scott's Administration

- Under Governor Scott's Administration, the Florida Board of Executive Clemency amended the Rules of Executive Clemency (Rules), which became effective on March 9, 2011.
- The Rule changes resulted in the redesign of the application, related instructional information, and website content.
- Felons seeking to have their rights restored must complete a five (5) or seven (7) year waiting period upon completion of the sentence to become eligible.
- In 2011, the *Jim King Keep Florida Working Act* was established to allow offenders lacking civil rights the ability to apply for a license, permit, certificate, or employment. As a safeguard, the Act specified exemptions for positions deemed to be critical to security or public safety, law enforcement agencies, and correctional agencies.

Restoration of Civil Rights (RCR) cases are now classified as follows: *Without a Hearing* (Rule 9.A.) and *With a Hearing* (Rule 10.A.). *Without a Hearing* investigations are those where offenders are eligible for consideration only after five (5) years have passed since the date of completion of all sentences and conditions of supervision imposed for all felony convictions, if no crimes have been committed and if the applicant has not been arrested for a misdemeanor or felony for the five (5) years prior to the date the application is being reviewed. *With a Hearing* investigations are those where offenders are eligible for consideration only after seven (7) years have passed since the date of completion of all sentences and conditions of supervision imposed for all felony convictions.

Clemency Funding Summary

Under Governor Scott's administration, an additional \$350,000 in recurring OPS General Revenue funds for Clemency were received in 2012 Legislative Session. And an additional \$25,000 in non-recurring OPS General Revenue funds for Clemency were received in 2013 Legislative Session. In 2014 Legislative Session, clemency funding included nine additional full-time clemency employees (FTEs), \$46,500 increase in OPS funds for clemency phone operators, and \$125,000 in contracted services funding to manage clemency for capital case proceedings. In fiscal year 2015-16, the Commission received additional funding in the amount of \$153,537 for capital clemency counsel services for a total funding of \$250,000.

2007-2010 Governor Crist's Administration

- Under Governor Crist's Administration, Rule revisions were made effective on April 5, 2007.
- For restoration of civil rights, the Board implemented Rules which designated three levels of eligibility based upon the severity of offense for exoffenders who had completed their sentences or supervision and paid all restitution.

Cases were sent electronically to the Commission (Clemency Investigations Office) by the Florida Department of Corrections (Department) based on offenders either ending their prison sentence (EOS) or being terminated from community supervision (TOS). An eligibility review was conducted by the Commission for these electronic requests and if deemed eligible, the case was placed on an Executive Order and submitted to the Board for signature. If found ineligible, the person was notified and told of the process to request a hearing. **This amended process did not eliminate the requirements that the exoffender must still be reviewed for eligibility, deemed eligible, then placed on an Executive Order for signature of the Clemency Board.** Once the order was signed, certificates were mailed to persons granted restoration of civil rights. Applications were also being submitted and reviewed for persons who had been released from incarceration or terminated supervision previously, had Federal, military or out-of-state convictions and now reside in Florida or were requesting other forms of clemency.

The amended Rules designated three levels of eligibility for the Restoration of Civil Rights: The persons eligible for Level I approval were those convicted of less serious offenses such as Grand Theft, Burglary of a Dwelling, Possession of Firearm by Convicted Felon; Robbery (No Deadly Weapon); Felony DUI; and Sale of a Controlled Substance. The cases were reviewed for eligibility and placed on an executive order for signature by the Board. These cases still required the Commission to conduct an eligibility review and required approval by the Board. Once the order was signed, certificates were mailed to the persons granted restoration of civil rights.

Those offenders convicted of more serious offenses such as Aggravated Battery/Assault, Trafficking in Cocaine, Aggravated Stalking, Kidnapping/False Imprisonment or designated as a Three-Time Violent Felony Offender, were eligible for a Level II review for restoration of civil rights without a hearing. An investigation was required on these cases, with the information forwarded to the Board for a 30-day review. If approved by the Board, the names of the offenders found eligible were placed on an executive order for signature by the Board and restoration of civil rights certificates were mailed to those persons once the order was signed.

Persons convicted of the most serious offenses such as Murder/Manslaughter, Sexual Battery, Aggravated Child Abuse, or persons designated as Sexual Predators required a more in-depth investigation for restoration of civil rights with a hearing as a Level III case.

Clemency Funding Summary

The streamlining of the clemency RCR process by the Governor and Cabinet in April 2007 created a greater clemency workload for the Commission. In 2008-2009, due to an economic downturn and statewide budget challenges, the Commission's budget was reduced by 20% with reductions made primarily in the clemency staffing area.

1999-2006 Governor Bush's Administration

- Under Governor Bush's Administration, Rule revisions were made effective January 1, 2000.
- The Board amended the rule on the restoration of civil rights to add a list of disqualifying crimes and new language stating that restoration of civil rights does not relieve a person from the registration, notification requirements, or any other obligations and restrictions imposed by law upon sexual predators or sexual offenders.

In June 2001, the rule on Restoration of Civil Rights (RCR) was amended to: eliminate owing outstanding monetary obligations excluding restitution as a disqualifier; eliminate having more than two felony convictions as a disqualifier for RCR without a hearing; and offenders including habitual felony offenders, habitual violent felony offenders, three-time violent felony offenders, violent career criminals, and prison release re-offenders were required to have a hearing before the Clemency Board.

"Lawsuit" Cases and Clemency Funding: In 2002, a lawsuit filed against the Florida Department of Corrections by the Florida Conference of Black State Legislators resulted in an additional 155,000 RCR cases being reviewed by the Commission, substantially impacting the workload of the Office of Executive Clemency and the Office of Clemency Investigations.

Bush Lawsuit Cases' Implementation Plan: In a letter dated December 14, 2001, Governor Bush directed the Office of Executive Clemency to implement a plan to provide the clemency application form to all prison or community supervision releases. This plan required the Department to submit to the Commission a monthly computer-generated list of offenders being released from prison (EOS – expiration of sentence) and offenders being terminated from supervision (TOS) who might be eligible for restoration of civil rights without a hearing. Data regarding these individuals was then downloaded into the Commission's clemency database. This process ensured that all offenders would be notified of their eligibility or ineligibility for RCR without a hearing.

Computer generated "EOS/TOS" lists provides the names of offenders determined eligible for RCR without a hearing were forwarded to the Board of Executive Clemency for approval and then notified of the Board's action. Offenders determined ineligible from the computer-generated lists were provided a hard-copy application and instructions regarding further consideration of restoration of their civil rights. The names of individuals determined eligible for RCR without a hearing were electronically placed on a list for submission to the Clemency Board. If the Board review did not result in objection by the Board, the names were electronically placed on an Executive Order and submitted to the Board for signature. Once the Executive Order was signed, certificates were electronically generated. If the Board objected to RCR without a hearing, the individual was notified. All lawsuit cases were completed June 2004.

Governor Bush's Paperless RCR Initiative Beginning in July 2004, Governor Bush eliminated the use of a paper application and persons seeking to have their civil rights restored could call, send a letter to the Office of Executive Clemency, send an e-mail, or fill out a data information form directly online at the Commission's website.

On December 9, 2004, the rule on the restoration of civil rights was revised to: eliminate a Board hearing provision that individuals who have been granted RCR or a pardon in the past 10 years be required to have a hearing before the Board. Allow individuals with certain disqualifying convictions to be eligible for RCR Without a Hearing if they remained crime-free for a period of five years after completion of all sentences; and allow any individual, regardless of the nature of any conviction, to be eligible for RCR Without a Hearing if they remained crime-free for a period of 15 years after completion of all sentences.

Clemency Funding Summary

As a result of the lawsuit cases, Governor Bush recognized the seriousness of the situation and recommended funding for additional clemency positions to help reduce the pending cases. The Legislature agreed and provided funding for 14 Parole Examiner positions for FY 2003-04. With the additional positions, these "lawsuit" cases were completed by mid-June 2004. The Legislature then reduced the 14 Parole Examiner positions by 10. This was the last funding for positions for clemency provided by the Legislature to the Commission until the 2012 Legislative Session, wherein the General Appropriations Act provided \$350,000 in recurring annual general revenue OPS funds for FY 2012-13 for the reduction of the RCR Without a Hearing pending cases.

1991-1998 Governor Chiles' Administration

- Under Governor Chiles' Administration, Rule revisions were made effective January 1992.
- The Board expanded the Commission's duties to allow capital case inmates to receive interviews by panels of three commissioners and created a waiver procedure for female inmates to be evaluated by special panels if they met criteria to claim they were victims of the "battered woman syndrome." Requests for clemency increased due to more inmates being ineligible for any other form of early release consideration.

In 1991-92, the clemency workload was adversely affected by the State's budget crisis and worked much of the year with positions either frozen or eliminated. A backlog in pending applications resulted in decreases in some workload categories.

Clemency Funding Summary

The Commission experienced budget cuts in FY 1990-91 of \$895,238 and 28 positions. The adjusted annual budget for FY 1990-91 was \$7,799,264. One professional position in Clemency Investigations was reduced and 27 positions eliminated in the revocation function as a result of budget cuts. A majority of the Commission's budget was allocated to the control release function.

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

JAMES MICHAEL HAND,)
JOSEPH JAMES GALASSO,)
HAROLD W. GIRCSIS, JR.,)
CHRISTOPHER MICHAEL SMITH,)
WILLIAM BASS, JERMAINE)
JOHNEKINS, YRAIDA LEONIDES)
GUANIPA, on behalf of themselves)
and others similarly situated,)

Plaintiffs,

v.

RICK SCOTT, in his official capacity)
as Governor of Florida and member)
of the State of Florida's Executive)
Clemency Board, PAM BONDI, in)
her official capacity as the Attorney)
General of Florida and member of the)
Executive Clemency Board, JEFF)
ATWATER, in his official capacity)
as Chief Financial Officer and)
member of the Executive Clemency)
Board, ADAM H. PUTNAM, in his)
official capacity as Commissioner of)
Agriculture and member of the)
Executive Clemency Board, KEN)
DETZNER, in his official capacity as)
Secretary of State of Florida, JULIE)
L. JONES, in her official capacity as)
Secretary of the Department of)
Corrections, MELINDA N.)
COONROD, in her official capacity)
as Commissioner and Chair of the)
Florida Commission on Offender)
Review, RICHARD D. DAVISON,)

CIVIL ACTION NO. _____

**CLASS ACTION COMPLAINT
FOR DECLARATORY AND
INJUNCTIVE RELIEF**

in his official capacity as)
Commissioner of the Florida)
Commission on Offender Review,)
DAVID A. WYANT, in his official)
Capacity as Commissioner of the)
Florida Commission on Offender)
Review, JULIA McCALL, in her)
official capacity as Coordinator for)
the Office of Executive Clemency of)
the Florida Commission on Offender)
Review,)
)
)
Defendants.)
_____)

CLASS ACTION COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

Plaintiffs James Michael Hand, Joseph James Galasso, Harold W. Gircsis, Jr., Christopher Michael Smith, William Bass, Jermaine Johnenkins and Yraida Leonides Guanipa (collectively, "Plaintiffs") seek declaratory and injunctive relief and allege as follows:

NATURE OF ACTION

1. Florida is one of just four states which denies the right to vote to all convicted former felons until they successfully petition for the restoration of their civil rights. Kentucky, Iowa and Virginia are the only other states that consign the voting rights of all convicted former felons (hereinafter "disenfranchised ex-felons")

or “ex-felons”) to the unrestrained discretion of public officials.¹ This class action challenges Florida’s disenfranchisement and re-enfranchisement laws, which have made the process of voting rights restoration unconstitutionally arbitrary.

2. Disenfranchised ex-felons who have completed their sentences and who seek to regain their voting rights in Florida must petition the Executive Clemency Board (or “the Board”), which is comprised of the Governor of Florida, the Attorney General, the Chief Financial Officer and the Commissioner of Agriculture. Fla. R. Exec. Clemency 1. The decision whether to grant or deny an ex-felon’s restoration application rests with the unfettered discretion of these four Board members. The application must be approved by a majority of the Board members and the Governor must be included in the majority.

3. While the Rules of Executive Clemency set forth a procedure for applications to the Board, there are no laws, rules or regulations governing the Board’s determinations, which remain wholly arbitrary. Rule 4 explicitly provides that: “The Governor has the unfettered discretion to deny clemency at any time, for any reason.” Fla. R. Exec. Clemency 4. Defendant Governor Rick Scott frequently

¹ While Virginia’s current administration is restoring the voting rights of ex-felons who have completed their sentences including parole and probation, the state laws have not been changed. In some states, ex-felons convicted of certain felonies or multiple felonies continue to be disenfranchised following the completion of their sentences and must petition a court or state officials to regain their voting rights. *See, e.g.*, ARIZ. REV. STAT. ANN. §§ 13-905, 13-906; NEV. REV. STAT. ANN. § 213.155.

states that the Executive Clemency Board acts as a “court of mercy”² and underscores that the Board is not bound by any law in making its decisions. Frequently the Board members state that they are looking to see if someone has “turned [his or her] life around” and if the applicant has shown remorse. By way of example, Governor Scott opened the March 3, 2016 hearing with the following declaration of limitless discretion: “This is a board of clemency. Ok? There is no law we’re following. The law has already been followed by the judges. So we get to make our decisions based on our own beliefs.”³ With such vague, shifting standards based on personal beliefs, applicants may be denied for any reason, including a record of traffic violations, an admission to drinking alcohol or recreational drug use, or no reason at all, just a state official’s whim, impression or gut instinct. Applicants may also be granted for any reason, including the testimony of family members, friends or pastors, an applicant’s demeanor or dress, or the expression of political views which Board members favor, or no reason at all, just a state official’s whim, impression or gut instinct.

² The Statement of Policy that opens the Florida Rules of Executive Clemency states that: “Clemency is an act of mercy that absolves the individual upon whom it is bestowed from all or any part of the punishment that the law imposes.” Fla. R. Exec. Clemency 1.

³ Executive Clemency Board Hearing (March 3, 2016 at 00:04:25), *available at* <http://thefloridachannel.org/videos/3316-executive-clemency-board-meeting-part-1/> (last visited Mar. 9, 2017).

4. The risk of viewpoint discrimination is highest when a government official's discretion to authorize or reject First Amendment-protected activity is entirely unconstrained by law. In this context, officials may deny restoration of the right to vote on pretextual grounds while secretly basing their decision on the applicant's race, professions of faith (or lack thereof) or speculation as to the applicant's political affiliation or views. This is why – under longstanding Supreme Court precedent – conditioning the enjoyment of a fundamental constitutional right on the exercise of unfettered official discretion and arbitrary decision-making imposes a prior restraint and violates the First Amendment to the United States Constitution. This arbitrary allocation of the franchise also violates the Equal Protection Clause of the Fourteenth Amendment.

5. Furthermore, no laws, rules or regulations set any time limits on the Board to act on an ex-felon's application for restoration of civil rights in Florida. Board hearings are held only four times per year and only in Tallahassee. The Board only hears an average of 52 restoration of civil rights cases per quarterly meeting. Under the current set of rules adopted back in 2011, the Executive Clemency Board has imposed an unjustifiable further roadblock to restoration of voting rights, forcing ex-felons who have completed their sentences to wait an additional five or seven years following the completion of their sentence before they can even apply for restoration of voting rights. Upon information and belief, it is common for an

applicant to wait as many as ten years, if not more, without any update from the Board before he or she is finally given a hearing date or notified the application was denied or granted without a hearing. This delay is exacerbated by the existing backlog of applications, which – as of March 1, 2017 – stood at 10,513 pending applications.⁴ The lack of a definite time limit for the adjudication of an ex-felon's application for restoration of voting rights also violates the First Amendment to the United States Constitution. The waiting period imposes a second sentence above and beyond that imposed by a federal or state judge and a severe restriction on ex-felons seeking to regain their voting rights, which is not narrowly tailored to any legitimate government interest and therefore violates the First and Fourteenth Amendments to the U.S. Constitution.

6. The Executive Clemency Board's restoration process has always been an unconstitutional obstacle to regaining the right to vote but this problem has become particularly acute since Defendant Governor Scott took office in 2011 and changed the rules to require lengthy waiting periods. The Governor has also exercised his unbridled power over clemency procedures to reduce the number of civil rights restoration applications which are processed annually and reject

⁴ On September 1, 2016, this figure was 10,588. The backlog has only decreased by 75 pending applications in six months, demonstrating that the current system has both caused Florida's disenfranchised population to grow to 1.68 million and is utterly unsuited to addressing the ever-worsening problem.

tremendous numbers of ex-felon applicants. The data shows that civil rights restoration grants have dramatically declined since Governor Scott assumed office in 2011: 1,428 (2001); 6,651 (2002); 14,836 (2003); 24,902 (2004); 11,638 (2005); 14,053 (2006); 38,971 (2007); 85,088 (2008); 25,347 (2009); 5,909 (2010); 78 (2011); 342 (2012); 605 (2013); 562 (2014); 428 (2015); and 473 (2016). As a result, Florida now has an estimated 1.68 million disenfranchised ex-felons⁵ or 10.4 percent of the state's voting-age population—both the highest total and the highest rate in the nation.⁶

7. Plaintiffs bring this action under 42 U.S.C. § 1983 against Defendants' unlawful deprivation of Plaintiffs' rights under the First and Fourteenth Amendments to the United States Constitution.

8. Plaintiffs James Michael Hand, Joseph James Galasso, Harold W. Girsis, Jr., Christopher Michael Smith, William Bass and Jermaine Johnkins are disenfranchised ex-felons who have applied for restoration of their civil rights by the Board. All but one of their applications have been denied; William Bass's application is pending in the backlog. Plaintiff Yraida Leonides Guanipa is not yet

⁵ Christopher Uggen, Ryan Larson and Sarah Shannon, *6 Million Lost Voters: State-Level Estimates of Felony Disenfranchisement*, The Sentencing Project (2016) (Table 3), available at <http://www.sentencingproject.org/wp-content/uploads/2016/10/6-Million-Lost-Voters.pdf#page=17> (last visited Mar. 7, 2017).

⁶ *Id.* (Figure 2).

eligible to apply for restoration of her civil rights because seven years have not elapsed since she completed her sentence.

JURISDICTION AND VENUE

9. This Court has jurisdiction over Plaintiffs' federal claims pursuant to 28 U.S.C. §§ 1331 and 1343 because this case arises under the United States Constitution and seeks equitable and other relief for the deprivation of constitutional rights under color of state law.

10. This Court has jurisdiction to award attorneys' fees and costs pursuant to 42 U.S.C. § 1988 and 28 U.S.C. § 1920.

11. This Court has jurisdiction to grant declaratory relief pursuant to 28 U.S.C. §§ 2201 and 2202.

12. This Court has personal jurisdiction over Defendant Rick Scott, the Governor of Florida, Defendant Pam Bondi, Attorney General, Jeff Atwater, Chief Financial Officer, and Adam Putnam, Commissioner of Agriculture, the members of the Cabinet and the Executive Clemency Board, who are sued in their official capacities. Defendant Board Members Governor Scott, Bondi, Atwater and Putnam are elected state government officials who reside and work in Tallahassee, Florida.

13. This Court has personal jurisdiction over Defendant Ken Detzner, Secretary of State of Florida, who is sued in his official capacity. Defendant Detzner is an appointed state official who resides and works in Tallahassee, Florida.

14. This Court has personal jurisdiction over Defendant Julie L. Jones, who is sued in her official capacity as the Secretary of the Department of Corrections. Defendant Jones is an appointed state official who resides and works in Tallahassee, Florida.

15. This Court has personal jurisdiction over Defendant Melinda N. Coonrod, who is sued in her official capacity as Commissioner and Chair of the Florida Commission on Offender Review (formerly the Florida Parole and Probation Commission), and Richard D. Davison and David A. Wyant, who are also both sued in their official capacities as Commissioner of the Florida Commission on Offender Review. Defendants Coonrod, Davison and Wyant are appointed state officials who reside and work in Tallahassee, Florida.

16. This Court has personal jurisdiction over Defendant Julia McCall, who is sued in her official capacity as Coordinator for the Office of Executive Clemency of the Florida Commission on Offender Review. Defendant McCall is a state official appointed by the Governor and Cabinet, who resides and works in Tallahassee, Florida.

17. Venue is appropriate in the Northern District of Florida, under 28 U.S.C. § 1391(b)(1), because Defendants Scott, Bondi, Atwater, Putnam, Detzner, Jones, Coonrod, Davison, Wyant and McCall are state officials working in Tallahassee, Florida. A substantial part of the events giving rise to these claims

occurred and will continue to occur in this district, making venue also proper under 28 U.S.C. § 1391(b)(2).

PARTIES

18. Plaintiff James Michael Hand is a United States citizen, 63 years old, and a resident of Cutler Bay, Florida. Mr. Hand was convicted of at least one felony in Florida state court and lost his right to vote under Florida state law. In 1986, Mr. Hand was released from prison, and he completed his sentence in 2002. After he completed his sentence, Mr. Hand applied to the Board for the restoration of his civil rights. At an Executive Clemency Board hearing on December 16, 2011, his application was denied. In rejecting his application, Governor Scott cited Mr. Hand's record of moving or traffic violations and said the following: "Congratulations on turning your life around. Congratulations on your business. In light of the significant issue—you know, traffic violations, and your inability to comply with the law in that manner, I'm going to deny you restoration of civil rights at this time."⁷

19. Plaintiff Joseph James Galasso is a United States citizen, 46 years old, and a resident of Gainesville, Florida. Mr. Galasso was convicted of at least one felony in Florida state court and lost his right to vote under Florida state law. Mr.

⁷ Executive Clemency Board Hearing (Dec. 16, 2011 at 2:20:08-2:30:40), *available at* <http://thefloridachannel.org/videos/121611-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

Galasso completed his sentence, including probation, in January 2004. In 2001, just prior to his release from prison, he had applied to the Executive Clemency Board for the restoration of his civil rights and had to wait twelve years before he was finally scheduled for a hearing. The Office of Clemency Investigations did not begin its investigation of Mr. Galasso's case until roughly a decade after he applied. At a Board hearing on March 20, 2013, his application was taken under advisement. Defendant Governor Scott said: "So you've really turned your life around. You've been out of prison eleven years and you've got all these traffic violations. . . . You've turned your life around but if you—if you really don't care about the law and you have all these traffic violations it's hard to say gosh you really believe in the law." Soon after the hearing, Mr. Galasso received a letter notifying him that his application had been denied.⁸

20. Plaintiff Harold W. Gircsis, Jr. is a United States citizen, 64 years old, and a resident of Port Charlotte, Florida. Mr. Gircsis was convicted of at least one felony in the U.S. District Court for the District of Minnesota and lost his right to vote under Florida state law. Mr. Gircsis completed his sentence, including probation, on October 15, 2003. In 2006, he applied to the Executive Clemency

⁸ Executive Clemency Board Hearing (Mar. 20, 2013) (audio only and not available online).

Board for the restoration of his civil rights but was not given a hearing date until 2011. At a Board hearing on December 16, 2011, his application was denied.⁹

21. Plaintiff Christopher Michael Smith is a United States citizen, 43 years old, and a resident of Miami, Florida. Mr. Smith was convicted of at least one felony in Florida state court and lost his right to vote under Florida state law. Mr. Smith completed his sentence in 1997. In 2006, he applied to the Executive Clemency Board for the restoration of his civil rights. In 2011, Mr. Smith refiled his application because it had been pending for five years. The Office of Executive Clemency contacted Mr. Smith to inform him that his application was still pending and that he did not need to refile his petition. In the spring of 2016, the Board notified Mr. Smith that he had been scheduled for a hearing in September. At a Board hearing on September 21, 2016, his application was taken under advisement.¹⁰ About a week later, Mr. Smith received a letter notifying him that his restoration application had been denied.

22. Plaintiff William Bass is a United States citizen, 64 years old, and a resident of St. Petersburg, Florida. Mr. Bass was convicted of at least one felony in

⁹ Executive Clemency Board Hearing (December 16, 2011 at 1:25:01-1:26:03), *available at* <http://thefloridachannel.org/videos/121611-executive-clemency-board-meeting/> (last visited Mar. 9, 2017).

¹⁰ Executive Clemency Board Hearing (September 21, 2016 at 4:23:03-4:29:37), *available at* <http://thefloridachannel.org/videos/92116-executive-clemency-board-meeting-part-2/> (last visited Mar. 10, 2017).

Florida state court and lost his right to vote under Florida state law. Mr. Bass completed his sentence in 2008. In either 2011 or 2012, he applied to the Executive Clemency Board for the restoration of his civil rights. Mr. Bass subsequently contacted the Office of Executive Clemency, and they informed him that he had to wait five to seven years after completing his sentence before he could apply for restoration. Prior to the 2016 general election, Mr. Bass re-filed his application, which remains pending in the backlog of applications before the Executive Clemency Board. Mr. Bass recently received a letter from the Office of Executive Clemency dated January 20, 2017, notifying him that the Executive Clemency Board did not approve him for restoration of civil rights without a hearing. The letter advised him that his case had been referred to the Florida Commission on Offender Review for a full investigation and ultimately a hearing. Mr. Bass was informed that he could also choose to withdraw his application and a “Notice of Withdrawal of Clemency Application” form was enclosed with the letter. Mr. Bass will not withdraw his restoration of civil rights application.

23. Plaintiff Jermaine Johnekins is a United States citizen, 44 years old, and a resident of Pembroke Pines, Florida. Mr. Johnekins was convicted of at least one felony in Florida state court and lost his right to vote under Florida state law. Mr. Johnekins was sentenced to a work-release program for nine and a half months, which he completed in 1998. In early 2012, he applied to the Executive Clemency

Board for the restoration of his civil rights. At a Board hearing on March 22, 2012, his application was denied.¹¹

24. Plaintiff Yraida Leonides Guanipa is a United States citizen, 55 years old, and a resident of Miami, Florida. In 1996, Ms. Guanipa was convicted of at least one felony in the U.S. District Court for the Southern District of Florida. She was released from prison in June 2007 and completed probation in June 2012. Under the Executive Clemency Board's current rules, Ms. Guanipa is barred from applying for a restoration of her civil rights until June 2019, seven years after the completion of her full sentence.

25. Plaintiffs want to register and vote in future primary and general elections in the State of Florida for candidates of their choice and ballot initiatives, and to support and associate with political parties in order to advance the parties' goals.

26. Defendant Rick Scott is the Governor of Florida and is sued in his official capacity. The Florida Constitution vests the Governor with the authority to restore civil rights. FLA. CONST. art. IV § 8(a). The Governor heads the Executive Clemency Board, which is tasked with promulgating the Rules of Executive Clemency and making final determinations on all restoration of civil rights cases.

¹¹ Executive Clemency Board Hearing (March 22, 2012 at 2:08:33-2:13:44), *available* at <http://thefloridachannel.org/videos/32212-executive-clemency-board-meeting/> (last visited Mar. 20, 2017).

FLA. STAT. ANN. § 940.03. The Governor is empowered to restore civil rights by executive order. FLA. STAT. ANN. § 940.01(1). The Governor may join with two other Board members to grant an application for restoration of civil rights or deny the application outright because he or she must be in the majority for any grant. *Id.*; FLA. STAT. ANN. § 940.03; Fla. R. Exec. Clemency 4.

27. Defendants Pam Bondi, Jeff Atwater and Adam Putnam, the remaining members of the Cabinet and the Executive Clemency Board, are sued in their official capacities. Fla. R. Exec. Clemency 1. As members of the Board, they have the power to grant or deny an application for restoration of civil rights by either concurring in the Governor's motion to grant or withholding their support. Fla. R. Exec. Clemency 4.

28. Defendant Ken Detzner is the Secretary of State of Florida and is sued in his official capacity. As Secretary of State, Defendant Detzner is Florida's chief elections officer and administers Florida's election laws. FLA. STAT. ANN. § 97.012.

29. Defendant Julie L. Jones is the Secretary of the Department of Corrections and is sued in her official capacity. The Department of Corrections has "supervisory and protective care, custody, and control of the inmates, buildings, grounds, property, and all other matters pertaining to the following facilities and programs for the imprisonment, correction, and rehabilitation of adult offenders: (a) Department of Corrections adult correctional institutions; (b) Department of

Corrections youthful offender institutions; (c) Department of Corrections Mental Health Treatment Facility; (d) Department of Corrections Probation and Restitution Center; (e) Department of Corrections community correctional centers; and (f) Department of Corrections vocational centers.” FLA. STAT. ANN. § 945.025(1). The Department of Corrections is charged with “inform[ing] and educat[ing] inmates and offenders on community supervision about the restoration of civil rights.” FLA. STAT. ANN. § 940.061. Additionally, every month the Department of Corrections must electronically transfer to the Florida Commission on Offender Review “a list of the names of inmates who have been released from incarceration and offenders who have been terminated from supervision who may be eligible for restoration of civil rights.” *Id.*

30. Defendant Melinda N. Coonrod is the Commissioner and Chair of the Florida Commission on Offender Review (formerly the Florida Parole and Probation Commission) and is sued in her official capacity. The Florida Commission on Offender Review, a three-member quasi-judicial body, makes decisions on granting and revoking parole, conditional medical release, control release, conditional release and addiction recovery release. FLA. STAT. ANN. §§ 947.002, 947.01.¹² The

¹² See also Florida Commission on Offender Review: 2015-2016 Annual Report, at 5-7, available at <https://www.fcor.state.fl.us/docs/reports/FCORannualreport201516.pdf> (last visited Mar. 9, 2017).

Commission on Offender Review also “[a]cts as the administrative and investigative arm” of the Executive Clemency Board and, in this capacity, must report to the Board on “the circumstances, the criminal records, and the social, physical, mental, and psychiatric conditions and histories of persons under consideration by the board for” any form of clemency. *Id.* at 7; FLA. STAT. ANN. § 947.13(1)(e). The Commission’s Chair “shall establish, execute, and be held accountable for all administrative policy decisions. The routine administrative decisions are the full responsibility of the chair.” FLA. STAT. ANN. § 947.002(3).

31. Defendants Richard D. Davison and David A. Wyant are the other two Commissioners serving on the Florida Commission on Offender Review. They are sued in their official capacities.

32. Defendant Julia McCall is the Coordinator for the Office of Executive Clemency and is sued in her official capacity. The Office of Executive Clemency (“OEC”) is an office within the Florida Commission on Offender Review and reports to the Executive Clemency Board.¹³ The OEC processes executive clemency applications and prepares them for the Board’s consideration. In her capacity as Coordinator for the OEC, Defendant McCall “is responsible for coordinating all

¹³ Florida Commission on Offender Review: 2015-2016 Annual Report, at 14, *available at* <https://www.fcor.state.fl.us/docs/reports/FCORannualreport201516.pdf> (last visited Mar. 9, 2017).

clemency meetings, referring applications for investigation [by the Office of Clemency Investigations¹⁴], and serves as the official custodian of all clemency records.” *Id.* The OEC also prepares the executive orders and certificates granting clemency and communicates with applicants and their counsel. *Id.*

BACKGROUND

A. History of Felon Disenfranchisement and Re-Enfranchisement in Florida

33. The disenfranchisement of individuals with felony convictions has a long history in Florida. Florida adopted its first constitution in 1838, prior to its admission to the union in 1845. The 1838 Constitution vested the general power to exclude those “convicted of bribery, perjury, forgery, or other high crime, or misdemeanor” from the franchise in the General Assembly. FLA. CONST. art. VI, §§ 4, 13 (1838). The disenfranchisement language was left unchanged until 1868 when the Reconstruction Act of 1867 required Florida and ten other former Confederate

¹⁴ The Office of Clemency Investigations (“OCI”) is another office within the Florida Commission of Offender Review. The OCI is “charged with investigating, reviewing, evaluating, and reporting to the Clemency Board in all types of clemency cases[.]” The staff conducts an investigation of every ex-felon applicant for restoration of civil rights, reviews his or her criminal record, traffic record, family situation, employment, any alcohol or drug abuse history, any unlawful voter registration or voting activity and any military history, and produces a Confidential Case Analysis, which the Board reviews and which is sent to the applicant. Florida Commission on Offender Review: 2015-2016 Annual Report, at 15, *available at* <https://www.fcor.state.fl.us/docs/reports/FCORannualreport201516.pdf> (last visited Mar. 9, 2017).

states to amend their Constitutions to extend the right to vote to all men, regardless of race. While the 1868 Constitution granted suffrage to all men over the age of 21, regardless of race, color, nationality, or previous condition of servitude, it also explicitly disenfranchised “any person convicted of [a] felony” for life “unless restored to civil rights.” FLA. CONST. art. XIV, §§ 2, 4 (1868). This language remained in the Constitution for the next century and was amended in 1968 to state that “[n]o person convicted of a felony . . . shall be qualified to vote or hold office until restoration of civil rights,” which remains the law to this day. FLA. CONST. art. VI, § 4 (1968). The felon disenfranchisement statute accordingly disqualifies “[a] person who has been convicted of any felony by any court of record and who has not had his or her right to vote restored pursuant to law.” FLA. STAT. ANN. § 97.041(2)(b).

34. The 1868 Constitution had also provided that pardons could be granted by a board comprised of “The Governor, Justices of the Supreme Court, and Attorney General, or a major part of them, of whom the Governor shall be one.” FLA. CONST. art. V, § 12 (1868). FLA. CONST. art. XIV, § 2 (1868) “allowed those who had been ‘restored to civil rights’ to vote, but did not indicate how this restoration might happen.”¹⁵ Since 1968, the Constitution has clearly vested the

¹⁵ PIPPA HOLLOWAY, *LIVING IN INFAMY: FELON DISENFRANCHISEMENT AND THE HISTORY OF AMERICAN CITIZENSHIP* 106 (2014).

Governor of Florida with the power to restore an individual's civil rights. Article IV, Section 8(a) of the Constitution provides:

Except in cases of treason and in cases where impeachment results in conviction, the governor may, by executive order filed with the custodian of state records, suspend collection of fines and forfeitures, grant reprieves not exceeding sixty days and, with the approval of two members of the cabinet, grant full or conditional pardons, restore civil rights, commute punishment, and remit fines and forfeitures for offenses.¹⁶

FLA. STAT. ANN. § 944.292(1), which was first enacted in 1974, conditions the restoration of civil rights on a full pardon, a conditional pardon, or a grant of restoration pursuant to the Governor's Article IV, Section 8 clemency powers.

35. Under Governor Bush's administration from 1999 to 2007, there were no waiting periods for ex-felons before they could apply for restoration of their civil rights. Instead, to be eligible for restoration of civil rights, the individual must have completed all sentences and all conditions of supervision must have expired or been completed. Individuals were eligible for restoration of civil rights without a hearing if they were convicted of what the Board deemed less serious felonies and had "[n]o outstanding detainers or pending criminal charges, or terms of supervised release"

¹⁶ Even in conjunction with Article VI, Section 4 above, it is not clear that Florida's Constitution gives the Governor the *exclusive* authority to restore civil rights, *i.e.* that the Legislature could not pass legislation restoring ex-felons' civil rights automatically upon sentence completion. Indeed, FLA. STAT. ANN. § 97.041 tellingly articulates the felon disqualification as follows: "A person who has been convicted of any felony by any court of record and who has not had his or her right to vote restored *pursuant to law*." (Emphasis added).

and no outstanding victim restitution. Fla. R. Exec. Clemency 9 (2000-2006). An application was not required of such ex-felons unless they had been convicted in a court other than a Florida state court. Fla. R. Exec. Clemency 6, 9 (2000-2003). The Department of Corrections released the names of ex-felons who had completed their sentences including any parole, probation or supervised release to the Office of Executive Clemency (“OEC”) for review. Fla. R. Exec. Clemency 9.C (2000-2002). The Coordinator of the OEC would prepare for the Board a preliminary review list of ex-felons qualified for restoration without a hearing; individuals on that list would be granted restoration of civil rights unless three or more Board members objected. Fla. R. Exec. Clemency 9.B (2000-2002). In March of 2003, that threshold was reduced to two or more Board members. Fla. R. Exec. Clemency 9.B (2003). Up until 2004, the rules stated: “If determined eligible [for restoration without a hearing], an individual may, in most cases, receive a certificate evidencing restoration of civil rights . . . within one calendar year.” Fla. R. Exec. Clemency 9 (2000-2003). Those convicted of any of the listed felonies the Board deemed more serious were required to submit an application and face the Board in a hearing. Fla. R. Exec. Clemency 6, 9-11 (2000-2004). Additionally, from 2000 through 2002, the Rules of Executive Clemency clearly stated that “[t]he failure to attend the hearing will not be weighed against the applicant.” Fla. R. Exec. Clemency 11(B) (2000-2002). This provision was removed in 2003 and replaced with the statement that

“[a]pplicants are not required to appear at the hearing, but the Clemency Board encourages applicants to attend.” Fla. R. Exec. Clemency 11(B) (2003).

36. The revised rules promulgated in 2004 made additional categories of ex-felons eligible for restoration of civil rights without a hearing under Rule 9. Individuals who remained crime- and arrest-free for five years after completing all sentences and conditions of supervision were eligible for restoration of civil rights without a hearing so long as they did not have a conviction involving one of seven enumerated categories of felonies. Fla. R. Exec. Clemency 9.A.5 (2004-2006). All other ex-felons who had been convicted of a felony within one of the enumerated offense categories in Rule 9.A.5 were eligible for restoration without a hearing if they remained crime- and arrest-free for fifteen years after completing all sentences and conditions of supervision. Fla. R. Exec. Clemency 9.A.6 (2004-2006). As with prior versions of the rules, ex-felons eligible for restoration without a hearing on any basis did not need to submit an application, unless they had been convicted in a court other than a Florida state court. Fla. R. Exec. Clemency 6, 9 (2004-2006). These changes created new avenues for ex-felons to regain their civil rights without a hearing, thus creating a way to restore the civil rights of more ex-felons.

37. In 2007, Governor Crist and the Board further amended the Rules of Executive Clemency to provide for an automatic path to restoration of civil rights for individuals who have completed all sentences and conditions of supervision,

have no outstanding detainers or pending criminal charges, have paid all restitution, and have neither been convicted of one of twenty-five listed felonies or felony categories nor been declared a habitual violent felony offender, three-time violent felony offender, violent career criminal, prison release reoffender, or sexual predator under Florida law. Fla. R. Exec. Clemency 5.E, 9 (2007-2010). For qualifying ex-felons, “automatic” restoration meant the Board’s grant of civil rights was non-discretionary: “A person *shall* have his or her civil rights . . . immediately restored by automatic approval of the Clemency Board.” Fla. R. Exec. Clemency 9.A (2007-2010) (emphasis added). The Board would receive information from the Department of Corrections for all individuals who were eligible under Rule 9.A and automatically issue executive orders restoring their civil rights. Fla. R. Exec. Clemency 9.B (2007-2010).

38. Additionally, under the 2007 revised rules, discretionary grants of restoration of civil rights without a hearing remained available under Rule 10 for any ex-felon who met the same criteria as an ex-felon eligible for automatic restoration, unless they had been convicted of a felony within one of eleven disqualifying felony categories (narrowed down from the list in Rule 9) or declared a sexual predator. Fla. R. Exec. Clemency 10.A (2007-2010). Those who remained crime- and arrest-free for fifteen years could still seek restoration without a hearing, regardless of their offenses, but the availability of restoration without a hearing for those ex-felons who

remained crime- and arrest-free for five years was eliminated. Fla. R. Exec. Clemency 10.B (2007-2010). Contrary to the prior default rule granting restoration unless Board members objected, the Governor plus two Board members would now have to grant restoration affirmatively to anyone on the preliminary review list. Fla. R. Exec. Clemency 10.C (2007-2010). Ex-felons eligible for automatic restoration or restoration without a hearing on any basis did not need to submit an application, unless they had been convicted in a court other a Florida state court. Fla. R. Exec. Clemency 6, 9, 10 (2007-2010). Finally, any individual not eligible for automatic restoration under Rule 9 or restoration without a hearing under Rule 10 would be compelled to submit an application for restoration with a hearing. Fla. R. Exec. Clemency 6, 9.B, 11 (2007-2010).

39. At the first Board meeting of Governor Scott's administration on March 9, 2011, the Board voted unanimously to revise the Rules of Executive Clemency, establishing the arbitrary, time-consuming, and unreasonable restoration of civil rights process which is challenged in this action. The newly promulgated rules eliminated the automatic, non-discretionary restoration process for qualifying ex-felons utilized by the previous administration and imposed strict waiting periods before ex-felons could apply for restoration of their civil rights without or with a hearing. Fla. R. Exec. Clemency 9-10. Those who committed what the Board deems less serious offenses must wait five years after the completion of their sentences to

apply for restoration of civil rights, and those convicted of more serious felonies must wait seven years. Coupled with the fact that the Board only meets four times each year and only in Tallahassee, these waiting periods have caused the backlog of pending applications to grow to over 10,000. Upon information and belief, many applicants wait as many as ten years, if not more, for a hearing before the current Board. The 2011 revised rules also removed the path to restoration of civil rights without a hearing for those who have remained crime- and arrest-free for fifteen years and eliminated a longstanding provision allowing the Governor and one other Board member to waive the eligibility requirements in Rule 5, if at least two years had passed since the applicant was convicted and no restitution was owed. Fla. R. Exec. Clemency 8 (2000-2010). The Rules of Executive Clemency have not been modified since March 9, 2011.

B. Current Process for Restoration of Civil Rights

40. Under the current rules, an individual seeking the restoration of his or her civil rights must be eligible for that type of clemency and must submit an Application for Clemency. Fla. R. Exec. Clemency 5, 6, 9, 10. This was a significant change from prior versions of the rules, which allowed some ex-felons to regain their civil rights without submitting an application. The same Application for Clemency is used for all types of clemency: restoration of civil rights for a Florida, federal, military or out-of-state conviction, restoration of alien status under Florida

law, remission of fine or forfeiture, specific authority to own, possess or use firearms, full pardon, and pardon without firearm authority.¹⁷

41. The Application for Clemency requires each applicant to provide basic demographic information as well as information and supporting documents on each felony conviction, including certified copies of the charging document, the judgment, and the sentence, community control or probation order. Fla. R. Exec. Clemency 6.B (2011). It can be quite time-consuming and costly for an applicant to procure these documents. Prior to the adoption of the current rules, applications seeking only the restoration of civil rights did not have to be accompanied by these supporting documents. Fla. R. Exec. Clemency 6.B (2000-2010).

i. Restoration of Civil Rights Without a Hearing

42. An individual is eligible to apply for restoration of civil rights without a hearing pursuant to Rule 9 “if the person has committed no crimes and has not been arrested for a misdemeanor or felony for five (5) years from the date of completion of all sentences and conditions of supervision imposed” and a number of other requirements are met. Fla. R. Exec. Clemency 9.A.¹⁸ The completion of all

¹⁷ Florida Commission on Offender Review, *Application for Clemency*, available at <https://www.fcor.state.fl.us/docs/clemency/ClemencyApplication.pdf> (last visited Mar. 9, 2017).

¹⁸ Even an arrest for a misdemeanor will reset the five-year clock or force the applicant to wait a total of seven years and apply for restoration with a hearing under Rule 10.

sentences and conditions of supervision includes imprisonment, parole, probation, community control, control release, and conditional release. Fla. R. Exec. Clemency 9.A.1. The individual must have no outstanding detainers or pending criminal charges and must have paid all restitution and other financial obligations. Fla. R. Exec. Clemency 9.A.2, 9.A.3. Finally, the individual must not have been convicted of any crime on a lengthy list of felonies, including but not limited to murder, manslaughter, sexual batteries, drug trafficking and any other first- or second-degree drug offense. Fla. R. Exec. Clemency 9.A.4. This list was significantly expanded from prior versions of the rule governing discretionary restoration without a hearing.

43. All applications submitted for restoration of civil rights without a hearing are reviewed by the Florida Commission on Offender Review. Those applications that meet the requirements of Rule 9.A are included in the preliminary review list of individuals eligible for restoration without a hearing. If the Governor and two other members of the Board approve an individual's restoration of civil rights within 60 days of the preliminary review list's issuance, an executive order granting clemency is issued. If the Governor does not approve an applicant on the preliminary review list, the applicant is notified and may pursue restoration of civil rights with a hearing pursuant to Rule 10. Fla. R. Exec. Clemency 9.B.

ii. Restoration of Civil Rights With a Hearing

44. An individual is eligible to apply for restoration of civil rights with a hearing pursuant to Rule 10 so long as there are “no new felony convictions for a period of seven (7) years or more after completion of all sentences imposed for the applicant’s most recent felony conviction and all conditions of supervision for the applicant’s most recent felony conviction have expired or been completed.” Fla. R. Exec. Clemency 10.A. Like an applicant for restoration of civil rights without a hearing, the individual must have paid all restitution and other financial obligations.

45. Each application for restoration of civil rights with a hearing must undergo an investigation by the Florida Commission on Offender Review which results in a report recommending the applicant favorably or unfavorably to the Board. Once all of these steps are completed, an applicant is placed on the agenda for the next Board hearing, and the applicant is provided with a notice of appearance. Fla. R. Exec. Clemency 11, 12. The Rules still provide that “[w]hile applicants are not required to appear at the hearing, the Clemency Board encourages applicants to attend.” Fla. R. Exec. Clemency 12.B.

46. The Board still only holds four hearings per year. Fla. R. Exec. Clemency 12.A. Over the last six years, the Board has heard an average of 52 applicants for restoration of civil rights per hearing. Each meeting is held in Tallahassee which requires many applicants to take two or more days off from work in order to attend and requires many to travel upwards of 500 miles to Tallahassee.

47. At the meeting, each applicant is given five minutes to speak and essentially plead with the Board for clemency and the restoration of his or her civil rights. Fla. R. Exec. Clemency 12.B. The Board may grant or deny the applicant, continue the case until the next Board meeting, or take the application under advisement to make a final determination privately by mailing a letter. All applicants who are denied must wait a minimum of two years before reapplying. Fla. R. Exec. Clemency 14.

48. The Florida Rules of Executive Clemency do not set forth any rules governing the Board's determinations. Rule 4 explicitly states that: "The Governor has the unfettered discretion to deny clemency at any time, for any reason." Fla. R. Exec. Clemency 4.

C. Effect of the Current Restoration of Civil Rights Process in Florida

49. Since 2011, only 2,488 applications for restoration of civil rights have been granted by Defendants Scott, Bondi, Atwater, and Putnam. This number is dramatically lower than the number of applications granted during the previous two administrations: 155,315 during Governor Crist's administration (2007-2011) and 73,508 during Governor Bush's administration (1999-2007). Restoration of civil rights grants have declined steeply since Governor Scott assumed office in 2011: 1,428 (2001); 6,651 (2002); 14,836 (2003); 24,902 (2004); 11,638 (2005); 14,053 (2006); 38,971 (2007); 85,088 (2008); 25,347 (2009); 5,909 (2010); 78 (2011); 342

(2012); 605 (2013); 562 (2014); 428 (2015); and 473 (2016). This drop-off is largely due to rule changes narrowing the number of ex-felons who are eligible for discretionary restoration without a hearing and the elimination of automatic, non-discretionary restoration, combined with the glacial pace at which the Board processes applicants who require a hearing. The annual figures for restoration without a hearing demonstrate the severe impact of Governor Scott's rules: 1,351 (2001); 6,539 (2002); 14,729 (2003); 24,797 (2004); 11,513 (2005); 13,862 (2006); 38,907 (2007); 85,075 (2008); 25,336 (2009); 5,893 (2010); 52 (2011); 298 (2012); 537 (2013); 504 (2014); 349 (2015); and 373 (2016).

50. Florida's disenfranchised population is estimated at 1.68 million ex-felons.¹⁹ 10.4 percent of Florida's voting-age population cannot vote due to a felony conviction.²⁰ Florida's disenfranchised population accounts for more than a quarter of all disenfranchised ex-felons in the country.²¹

51. The restoration of the right to vote for the 1.68 million disenfranchised former felons rests with the unfettered discretion of Governor Scott and the Board. For the few ex-felons who endure the extensive delays to secure a hearing in front of the Board, what follows is a thoroughly inconsistent and arbitrary process for granting or denying applications for restoration of civil rights.

¹⁹ See *supra* note 5 (Table 3).

²⁰ *Id.* (Figure 2).

²¹ *Id.*

52. Not only is the standard-less process prone to arbitrary and discriminatory treatment, but the Board actually does make decisions in a wholly arbitrary manner. It grants and denies similarly situated applicants who have speeding or traffic citations, have voted illegally, or have similar post-release drug or alcohol use. These decisions turn on Governor Scott's whim and the unregulated judgments of the Board.

D. Unfettered Discretion and Arbitrary Treatment of Ex-Felon Applicants for Restoration of Voting Rights

53. Members of the Executive Clemency Board routinely emphasize that the Board is “a court of mercy,”²² and its determinations are untethered to any laws, rules, standards, criteria or constraints of any kind. The Board frequently refers to vague, amorphous standards such as whether the applicant has “turned [his or her] life around”²³ or has shown remorse.²⁴ At the December 7, 2016 Board hearing, Defendant Governor Scott stated: “Clemency is . . . is—there's no standard. We can

²² Executive Clemency Board Hearing (June 24, 2015 at 00:03:27), *available at* <http://thefloridachannel.org/videos/62415-executive-clemency-board-meeting/> (last visited Mar. 9, 2017).

²³ *Id.* at 2:09:26; Executive Clemency Board Hearing (March 22, 2012 at 3:10:20), *available at* <http://thefloridachannel.org/videos/32212-executive-clemency-board-meeting/> (last visited March 8, 2017).

²⁴ Executive Clemency Board Hearing (December 7, 2006) (transcript at 142); Executive Clemency Board Hearing (March 25, 2015 at 3:07:25), <http://thefloridachannel.org/videos/32515-executive-clemency-board-meeting/> (last visited Mar. 9, 2017).

do whatever we want. But it's tied to what we said in the beginning, it's tied to remorse."²⁵ Governor Scott has also cited the applicant's "attitude" as a relevant criterion for his decisions.²⁶ These ad hoc standards are both unascertainable and fatal to uniform application.

54. If disclosed, the Executive Clemency Board's reasoning in granting or denying applications is purely arbitrary and may often be pretextual. Similarly situated individuals obtain diametrically opposite results based on the passing whims of the Board members, since nothing regulates their decision-making. Typically, the Board members probe applicants' records for information relating to whether they are leading reformed lives. They focus on drug and alcohol use, traffic violations such as speeding or driving with a suspended license, illegal registration and voting, employment status, family and other perceived indicia of living a moral life or having "turned [one's] life around," according to the Board members' beliefs.

55. One of the most frequent reasons Governor Scott cites for rejecting an application for restoration of civil rights is a record of traffic or moving violations. In these cases, Governor Scott usually states that speeding tickets, driving with a

²⁵ Executive Clemency Board Hearing (December 7, 2016 at 2:02:00-2:02:07), *available at* <http://thefloridachannel.org/videos/12716-executive-clemency-board-meeting/> (last visited Mar. 9, 2017).

²⁶ Executive Clemency Board Hearing (March 25, 2015 at 3:25-3:32), <http://thefloridachannel.org/videos/32515-executive-clemency-board-meeting/> (last visited Mar. 9, 2017).

suspended license or other traffic violations are indicative of an unwillingness to abide by the law. That these are minor infractions, not felonies, and that the constitutionally-protected right to vote hangs in the balance does not deter Governor Scott and the other Board members from denying an application on this basis. For instance, at a minimum, the following voting rights restoration applicants have been denied due to their driving records: Eric Rodriguez-Schack (June 15, 2000);²⁷ James Lee Miller (March 2, 2006);²⁸ Plaintiff James Michael Hand (December 16, 2011);²⁹ Dennis Ortega Miller (March 22, 2012);³⁰ Rex L. Carver (September 20, 2012);³¹ and Plaintiff Joseph James Galasso (March 20, 2013).³² However, in haphazard and arbitrary fashion, the Board will sometimes grant applications, notwithstanding equally lengthy records for the same moving violations. For example, the following applicants were granted despite having a substantial or lengthy record of moving violations, including speeding tickets: Mark Carston Addison (September 21,

²⁷ Executive Clemency Board Hearing (June 15, 2000) (transcript at 85-91).

²⁸ Executive Clemency Board Hearing (Mar. 2, 2006) (transcript at 263-65).

²⁹ Executive Clemency Board Hearing (Dec. 16, 2011 at 2:20:08-2:30:40), *available at* <http://thefloridachannel.org/videos/121611-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

³⁰ Executive Clemency Board Hearing (Mar. 22, 2012 at 2:45:18-2:55:40), *available at* <http://thefloridachannel.org/videos/32212-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

³¹ Executive Clemency Board Hearing (Sept. 20, 2012 at 2:17:10-2:21:40), *available at* <http://thefloridachannel.org/videos/92012-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

³² Executive Clemency Board Hearing (Mar. 20, 2013) (audio only and not available online).

2011);³³ Tameka S. Jordan (March 22, 2012);³⁴ Charles Douglas (December 13, 2012);³⁵ Gaston Mirabal (December 13, 2012);³⁶ Jeremy Lewis (September 25, 2013);³⁷ Gregory Louis Hansen (December 12, 2013);³⁸ Anthony Edward Manso (December 12, 2013, despite “so many traffic tickets”);³⁹ Richard Allen Slaughter III (March 19, 2014);⁴⁰ Nelson Thomas Cruz (June 18, 2014);⁴¹ Ronald Eugene Thompson (June 18, 2014);⁴² Rene De Moya (December 10, 2014);⁴³ Michael Anson

³³ Executive Clemency Board Hearing (Sept. 21, 2011 at 1:51:04-2:01:23), *available at* <http://thefloridachannel.org/videos/92111-executive-clemency-board-meeting/> (last visited Mar. 8, 2017)

³⁴ Executive Clemency Board Hearing (Mar. 22, 2012 at 1:14:12-1:20:28), *available at* <http://thefloridachannel.org/videos/32212-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

³⁵ Executive Clemency Board Hearing (Dec. 13, 2012 at 1:22:00-1:26:30), *available at* <http://thefloridachannel.org/videos/121312-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

³⁶ *Id.* at 2:46:23-2:53:13.

³⁷ Executive Clemency Board Hearing (Sept. 25, 2013 at 2:35:49-2:38:14), *available at* <http://thefloridachannel.org/videos/92513-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

³⁸ Executive Clemency Board Hearing (Dec. 12, 2013 at 2:18:54-2:20:05), *available at* <http://thefloridachannel.org/videos/121213-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

³⁹ *Id.* at 2:21:14-2:22:40.

⁴⁰ Executive Clemency Board Hearing (Mar. 19, 2014 at 3:09:20-3:12:16), *available at* <http://thefloridachannel.org/videos/031914-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

⁴¹ Executive Clemency Board Hearing (June 18, 2014 at 2:13:05-2:15:45), *available at* <http://thefloridachannel.org/videos/61814-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

⁴² *Id.* at 2:48:14-2:49:39.

⁴³ Executive Clemency Board Hearing (Dec. 10, 2014 at 3:19:30-3:23:05), *available at* <http://thefloridachannel.org/videos/121014-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

Smith (December 9, 2015);⁴⁴ and Elizabeth Gonzalez (December 9, 2015).⁴⁵ The reasons for this disparate treatment are elusive.

56. On occasion, the Board randomly imposes conditions on the restoration of civil rights to individuals with moving violations. The Board granted Tim Jones's restoration application at the March 2, 2006 hearing, despite a "long list" of traffic violations, but delayed the restoration of his right to vote until he completed a year without a new moving violation.⁴⁶ In June 24, 2015, Edwin Scheer, who had "the worst" traffic record the Board had seen, was also given a conditional grant but the probationary period was set at two years.⁴⁷ Governor Scott and the other Board members never explain why these individuals are more worthy of restoration or why their lengthy list of traffic violations does not militate in favor of a denial until they no longer violate any traffic laws. On information and belief, conditional grants appear to be used only for applicants with records of moving violations. The Board acts in a wholly arbitrary fashion with uncontrolled, standard-less discretion to approve some applicants and deny others, even if these decisions cannot be

⁴⁴ Executive Clemency Board Hearing (Dec. 9, 2015 at 1:29:57-1:41:26), *available at* <http://thefloridachannel.org/videos/12915-executive-clemency-board-meeting-part-2/> (last visited Mar. 8, 2017).

⁴⁵ *Id.* at 00:19:13-00:21:13.

⁴⁶ Executive Clemency Board Hearing (Mar. 2, 2006) (transcript at 271-75).

⁴⁷ Executive Clemency Board Hearing (June 24, 2015 at 1:08:59-2:12:31), *available at* <http://thefloridachannel.org/videos/62415-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

reconciled in any logical fashion to ensure any degree of horizontal equity across cases.

57. Some ex-felon restoration applicants are denied for drug use subsequent to the completion of their sentences. Others are granted, notwithstanding a record of post-sentence drug use. The Executive Clemency Board arbitrarily denies restoration applicants on the basis of subsequent drug use after the completion of the applicant's sentence, regardless of whether the charges resulted in a conviction. Governor Scott and the other Board members routinely question applicants over their past and present drug use or lack thereof, even if drugs played no role in their criminal records. They especially probe the applicant's drug use if he or she was convicted of a drug trafficking offense or if drug use played a role in the offense. These interrogations reveal how vulnerable the clemency process is to discrimination, including viewpoint discrimination.

58. Examples of arbitrary determinations abound when the Board is confronted with a record of subsequent drug use. At the December 9, 2015 Board hearing, Michael Lee Hazelwood's application was denied after he admitted that he occasionally smokes marijuana because it helps him sleep,⁴⁸ and Paul Antoine's application was denied at the March 3, 2016 hearing because of a 2008 cocaine

⁴⁸ Executive Clemency Board Hearing (Dec. 9, 2015 at 1:06:22-1:09:16), *available at* <http://thefloridachannel.org/videos/12915-executive-clemency-board-meeting-part-2/> (last visited Mar. 8, 2017).

possession charge, on which prosecutors took no action.⁴⁹ At the December 16, 2011 Board hearing, Brandon Garth Bloch was denied in large part because of marijuana possession in 2010 and post-sentence drug use.⁵⁰ Additionally, some applicants are even denied for drug use which precedes their sentences. For example, after his hearing on December 9, 2015, Kevin Michael Grenier was denied restoration of his civil rights because he had failed a drug test prior to his incarceration over 15 years before his hearing, and because Board members believed that he had not finished a court-ordered drug treatment program when he was 16 years old.⁵¹ However, at the September 21, 2016 Board hearing, Roger Simon admitted to continued marijuana use following his completed sentence for drug trafficking⁵² and, at the December 2016 hearing, Melissa Beth Ann-Miller admitted that she smoked marijuana as recently as 2012.⁵³ Despite these admissions of continued drug use, both Mr.

⁴⁹ Executive Clemency Board Hearing (Mar. 3, 2016 at 00:42:06-00:45:23), *available at* <http://thefloridachannel.org/videos/3316-executive-clemency-board-meeting-part-3/> (last visited Mar. 8, 2017).

⁵⁰ Executive Clemency Board Hearing (Dec. 16, 2011 at 1:50:26-2:07:47), *available at* <http://thefloridachannel.org/videos/121611-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

⁵¹ Executive Clemency Board Hearing (Dec. 9, 2015 at 1:00:49-1:06:04), *available at* <http://thefloridachannel.org/videos/12915-executive-clemency-board-meeting-part-2/> (last visited Mar. 8, 2017).

⁵² Executive Clemency Board Hearing (Sept. 21, 2016 at 4:05:15-4:11:05), *available at* <http://thefloridachannel.org/videos/92116-executive-clemency-board-meeting-part-2/> (last visited Mar. 8, 2017).

⁵³ Executive Clemency Board Hearing (Dec. 7, 2016 at 2:07:01-2:10:36), *available at* <http://thefloridachannel.org/videos/12716-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

Simon's and Ms. Ann-Miller's applications for restoration of civil rights were nevertheless granted. Similarly, at the September 20, 2012 hearing, Brian Ohle's voting rights were restored notwithstanding the fact that he had used drugs in 2007 following his conviction for a crime committed while intoxicated.⁵⁴ At the March 19, 2014 hearing, it was noted that Danny Cuesta, who had previously been convicted of a federal drug offense, was re-arrested in 2001 for possession of cocaine at a nightclub.⁵⁵ Despite this fact, the Board restored Mr. Cuesta's civil rights. Governor Scott will also arbitrarily ask certain applicants whether they still use drugs and then skip this question for others. It is impossible to reconcile all of these cases other than by reference to the passing whims of the Board members and the undisclosed reasons for rejecting particular applicants. An applicant's race, ethnicity, religion, failure to identify with any religion, dress, manner of speech, as well as a guess as to the applicant's political inclinations and views, might all play a role in these seemingly random denials. A system of absolute discretion in licensing is a license to discriminate.

⁵⁴ Executive Clemency Board Hearing (Sept. 20, 2012 at 1:49:48-1:56:38), *available at* <http://thefloridachannel.org/videos/92012-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

⁵⁵ Executive Clemency Board Hearing (Mar. 19, 2014 at 2:11:37-1:13:59), *available at* <http://thefloridachannel.org/videos/031914-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

59. Alcohol use is another frequent focus of the Board members' interrogations. The Executive Clemency Board arbitrarily denies applicants for restoration of civil rights on the basis of subsequent alcohol use after the completion of the sentence. Restoration applicants routinely face questioning by Governor Scott and the other Board members over their use of alcohol, even if alcohol played no role in their criminal record but especially if they were convicted of DUI manslaughter or any other offense in which intoxication played a substantial role. For some applicants who were previously convicted of DUI manslaughter, Governor Scott has zero tolerance for even infrequent, responsible drinking at social occasions like weddings. At the June 2, 2011, December 13, 2012 and September 25, 2013 hearings, the Board denied Ronald Kessler,⁵⁶ Brent Walter Rouse⁵⁷ and Robert Allen Parsons'⁵⁸ applications, respectively, citing their continued drinking following sentences for DUI manslaughter, even if the applicants represented that their drinking was rare and responsible. For example, Governor Scott told Mr. Rouse that if he had his criminal background, he would never drink again: "[U]ntil you stop

⁵⁶ Executive Clemency Board Hearing (June 2, 2011 at 1:39:41-1:46:22), *available at* <http://thefloridachannel.org/videos/621111-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

⁵⁷ Executive Clemency Board Hearing (Dec. 13, 2012 at 3:24:55-3:35:30), *available at* <http://thefloridachannel.org/videos/121312-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

⁵⁸ Executive Clemency Board Hearing (Sept. 25, 2013 at 4:16:34-4:21:42), *available at* <http://thefloridachannel.org/videos/92513-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

drinking I would never ever—if I was in an accident and somebody died I would never touch alcohol again.”⁵⁹

60. At other times, Governor Scott questions applicants who were intoxicated at the time of their offenses and, after confirming that their present drinking is minimal, occasional and/or responsible, moves to grant the application. For example, at the June 2, 2011 Board hearing, James Labossiere’s restoration application was granted despite stating that he still drinks following his conviction for a crime he committed while intoxicated.⁶⁰ At the March 22, 2012 hearing, the Board restored Gerald Bryan Kelly’s voting rights even though he informed Governor Scott that he drinks on occasion after having served time for a DUI manslaughter conviction.⁶¹ At the September 20, 2012 hearing, Brian Ohle’s application was granted even though he admitted to both alcohol and drug use after his conviction for his crime and as recently as five years prior to his hearing.⁶² At

⁵⁹ Executive Clemency Board Hearing (Dec. 13, 2012 at 3:35:10), *available at* <http://thefloridachannel.org/videos/121312-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

⁶⁰ Executive Clemency Board Hearing (June 2, 2011 at 2:44:17-3:00:10), *available at* <http://thefloridachannel.org/videos/621111-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

⁶¹ Executive Clemency Board Hearing (Mar. 22, 2012 at 2:20:56-2:33:07), *available at* <http://thefloridachannel.org/videos/32212-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

⁶² Executive Clemency Board Hearing (Sept. 20, 2012 at 1:49:48-1:56:38), *available at* <http://thefloridachannel.org/videos/92012-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

the June 26, 2013 hearing, another DUI manslaughter ex-felon Ronald Burgess Kilpatrick's application was granted, even though he drinks on occasion.⁶³ Finally, at the December 2016 hearing, Jason Lehlbeck, who was convicted of DUI reckless driving, was re-enfranchised despite his admission that he drinks about four to six drinks per week.⁶⁴ Governor Scott's zero tolerance policy for drinking by those convicted of DUI crimes is randomly applied. It may be just another pretextual reason and it once again underscores the erratic, arbitrary nature of the Board's decision-making.

61. The Executive Clemency Board has been similarly inconsistent in handling applicants who have unlawfully registered and voted, even though in almost all cases the applicant represents that they did not do so knowingly. In 2011, Governor Scott rejected at least five different applicants because they had unlawfully registered and voted as ex-felons, even when these individuals pleaded that they did not do so knowingly and that they were given misinformation by local and state officials. They include: Dorothy Tabb Bucknor (February 24, 2011);⁶⁵ Leon Gillis

⁶³ Executive Clemency Board Hearing (June 26, 2013 at 2:19:19-2:27:35), *available at* <http://thefloridachannel.org/videos/62613-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

⁶⁴ Executive Clemency Board Hearing (Dec. 7, 2016 at 2:48:08-2:53:55), *available at* <http://thefloridachannel.org/videos/12716-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

⁶⁵ Executive Clemency Board Hearing (Feb. 24, 2011 at 1:50:32-1:56:00), *available at* <http://thefloridachannel.org/videos/22411-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

III (June 2, 2011);⁶⁶ Tiffany Paramore (December 16, 2011);⁶⁷ Donald Charles Green (December 16, 2011);⁶⁸ and Elston Roberto Joyner (December 16, 2011).⁶⁹ For Ms. Paramore, Governor Scott said he would be more comfortable when she re-applied in two years, begging the question why the Board would excuse her illegal voting in two years, if it was unprepared to do so at the 2011 hearing. Following statements by Defendants CFO Atwater and Commissioner Putnam criticizing the Department of Corrections and the County Supervisors of Elections for their failure to educate ex-felons on their disenfranchisement, it appears Governor Scott's Executive Clemency Board has not denied anyone solely for illegal voter registration and/or voting. However, upon information and belief, the Board did not seek to revisit and reverse the denials of those applicants rejected in 2011 for illegal voting. For those applicants, their uncorrected denials remain irreconcilable and arbitrary.

62. Since the fate of every applicant's right to vote rests in the unconstrained discretion of four governmental officials, the clemency process is vulnerable to viewpoint discrimination including discrimination on the basis of

⁶⁶ Executive Clemency Board Hearing (June 2, 2011 at 2:09:06-2:16:49), *available at* <http://thefloridachannel.org/videos/621111-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

⁶⁷ Executive Clemency Board Hearing (Dec. 16, 2011 at 3:10:13-3:19:59), *available at* <http://thefloridachannel.org/videos/121611-executive-clemency-board-meeting/> (last visited Mar. 8, 2017).

⁶⁸ *Id.* at 2:11:23-2:19:40.

⁶⁹ *Id.* at 2:46:39-2:51:43.

political party affiliation. There are no rules prohibiting such discriminatory treatment and no way to police the process for such discrimination because the Executive Clemency Board members do not always disclose their reasons for granting or denying an application. The Board can try to infer an applicant's political leanings based on his or her statements, residence address, race or ethnicity and even perhaps information outside the case file presented by the Office of Clemency Investigations, and then act on that ulterior basis. Given these circumstances, it is unsurprising that certain applicants and their supporting witnesses make partisan appeals to the Governor and other Board members.

63. Applicants and witnesses on their behalf signal political leanings and policy preferences, sometimes quite explicitly. For instance, a 25-year veteran of law enforcement testified on behalf of Patrick Durden at the March 3, 2016 hearing, stating that Mr. Durden should be able “to vote, to be a part of the process—to be a part of the political process, whether it’s seeking office or to vote or to serve on a jury, this is the type of person that we want out there doing . . . Beyond his conservative views which are in all of our favor. . . .”⁷⁰ Mr. Durden’s civil rights were restored. Some applicants have sought to curry favor by identifying themselves with the current Governor’s political party in subtle or more overt ways. These

⁷⁰ Executive Clemency Board Hearing (Mar. 3, 2016 at 00:58:32-1:08:30), *available at* <http://thefloridachannel.org/videos/3316-executive-clemency-board-meeting-part-3/> (last visited Mar. 9, 2017).

statements may well make the difference or give board members a reason to grant an application, even though similarly situated applicants have been denied. A system of unregulated discretion to license ex-felons to vote allows current and future Board members of *any* political party to use the clemency power for partisan ends. Such a system is highly vulnerable to viewpoint discrimination, which can be easily camouflaged by a variety of stated, pretextual reasons for denying or granting particular applicants. At the December 12, 2013 hearing, applicant Stephen A. Warner was challenged on his recent illegal voting in 2010, and he responded by saying he had voted for Governor Scott: “I voted for you.” Notwithstanding the illegal voting on his record and the fact that other applicants had been denied on this basis in 2011, the Board proceeded to grant Mr. Warner’s application for restoration of civil rights.⁷¹ At the December 7, 2016 hearing, a Tallahassee police officer spoke in favor of Robert Arnold Martin’s application and also sought to appeal to the Board’s political preferences by stating “he is very conservative”—Mr. Martin’s application was granted.⁷² And at the June 24, 2015 Board hearing, Scott Moore

⁷¹ Executive Clemency Board Hearing (Dec. 12, 2013 at 3:47:38-3:50:19), *available at* <http://thefloridachannel.org/videos/121213-executive-clemency-board-meeting/> (last visited Mar. 9, 2017).

⁷² Executive Clemency Board Hearing (Dec. 7, 2016 at 2:02:53-2:06:45), *available at* <http://thefloridachannel.org/videos/12716-executive-clemency-board-meeting/> (last visited Mar. 9, 2017).

regained his right to vote after his wife testified to “his conservative principles.”⁷³ By contrast, on September 20, 2012, Rex L. Carver, a military veteran, spoke forcefully at his hearing on the injustice of felon disenfranchisement and the need to protect the fundamental right to vote.⁷⁴ Discounting the evidence that Mr. Carver had indeed turned away from crime and was gainfully employed, Governor Scott simply noted that the applicant had a record of traffic violations and stated: “If you look at it from our standpoint, you look at it and you say, gosh this is an individual that doesn’t worry about complying with the law.”⁷⁵ Mr. Carver’s application was denied. While these are examples from a Republican administration, in the future, the Executive Clemency Board may be controlled by a Democratic or Libertarian administration. From 1991 to 1998, Florida’s Governor was a Democrat. The problem with these discretionary restoration decisions exists no matter who is in office. This is precisely why politicians should not be given unfettered discretion to decide who can vote.

64. Further examples of the Board’s arbitrariness abound. Even though Governor Scott’s Executive Clemency Board adopted five- and seven-year waiting

⁷³ Executive Clemency Board Hearing (June 24, 2015 at 2:37:47-2:42:51), *available at* <http://thefloridachannel.org/videos/62415-executive-clemency-board-meeting/> (last visited Mar. 9, 2017).

⁷⁴ Executive Clemency Board Hearing (September 20, 2012 at 2:17:10-2:21:40), *available at* <http://thefloridachannel.org/videos/92012-executive-clemency-board-meeting/> (last visited Mar. 9, 2017).

⁷⁵ *Id.* at 2:21:08.

periods before ex-felons could even apply for restoration of civil rights, the Governor nevertheless frequently denies applicants by noting simply and cryptically that “more time needs to pass.”⁷⁶ There is no consistency in these snap determinations as to what constitutes an adequate amount of time between the completion of a sentence and re-enfranchisement. At the December 16, 2011 hearing, the Board noted it had been less than ten years since Timothy John Faulker⁷⁷ and Plaintiff Harold William Girscis, Jr.⁷⁸ were released. At the June 2, 2011 hearing, Governor Scott told Anna McFarland Wood that she needs to be crime-free for a longer period of time than four years,⁷⁹ and he told Stephen Edward Crain that he would like to wait a little longer.⁸⁰ Every year applicants are denied because the Governor on whim determines that not enough time has passed since the sentence was completed: Shawn Hughes (December 16, 2011);⁸¹ Michael L. Price (March 22,

⁷⁶ Executive Clemency Board Hearing (December 9, 2015 at 1:23:40-1:23:45), *available at* <http://thefloridachannel.org/videos/12915-executive-clemency-board-meeting-part-2/> (last visited Mar. 10, 2017).

⁷⁷ Executive Clemency Board Hearing (December 16, 2011 at 1:24:01-1:24:58), *available at* <http://thefloridachannel.org/videos/121611-executive-clemency-board-meeting/> (last visited Mar. 9, 2017).

⁷⁸ *Id.* at 1:25:01-1:26:03.

⁷⁹ Executive Clemency Board Hearing (June 2, 2011 at 4:05:18-4:16:35), *available at* <http://thefloridachannel.org/videos/621111-executive-clemency-board-meeting/> (last visited Mar. 9, 2017).

⁸⁰ *Id.* at 2:02:04-2:08:23.

⁸¹ Executive Clemency Board Hearing (December 16, 2011 at 2:30:50-2:37:22), *available at* <http://thefloridachannel.org/videos/121611-executive-clemency-board-meeting/> (last visited Mar. 9, 2017).

2012; “needs a little more time”);⁸² Luis Frederico Zouain (March 22, 2012; “it’s only been eleven years”);⁸³ Charles Williamson (December 13, 2012; “more time ought to pass”);⁸⁴ Virginia Atkins (June 26, 2013; “at this point I don’t feel comfortable” despite her release from incarceration 10 years earlier);⁸⁵ and Gene Alan Rothstein (December 12, 2013; “more time needs to pass”).⁸⁶ At the March 19, 2014 Board hearing, Governor Scott denied Vinicio Marmolejos’s application, telling him that he had started heading in the right direction but that he would “like more time to change your life and to show that you have changed.”⁸⁷ Governor Scott and the other Board members effectively substitute their own judgment for that of the courts and the Florida Commission on Offender Review which decide how long a criminal sentence or period of post-sentence supervision should be. The Board is

⁸² Executive Clemency Board Hearing (March 22, 2012 at 3:06:48-3:10:38), *available at* <http://thefloridachannel.org/videos/32212-executive-clemency-board-meeting/> (last visited Mar. 9, 2017).

⁸³ *Id.* at 3:17:32-3:22:48.

⁸⁴ Executive Clemency Board Hearing (December 13, 2012 at 3:46:23-3:51:31), *available at* <http://thefloridachannel.org/videos/121312-executive-clemency-board-meeting/> (last visited Mar. 9, 2017).

⁸⁵ Executive Clemency Board Hearing (June 26, 2013 at 2:52:17-2:56:02), *available at* <http://thefloridachannel.org/videos/62613-executive-clemency-board-meeting/> (last visited Mar. 9, 2017).

⁸⁶ Executive Clemency Board Hearing (December 12, 2013 at 3:21:53-3:26:52), *available at* <http://thefloridachannel.org/videos/121213-executive-clemency-board-meeting/> (last visited Mar. 9, 2017).

⁸⁷ Executive Clemency Board Hearing (March 19, 2014 at 2:52:51-2:55:20), *available at* <http://thefloridachannel.org/videos/031914-executive-clemency-board-meeting/> (last visited Mar. 9, 2017).

essentially given the unchecked power to indefinitely extend a sentence when it comes to that ex-felon's civil rights.

65. Finally, the Executive Clemency Board also arbitrarily enforces its own rules for processing and adjudicating clemency applications. As previously noted, an applicant for restoration of civil rights is only eligible for restoration without a hearing under Rule of Executive Clemency 9, if he or she has not been convicted of a crime on a list of selected felonies. Fla. R. Exec. Clemency 9.A.4. Otherwise, if the applicant has been convicted of a felony on that list, he or she must be processed under Rule of Executive Clemency 10, which requires a seven-year waiting period and a hearing. Plaintiff William Bass has recently been denied for restoration without a hearing and referred to the Office of Clemency Investigations for an investigation and ultimately a hearing on his application. However, the requirements of Rules 9 and 10 seem to be arbitrarily waived for certain applicants. Roderick Kemp, who – on information and belief – had pled guilty to a second-degree felony for possession with intent to deliver under FLA. STAT. ANN. §§ 893.13(1)(a)(1), 893.03(2)(a) back in 1986 and who had applied for a pardon in 2015, suddenly received a letter in the mail with an enclosed certificate announcing his civil rights had been restored by executive order dated January 13, 2017. While Mr. Kemp has waited much more than 5 or 7 years after completing his sentence, no hearing had ever been scheduled for his case, and he was granted restoration without a hearing,

even though individuals convicted of “second degree felonies described in F.S. Chapter 893” are ineligible for restoration without a hearing under Rule 9. The Executive Clemency Board’s selective leniency and fast-tracking in this case appears to be a direct result of the fact that Mr. Kemp’s case had garnered public attention in the media and a recent documentary film produced by the Florida Center for Investigative Reporting. Of course, not all of the estimated 1.68 million disenfranchised ex-felons in Florida will be able to garner media attention if that compels the Board’s attention and a waiver of its own rules. Similarly, the Board sometimes creates ad hoc rules. At the March 3, 2016 hearing, the Board denied two applicants and imposed a 50-year waiting period before they could reapply, effectively disenfranchising applicant David Bruce Easterling – who was 54 years old at the time – for life.⁸⁸

CLASS ACTION ALLEGATIONS

PLAINTIFF CLASS (COUNTS 1-3)

66. Plaintiffs bring this action on behalf of themselves and all those similarly situated pursuant to Federal Rules of Civil Procedure 23(a) and 23(b)(2).

The Plaintiff Class is defined as:

⁸⁸ Executive Clemency Board Hearing (March 3, 2016 at 1:08:37-1:16:23), *available at* <http://thefloridachannel.org/videos/3316-executive-clemency-board-meeting-part-3/> (last visited Mar. 9, 2017).

Any current or future resident of the State of Florida who is a United States citizen, at least 18 years of age, not disqualified under the mental incapacitation provisions in FLA. CONST. art. VI, § 4(a) and FLA. STAT. ANN. § 97.041(2)(a), who is disenfranchised under Florida state law by reason of a prior felony conviction under FLA. CONST. art. VI, § 4(a) and FLA. STAT. ANN. § 97.041(2)(b) and who has completed his or her full sentence for all felony convictions including any period of parole, probation, supervised release and/or community control and any other condition of supervision.

67. It is estimated that 1.68 million Floridians are disenfranchised by reason of a prior felony conviction.⁸⁹ 10,513 applicants for restoration of civil rights were pending in the Executive Clemency Board's backlog as of March 1, 2017. More ex-felons complete their sentences including parole, probation and/or supervised release every month. According to the Florida Department of Corrections, "[a]pproximately 39,727 (46.1%) offenders completed their sentences successfully" in FY 2014-2015.⁹⁰ In FY 2015-2016, the Office of Executive Clemency received 6,462 clemency applications.⁹¹

68. Questions of law are common to the class including: (1) whether Florida state law governing felon disenfranchisement and re-enfranchisement by

⁸⁹ See *supra* note 5 (Table 3).

⁹⁰ Florida Department of Corrections, Annual Report Fiscal Year 2014-2015, at 54, available at http://www.dc.state.fl.us/pub/annual/1415/FDC_AR2014-15.pdf (last visited Mar. 10, 2017).

⁹¹ Florida Commission on Offender Review: 2015-2016 Annual Report, at 8, available at <https://www.fcor.state.fl.us/docs/reports/FCORannualreport201516.pdf> (last visited Mar. 9, 2017).

way of the Executive Clemency Board's restoration process violates the First Amendment's guarantee against prior restraints vesting government officials with unfettered discretion to arbitrarily issue or deny licenses or permits to engage in speech, association and/or any other activity or conduct protected by the First Amendment to the United States Constitution; (2) whether Florida state law governing felon disenfranchisement and re-enfranchisement violates the Fourteenth Amendment's prohibition on arbitrary allocation of the franchise; and (3) whether the lack of any definite time limits in Florida state law governing felon disenfranchisement and re-enfranchisement for processing and making decisions on applications for the restoration of voting rights violates the First Amendment requirement that government officials authorized to license speech, association and/or any other activity or conduct protected by the First Amendment to the United States Constitution process applications and make their determinations within a defined time period. The factual questions that are relevant to these three legal questions reflecting Claims 1, 2 and 3 are all common to the class and will have answers that are common to the class as a whole as well.

69. Plaintiffs' claims are typical of the class. Since this is a facial challenge to a set of unconstitutional laws and procedures, Plaintiffs all suffer the same constitutional injury regardless of whether their applications for restoration of civil rights have been denied, are still pending or have not yet been filed. All the Plaintiffs

and all members of the proposed Plaintiff Class are subjected to a set of felon disenfranchisement and re-enfranchisement laws and procedures which condition the restoration of their First Amendment-protected right to vote on the unfettered discretion of the Executive Clemency Board. As a consequence of this unlawful prior restraint, all Plaintiffs' voting rights are subject to the Board's unconstitutionally arbitrary decision-making or arbitrary allocation of the franchise; and all Plaintiffs are subjected to a scheme which lacks definite time limits on the licensing authority's ultimate determinations.

70. Plaintiffs will fairly and adequately represent the interests of all members of the proposed class because they seek relief on behalf of the class as a whole and have no interests antagonistic to other members of the class. Plaintiffs, like other members of the proposed Plaintiff Class, face a set of felon disenfranchisement and re-enfranchisement laws and procedures which condition the restoration of their First Amendment-protected right to vote on the unconstitutionally unfettered discretion of government officials, a voter-licensing scheme which arbitrarily allocates the franchise and lacks any time limits on the processing and adjudication of applications. They seek to have FLA. CONST. art. VI, § 4(a), FLA. STAT. ANN. § 97.041(2)(a), FLA. CONST. art. VI, § 4, FLA. CONST. art. IV, § 8, FLA. STAT. ANN. § 944.292(1) and the Florida Rules of Executive Clemency declared unlawful and permanently enjoined so that upon any ex-felon's completion

of his or her full sentence including any period of parole, probation and/or supervised release, he or she will be automatically and immediately restored to his or her voting rights. This will obviate the need – pursuant to FLA. CONST. art. VI, § 4(a), FLA. STAT. ANN. § 97.041(2)(a), FLA. CONST. art. VI, § 4, FLA. CONST. art. IV, § 8, FLA. STAT. ANN. § 944.292(1) and the Florida Rules of Executive Clemency – to petition the Executive Clemency Board for and secure the restoration of their voting rights by a full pardon, conditional pardon or restoration of civil rights pursuant to Art. IV, Sec. 8 of the Florida Constitution.

71. Proposed class counsel will fairly and adequately represent the class. Proposed class counsel is experienced with civil rights litigation, including voting rights cases and class actions.

72. Defendants have acted and will continue to act on grounds generally applicable to the Plaintiff Class in requiring disenfranchised ex-felons – pursuant to FLA. CONST. art. VI, § 4(a), FLA. STAT. ANN. § 97.041(2)(a), FLA. CONST. art. VI, § 4, FLA. CONST. art. IV, § 8, FLA. STAT. ANN. § 944.292(1) and the Florida Rules of Executive Clemency – to petition the Executive Clemency Board for and secure the restoration of voting rights by a full pardon, conditional pardon, or restoration of civil rights granted pursuant to Art. IV, Sec. 8 of the Florida Constitution, before they can register to vote and vote. Final declaratory and injunctive relief is appropriate with respect to the Plaintiff Class.

SUBCLASS A (COUNT 4)

73. Plaintiff Yraida Leonides Guanipa seeks to represent a subclass (Subclass A), which is a subset of the Plaintiff Class and defined as:

Any current or future resident of the State of Florida who is a United States citizen, at least 18 years of age, not disqualified under the mental incapacitation provisions in FLA. CONST. art. VI, § 4(a) and FLA. STAT. ANN. § 97.041(2)(a), who is disenfranchised under Florida state law by reason of a prior felony conviction under FLA. CONST. art. VI, § 4(a) and FLA. STAT. ANN. § 97.041(2)(b) and who has completed his or her full sentence for all felony convictions including any period of parole, probation, supervised release and/or community control and any other condition of supervision, but who has not yet waited 5 or 7 years – whichever is applicable to the individual – since the completion of his or her sentence as required to apply for restoration of civil rights under Florida Rules of Executive Clemency 9 and 10, respectively.

74. Again, it is estimated that 1.68 million Floridians are disenfranchised by reason of a prior felony conviction.⁹² 10,513 applicants for restoration of civil rights were pending in the Executive Clemency Board's backlog as of March 1, 2017. More ex-felons complete their sentences including parole, probation and/or supervised release every month. According to the Florida Department of Corrections, "[a]pproximately 39,727 (46.1%) offenders completed their sentences successfully" in FY 2014-2015.⁹³ Accordingly, at a minimum, there are at least tens

⁹² See *supra* note 5 (Table 3).

⁹³ Florida Department of Corrections, Annual Report Fiscal Year 2014-2015, at 54, available at http://www.dc.state.fl.us/pub/annual/1415/FDC_AR2014_15.pdf (last visited Mar. 10, 2017).

of thousands of Subclass A members who have not yet completed their 5- or 7-year waiting periods following the completion of their sentences in accordance with Florida Rules of Executive Clemency 9 and 10.

75. Questions of law and fact are common to Subclass A including: whether the requirement under Florida Rules of Executive Clemency 9 and 10 for ex-felons to wait 5 or 7 years following sentence completion before applying for restoration of voting rights, constitutes an undue burden on the right to vote not justified by the state's interests and therefore violates the First and Fourteenth Amendments to the U.S. Constitution. These waiting periods are "severe restriction[s]" which are not "narrowly drawn to advance a state interest of compelling importance." *Burdick v. Takushi*, 504 U.S. 428, 434 (1992). Even if the Court were to find they constitute "reasonable, nondiscriminatory restrictions," they are not justified by "the State's important regulatory interests." *Id.* The balancing of the restriction against the state's interests is a common question of fact and law for the entirety of Subclass A, since the burden of the 5- and 7-year waiting periods after the completion of a sentence does not vary from subclass member to subclass member. Each Subclass A member suffers the same injury in being required effectively to serve an unnecessary, de facto second sentence before applying for the restoration of his or her voting rights.

76. Plaintiff Yraida Leonides Guanipa's claim is typical of Subclass A's members' claims under Count Four. Subclass A members all suffer the same injury of being forced to endure an unnecessary, de facto second sentence before applying for restoration of their voting rights. Ms. Guanipa and all members of the proposed Subclass A are subjected to the severe restriction of a pre-application 5- or 7-year waiting period, which is not narrowly drawn to advance a state interest of compelling importance. Nor does it further an important regulatory interest.

77. Plaintiff Yraida Leonides Guanipa will fairly and adequately represent the interests of all members of the proposed subclass because she seeks relief on behalf of Subclass A as a whole and has no interests antagonistic to other members of the subclass. Ms. Guanipa, like other members of proposed Subclass A, faces an unconstitutionally severe restriction in the waiting period requirements imposed by the Executive Clemency Board in 2011. Ms. Guanipa and the members of proposed Subclass A seek to have the 5- and 7-year waiting period requirements imposed in Florida Rules of Executive Clemency 9 and 10 declared unlawful and permanently enjoined as undue burdens on the right to vote in violation of the First and Fourteenth Amendments to the U.S. Constitution.

78. Proposed class counsel will fairly and adequately represent the class. Proposed class counsel is experienced with civil rights litigation, including voting rights and First Amendment cases.

79. Defendants have acted and will act on grounds generally applicable to Subclass A in requiring disenfranchised ex-felons who have completed their full sentences to wait 5 or 7 years, pursuant to Florida Rules of Executive Clemency 9 and 10, respectively, before applying for the restoration of their voting rights. Final declaratory and injunctive relief is appropriate with respect to Subclass A.

CLAIMS

COUNT ONE

(All Plaintiffs and Plaintiff Class)

(Unfettered Official Discretion and Arbitrary Treatment in Violation of First Amendment to the United States Constitution and 42 U.S.C. § 1983)

80. The factual allegations contained in the preceding paragraphs are incorporated into Count One, as though fully set forth herein.

81. Plaintiffs assert a claim pursuant to 42 U.S.C. § 1983 for violation of the First Amendment to the U.S. Constitution.

82. The First Amendment provides that: “Congress shall make no law . . . abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.” U.S. CONST. amend. I, § 1.

83. The First Amendment protects the right to vote because voting is both a form of speech or expressive conduct and a means of political association. *Doe v. Reed*, 561 U.S. 186, 195-96 & n.1 (2010); *id.* at 224 (Scalia, J., concurring) (“We have acknowledged the existence of a First Amendment interest in voting . . .”)

(citing *Burdick v. Takushi*, 504 U.S. 428 (1992)); *California Democratic Party v. Jones*, 530 U.S. 567, 574 (2000); *Timmons v. Twin Cities Area New Party*, 520 U.S. 351, 354-57 (1997); *McIntyre v. Ohio Elections Comm’n*, 514 U.S. 334, 341-43 (1995); *Burdick v. Takushi*, 504 U.S. 428, 434, 437-39 (1992); *Norman v. Reed*, 502 U.S. 279, 288-90 (1992); *Tashjian v. Republican Party of Connecticut*, 479 U.S. 208, 214-17 (1986); *Munro v. Socialist Workers Party*, 479 U.S. 189, 193, 199 (1986); *Anderson v. Celebrezze*, 460 U.S. 780, 787-89 (1983); *Illinois State Bd. of Elections v. Socialist Workers Party*, 440 U.S. 173, 184 (1979); *Storer v. Brown*, 415 U.S. 724, 728-29 (1974); *Kusper v. Pontikes*, 414 U.S. 51, 56-58 (1973); *Williams v. Rhodes*, 393 U.S. 23, 30-31 (1968). Because registration is a prerequisite to and/or enables voting in primary and general elections, it too is protected by the First Amendment. See *Nixon v. Shrink Missouri Government PAC*, 528 U.S. 377, 400 (2000) (Breyer, J., concurring) (“[A] decision to contribute money to a campaign is a matter of First Amendment concern—not because money *is* speech (it is not); but because it *enables* speech.”) (emphasis in original).

84. The First Amendment forbids vesting government officials with unfettered discretion to issue or deny licenses or permits to engage in any First Amendment-protected speech, expressive conduct, association or any other protected activity or conduct. *Forsyth Cnty., Ga. v. Nationalist Movement*, 505 U.S. 123, 130-33 (1992) (“The First Amendment prohibits the vesting of such unbridled

discretion in a government official.”); *City of Lakewood v. Plain Dealer Publ’g Co.*, 486 U.S. 750, 763-64 (1988) (“[A] law or policy permitting communication in a certain manner for some but not for others raises the specter of content and viewpoint censorship. This danger is at its zenith when the determination of who may speak and who may not is left to the unbridled discretion of a government official.”); *Shuttlesworth v. City of Birmingham, Ala.*, 394 U.S. 147, 153 (1969) (“[A government] may not empower its licensing officials to roam essentially at will, dispensing or withholding permission to speak, assemble, picket, or parade according to their own opinions regarding the potential effect of the activity in question on the ‘welfare,’ ‘decency,’ or ‘morals’ of the community.”); *Cox v. State of Louisiana*, 379 U.S. 536, 554-58 (1965); *Staub v. City of Baxley*, 355 U.S. 313, 322 (1958) (“It is settled by a long line of recent decisions of this Court that an ordinance which, like this one, makes the peaceful enjoyment of freedoms which the Constitution guarantees contingent upon the uncontrolled will of an official—as by requiring a permit or license which may be granted or withheld in the discretion of such official—is an unconstitutional censorship or prior restraint upon the enjoyment of those freedoms.”); *Niemotko v. State of Md.*, 340 U.S. 268, 271-73 (1951) (striking down prior restraint on use of parks, noting that hearing focused on “alleged refusal to salute the flag, their views on the Bible, and other issues irrelevant to unemcumbered [*sic*] use of the public parks” and that Mayor testified applicant’s

demeanor at hearing doomed application); *Saia v. People of State of New York*, 334 U.S. 558, 560-62 (1948) (striking down prior restraint scheme of “uncontrolled discretion” to grant or deny permits for use of loud-speakers) (“Annoyance at ideas can be cloaked in annoyance at sound.”).

85. Similarly, the First Amendment requires that any time, place and manner regulation not be arbitrary or arbitrarily administered. If decisions as to the time, place and manner of voting are left to the whims of government officials, then the regulation is invalid. “A government regulation that allows arbitrary application is ‘inherently inconsistent with a valid time, place, and manner regulation because such discretion has the potential for becoming a means of suppressing a particular point of view.’” *Forsyth Cnty.*, 505 U.S. at 130-31 (quoting *Heffron v. Int’l Soc’y for Krishna Consciousness, Inc.*, 452 U.S. 640, 649 (1981)); *Poulos v. State of New Hampshire*, 345 U.S. 395, 405-08 (1953). Florida’s felon disenfranchisement and re-enfranchisement laws together operate as an invalid prior restraint, not a valid time, place and manner regulation.

86. Defendant-Members of the Executive Clemency Board are vested with the authority to deny or grant applications for the restoration of civil rights but its discretion in issuing licenses to vote is absolute. The Board’s decisions are unconstrained by any laws or rules and guided by only the vaguest and most

subjective of uncodified standards. This scheme therefore constitutes an unconstitutional prior restraint.

87. First Amendment doctrine does not require plaintiffs to demonstrate actual evidence of discriminatory and/or arbitrary treatment. The risk of such discriminatory and/or arbitrary treatment in the absence of any constraints is sufficient. *Forsyth Cnty.*, 505 U.S. at 133 n.10; *City of Lakewood*, 486 U.S. at 769-70. Nevertheless, this Complaint has alleged numerous actual instances of arbitrary and/or discriminatory treatment which directly result from a procedure marked by unconstrained official discretion in the restoration of voting rights to ex-felons.

88. FLA. CONST. art. VI, § 4(a), FLA. STAT. ANN. § 97.041(2)(a), FLA. CONST. art. VI, § 4, FLA. CONST. art. IV, § 8, FLA. STAT. ANN. § 944.292(1) and the Florida Rules of Executive Clemency require that an ex-felon obtain the Executive Clemency Board's permission in order to regain his or her right to vote, and therefore function as a prior restraint on First Amendment-protected voting. Florida state law and administrative rules and procedures contain no constraints on the Board's discretionary power to grant or deny applications for the restoration of voting rights, making the system prone to arbitrary or discriminatory treatment. As a licensing scheme of standard-less, unfettered official discretion, it violates the First Amendment to the U.S. Constitution.

89. At all relevant times, Defendants have acted under color of state law.

90. Defendants, acting under color of state law, have deprived and will continue to deprive Plaintiffs and the Plaintiff Class of their right to be free from unconstitutional prior restraints and/or unconstitutional time, place and manner regulations in seeking the restoration of their voting rights. This right is guaranteed to Plaintiffs and the Plaintiff Class by the First Amendment to the U.S. Constitution and 42 U.S.C. § 1983.

COUNT TWO
(All Plaintiffs and Plaintiff Class)
(Arbitrary Allocation of the Franchise in Violation of Equal Protection Clause of the Fourteenth Amendment to the United States Constitution and 42 U.S.C. § 1983)

91. The factual allegations contained in the preceding paragraphs are incorporated into Count Two, as though fully set forth herein.

92. Plaintiffs assert a claim pursuant to 42 U.S.C. § 1983 for violation of the Fourteenth Amendment to the U.S. Constitution.

93. The Fourteenth Amendment to the U.S. Constitution forbids states from “deny[ing] to any person within its jurisdiction the equal protection of the laws.” U.S. CONST. amend. XIV, § 1.

94. The Equal Protection Clause of the Fourteenth Amendment protects the right to vote and applies to both “the initial allocation of the franchise” and “the manner of its exercise.” *Bush v. Gore*, 531 U.S. 98, 104 (2000).

95. Defendant-Members of the Executive Clemency Board are vested with the authority to deny or grant applications for the restoration of civil rights. The board's discretion in allocating the franchise to ex-felons is absolute and purely arbitrary in that the Board's decisions are unconstrained by any laws or rules.

96. Not only is this restoration scheme prone to arbitrary treatment but this Complaint has alleged numerous actual instances of "arbitrary and disparate treatment," *Bush v. Gore*, 531 U.S. at 104, which is the inevitable result of a voting rights restoration or licensing scheme devoid of any legal constraints on official discretion.

97. FLA. CONST. art. VI, § 4(a), FLA. STAT. ANN. § 97.041(2)(a), FLA. CONST. art. VI, § 4, FLA. CONST. art. IV, § 8, FLA. STAT. ANN. § 944.292(1) and the Florida Rules of Executive Clemency require that an ex-felon obtain the Executive Clemency Board's permission in order to regain his or her right to vote, and therefore turn over the allocation of the franchise to the arbitrary determinations of state officials. Florida state law and administrative rules and procedures do not in any way regulate or limit the Board's discretionary authority to grant or deny applications for the restoration of voting rights. As a voter licensing scheme of standard-less, unfettered official discretion, it also violates the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution.

98. At all relevant times, Defendants have acted under color of state law.

99. Defendants, acting under color of state law, have deprived and will continue to deprive Plaintiffs and the Plaintiff Class of their right to non-arbitrary treatment in the state government's allocation of the right to vote to ex-felons. This right is guaranteed to Plaintiffs and the Plaintiff Class by the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution and 42 U.S.C. § 1983.

COUNT THREE
(All Plaintiffs and Plaintiff Class)
(Lack of Definitive Time Limits for Determinations on Voting Rights
Restoration Applications in Violation of the First Amendment to the United
States Constitution and 42 U.S.C. § 1983)

100. The factual allegations contained in the preceding paragraphs are incorporated into Count Three, as though fully set forth herein.

101. Plaintiffs assert a claim pursuant to 42 U.S.C. § 1983 for violation of the First Amendment to the U.S. Constitution.

102. The First Amendment provides that: "Congress shall make no law . . . abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances." U.S. CONST. amend. I, § 1.

103. The First Amendment protects the right to vote because voting is both a form of speech or expressive conduct and a means of political association. *Doe v. Reed*, 561 U.S. 186, 195-96 & n.1 (2010); *id.* at 224 (Scalia, J., concurring) ("We have acknowledged the existence of a First Amendment interest in voting . . .")

(citing *Burdick v. Takushi*, 504 U.S. 428 (1992)); *California Democratic Party v. Jones*, 530 U.S. 567, 574 (2000); *Timmons v. Twin Cities Area New Party*, 520 U.S. 351, 354-57 (1997); *McIntyre v. Ohio Elections Comm’n*, 514 U.S. 334, 341-43 (1995); *Burdick v. Takushi*, 504 U.S. 428, 434, 437-39 (1992); *Norman v. Reed*, 502 U.S. 279, 288-90 (1992); *Tashjian v. Republican Party of Connecticut*, 479 U.S. 208, 214-17 (1986); *Munro v. Socialist Workers Party*, 479 U.S. 189, 193, 199 (1986); *Anderson v. Celebrezze*, 460 U.S. 780, 787-89 (1983); *Illinois State Bd. of Elections v. Socialist Workers Party*, 440 U.S. 173, 184 (1979); *Storer v. Brown*, 415 U.S. 724, 728-29 (1974); *Kusper v. Pontikes*, 414 U.S. 51, 56-58 (1973); *Williams v. Rhodes*, 393 U.S. 23, 30-31 (1968). Because registration is a prerequisite to and/or enables voting in primary and general elections, it too is protected by the First Amendment. See *Nixon v. Shrink Missouri Government PAC*, 528 U.S. 377, 400 (2000) (Breyer, J., concurring) (“[A] decision to contribute money to a campaign is a matter of First Amendment concern—not because money *is* speech (it is not); but because it *enables* speech.”) (emphasis in original).

104. First Amendment doctrine clearly holds that “a prior restraint that fails to place limits on the time within which the decisionmaker must issue the license is impermissible.” *FW/PBS, Inc. v. City of Dallas*, 493 U.S. 215, 226 (1990) (citing *Freedman v. State of Maryland*, 380 U.S. 51, 59 (1965)). “Where the licensor has unlimited time within which to issue a license, the risk of arbitrary suppression is as

great as the provision of unbridled discretion. A scheme that fails to set reasonable time limits on the decisionmaker creates the risk of indefinitely suppressing permissible speech.” *Id.* at 227; *see also Riley v. Nat’l Fed’n of the Blind of North Carolina, Inc.*, 487 U.S. 781, 802 (1988) (“[D]elay compels the speaker’s silence. Under these circumstances, the licensing provision cannot stand.”); *United States v. Frandsen*, 212 F.3d 1231, 1238-40 (11th Cir. 2000).

105. Florida’s Executive Clemency Board is not bound by any reasonable, definite time limits in processing and reaching final decisions on applications for the restoration of civil rights. Florida state law and the Rules of Executive Clemency are devoid of any such time limits for granting or denying ex-felon applicants their right or license to vote.

106. Upon information and belief, ex-felon applicants for restoration of voting rights may wait as many as ten years to finally receive notice of a hearing and/or a determination on their applications. The backlog stood at 10,513 applicants as of March 1, 2017. Other restoration applicants may be scheduled for a hearing within months of applying. Though the significant backlog of applicants is making longer delays more common, the Executive Clemency Board and the Office of Executive Clemency may still process individual restoration applications at their own chosen speed and may deliberately fast-track selective applicants while delaying others.

107. Since no provision in Florida state law, including the Rules of Executive Clemency, requires the Board to process and adjudicate an application for restoration of civil rights within a definite, reasonable time period, FLA. CONST. art. VI, § 4(a), FLA. STAT. ANN. § 97.041(2)(a), FLA. CONST. art. VI, § 4, FLA. CONST. art. IV, § 8, FLA. STAT. ANN. § 944.292(1) and the Florida Rules of Executive Clemency create the risk of arbitrary delays and arbitrary continued disenfranchisement and therefore violate the First Amendment.

108. FLA. CONST. art. VI, § 4(a), FLA. STAT. ANN. § 97.041(2)(a), FLA. CONST. art. VI, § 4, FLA. CONST. art. IV, § 8, FLA. STAT. ANN. § 944.292(1) and the Florida Rules of Executive Clemency require that an ex-felon obtain the Executive Clemency Board's permission in order to regain his or her right to vote, and therefore function as a prior restraint on First Amendment-protected voting. Florida state law and administrative rules and procedures contain no time constraints on the Board's processing of and determinations regarding applications for the restoration of voting rights, making the system prone to arbitrary treatment. As a scheme of standardless, unfettered official discretion with no reasonable time limits, Florida's voting rights restoration process violates the First Amendment to the U.S. Constitution.

109. At all relevant times, Defendants have acted under color of state law.

110. Defendants, acting under color of state law, have deprived and will continue to deprive Plaintiffs and the Plaintiff Class of their right to an ex-felon

voting rights restoration scheme with definite time limits on the Board's ultimate determinations, which is guaranteed to Plaintiffs and the Plaintiff Class by the First Amendment to the U.S. Constitution and 42 U.S.C. § 1983.

COUNT FOUR
(Plaintiff Yraida Leonides Guanipa and Subclass A)
(Undue Burden on the Right to Vote in Violation of the First and Fourteenth
Amendments to the U.S. Constitution and 42 U.S.C. § 1983)

111. The factual allegations contained in the preceding paragraphs are incorporated into Count Four, as though fully set forth herein.

112. Under the First and Fourteenth Amendments to the U.S. Constitution, any burden on the right to vote must be balanced against a state's interest in that requirement. The Supreme Court has set forth the following test:

[T]he rigorousness of our inquiry into the propriety of a state election law depends upon the extent to which a challenged regulation burdens First and Fourteenth Amendment rights. Thus, as we have recognized when those rights are subjected to "severe" restrictions, the regulation must be "narrowly drawn to advance a state interest of compelling importance." *Norman v. Reed*, 502 U.S. 279, 289, 112 S.Ct. 698, 705, 116 L.Ed.2d 711 (1992). But when a state election law provision imposes only "reasonable, nondiscriminatory restrictions" upon the First and Fourteenth Amendment rights of voters, "the State's important regulatory interests are generally sufficient to justify" the restrictions. *Anderson*, 460 U.S., at 788, 103 S.Ct., at 1569–1570; *see also id.*, at 788–789, n. 9, 103 S.Ct., at 1569–1570, n. 9.

Burdick v. Takushi, 504 U.S. 428, 434 (1992).

113. Florida Rules of Executive Clemency 9 and 10 impose 5- and 7-year waiting periods, respectively, on ex-felons who seek to regain their right to vote. An ex-felon must wait out this de facto second sentence before he or she can even apply

for restoration of his or her right to vote. This is a severe restriction on the right to vote which is not justified by or narrowly drawn to any state interest of compelling importance. At a minimum though, the pre-application waiting periods restrict the right to vote but cannot be justified by any important regulatory interest.

114. These ex-felons have already served their court-imposed sentences including any period of parole, probation, supervised release and/or community control. Additionally, applicants for restoration of civil rights often languish in the Executive Clemency Board's backlog for years after they apply. Therefore, the state's interest in imposing an additional waiting period before the disenfranchised ex-felon can apply for re-enfranchisement is neither compelling nor important.

115. Florida Rules of Executive Clemency 9 and 10 impose severely restrictive waiting periods on Plaintiff Yraida Leonides Guanipa and Subclass A members before they can even seek the Executive Clemency Board's permission in order to regain their voting rights. Since these waiting periods are not justified by any compelling or important state interest, they violate the First and Fourteenth Amendments to the U.S. Constitution.

116. But for the waiting periods imposed by Florida Rules of Executive Clemency 9 and 10, Plaintiff Ms. Guanipa and Subclass A members would be able to apply to the Executive Clemency Board for the restoration of their voting rights upon the completion of their sentence, including any period of parole, probation,

supervised release and/or community control. At present, they are barred from applying until 5 or 7 additional years elapse and therefore deprived of even an opportunity to regain their voting rights.

117. At all relevant times, Defendants have acted under color of state law.

118. Defendants, acting under color of state law, have unduly burdened and will continue to unduly burden Plaintiff Yraida Leonides Guanipa and Subclass A members' rights to vote, thereby depriving them of an opportunity to regain their voting rights. The right to vote free of undue burdens is guaranteed to Plaintiff Ms. Guanipa and Subclass A by the First and Fourteenth Amendments to the U.S. Constitution and 42 U.S.C. § 1983.

PRAYER FOR RELIEF

Plaintiffs, the Plaintiff Class, and Subclass A respectfully request that this Court:

- (a) Assume jurisdiction over this matter;
- (b) Certify this matter as a class action pursuant to Rules 23(a) and 23(b)(2) of the Federal Rules of Civil Procedure;
- (c) Appoint counsel as class counsel pursuant to Federal Rule of Civil Procedure 23(g);
- (d) Declare that Florida's requirement in FLA. CONST. art. VI, § 4(a), FLA. STAT. ANN. § 97.041(2)(a), FLA. CONST. art. VI, § 4, FLA. CONST. art. IV,

§ 8, FLA. STAT. ANN. § 944.292(1) and the Florida Rules of Executive Clemency that a disenfranchised ex-felon must petition the Governor and his Cabinet sitting as the Executive Clemency Board for the restoration of his or her right to vote, violates the First and Fourteenth Amendments to the United States Constitution as to the right to vote;

- (e) Issue a permanent injunction, enjoining Defendants Governor of Florida Rick Scott, Attorney General of Florida Pam Bondi, Chief Financial Officer of Florida Jeff Atwater, Commissioner of Agriculture Adam H. Putnam, the members of the State Executive Clemency Board, Secretary of State Ken Detzner, Secretary of the Department of Corrections Julie L. Jones, Commissioner and Chair of the Florida Commission on Offender Review Melinda N. Coonrod, Commissioner of the Florida Commission on Offender Review Richard D. Davison, Commissioner of the Florida Commission on Offender Review David A. Wyant, and Coordinator for the Office of Executive Clemency of the Florida Commission on Offender Review Julia McCall, their respective agents, officers, employees, successors, and all persons acting in concert with them (collectively, “Defendants”) from enforcing FLA. CONST. art. VI, § 4(a), FLA. STAT. ANN. § 97.041(2)(a), FLA. CONST. art. VI, § 4, FLA. CONST. art. IV, § 8, FLA.

STAT. ANN. § 944.292(1) and the Florida Rules of Executive Clemency as to Plaintiff Class members' right to vote;

- (f) Issue a permanent injunction, enjoining Defendants from requiring Plaintiff Class members to petition the Executive Clemency Board for and secure the restoration of their voting rights – pursuant to FLA. CONST. art. VI, § 4(a), FLA. STAT. ANN. § 97.041(2)(a), FLA. CONST. art. VI, § 4, FLA. CONST. art. IV, § 8, FLA. STAT. ANN. § 944.292(1) and the Florida Rules of Executive Clemency.
- (g) Issue a permanent injunction, enjoining Defendants from denying any member of the Plaintiff Class the right to register to vote and cast a ballot in the State of Florida on the grounds of his or her prior felony convictions;
- (h) Issue a permanent injunction requiring Defendants Governor of Florida Rick Scott, Attorney General of Florida Pam Bondi, Chief Financial Officer of Florida Jeff Atwater, Commissioner of Agriculture Adam H. Putnam, the members of the State Executive Clemency Board, their respective agents, officers, employees, successors, and all persons acting in concert with them, to revise the Florida Rules for Executive Clemency, the Application for Clemency, and the Executive Clemency Board's website to reflect that Plaintiff Class members may register to vote and vote upon completion of their sentences;

- (i) Issue a permanent injunction requiring Defendant Secretary of State Detzner, his respective agents, officers, employees, successors, and all persons acting in concert with him, including but not limited to all of Florida's County Supervisors of Elections, to revise all paper and electronic materials including the Florida Voter Registration Application, the Secretary of State's website, and the County Supervisors of Elections websites to reflect that Plaintiff Class members may register to vote and vote upon completion of their sentences; to provide revised training and guidance for the County Supervisors of Elections and their staff on the judgment in this case; to e-mail and mail notices to the County Supervisors of Elections announcing the judgment in this case; and to issue a directive to the County Supervisors of Elections ordering them not to reject the voter registration applications of any Plaintiff Class members on account of their prior felony convictions;
- (j) Issue a permanent injunction requiring Secretary of the Department of Corrections ("DOC") Julie L. Jones, her respective agents, officers, employees, successors, and all persons acting in concert with her, to inform all individuals released from DOC custody with no further period of parole, probation, supervised release and/or community control that they can register to vote and vote; to inform all individuals released from DOC

custody subject to a period of parole, probation, supervised release and/or community control that they will be able to register to vote and vote once they complete their sentences including parole, probation, supervised release and/or community control; and on a monthly basis, to send to the Florida Secretary of State's office and the Florida Commission on Offender Review e-mailed and paper copies of the full list of names and personally identifying information of all ex-felons who have completed their sentences including any period of parole, probation, supervised release and/or community control in the previous month;

(k) Issue a permanent injunction requiring Commissioner and Chair of the Florida Commission on Offender Review Melinda N. Coonrod, Commissioner of the Florida Commission on Offender Review Richard D. Davison and Commissioner of the Florida Commission on Offender Review David A. Wyant, their respective agents, officers, employees, successors, and all persons acting in concert with them, to ensure all communications with ex-felons inform all pending and new applicants for restoration of civil rights that their rights to vote have been automatically restored upon completion of sentence, their applications are moot as to the right to vote but not as to the right to serve on a jury or the right to run for public office, and that they are now qualified to register to vote and vote

in the State of Florida; and directing the Commissioners to revise the website of the Florida Commission on Offender Review to reflect the judgment in this case;

- (l) Issue a permanent injunction requiring Coordinator for the Office of Executive Clemency of the Florida Commission on Offender Review Julia McCall, her respective agents, officers, employees, successors, and all persons acting in concert with her, to inform all pending and new applicants for restoration of civil rights that their rights to vote have been automatically restored upon completion of their sentences, their applications are moot as to the right to vote but not as to the right to serve on a jury or the right to run for public office, and that they are now qualified to register to vote and vote in the State of Florida;
- (m) In the alternative – and only if the Court rules in favor of Plaintiffs *solely* on Count Four – declare the 5- and 7-year waiting periods in Florida Rules of Executive Clemency 9 and 10 unconstitutional in violation of the First and Fourteenth Amendments to the U.S. Constitution as to members of Subclass A of the Plaintiff Class; permanently enjoin the enforcement of these requirements by Defendants as to members of Subclass A of the Plaintiff Class; and require the Florida Department of Corrections, Commission on Offender Review and Office of Executive Clemency to

revise all communications, materials, websites, applications and any other relevant internal or public-facing documents and/or materials to reflect that Subclass A members may apply for restoration of their voting rights upon completion of their sentences;

(n) Retain jurisdiction to enforce its order;

(o) Grant Plaintiffs their reasonable attorneys' fees and costs incurred in bringing this action pursuant to 42 U.S.C. § 1988, 28 U.S.C. § 1920, and as otherwise permitted by law; and

(p) Grant such other relief as this Court deems just and proper.

DATED: March 13, 2017

Respectfully submitted,

/s/ Brittnie R. Baker

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**Pro Hac Vice to Practice in the
United States District Court for the
Northern District of Florida to Be
Filed*

*** Pro Hac Vice to Practice in the
United States District Court for the
Northern District of Florida to Be
Filed and Working Under the Direct
Supervision of an Enrolled, Active
Member of the District of Columbia
Bar*

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 18-11388-G

JAMES MICHAEL HAND, et al.,

Appellees,

versus

RICK SCOTT, in his official capacity as
Governor of Florida and member of the
State of Florida's Executive Clemency Board, et al.,

Appellants.

On Appeal from the United States
District Court for the Northern District of Florida

Before MARCUS, WILLIAM PRYOR, and MARTIN, Circuit Judges.

MARCUS, Circuit Judge:

Appellants Rick Scott, in his official capacity as Governor of the State of Florida, and the other three members of Florida's Executive Clemency Board (Pam Bondi, Adam H. Putnam, and Jimmy Patronis) (collectively, the "State Executive

Clemency Board") have appealed from the district court's orders entered in favor of appellees James Michael Hand and eight other convicted felons who have completed their sentences and seek to regain their voting rights in Florida. In the underlying lawsuit, the appellees facially challenged, under the Fourteenth Amendment's Equal Protection Clause and the First Amendment, Florida's scheme of voter reenfranchisement for convicted felons, claiming that the State Executive Clemency Board exercised "unbridled discretion" to deny voter reenfranchisement in the absence of any articulable standards. The district court granted summary judgment in favor of appellees, entering a declaratory judgment, permanently enjoining the State Executive Clemency Board from "enforcing the current unconstitutional vote-restoration scheme" and "ending all vote-restoration processes," and commanding the State Executive Clemency Board to "promulgate specific and neutral criteria to direct vote-restoration decisions" along with "meaningful, specific, and expeditious time constraints" on or before April 26, 2018.

Currently before this Court is the State Executive Clemency Board's time-sensitive Motion for Stay Pending Appeal, seeking provisionally to stay the district court's injunctions, until this appeal is heard. The parties agree that four factors are relevant to granting a stay: "(1) whether the stay applicant has made a strong showing that he is likely to succeed on the merits; (2) whether the applicant will be irreparably injured absent a stay; (3) whether issuance of the stay will

substantially injure the other parties interested in the proceeding; and (4) where the public interest lies.” Nken v. Holder, 556 U.S. 418, 426 (2009) (quoting Hilton v. Braunskill, 481 U.S. 770, 776 (1987)). The first two factors are the “most critical.” Id. at 434. We are satisfied that the State Executive Clemency Board has made a sufficient showing under Nken to warrant a stay, and, accordingly, we stay the district court’s entry of injunctive relief until this appeal is resolved by a panel of the Court. The Fourteenth Amendment expressly empowers the states to abridge a convicted felon’s right to vote. U.S. Const. amend. XIV, § 2. Binding precedent holds that the Governor has broad discretion to grant and deny clemency, even when the applicable regime lacks any standards. And although a reenfranchisement scheme could violate equal protection if it had both the purpose and effect of invidious discrimination, appellees have not alleged -- let alone established as undisputed facts -- that Florida’s scheme has a discriminatory purpose or effect. And the First Amendment provides no additional protection of the right to vote.

I.

First, the State Executive Clemency Board has shown it will likely succeed on the merits of the Equal Protection claim. The appellees have claimed that Florida’s “standardless” voter reenfranchisement regime facially violates the Equal Protection Clause of the Fourteenth Amendment. They do not say that the defendants actually discriminated against any of them on the basis of race or any other invidious

grounds. Rather, the heart of their claim is that the State Executive Clemency Board’s unbounded discretion will yield an unacceptable “risk” of unlawful discrimination.

For starters, we are bound to follow Supreme Court precedent in Beacham. Beacham v. Braterman, 300 F. Supp. 182 (S.D. Fla. 1969), aff’d 396 U.S. 12 (1969). The case stands for the proposition that Florida did not violate the Equal Protection or Due Process Clauses of the Fourteenth Amendment in denying a petitioner’s application for pardon and reenfranchisement, even though the Governor and selected cabinet officers did so in the absence of any articulable or detailed standards. Id. at 184. It establishes the broad discretion of the executive to carry out a standardless clemency regime.

In Beacham, a convicted felon in Florida challenged the refusal to grant him a pardon and the concomitant restoration of his civil rights, including the right to register to vote. Id. at 182-83. He claimed that since there were no “established specific standards to be applied to the consideration of petitions for pardon,” the plenary denial of that right violated both the Equal Protection Clause and the Due Process Clause of the Fourteenth Amendment. Id. at 183. A three-judge district court panel squarely rejected the claim, holding that state officials may constitutionally exclude from the franchise convicted felons and that Florida’s standardless scheme did not violate the Fourteenth Amendment. The court

reasoned that the discretionary pardon power, which included within its ambit the restoration of civil rights, “has long been recognized as the peculiar right of the executive branch of government,” and that the exercise of that executive power was free from judicial control. *Id.* at 184. Accordingly the district court denied the relief sought in the complaint and dismissed the cause. The Supreme Court, in a summary decision, affirmed the holding of the three-judge district court. 396 U.S. 12.

The district court concluded that, “[u]nlike a fine wine, [*Beacham*] has not aged well,” but it remains binding precedent that cannot, as the district court suggested, simply be ignored. We are bound by the Supreme Court’s summary determinations. See *Picou v. Gillum*, 874 F.2d 1519, 1521 n.3 (11th Cir. 1989) (“The Supreme Court’s summary dispositions are of course entitled to full precedential respect.”). A summary disposition affirms the judgment and that which is essential to the judgment. *Ill. State Bd. of Elections v. Socialist Workers Party*, 440 U.S. 173, 182 (1979) (“[T]he precedential effect of a summary affirmance can extend no farther than the precise issues presented and necessarily decided . . .” (quotations omitted)); see also *id.* at 182–83 (“A summary disposition affirms only the judgment of the court below, and no more may be read into our action than was essential to sustain that judgment.” (citations omitted)). The Supreme Court has since cited *Beacham* approvingly, observing, “we have

summarily affirmed two decisions of three-judge District Courts rejecting constitutional challenges to state laws disenfranchising convicted felons.” *Richardson v. Ramirez*, 418 U.S. 24, 53 (1974) (citing *Beacham*, 300 F. Supp. 182, *aff’d* 396 U.S. 12).

Other precedents confirm the broad discretion of the executive to grant and deny clemency. In *Connecticut Board of Pardons v. Dumschat*, 452 U.S. 458 (1981), the Supreme Court held that a state was entitled to vest the Board of Pardons with “unfettered discretion” to grant pardons based on “purely subjective evaluations . . . by those entrusted with the decision,” leaving inmates with only a “unilateral hope” for pardon. *Id.* at 464–66. Still again, in *Ohio Adult Parole Authority v. Woodard*, 523 U.S. 272 (1998), the Supreme Court reaffirmed that, because clemency decisions are “matter[s] of grace” by which the executive may consider “a wide range of factors not comprehended by earlier judicial proceedings and sentencing determinations,” the state could allocate pardons in a purely discretionary manner without procedural safeguards under the Due Process Clause. *Id.* at 281. Finally, in *Smith v. Snow*, 722 F.2d 630 (11th Cir. 1983), a panel of this Court addressed Due Process and Eighth Amendment claims attacking Georgia’s purely discretionary pardon regime. First, we ruled that Smith’s Due Process claim was foreclosed by *Dumschat*. *Id.* at 631–32. Next, the Court held that the failure of Smith’s Eighth Amendment claim necessarily followed. *Id.* at 632. If a state

pardon regime need not be hemmed in by procedural safeguards, it cannot be attacked for its purely discretionary nature. Id. (“If one has no right to procedures, the purpose of which is to prevent arbitrariness and curb discretion, then one clearly has no right to challenge the fact that the decision is discretionary.”).

Perhaps of even greater importance, we are obliged to recognize that § 2 of the Fourteenth Amendment expressly empowers the states to abridge a convicted felon’s right to vote. It reads this way:

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

U.S. Const. amend., XIV § 2 (emphasis added). And the Supreme Court has explicitly cited the text of § 2 as it has recognized the power of the state to bar felons from voting. Thus, for example, it has held that “the exclusion of felons from the vote has an affirmative sanction in § 2 of the Fourteenth Amendment.” Richardson, 418 U.S. at 54.

It is also true, however, that since Beacham, the Supreme Court has recognized that, at least in limited circumstances, a state’s pardon power may be cabined by judicial decree. Thus, in Hunter, the Supreme Court made it clear that a state’s method for reenfranchising a convicted felon would violate equal protection if the scheme had both the purpose and effect of invidious discrimination. Justice Rehnquist wrote for a unanimous Court:

Presented with a neutral state law that produces disproportionate effects along racial lines, the Court of Appeals was correct in applying the approach of Arlington Heights to determine whether the law violates the Equal Protection Clause of the Fourteenth Amendment: “[O]fficial action will not be held unconstitutional solely because it results in a racially disproportionate impact. . . . Proof of racially discriminatory intent or purpose is required to show a violation of the Equal Protection Clause.”

Hunter v. Underwood, 471 U.S. 222, 227–28 (1985) (alterations in original) (quoting Arlington Heights v. Metro. Hous. Dev. Corp., 429 U.S. 252, 264–65 (1977)); see also Osborne v. Folmar, 735 F.2d 1316, 1317 (11th Cir. 1984).

The problem for the appellees in this case, however, is that they have not shown (nor have they even claimed) that Florida’s constitutional and statutory scheme had as its purpose the intent to discriminate on account of, say, race, national origin, or some other insular classification; or that it had the effect of a disparate impact on an insular minority. All we have is the assertion by the appellees and a statement by the district court that there is a real “risk” of disparate treatment and

discrimination, precisely because the Florida regime is standardless. Such a risk of discrimination, however, is likely insufficient under Beacham and Hunter.

Moreover, we have rejected, en banc, that Florida's felon-disenfranchisement regime was enacted with a discriminatory purpose, and the appellees have not offered anything suggesting otherwise. See Johnson v. Governor of State of Fla., 405 F.3d 1214, 1223–27 (11th Cir. 2005) (en banc). In Johnson, we examined whether Florida's vote-restoration regime, either historically or as revised over time, had "racial discrimination [as] a substantial or motivating factor" and determined that it did not. Id. at 1223. We found no "contemporaneous evidence showing that racial discrimination motivated" the initial disenfranchisement provision, but even assuming that it had been so motivated, we held that "Florida's felon disenfranchisement provision is constitutional because it was substantively altered and reenacted in 1968 in the absence of any evidence of racial bias." Id. at 1223, 1225. All the appellees have offered in this case is a "risk" that standardless determinations "could" lead to impermissible discrimination; that is not enough to show a discriminatory purpose or effect. The State Executive Clemency Board has made a strong showing it is likely to succeed on appellees' equal protection claim.

II.

We also conclude that the State Executive Clemency Board will likely succeed on the merits of the First Amendment claim. The appellees allege that

Florida's felon-reenfranchisement regime facially violates the First Amendment because it vests the Executive Clemency Board with "unfettered discretion" to engage in a "standard-less process of arbitrary and discriminatory decision-making, which is untethered to any laws, rules, standards, criteria, or constraints of any kind, and unconstrained by any definite time limits," thereby abridging their right to vote and creating an impermissible risk of "arbitrary, biased, and/or discriminatory treatment." [**Plaintiffs' Mot. for Summ. J. at 16, 18**] The appellees expressly disclaim reliance on any anecdotal examples of discrimination and offer nothing suggesting that any of them were the victims of viewpoint discrimination, asserting that "[f]acial attacks on the discretion granted a decisionmaker are not dependent on the facts surrounding any particular permit decision," since "[t]he success of a facial challenge on the grounds that an ordinance delegates overly broad discretion to the decisionmaker rests not on whether the administrator has exercised his discretion in a content-based manner, but whether there is anything in the ordinance preventing him from doing so." [**Appellees' Resp. to Mot. for Stay at 10**] The appellees, therefore, suggest that "actual discrimination need not be proven." [**Id. at 12**]

Their theory likely fails for at least three reasons. First, our case law establishes that the First Amendment affords no greater voting-rights protection beyond that already ensured by the Fourteenth Amendment. Because a standardless pardon process, without something more, does not violate the

Fourteenth Amendment, it follows that it does not run afoul of the First Amendment. In the second place, Florida's power to disenfranchise voters is expressly sanctioned by § 2 of the Fourteenth Amendment. And finally, no First Amendment challenge to a felon-disenfranchisement scheme has ever been successful.

It is well established in this Circuit that the First Amendment provides no greater protection for voting rights than is otherwise found in the Fourteenth Amendment. In Burton v. City of Belle Glade, 178 F.3d 1175 (11th Cir. 1999), the plaintiffs alleged that the City of Belle Glade's failure to annex their housing project deprived them of the right to vote in violation of the First and Fourteenth Amendments. Id. at 1183. After rejecting the plaintiffs' Fourteenth Amendment claim, the Court disposed of plaintiffs' First Amendment contention, holding that "since the First and Thirteenth Amendments afford no greater protection for voting rights claims than that already provided by the Fourteenth and Fifteenth Amendments, we conclude that the district court did not err in dismissing these claims." Id. at 1188 n.9 (citations omitted). Additionally, in Cook v. Randolph County, 573 F.3d 1143 (11th Cir. 2009), Cook contended that the County Board of Registrars' attempt to change his voting registration infringed his right to vote under the First and Fourteenth Amendments. Id. at 1148. There, a panel of this Court dismissed Cook's First Amendment claim, holding still again that "[t]he First and Thirteenth Amendments afford no greater protection for voting rights claims than

that already provided by the Fourteenth and Fifteenth Amendments." Id. at 1152 n.4 (quoting Burton, 178 F.3d at 1188 n.9); see also Irby v. Virginia State Bd. of Elections, 889 F.2d 1352, 1359 (4th Cir. 1989) ("Having found no violations of the Equal Protection Clause and the Fifteenth Amendment, we likewise conclude that plaintiffs' First and Thirteenth Amendment claims must fail. In voting rights cases, the protections of the First and Thirteenth Amendments do not in any event extend beyond those more directly, and perhaps only, provided by the fourteenth and fifteenth amendments.") (internal quotation marks omitted)).

Because Florida likely has established that its felon-reenfranchisement regime does not violate the Equal Protection Clause of the Fourteenth Amendment, it is unlikely indeed that the same exercise of the pardon power violates the First Amendment. Since a standardless reenfranchisement scheme, without more, does not state a claim for an Equal Protection violation based on invidious discrimination, it likely follows that a standardless scheme, without more, cannot establish a First Amendment violation based on viewpoint discrimination. While a discretionary felon-reenfranchisement scheme that was facially or intentionally designed to discriminate based on viewpoint -- say, for example, by barring Democrats, Republicans, or socialists from reenfranchisement on account of their political affiliation -- might violate the First Amendment, cf. Hunter, 471 U.S. at 227-28; Shepherd v. Trevino, 575 F.2d 1110, 1114 (5th Cir. 1978), no such showing has

been made in this case. Indeed, the district court, having said nothing about invidious purpose, could discern only that there was a “risk” that a standardless regime could possibly yield viewpoint discrimination. Thus, even if the First Amendment could be employed in this case in lieu of the Fourteenth -- and that is not an easy argument to sustain in the face of controlling case law -- something more than risk likely would have to be shown.

In the wake of Beacham, Dumschat, Woodard, and Smith, a purely discretionary clemency regime does not, without something more, violate the Fourteenth Amendment. As we see it, a constitutional challenge arising under the First Amendment but asserting the same basic claim -- that standardless clemency regimes create an unacceptable risk of discriminatory determinations -- is unlikely to yield a different result. In other words, the appellees likely cannot succeed by bringing the same challenge using only a different label or nomenclature.

It’s also pretty clear that, in a reenfranchisement case, the specific language of the Fourteenth Amendment controls over the First Amendment’s more general terms. Cf. Graham v. Connor, 490 U.S. 386, 395 (1989) (holding that the Fourth Amendment governed rather than the Fourteenth Amendment because the Fourth Amendment’s “explicit text[]” addressed the precise question at issue as opposed to the Fourteenth Amendment’s “more generalized notion”); Cty. of Sacramento v. Lewis, 523 U.S. 833, 843 (1998) (a general constitutional provision applies only if

the matter presented is not “covered by” a more specific provision); West v. Davis, 767 F.3d 1063, 1067 (11th Cir. 2014) (“[W]hen a specific provision of the Constitution is allegedly infringed, a court must decide the claim in accordance with the terms of that provision rather than under the more general rubric of substantive due process.”). Thus, just as “section 2 of the fourteenth amendment blunts the full force of section 1’s equal protection clause with respect to the voting rights of felons,” Shepherd, 575 F.2d at 1114, § 2 likewise blunts the First Amendment’s application here.

Moreover, although First Amendment attacks on discretionary pardon schemes have been few and far between, the Supreme Court “ha[s] strongly suggested in dicta that exclusion of convicted felons from the franchise violates no constitutional provision.” Ramirez, 418 U.S. at 53 (emphasis added). And every First Amendment challenge to a discretionary vote-restoration regime we’ve found has been summarily rebuffed. See, e.g., Kronlund v. Honstein, 327 F. Supp. 71, 73 (N.D. Ga. 1971); Farrakhan v. Locke, 987 F. Supp. 1304, 1314 (E.D. Wash. 1997); Johnson v. Bush, 214 F. Supp. 2d 1333, 1338 (S.D. Fla. 2002) (King, J.), aff’d sub nom. Johnson, 405 F.3d at 1214; Hayden v. Pataki, No. 00 Civ. 8586 (LMM), 2004 WL 1335921, at *6 (S.D.N.Y. June 14, 2004); Howard v. Gilmore, 205 F.3d 1333 (unpublished table decision), 2000 WL 203984 at *1 (4th Cir. 2000).

Finally, the First Amendment cases cited by the appellees appear inapposite to a reenfranchisement case. Those cases established the longstanding and important but (for our purposes) unremarkable point that a state cannot vest officials with unlimited discretion to grant or deny licenses as a condition of engaging in protected First Amendment activity. See, e.g., Forsyth Cty. v. Nationalist Movement, 505 U.S. 123, 130–33 (1992); City of Lakewood v. Plain Dealer Publ'g Co., 486 U.S. 750, 757–58 (1988). Thus, for instance, Forsyth County discussed an ordinance that granted officials with boundless authority to authorize or forbid, and assess fees on, “public speaking, parades, or assemblies in the archetype of a traditional public forum,” which the Supreme Court deemed a “prior restraint on speech.” 505 U.S. at 130 (quotation omitted). Likewise, City of Lakewood involved a licensing statute that reposed in the government the unbridled power to permit or deny the placement of newspaper-dispensing devices on public sidewalks. 486 U.S. at 753. There too, the Court struck down the statute as a “prior restraint.” Id. at 757. However, this precedent does not bear directly on the matters presented by this case. Indeed, none of the cited cases involved voting rights or even mentioned the First Amendment’s interaction with the states’ broad authority expressly grounded in § 2 of the Fourteenth Amendment to disenfranchise felons and grant discretionary clemency.

The long and short of it is that the State Executive Clemency Board is likely to succeed as well on the merits of the appellees’ facial First Amendment claim.

III.

As a separate matter, Florida is also likely to succeed on the merits because there are serious and substantial problems that inhere in the remedies the district court has chosen -- injunctions commanding that the State Executive Clemency Board cannot refuse to reenfranchise felons and that the Governor and his cabinet must fashion out of whole cloth new standards by April 26, 2018. In particular, the injunctions flatly prohibit the State Executive Clemency Board “from ending all vote-restoration processes” for convicted felons. The district court crafted the permanent injunctions this way:

Defendants are **PERMANENTLY ENJOINED** from enforcing the current unconstitutional vote-restoration scheme. Defendants are also **PERMANENTLY ENJOINED** from ending all vote-restoration processes. On or before April 26, 2018, Defendants shall promulgate specific and neutral criteria to direct vote-restoration decisions in accordance with this Order. On or before April 26, 2018, Defendants shall also promulgate meaningful, specific, and expeditious time constraints in accordance with this Order. Defendants shall file with this Court its modified rules on or before April 26, 2018.

However, as we’ve noted, § 2 of the Fourteenth Amendment expressly provides for reduction of representation to the states if they deny or abridge the right to vote “except for participation in rebellion, or other crime.” U.S. Const. amend. XIV, § 2. Indeed, the district court acknowledged that “[i]t is well-settled that a

state can disenfranchise convicted felons under Section Two of the Fourteenth Amendment.” And it correctly explained that a state may do so “permanently.” Nonetheless, after concluding only that the Florida regime posed a risk of discrimination among applicants, the district court enjoined Florida from exercising the authority that § 2 clearly establishes because the district court concluded that the Florida constitution “presumes a restoration process exists” only because it “bars [any] felon[] from voting ‘until restoration of civil rights.’” Fla. Const. art. VI, § 4(a) (emphasis added by district court). But the district court cannot enjoin Florida to follow the district court’s interpretation of Florida’s own constitution. Pennhurst State Sch. & Hosp. v. Halderman, 465 U.S. 89, 106 (1984). And we can find no case law even remotely suggesting that the state cannot bar all felons (without drawing any distinctions) from being eligible for reenfranchisement.

What’s more, the permanent injunctions entered by the district court command the Governor and three cabinet members to promulgate new standards no later than April 26. These standards must determine when and how to exercise the Governor’s power in order to reenfranchise convicted felons. As a court sitting in equity, that seems to us to be a tall order, even assuming the district court had the authority to enter this command in the first place. After all, there are a multitude of considerations for them to study, including but not limited to whether the Clemency Board should adopt mathematical criteria, how “specific and neutral” the criteria

should be, whether arrests or convictions for certain kinds of misdemeanor or felony offenses (and there are many) should be either relevant or categorically disqualifying, the kinds of rules previous Florida officials and other states have put in place and how they have worked in practice, and whether the Board should create a newly bifurcated system for processing applications involving civil rights other than voting rights, such as the right to serve on a jury or to hold or run for public office.

Thus, on this ground as well, the State Executive Clemency Board has demonstrated a substantial likelihood of success on the merits.

IV.

Having determined that the State Executive Clemency Board has made a strong showing on the merits as to all of the appellees’ claims, we further believe the Clemency Board likely has met its burden overall.

The State Executive Clemency Board likely has shown irreparable harm absent a stay. Beyond whether the injunction directs the State Executive Clemency Board to do something it is by no means clear the court can compel it to do, the State Executive Clemency Board would be harmed if it could not apply its own laws to grant clemency to eligible applicants now, even if it might later be able to afford these applicants clemency pursuant to a system not yet in place and not of the State Executive Clemency Board’s choosing. See Maryland v. King, 567 U.S. 1301,

1301 (2012) (Roberts, C.J., in chambers) (“[A]ny time a State is enjoined by a court from effectuating statutes enacted by representatives of its people, it suffers a form of irreparable injury.” (quotations omitted)).

The State Executive Clemency Board also has a substantial interest in avoiding chaos and uncertainty in its election procedures, and likely should not be forced to employ a rushed decision-making process created on an artificial deadline now, just because a more thorough decision-making process could be employed later. We are reluctant to upset the system now in place -- particularly since the district court order creates so truncated a schedule -- when there is a good chance the district court’s order may be overturned, and the system would need to be changed still again, potentially re-disenfranchising those who have been reenfranchised pursuant to the district court’s injunction. Put another way, there is wisdom in preserving the status quo ante until a panel of this Court, on an expedited basis, has had an opportunity on full briefing to come to grips with the many constitutional and equitable issues that have been raised. To this end, in a separate order, this Court has directed the Clerk to accelerate the briefing schedule and oral argument in the appeal.

As for injury to the appellees, they surely have an interest in regaining their voting rights sooner rather than later, especially since some of them apparently have been waiting a long time to have their rights restored. By the same token, however,

since the injunctive relief fashioned by the district court permanently enjoins the defendants from enforcing the current voter-restoration scheme, in the absence of a stay the Governor is barred from reenfranchising anyone (including any of the nine appellees). Nor have the appellees explained why they’ve waited until now to sue over these rights, nor, finally, have they shown that denying a stay will necessarily increase the speed with which their voting rights may be restored, considering that this Court has accelerated briefing of the merits and oral argument so that the matter can be resolved quickly.

Moreover, a stay of the district court’s order would serve any number of substantial public interests: allowing the continued restoration of voting rights to convicted felons while the suit progresses; ensuring proper consultation and careful deliberation before overhauling the State Executive Clemency Board’s voter-eligibility requirements; and preserving autonomy of the State Executive Clemency Board’s exercise of its power to pardon.

In short, the State Executive Clemency Board has met its burden under Nken. Accordingly, the appellants’ motion is GRANTED, and the injunctions entered by the district court are STAYED pending the resolution of this appeal.

The Clerk is directed to treat any motion for reconsideration of this order as a non-emergency matter.

MARTIN, J., concurring in part and dissenting in part:

The U.S. Constitution allows states to ban people convicted of felonies from exercising their right to vote. See Richardson v. Ramirez, 418 U.S. 24, 56, 94 S. Ct. 2655, 2671 (1974). Florida does this through laws that put the burden on convicted felons to have their right to vote restored. See Fla. Const. Art. VI, §§ 4(a), 8(a); Fla. Stat. Ann. §§ 97.041, 944.292. It is these laws that are the core of the case before us.

In Florida, a person with a felony conviction may legally vote only if the Governor and two additional members of the Clemency Board (“Board”) restore her voting rights. See Fla. R. Exec. Clemency 4. The Board’s power in this regard is without limit. The Board has the “unfettered discretion to grant [restoration of the right to vote] at any time, for any reason.” Id. at 4. Likewise, the Governor has “unfettered discretion to deny [this restoration] at any time, for any reason.” Id. Thus, the Board and the Governor have complete control over whether and when those with a felony conviction are permitted to vote and thereby take part in “the essence of a democratic society.” Reynolds v. Sims, 377 U.S. 533, 555, 84 S. Ct. 1362, 1378 (1964)

The plaintiffs in this case are nine Floridians who have been convicted of felonies and have served their sentences. They are, however, not eligible to vote, because their restoration applications have either been rejected or have been pending

for years.¹ They sued Florida Governor Rick Scott and the three other members of the Board² asserting that Florida’s scheme for restoration of voting rights is unconstitutional on its face under the First and Fourteenth Amendments. The District Court granted summary judgment for the plaintiffs. It did so based on its finding that Florida’s vote restoration scheme violated the First Amendment’s guarantees of Free Expression and Free Association and the Fourteenth Amendment’s guarantee of Equal Protection because the scheme allows the Governor and the Board complete, unrestrained discretion in deciding whether and when to grant or deny the restoration of voting rights. The District Court then went on to declare the defendants’ vote restoration scheme unconstitutional; enjoin the defendants from enforcing that scheme and from ending all vote-restoration processes; and order the defendants to “promulgate specific and neutral criteria to direct vote-restoration decisions” and “promulgate meaningful, specific, and expeditious time constraints” for vote restoration decisions. The defendants moved the District Court to stay its orders pending appeal. Explaining that the defendants did not meet the demanding requirements for this remedy, the District Court denied their request. Now, Florida asks the same of us.

¹ One plaintiff is not eligible to apply for restoration until June of 2019.

² Those members are Florida’s Attorney General, Florida’s Chief Financial Officer, and Florida’s Commissioner of Agriculture.

I.

A stay pending appeal “is an intrusion into the ordinary process of administration and judicial review.” Nken v. Holder, 556 U.S. 418, 427, 129 S. Ct. 1749, 1757 (2009) (quotation omitted). A stay, in other words, is meant to be used only in extraordinary circumstances. See id. It is “not a matter of right, even if irreparable injury might otherwise result to the appellant.” Id. at 438, 129 S. Ct. at 1763 (quotation omitted).

In reviewing a party’s application for a stay, we consider four factors to “ensure that courts do not grant stays pending appeal improvidently.” Chafin v. Chafin, 742 F.3d 934, 937 n.7 (11th Cir. 2013) (per curiam). Those factors are:

(1) whether the stay applicant has made a strong showing that he is likely to succeed on the merits; (2) whether the applicant will be irreparably injured absent a stay; (3) whether issuance of the stay will substantially injure the other parties interested in the proceeding; and (4) where the public interest lies.

Nken, 556 U.S. at 426, 129 S. Ct. at 1756 (2009) (quotation omitted).

The first two of these factors are “the most critical.” Id. at 434, 129 S. Ct. at 1761. As to the party’s likelihood of success on the merits, “more than a mere possibility of relief is required.” Id. (quotation omitted); see also id. (indicating that “the traditional stay inquiry calls for assessing” the third and fourth factors “[o]nce an applicant satisfies the first two factors”).

II.

The defendants have demonstrated, at most, a mere possibility they may succeed on appeal as to the plaintiffs’ First Amendment claims. This demonstration is not enough, in my view, to entitle them to “an intrusion into the ordinary processes of administration and judicial review.” Nken, 556 U.S. at 427, 129 S. Ct. at 1757.

The District Court ruled that Florida’s vote restoration scheme violated two First Amendment rights: the right to Free Expression and the right to Free Association. In order to reach these conclusions, the District Court necessarily and actually found that voting constitutes the sort of expressive and associational activity protected by the First Amendment. The District Court decision on the plaintiffs’ First Amendment claims is on sound legal footing that could well be adopted by the merits panel of judges of this Court through de novo review.

Despite the defendants’ arguments to the contrary, precedent does not require us to reject the reasoning of the District Court.³ Nor, for that matter, does

³ I agree with the majority that that the Supreme Court’s summary affirmance in Beacham appears to foreclose the plaintiffs’ Fourteenth Amendment claims. See Beacham v. Braterman, 300 F. Supp. 182 (S.D. Fla.), aff’d, 396 U.S. 12, 90 S. Ct. 153 (1969). In Beacham, a three-judge district court panel found that “it is [not] a denial of equal protection of law and due process of law for the Governor of Florida, with the approval of three members of the Cabinet, to restore discretionarily the right to vote to some felons and not to others.” Id. at 184. The Supreme Court summarily affirmed. Beacham v. Braterman, 369 U.S. 12, 90 S. Ct. 153. Summary affirmances “prevent lower courts from coming to opposite conclusions on the precise issues presented and necessarily decided by those actions.” Picou v. Gillum, 813 F.2d 1121, 1122 (11th Cir. 1987) (quotation omitted). Reading the Beacham summary affirmance as foreclosing Fourteenth

it establish the requisite “strong showing that [they are] likely to succeed on the merits.” Nken, 556 U.S. at 434, 129 S. Ct. at 1761. Most importantly, the Supreme Court has left open the possibility that the First Amendment does protect the right to vote. See Shapiro v. McManus, 577 U.S. ___, 136 S. Ct. 450, 456 (2015) (holding that plaintiffs’ claim that “Maryland’s redistricting plan burdens their First Amendment right of political association” was not frivolous in part because it was “based on a legal theory . . . uncontradicted by the majority in any of our cases”).

Indeed, in his concurring opinion in Vieth v. Jubelirer, Justice Kennedy suggested that the right to vote may have First Amendment protections. See 541 U.S. 267, 313–16, 124 S. Ct. 1769, 1797–98 (2004) (Kennedy, J., concurring in judgment). Although Justice Kennedy joined the ruling that the partisan gerrymandering in that case was non-justiciable under the Fourteenth Amendment’s Equal Protection Clause and Article I, § 2, he reasoned that the First Amendment may provide an effective vehicle for allegations of partisan gerrymandering, as “these allegations involve the First Amendment interest of not burdening or penalizing citizens because of their participation in the electoral process, their voting history, their association with a political party, or their expression of political

Amendment claims against Florida’s vote restoration scheme is the proper way to understand what the Supreme Court necessarily decided. Thus, I disagree with the majority’s more expansive reading of Beacham, and I believe our precedent on interpreting summary affirmances supports my position.

views.” Id. at 314, 124 S. Ct. at 1797. Justice Kennedy continued, noting that “[i]f a court were to find that a State did impose burdens and restrictions on groups or persons by reason of their views, there would likely be a First Amendment violation, unless the State shows some compelling interest.” Id. at 315, 124 S. Ct. at 1797. If precedent required a contrary conclusion, the Court would have held that the claim in Shapiro was constitutionally insubstantial. But, based in part on Justice Kennedy’s conclusions regarding the First Amendment’s protection for “participation in the electoral process,” the Court allowed the claim to proceed. See Shapiro, 136 S. Ct. at 456.

Neither does this Circuit’s precedent foreclose plaintiffs’ First Amendment claims. The defendants ask us to rule otherwise based on a footnote in Burton v. City of Belle Glade, 178 F.3d 1175 (11th Cir. 1999). Burton affirmed the dismissal of a minority vote dilution claim brought under the First, Thirteenth, Fourteenth, and Fifteenth Amendments, and noted that “the First and Thirteenth Amendments afford no greater protection for voting rights claims than that already provided by the Fourteenth and Fifteenth Amendments.” Id. at 1187, 1188 n.10. But Burton was only capable of deciding what was before the Court: whether the First Amendment provides more protection than the Fourteenth Amendment for claims alleging that government action has diluted, or impermissibly weakened the effect of, one’s right to vote. See, e.g., United States v. Kaley, 579 F.3d 1246, 1253 n.10 (11th Cir.

2009) (“[D]icta is defined as those portions of an opinion that are not necessary to deciding the case then before us.” (quotation omitted)). Burton did not decide whether the First Amendment protects the right to vote under the circumstances of the plaintiffs before us.⁴ These plaintiffs are not making a vote dilution claim. Indeed they have no vote that could be diluted.⁵

III.

I am therefore aware of no precedent that directly forecloses the plaintiffs’ First Amendment claims. We must next inquire into whether precedent from the Supreme Court and our Court supports their claims.

Our First Amendment rights of free expression and free association are most critical when they are invoked to ensure citizens’ free and full participation in the political process. “Speech is an essential mechanism of democracy.” Citizens United v. Fed. Election Comm’n, 558 U.S. 310, 339, 130 S. Ct. 876, 898 (2010). As with the right of free expression, the Supreme Court has emphasized that the First Amendment right of free association is integral to our democracy’s political process.

⁴ Further support for this conclusion lies in the fact that Burton cited two vote dilution cases as support for this pronouncement: Washington v. Finlay, 664 F.2d 913, 927–28 (4th Cir. 1981), and Lucas v. Townsend, 783 F. Supp. 605, 608 (M.D. Ga. 1992), *aff’d on other grounds*, 967 F.2d 549 (11th Cir. 1992). *See* Burton, 178 F.3d at 1188 n.10.

⁵ Cook v. Randolph County, 573 F.3d 1143 (2009), quotes Burton’s statement regarding the First Amendment and voting rights. *Id.* at 1152 n.4. Burton’s statement was likewise not necessary to the result in Cook, which held, in pertinent part, that Cook’s claim was to be dismissed because “he did not actually suffer a deprivation of any of the constitutional or statutory rights he asserts.” *See id.* at 1152–54.

“Political belief and association constitute the core of those activities protected by the First Amendment.” Elrod v. Burns, 427 U.S. 347, 356, 96 S. Ct. 2673, 2681 (1976). “Representative democracy . . . is unimaginable without the ability of citizens to band together in promoting among the electorate candidates who espouse their political views.” Cal. Democratic Party v. Jones, 530 U.S. 567, 574, 120 S. Ct. 2402, 2408 (2000).

The question, then, is whether there is a compelling argument that these rights of speech and association encompass the right to vote. I believe there is. As I’ve said, the Supreme Court has left open the possibility that the First Amendment offers distinct protections for the right to vote. *See, e.g., Shapiro*, 136 S. Ct. at 356.

Beyond that, the Supreme Court has invalidated regulatory regimes that burden the right to vote expressly on First Amendment grounds. Striking down a state regime establishing early filing deadlines for independent presidential candidates, the Court noted that “we base our conclusions directly on the First and Fourteenth Amendments and do not engage in a separate Equal Protection Clause analysis.” Anderson v. Celebrezze, 460 U.S. 780, 786 n.7, 103 S. Ct. 1564, 1569 n.7 (1983); *see also* Norman v. Reed, 502 U.S. 279, 288 n.8, 112 S. Ct. 698, 705 n.8 (1992) (expressly employing only the First and Fourteenth Amendments in striking down a state law establishing signature requirements for new parties

wishing to run candidates in local elections). In Anderson, the Court relied on precedent “identif[ying] the First and Fourteenth Amendment rights implicated by restrictions on the eligibly of voters and candidates.” Anderson, 460 U.S. at 786 n.7, 103 S. Ct. at 1569 n.8. The Court noted that the state laws at issue burdened “two different, although overlapping kinds of rights”—the right to freely associate “for the advancement of political beliefs” and the right to vote. Id. at 787, 103 S. Ct. at 1569 (quotation omitted). Thus, the Court has approved of rooting protection for the right to vote in the First Amendment.

This should come as no surprise. Indeed, the Supreme Court has said that the right to vote is “the essence of a democratic society,” and “any restrictions on [it] strike at the heart of representative government.” Reynolds, 377 U.S. at 555, 84 S. Ct. at 1378. And the right to vote is closely related to, if not encompassed by, the rights of political association and political expression. It is through voting that citizens engage in a form of political association, as Anderson and Norman suggest. Indeed voting allows citizens to speak, by expressing their choice on an issue, party, or candidate. See Kramer v. Union Free Sch. Dist. No. 15, 395 U.S. 621, 626–27, 89 S. Ct. 1886, 1889 (1969) (noting that, without the vote, citizens are denied “any effective voice in the governmental affairs which substantially affect their lives”); see also Alexander Meiklejohn, The First Amendment is an Absolute, 1961 Sup. Ct. Rev. 245, 256 (concluding that, “in addition to speech, press, assembly, and

petition,” the First Amendment protects “the freedom to ‘vote,’ the official expression of a self-governing man’s judgment on issues of public policy,” a freedom that “must be absolutely protected”). Thus, I believe there is a compelling argument that the First Amendment independently protects the right to vote, as the District Court found.

IV.

I now turn to the question of whether there is a compelling argument that defendants’ scheme impermissibly burdens the plaintiffs’ right to vote under the First Amendment. The plaintiffs and the District Court both liken the vote restoration scheme to a permitting or licensing scheme. This analogy is persuasive because the Board is tasked with deciding whether or not to allow—or to permit or license—someone convicted of a felony to vote again.

The Supreme Court has routinely struck down schemes that condition the exercise of First Amendment rights on permits or licenses when an official with unfettered discretion controls that process. See, e.g., Forsyth County, Ga. v. Nationalist Movement, 505 U.S. 123, 133, 112 S. Ct. 2396, 2403 (1992) (striking down ordinance that left the determination of a fee to be charged for assembling or parading “to the whim of [an] administrator”); City of Lakewood v. Plain Dealer Publ’g Co., 486 U.S. 750, 769–72, 108 S. Ct. 2138, 2150–52 (1988) (striking down ordinance that gave mayor complete discretion in doling out permits to publishers

seeking public newsracks for their publications). In the same way, the Supreme Court has regularly invalidated government schemes that do not place time constraints on the administrators of such licensing schemes. See, e.g., FW/PBS, Inc. v. City of Dallas, 493 U.S. 215, 225–29, 110 S. Ct. 596, 604–07 (1990) (striking down ordinance that set no time limits on administrator charged with deciding whether to issue licenses to adult entertainment businesses); Riley v. Nat’l Fed’n for the Blind of N.C., 487 U.S. 781, 801–03, 108 S. Ct. 2667, 2680–81 (1988) (striking down state law that requires professional fundraisers to obtain a license before engaging in solicitation, because there were no express or established customary time limits constraining the decisionmaker).

Our Court has done the same. See, e.g., Atlanta Journal & Constitution v. City of Atlanta Dep’t of Aviation, 322 F.3d 1298, 1310–11 (11th Cir. 2003) (en banc) (reiterating that “[a] grant of unrestrained discretion to an official responsible for monitoring and regulating First Amendment activities is facially unconstitutional” and invalidating a scheme that set “no explicit limits” on Department of Aviation’s power to set fees on publishers seeking to place newsracks at an airport and allowed the Department to “cancel a publisher’s license for any reason whatsoever” (quotation omitted)); Sentinel Comm. Co. v. Watts, 936 F.2d 1189 (11th Cir. 1991).

These decisions reflect concern that vesting officials with unbridled discretion to determine whether, and when, to allow someone to speak creates an impermissible risk of viewpoint discrimination. As the Supreme Court explained in Plain Dealer, “a law or policy permitting communication in a certain manner for some but not for others raises the specter of content and viewpoint censorship.” 486 U.S. at 763, 108 S. Ct. at 2147. The Court continued, “[t]his danger is at its zenith when the determination of who may speak and who may not is left to the unbridled discretion of a government official.” Id. And that risk is similarly significant where there are no time constraints on that official’s decision. FW/PBS, Inc., 493 U.S. at 227, 110 S. Ct. at 605 (“A scheme that fails to set reasonable time limits on the decisionmaker creates the risk of indefinitely suppressing permissible speech.”).

The defendants’ vote restoration scheme gives them unbridled discretion. In the words of the Rules of Executive Clemency, the Board has “unfettered discretion” to permit an applicant to exercise her right to vote “at any time, for any reason.” Fla. R. Exec. Clemency 4. And the Governor has “unfettered discretion” to deny an applicant the right to legally vote “at any time, for any reason.” Id. This unbridled discretion is not just concerning when it confronts expressive and associational freedoms traditionally protected by the First Amendment, but also when it threatens the right to vote. See Louisiana v. United States, 380 U.S. 145, 153, 85 S. Ct. 817,

822 (1965) (“The cherished right of people in a country like ours to vote cannot be obliterated by the use of laws like this, which leave the voting fate of a citizen to the passing whim or impulse of an individual registrar.”).

It is no answer to say we should presume that the Board will exercise its discretion in good faith. The Supreme Court rejected just this defense in Plain Dealer, concluding “this is the very presumption that the doctrine forbidding unbridled discretion disallows.” 486 U.S. at 770, 108 S. Ct. at 2151. Instead, “[t]he doctrine requires that [limits on official discretion in such schemes] be made explicit by textual incorporation, binding judicial or administrative construction, or well-established practice.” Id. The defendants make no showing that clear limits restrict their authority. To the contrary, they say the law requires validation of the unfettered discretion vested in the Board and the governor.

Neither is the answer that, because the defendants can disenfranchise all convicted felons, their choice to selectively re-enfranchise some cannot be subject to limitations. The Supreme Court rejected a quite similar “greater-includes-the-lesser” argument in Plain Dealer. See id. at 762–69, 108 S. Ct. at 2147–50. The Court concluded that “when the government is willing to prohibit a particular manner of speech entirely . . . the risk of governmental censorship is simply not implicated.” Id. at 768, 108 S. Ct. at 2150. But this case is not about a complete bar—it is about the process by which the Board selectively

doles out the right to vote. This case should remind us that the Court “has long been sensitive to the special dangers inherent in a law placing unbridled discretion directly to license speech, or conduct commonly associated with speech, in the hands of a government official.” Id. at 767–68, 108 S. Ct. at 2149–50.

The defendants liken their vote restoration scheme to the exercise of clemency power, a power traditionally exercised with minimal limitations from the judiciary. But the defendants recognize that clemency power is not immune from judicial review and constitutional scrutiny. See Ohio Adult Parole Auth. v. Woodard, 523 U.S. 272, 288–89 (1998) (O’Connor, J., concurring) (holding that, in the due process context, “some minimal procedural safeguards apply to clemency proceedings,” suggesting that clemency-by-coin-flip might violate due process); see also Wellons v. Comm’r, Georgia Dep’t of Corr., 754 F.3d 1268, 1269 (11th Cir. 2014) (recognizing that Justice O’Connor’s Woodard concurrence set binding precedent); Shepherd v. Trevino, 575 F.2d 1110, 1114 (5th Cir. 1978) (concluding that states’ power to disenfranchise those convicted of felonies does not permit states to restore voting rights to whites only or otherwise “make a completely arbitrary distinction between groups of felons”) And the defendants point us to no decisions that would require us to reject plaintiffs’ First Amendment claims because they involve matters typically committed to executive discretion. Cf. Osborne v. Folmar, 735 F.2d 1316, 1317 (11th Cir. 1984) (holding that the line of Supreme

Court cases that limited procedural due process claims in the context of clemency did not foreclose equal protection claims challenging clemency determinations, e.g., on the basis of invidious discrimination). In my view, drawing up neutral criteria to mitigate the risk that vote restoration decisions are predicated on the applicants' viewpoints or beliefs need not be the tall order the defendants describe. Certainly there are processes by which the First Amendment and executive prerogative can both be respected.

V.

I don't believe the defendants have met their burden under Nken for a stay pending this appeal. They have demonstrated nothing more than a mere possibility of success on the merits of the plaintiffs' First Amendment claim. I would, however, modify the permanent injunction imposed by the District Judge ending all vote restoration processes. See Trump v. Int'l Refugee Assistance Project, 582 U.S. ___, 137 S. Ct. 2080, 2087 (2017) (noting that a court "may, in its discretion, tailor a stay so that it operates with respect to only some portion of the proceeding" (quotation omitted)). As I understand Ramirez, the Constitution empowers states to choose to permanently disenfranchise those convicted of felonies. Richardson v. Ramirez, 418 U.S. at 56, 94 S. Ct. at 2671. Other than that feature of the injunction, I would leave the injunction in place. See Atlanta Journal & Constitution, 322 F.3d

at 1312 (retaining "that portion of the injunction that prohibited the administration of any plan that did not explicitly constrain official discretion").

I respectfully dissent.

MEMORANDUM

DATE: March 9, 2011
TO: Interested Media
FROM: Brian Burgess, Communications Director
Executive Office of the Governor
RE: Amended Rules of Executive Clemency

Attached please find the amended rules of executive clemency approved today during a special meeting of the Florida Board of Executive Clemency. The rules were approved by a 4-0 majority of the clemency board, which consists of the Governor and the Florida Cabinet.

If you have any questions or need additional information, please call Governor Scott's press office at (850) 488-5394.

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RULES OF EXECUTIVE CLEMENCY

1. STATEMENT OF POLICY

Executive Clemency is a power vested in the Governor by the Florida Constitution of 1968. Article IV, Section 8(a) of the Constitution provides:

Except in cases of treason and in cases where impeachment results in conviction, the governor may, by executive order filed with the custodian of state records, suspend collection of fines and forfeitures, grant reprieves not exceeding sixty days and, with the approval of two members of the cabinet, grant full or conditional pardons, restore civil rights, commute punishment, and remit fines and forfeitures for offenses.

The Governor and members of the Cabinet collectively are the Clemency Board. Clemency is an act of mercy that absolves the individual upon whom it is bestowed from all or any part of the punishment that the law imposes.

2. ADMINISTRATION

A. These rules were created by mutual consent of the Clemency Board to assist persons in applying for clemency. However, nothing contained herein can or is intended to limit the authority or discretion given to the Clemency Board in the exercise of its constitutional prerogative.

B. The Office of Executive Clemency was created to assist in the orderly and expeditious exercise of this executive power.

C. The Governor, with the approval of at least two members of the Clemency Board, appoints a Coordinator who hires all assistants. The Coordinator and assistants comprise the Office of Executive Clemency. The Coordinator must keep a proper record of all proceedings and is the custodian of all records.

3. PAROLE AND PROBATION

The Clemency Board will neither grant nor revoke parole or probation.

4. CLEMENCY

The Governor has the unfettered discretion to deny clemency at any time, for any reason. The Governor, with the approval of at least two members of the Clemency Board, has the unfettered discretion to grant, at any time, for any reason, the following forms of clemency:

I. Types of Clemency

A. Full Pardon

A Full Pardon unconditionally releases a person from punishment and forgives guilt for any Florida convictions. It restores to an applicant all of the rights of citizenship possessed by the person before his or her conviction, including the right to own, possess, or use firearms.

B. Pardon Without Firearm Authority

A Pardon Without Firearm Authority releases a person from punishment and forgives guilt. It entitles an applicant to all of the rights of citizenship enjoyed by the person before his or her conviction, except the specific authority to own, possess, or use firearms.

C. Pardon for Misdemeanor

A Pardon for a Misdemeanor Conviction releases a person from punishment and forgives guilt.

D. Commutation of Sentence

A Commutation of Sentence may adjust an applicant's penalty to one less severe but does not restore any civil rights, and it does not restore the authority to own, possess, or use firearms. (See also Rule 15 on commutation of death sentences.)

E. Remission of Fines and Forfeitures

A Remission of Fines or Forfeitures suspends, reduces, or removes fines or forfeitures.

F. Specific Authority to Own, Possess, or Use Firearms

The Specific Authority to Own, Possess, or Use Firearms restores to an applicant the right to own, possess, or use firearms, which were lost as a result of a felony conviction. Due to federal firearms laws, the Clemency Board will not consider requests for firearm authority from individuals convicted in federal or out-of-state courts. In order to comply with the

federal laws, a Presidential Pardon or a Relief of Disability from the Bureau of Alcohol, Tobacco and Firearms must be issued in cases involving federal court convictions. A pardon or restoration of civil rights with no restrictions on firearms must be issued by the state where the conviction occurred.

G. Restoration of Civil Rights in Florida

The Restoration of Civil Rights restores to an applicant all of the rights of citizenship in the State of Florida enjoyed before the felony conviction, except the specific authority to own, possess, or use firearms. Such restoration shall not relieve an applicant from the registration and notification requirements or any other obligations and restrictions imposed by law upon sexual predators or sexual offenders.

H. Restoration of Alien Status under Florida Law

The Restoration of Alien Status Under Florida Law restores to an applicant who is not a citizen of the United States such rights enjoyed by him or her, under the authority of the State of Florida, which were lost as a result of a conviction of any crime that is a felony or would be a felony under Florida law, except the specific authority to own, possess, or use firearms. However, restoration of these rights shall not affect the immigration status of the applicant (i.e., a certificate evidencing Restoration of Alien Status Under Florida Law shall not be a ground for relief from removal proceedings initiated by the United States Immigration and Naturalization Service).

II. Conditional Clemency

All of the preceding forms of clemency may be granted subject to various conditions. If the conditions of clemency are violated or breached, such clemency may be revoked by the Clemency Board, returning the applicant to his or her status prior to receiving the conditional clemency.

5. Eligibility

A. Pardons

A person may not apply for a pardon unless he or she has completed all sentences imposed for the applicant's most recent felony conviction and all conditions of supervision imposed for the applicant's most recent felony conviction have expired or been completed, including but not limited to, parole, probation, community control, control release and conditional release, for a period of no less than 10 years. The applicant may not have outstanding detainers, or any pecuniary penalties or liabilities which total more than \$1,000 and result from any criminal conviction or traffic infraction. In addition, the applicant may not have any outstanding victim restitution, including, but not limited to, restitution pursuant to a court order or civil judgment, or obligations pursuant to Chapter 960, Florida Statutes.

Persons who had adjudication of guilt withheld and were not convicted may apply for a pardon if they otherwise meet the eligibility requirements of this rule.

B. Commutations of Sentence

A person may not be considered for a commutation of sentence unless he or she has been granted a Request for Review pursuant to Rule 8 or has had his or her case placed upon a Clemency Board agenda pursuant to Rule 17.

C. Remission of Fines and Forfeitures

A person may not apply for a remission of fines and forfeitures unless he or she has completed all sentences imposed and all conditions of supervision have expired or been completed, including, but not limited to, parole, probation, community control, control release, and conditional release.

D. Specific Authority to Own, Possess, or Use Firearms

A person may not apply for the specific authority to own, possess, or use firearms unless he or she has completed all sentences imposed for the applicant's most recent felony

conviction and all conditions of supervision imposed for the applicant's most recent felony conviction have expired or been completed, including but not limited to, parole, probation, community control, control release, and conditional release, for a period of no less than eight (8) years. The applicant may not have outstanding detainers, or any pecuniary penalties or liabilities which total more than \$1,000 and result from any criminal conviction or traffic infraction. In addition, the applicant may not have any outstanding victim restitution, including, but not limited to, restitution pursuant to a court order or civil judgment, or obligations pursuant to Chapter 960, Florida Statutes. Persons convicted in a federal, military, or out-of-state court are not eligible to apply.

E. Restoration of Civil Rights or Alien Status under Florida Law

A person who meets the requirements of Rule 9 may have his or her civil rights restored by the Clemency Board. Persons who do not qualify for restoration of civil or alien rights under Rule 9 may request restoration of civil rights pursuant to Rule 6 if the person has completed all sentences imposed and all conditions of supervision have expired or been completed, including but not limited to, imprisonment, parole, probation, community control, control release, and conditional release; has no pending outstanding detainers or pending criminal charges; has paid all restitution pursuant to a court order or civil judgment and obligations pursuant to Chapter 960, Florida Statutes; and has met the seven (7) year time requirement. Restoration of civil rights includes all rights of citizenship enjoyed by the person before his or her conviction, except the specific authority to own, possess or use firearms.

If the person was convicted in a court other than a court of the State of Florida, he or she must be a legal resident of the State of Florida at the time the application is filed, considered, and acted upon. If the person is applying for Restoration of Alien Status under

Florida Law, he or she must be domiciled in the State of Florida at the time the application is filed, considered, and acted upon.

Notwithstanding any provision of this rule, an individual who has previously had his or her civil rights or Alien Status under Florida Law restored and is subsequently convicted of any offense listed in Rule 9(A) shall be ineligible for restoration of civil rights or Alien Status under Florida law for a period of no less than seven (7) years after completing all sentences and conditions of supervision (including but not limited to, parole, probation, community control, control release and conditional release) arising from the subsequent conviction.

6. Applications

A. Application Forms

All correspondence regarding an application for clemency should be addressed to Coordinator, Office of Executive Clemency, 4070 Esplanade Way, Tallahassee, Florida, 32399-2450. Those persons seeking clemency shall complete an application and submit it to the Office of Executive Clemency.

Persons seeking Restoration of Civil Rights or Alien Status under Florida Law must submit an application. Application forms will be furnished by the Coordinator upon request or they may be downloaded from the clemency website at <https://fpc.state.fl.us/Clemency.htm>. All applications for clemency must be filed with the Coordinator on the form provided by the Office of Executive Clemency.

B. Supporting Documents

Each application for clemency shall have attached to it a certified copy of the charging instrument (indictment, information, or warrant with supporting affidavit) for each felony conviction, or misdemeanor conviction if seeking a pardon for a misdemeanor, and a certified copy of the judgment and sentence for each felony conviction, or misdemeanor

conviction if seeking a pardon for a misdemeanor. (Note: The Office of Executive Clemency or Parole Commission may assist in preparation of applications in unique situations.) Each application for clemency may include character references, letters of support, and any other documents that are relevant to the application for clemency.

C. Applicant Responsibility

It is the responsibility of the applicant to answer all inquiries fully and truthfully and to keep the Office of Executive Clemency advised of any change in the information provided in the application, including change of address and phone number.

D. Failure to Meet Requirements

If any application fails to meet the requirements of the Rules of Executive Clemency, the Coordinator may return it without further consideration.

E. Notification

Upon receipt of a completed application that meets the requirements of the Rules of Executive Clemency, the Coordinator shall make reasonable attempts to notify the victims of record, the respective State Attorney's Office, the Office of the Statewide Prosecutor, if applicable, and the Office of the Attorney General, Bureau of Advocacy and Grants.

7. Applications Referred to the Florida Parole Commission

Every application which meets the requirements of these Rules may be referred to the Florida Parole Commission for an investigation, report, and recommendation.

All persons who submit applications shall comply with the reasonable requests of the Florida Parole Commission in order to facilitate and expedite investigation of their cases. Failure to comply with such requests by the Commission, without adequate explanation, may result in denial of the application without further consideration.

8. Commutation of Sentence

A. Request for Review

An applicant who applies for commutation of sentence under Rule 5(B) may do so only if he or she has completed at least one third of the sentence imposed, or, if serving a minimum mandatory sentence, has completed at least one half of the sentence.

Individuals eligible for commutation of sentence consideration may receive a "Request for Review" form by contacting the Office of Executive Clemency or it may be downloaded from the clemency website at <https://fpc.state.fl.us/Clemency.htm>. Upon receipt of the original and four (4) copies of the Request for Review form, clemency application, and any other material to be considered, the Coordinator shall forward copies of the documents to the Clemency Board and the Florida Parole Commission. The Commission shall review the documents and make an advisory recommendation to the Clemency Board. Notification of receipt by the Office of Executive Clemency of such a request shall be provided as indicated under Rule 6.

Rule 17 may also be invoked by any member of the Clemency Board.

B. Referral to Commission

Upon receipt by the Coordinator of written notification from the Governor and at least one member of the Clemency Board granting a Request for Review, or notification invoking Rule 17, the Coordinator may refer the request to the Parole Commission for a full investigation and place the case on an agenda to be heard by the Clemency Board.

C. Notification

The Coordinator shall attempt to provide individuals seeking a request for commutation of sentences, and the respective prosecuting authority, with approximately 20 days notice prior to any such request being heard by representatives of the Clemency Board.

D. § 944.30 Cases

All remaining § 944.30, Florida Statutes, cases will be processed under this rule.

E. Domestic Violence Case Review

f. lewd or lascivious offense upon or in the presence of an elderly or disabled person, attempted lewd or lascivious offense upon or in the presence of an elderly or disabled person (F.S. 825.1025);

g. sexual performance by a child, attempted sexual performance by a child (F.S. 827.071);

h. aggravated child abuse (F.S. 827.03);

i. failure to register as a sexual predator (F.S. 775) or sexual offender (F.S. 943.0435);

j. computer pornography, transmission of computer pornography, or any crime involving a minor in violation of F.S. Chapter 847;

k. kidnapping, attempted kidnapping, false imprisonment, or luring and enticing a child (F.S. Chapter 787);

l. aggravated battery, attempted aggravated battery (F.S. 784.045), felony battery, domestic battery by strangulation (F.S. 784.041);

m. robbery, carjacking, attempted carjacking, home invasion, attempted home invasion (F.S. Chapter 812);

n. poisoning of food or water (F.S. 859.01);

o. abuse of a dead human body (F.S. 872.06);

p. burglary of a dwelling, first degree burglary, or attempted first degree burglary (F.S. 810.02);

q. arson, attempted arson, or conspiracy to commit arson (F.S. 806.01);

r. aggravated assault (F.S. 784.021);

s. aggravated stalking (F.S. 784.048);

t. aggravated battery, battery, or aggravated assault on a law enforcement officer or other specified officer (F.S. 784.07);

u. trafficking or conspiracy to traffic in illegal substances (F.S. 893.135); all other first and second degree felonies described in F. S. Chapter 893.

v. aircraft piracy (F.S. 860.16);

w. unlawful throwing, placing, or discharging of a destructive device or bomb (F.S. 790.161);

x. facilitating or furthering terrorism (F.S. 775.31);

y. treason (F.S. 876.32);

z. possession of a firearm by a convicted felon (F.S. 790.23) or possession of a firearm or ammunition by a violent career criminal (F.S. 790.235);

aa. bribery, misuse of public office (F.S. Chapter 838); extortion by officers of the state (F. S. 839.11); misappropriations of moneys by commissioners to make sales (F.S. 839.17);

bb. any crime committed by an elected official while in office;

cc. illegal use of explosives;

dd. RICO;

ee. exploitation of the elderly;

ff. public corruption;

gg. any felony violation of an election law;

hh. any crime designated a “dangerous crime” under F.S. 907.041;

ii. any offense committed in another jurisdiction that would be an offense listed in this paragraph if that offense had been committed in this State;

5. The person has not been declared to be one of the following:

a. Habitual Violent Felony Offender under F.S. 775.084(1)(b);

b. Three-time Violent Felony Offender under F.S. 775.084(1)(c);

c. Violent Career Criminal under F.S. 775.084;

d. Prison Releasee Reoffender under F.S. 775.082(9)(a);

e. Sexual Predator under F.S. 775.21;

6. In the case of restoration of civil rights, (a) the person must be a citizen of the United States; and (b) if convicted in a court other than a Florida court, the person must be a legal resident of Florida;

7. In the case of restoring alien status under Florida Law, the person must be domiciled in Florida.

B. Action by Clemency Board

The Florida Parole Commission shall accept and retain the records of individuals released by the Department of Corrections by expiration of sentence or from community supervision. In a manner approved by the Board of Clemency, the Parole Commission may provide individuals released by the Department of Corrections with a written explanation of the Rules determining eligibility to apply for restoration of civil rights. The Parole Commission shall review the applications of individuals who have applied for restoration of civil rights pursuant to Rule 6. If an individual meets all requirements under Rule 9(A), then the Coordinator shall issue a preliminary review list of individuals eligible for restoration of civil rights or alien status under Florida law without a hearing to the Clemency Board members. If the Governor plus two members approve an individual's restoration of civil rights or alien status under Florida law without a hearing within 60 days of issuance of the preliminary review list, the Coordinator shall, pursuant to executive order, issue a certificate that grants the individual restoration of civil rights or alien status under Florida law in the State of Florida, without the specific authority to own, possess, or use firearms. Article IV, Section 8 of the Florida Constitution provides that an executive order granting clemency requires the signature of the Governor and two members of the Florida Cabinet. If approval

is not granted, that candidate will be notified, and may elect to pursue restoration of civil rights with a hearing pursuant to Rule 10.

C. Out-of-State or Federal Convictions

If the person has been convicted in a court other than a court of the State of Florida, a request for the restoration of civil rights or alien status under Florida law must be submitted in accordance with Rule 6. Such request shall be reviewed by the Florida Parole Commission to determine if the requirements under Rule 9(A) are met. If the Commission certifies that all of the requirements in Rule 9(A) are met, the Coordinator shall follow procedures for the restoration of civil rights as enumerated herein.

10. Restoration of Civil Rights or Alien Status under Florida Law With a Hearing

A. Criteria for 7 Year Eligibility

An individual who does not qualify to be granted clemency under Rule 9 must comply with Rule 6 by filing an application to have his or her civil rights or alien status under Florida law restored, excluding the specific authority to own, possess, or use firearms, with a hearing. An individual is eligible to apply only if the following requirements are met:

1. The person has had no new felony convictions for a period of 7 years or more after completion of all sentences imposed for the applicant's most recent felony conviction and all conditions of supervision for the applicant's most recent felony conviction have expired or been completed, including but not limited to, imprisonment, parole, probation, community control, control release, and conditional release;

2. The person has paid all restitution pursuant to a court order or civil judgment and obligations pursuant to Chapter 960, Florida Statutes;

3. In the case of restoration of civil rights, (a) the person must be a citizen of the United States; and (b) if convicted in a court other than a Florida court, the person must be a legal resident of Florida;

4. In the case of restoring alien status under Florida Law, the person must be domiciled in Florida.

B. Out-of-State or Federal Convictions

If the person has been convicted in a court other than a court of the State of Florida, a request for the restoration of civil rights or alien status under Florida law must be submitted in accordance with Rule 6. Such request shall be reviewed by the Florida Parole Commission to determine if the requirements under Rule 10(A) are met. If the Commission certifies that all of the requirements in Rule 10(A) are met, the Coordinator shall follow procedures for the restoration of civil rights or alien status with a hearing as enumerated herein.

11. Hearings by the Clemency Board on Pending Applications

A. Cases on the Agenda

After the Parole Commission investigation is complete, the Coordinator may place upon the agenda for consideration by the Clemency Board at its next scheduled meeting:

1. Timely applications that meet the eligibility requirements under Rule 5 for which any investigation, report and recommendation, conducted under Rule 7, has been completed;
2. Cases in which an applicant has requested a commutation of sentence under Rule 8 or when Rule 17 has been invoked so long as any investigation, report and recommendation conducted under Rule 7 has been completed.

B. Distribution of Agenda

The Coordinator shall prepare an agenda which shall include all cases that qualify for a hearing under Subsection A of this Rule. A preliminary agenda shall be distributed to the Clemency Board at least 10 days before the next scheduled meeting.

C. Failure of Applicant to Comply With Rules

An applicant's failure to comply with any rule of executive clemency may result in refusal, without notice, to place an application on the agenda for consideration.

12. Hearings Before the Clemency Board

A. Scheduled Meetings

The Clemency Board will meet in the months of March, June, September, and December of each year, or at such times as set by the Clemency Board. The Governor may call a special meeting at any time for any reason.

B. Notice of Appearance

While applicants are not required to appear at the hearing, the Clemency Board encourages applicants to attend. The applicant, or any other person intending to speak on behalf of the applicant, must notify the Office of Executive Clemency at least 10 days prior to the scheduled meeting of the Clemency Board.

C. Time Limits

Any person making an oral presentation to the Clemency Board will be allowed no more than five minutes. All persons making oral presentations in favor of an application shall be allowed cumulatively no more than 10 minutes. All persons making oral presentations against an application, including victims, shall be allowed cumulatively no more than 10 minutes.

D. Filing of Executive Orders

Subsequent to the hearings of the Clemency Board, the Coordinator shall prepare executive orders granting clemency as directed and circulate them to the members of the Clemency Board. After the Executive Orders are fully executed, the Coordinator shall certify and mail a copy to the applicant. The original executive order shall be filed with the custodian of state records. The Coordinator shall send a letter to each applicant officially stating the disposition of his or her application. A seal is not used by the Office of Executive Clemency.

13. Continuance and Withdrawal of Cases

An interested party may apply for a continuance of a case if the continuance is based on good cause. The Governor will decide if the case will be continued. Cases held under advisement for further information desired by the Governor will be marked “continued” and noted on each subsequent agenda until the case is decided.

The applicant may withdraw his or her application by notifying the Office of Executive Clemency at least 20 days prior to the next scheduled meeting of the Clemency Board. A request to withdraw a case made within 20 days of the hearing on the application will be allowed if the Governor or the Coordinator for the Office of Executive Clemency determines that there is good cause. Cases that are withdrawn from the agenda will not be considered again until the application is re-filed.

14. Reapplication for Clemency

Any otherwise eligible person who has been granted or denied any form of executive clemency may not reapply for further executive clemency for at least two years from the date that such action became final. Any person who has been denied a Rule 8 commutation of sentence may not apply for another request for at least five years from the date the prior request was denied.

15. Commutation of Death Sentences

This Rule applies to all cases where the sentence of death has been imposed. The Rules of Executive Clemency, except Rules 1, 2, 3, 4, 15 and 16 are inapplicable to cases where inmates are sentenced to death.

A. Confidentiality

Notwithstanding incorporation of Rule 16 by reference in cases where inmates are sentenced to death, the full text of Rule 16 is repeated below for clarification: Due to the nature of the information presented to the Clemency Board, all records and documents generated and gathered in the clemency process as set forth in the Rules of Executive

Clemency are confidential and shall not be made available for inspection to any person except members of the Clemency Board and their staff. Only the Governor and no other member of the Clemency Board, nor any other state entity that may be in the possession of Clemency Board materials, has the discretion to allow such records and documents to be inspected or copied. Access to such materials shall not constitute a waiver of confidentiality.

B. Parole Commission Investigation

In all cases where the death penalty has been imposed, the Florida Parole Commission may conduct a thorough and detailed investigation into all factors relevant to the issue of clemency and provide a final report to the Clemency Board. The investigation shall include, but not be limited to, (1) an interview with the inmate, who may have clemency counsel present, by the Commission; (2) an interview, if possible, with the trial attorneys who prosecuted the case and defended the inmate; (3) an interview, if possible, with the presiding judge and; (4) an interview, if possible, with the defendant's family. The Parole Commission shall provide notice to the Office of the Attorney General, Bureau of Advocacy and Grants, that an investigation has been initiated. The Office of the Attorney General, Bureau of Advocacy and Grants shall then provide notice to the victims of record that an investigation is pending and at that time shall request written comments from the victims of record. Upon receipt of comments from victims of record or their representatives, the Office of the Attorney General, Bureau of Advocacy and Grants shall forward such comments to the Parole Commission to be included in the final report to the Clemency Board.

C. Monitoring Cases for Investigation

The investigation by the Parole Commission shall begin at such time as designated by the Governor. If the Governor has made no such designation, the investigation shall begin immediately after the defendant's initial petition for writ of habeas corpus, filed in the

appropriate federal district court, has been denied by the 11th Circuit Court of Appeals, so long as all post-conviction pleadings, both state and federal, have been filed in a timely manner as determined by the Governor. An investigation shall commence immediately upon any failure to timely file the initial motion for postconviction relief in state court, and any appeal therefrom, or the initial petition for writ of habeas corpus in federal court, and any appeal therefrom. The time frames established by this rule are not tolled during the pendency of any petition for rehearing or reconsideration (or any similar such motion for clarification, etc.), request for rehearing en banc in the 11th Circuit Court of Appeals, or petition for writ of certiorari in the U.S. Supreme Court. Failure to conduct or complete the investigation pursuant to these rules shall not be a ground for relief for the death penalty defendant. The Parole Commission's Capital Punishment Research Specialist shall routinely monitor and track death penalty cases beyond direct appeal for this purpose. Cases investigated under previous administrations may be reinvestigated at the Governor's discretion.

D. Parole Commission Report

After the investigation is concluded, the Commissioners who personally interviewed the inmate shall prepare and issue a final report on their findings and conclusions. The final report shall include (1) any statements made by the defendant, and defendant's counsel, during the course of the investigation; (2) a detailed summary from each Commissioner who interviewed the inmate; and (3) information gathered during the course of the investigation. The final report shall be forwarded to all members of the Clemency Board within 120 days of the commencement of the investigation, unless the time period is extended by the Governor.

E. Request for Hearing by any Clemency Board Member

After the report is received by the Clemency Board, the Coordinator shall place the case on the agenda for the next scheduled meeting or at a specially called meeting of the Clemency Board if, as a result of the investigation, or final report, any member of the

Clemency Board requests a hearing within 20 days of transmittal of the final report to the Clemency Board. Once a hearing is set, the Coordinator shall provide notice to the appropriate state attorney, the inmate's clemency counsel, the victim's rights coordinator in the Executive Office of the Governor and the Office of Attorney General, Bureau of Advocacy and Grants. The Office of the Attorney General, Bureau of Advocacy and Grants shall then notify the victims of record of the hearing.

F. Request for Hearing by Governor

Notwithstanding any provision to the contrary in the Rules of Executive Clemency, in any case in which the death sentence has been imposed, the Governor may at any time place the case on the agenda and set a hearing for the next scheduled meeting or at a specially called meeting of the Clemency Board.

G. Transcript of Interview

Upon request, a copy of the actual transcript of any statements or testimony of the inmate relating to a clemency investigation shall be provided to the state attorney, the inmate's clemency counsel, or victim's family. The attorney for the state, the inmate's clemency counsel, the victim's family, the inmate, or any other interested person may file a written statement, brief or memorandum on the case within 90 days of initiation of the investigation under Rule 15, copies of which will be distributed to the members of the Clemency Board. The person filing such written information should provide five (5) copies to the Coordinator of the Office of Executive Clemency.

H. Time Limits

At the clemency hearing for capital punishment cases, the inmate's clemency counsel and the attorneys for the state may make an oral presentation, each not to exceed 15 minutes collectively. Representatives of the victim's family may make oral statements not to exceed

an additional five minutes collectively. The Governor may extend these time frames at his or her discretion.

I. Distribution and Filing of Orders

If a commutation of a death sentence is ordered by the Governor with the approval of at least two members of the Clemency Board, the original order shall be filed with the custodian of state records, and a copy of the order shall be sent to the inmate, the attorneys representing the state, the inmate's clemency counsel, a representative of the victim's family, the Secretary of the Department of Corrections, and the chief judge of the circuit where the inmate was sentenced. The Office of the Attorney General, Bureau of Advocacy and Grants shall inform the victim's family within 24 hours of such action by the Clemency Board.

16. Confidentiality of Records and Documents

Due to the nature of the information presented to the Clemency Board, all records and documents generated and gathered in the clemency process as set forth in the Rules of Executive Clemency are confidential and shall not be made available for inspection to any person except members of the Clemency Board and their staff. Only the Governor, and no other member of the Clemency Board, nor any other state entity that may be in the possession of Clemency Board materials, has the discretion to allow such records and documents to be inspected or copied. Access to such materials, as approved by the Governor, does not constitute a waiver of confidentiality.

17. Cases Proposed by the Governor or Members of the Clemency Board

In cases of exceptional merit, any member of the Clemency Board may place a case on an upcoming agenda for consideration.

18. Collection of Statistics and Evaluation of Clemency Action

The Office of Executive Clemency, in conjunction with the Florida Parole Commission and Department of Corrections, shall collect and submit to the Clemency Board

an annual written report providing statistics and evaluations regarding the status of those individuals whose rights were restored during the previous two calendar years. The first report shall be filed on July 1, 2011.

19. Effective Dates

History. - Adopted September 10, 1975, Rule 6 (formerly Rule 9) effective November 1, 1975; Rule 7 adopted December 8, 1976; Rule 6 amended December 8, 1976, effective July 1, 1977; revised September 14, 1977; Rule 12 amended October 7, 1981; revised December 12, 1984; amended January 8, 1985; amended July 2, 1985; Rule 12 amended September 18, 1986; Rules amended December 18, 1991, effective January 1, 1992; Rule 10 and Rule 15 amended June 22, 1992; Rules amended December 29, 1994, effective January 1, 1995. Rules amended January 7, 1997, effective January 15, 1997; Rule 4 and Rule 9 revised October 28, 1999, effective January 1, 2000; Rules revised June 14, 2001, effective June 14, 2001; Rules revised March 27, 2003; effective March 27, 2003; Rules revised June 20, 2003; effective June 20, 2003; Rules revised December 9, 2004; effective December 9, 2004; Rules revised April 5, 2007, effective April 5, 2007; Rules revised March 9, 2011, effective March 9, 2011.

GOVERNOR CRIST ANNOUNCES CLEMENCY BOARD'S VOTE TO RESTORE CIVIL RIGHTS

April 5, 2007

Contact:

ERIN ISAAC
(850) 488-5394

TALLAHASSEE – Governor Charlie Crist today during a special meeting of the Florida Board of Executive Clemency introduced a change to the Rules of Executive Clemency that will provide for the restoration of the civil rights for certain ex-offenders. The rule was approved by a 3-1 majority of the clemency board, which consists of the Governor and the Florida Cabinet. Attorney General Bill McCollum voted against the measure.

"If we believe people have paid their debt to society, then that debt should be considered paid in full, and their civil rights should in fact be restored," said Governor Crist. "By granting ex-offenders the opportunity to participate in the democratic process, we restore their ability to be gainfully employed, as well as their dignity."

Under the rule, the civil rights of ex-offenders who have committed less severe crimes, and meet the following requirements, would qualify for approval without a hearing:

Those who have completed their sentence as well as all conditions of supervision, including probation;

Those who have no pending criminal charges;

Those who have paid all victim restitution;

Those who have not committed certain severe offenses or qualify as a habitual violent offender, violent career criminal or sexual predator.

The rule also provides for clemency board review and approval of certain offenders who have committed severe crimes by means of a Preliminary Review List, without the need for a full hearing.

"I am proud to stand with the Cabinet to stop denying voting rights and occupational licenses to tens of thousands of Floridians each year who deserve a second chance," said Chief Financial Officer Alex Sink. "We should provide Floridians with incentives, instead of roadblocks, to be responsible and to make the right decisions for themselves and their families."

A certificate will be mailed to individuals who meet the criteria for automatic approval for restoration of civil rights. Individuals who are not eligible for automatic approval may continue to apply for restoration by contacting the Office of Executive Clemency.

RESTORATION OF CIVIL RIGHTS

How the Clemency Process Begins:

The Department of Corrections submits a list of ex-offenders who have completed their sentences

The Parole Commission reviews the list for initial eligibility to verify that:

- a. They have completed their sentence.
- b. They have completed their probation or supervision.
- c. They have paid 100% of victim restitution.
- d. There are no pending cases on the state or federal level.

Once initial eligibility is verified, the Parole Commission will determine which restoration level process is required.

Once an ex-offender's level has been determined, the Office of Executive Clemency initiates the process.

- a. For less severe and severe offenses, except murder and sex offenses, ex-offenders are not required to take any action and will be notified if their rights have been restored or if found ineligible.
- b. For murder, sex offenses, and unapproved severe offenses, ex-offenders need to request a hearing through the Office of the Executive Clemency.

Under these rules, the rights being restored are:

Voting Rights

Right to Serve on a Jury

Right to Apply for Occupational Licenses

Right to Hold Public Office

Gun rights will NOT be restored.

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 2007C - 113

Pursuant to Article IV, Section 8 (a), of the Florida Constitution, and by mutual consent of the Governor and the requisite members of the Cabinet, the attached Rules of Executive Clemency are hereby adopted.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capital, this 5th day of April, 2007



GOVERNOR



ATTORNEY GENERAL



CHIEF FINANCIAL OFFICER



COMMISSIONER OF AGRICULTURE

ATTEST:



SECRETARY OF STATE

FILED
2007 APR 27 PM 3:07
OFFICE OF THE SECRETARY OF STATE
TALLAHASSEE, FLORIDA

RULES OF EXECUTIVE CLEMENCY

1. Statement of Policy

Executive Clemency is a power vested in the Governor by the Florida Constitution of 1968. Article IV, Section 8(a) of the Constitution provides:

Except in cases of treason and in cases where impeachment results in conviction, the governor may, by executive order filed with the custodian of state records, suspend collection of fines and forfeitures, grant reprieves not exceeding sixty days and, with the approval of two members of the cabinet, grant full or conditional pardons, restore civil rights, commute punishment, and remit fines and forfeitures for offenses. The Governor and members of the Cabinet collectively are the Clemency Board. Clemency is an act of mercy that absolves the individual upon whom it is bestowed from all or any part of the punishment that the law imposes.

2. Administration

A. These rules were created by mutual consent of the Clemency Board to assist persons in applying for clemency. However, nothing contained herein can or is intended to limit the authority or discretion given to the Clemency Board in the exercise of its constitutional prerogative.

B. The Office of Executive Clemency was created to assist in the orderly and expeditious exercise of this executive power.

C. The Governor, with the approval of at least two members of the Clemency Board, appoints a Coordinator who hires all assistants. The Coordinator and assistants comprise the Office of Executive Clemency. The Coordinator must keep a proper record of all proceedings and is the custodian of all records.

3. Parole and Probation

The Clemency Board will neither grant nor revoke parole or probation.

4. Clemency

The Governor has the unfettered discretion to deny clemency at any time, for any reason. The Governor, with the approval of at least two members of the Clemency Board, has the unfettered discretion to grant, at any time, for any reason, the following forms of clemency:

I. A. Full Pardon

A Full Pardon unconditionally releases a person from punishment and forgives guilt for any Florida convictions. It restores to an applicant all of the rights of citizenship possessed by the person before his or her conviction, including the right to own, possess, or use firearms.

B. Pardon Without Firearm Authority

A Pardon Without Firearm Authority releases a person from punishment and forgives guilt. It entitles an applicant to all of the rights of citizenship enjoyed by the person before his or her conviction, except the specific authority to own, possess, or use firearms.

C. Pardon for Misdemeanor

A Pardon for a Misdemeanor Conviction releases a person from punishment and forgives guilt.

D. Commutation of Sentence

A Commutation of Sentence may adjust an applicant's penalty to one less severe but does not restore any civil rights, and it does not restore the authority to own, possess, or use firearms. (See also Rule 15 on commutation of death sentences.)

E. Remission of Fines and Forfeitures

A Remission of Fines or Forfeitures suspends, reduces, or removes fines or forfeitures.

F. Specific Authority to Own, Possess, or Use Firearms

The Specific Authority to Own, Possess, or Use Firearms restores to an applicant the right to own, possess, or use firearms, which were lost as a result of a felony conviction. Due to federal firearms laws, the Clemency Board will not consider requests for firearm authority from individuals convicted in federal or out-of-state courts. In order to comply with the federal laws, a Presidential Pardon or a Relief of Disability from the Bureau of Alcohol, Tobacco and Firearms must be issued in cases involving federal court convictions. A pardon or restoration of civil rights with no restrictions on firearms must be issued by the state where the conviction occurred.

G. Restoration of Civil Rights in Florida

The Restoration of Civil Rights restores to an applicant all of the rights of citizenship in the State of Florida enjoyed before the felony conviction, except the specific authority to own, possess, or use firearms. Such restoration shall not relieve an applicant from the registration and notification requirements or any other obligations and restrictions imposed by law upon sexual predators or sexual offenders.

H. Restoration of Alien Status under Florida Law

The Restoration of Alien Status Under Florida Law restores to an applicant who is not a citizen of the United States such rights enjoyed by him or her, under the authority of the State of Florida, which were lost as a result of a conviction of any crime that is a felony or would be a felony under Florida law, except the specific authority to own, possess, or use firearms. However, restoration of these rights shall not affect the immigration status of the applicant (i.e., a certificate evidencing Restoration of Alien Status Under Florida Law shall not be a ground for relief from removal proceedings initiated by the United States Immigration and Naturalization Service).

II. Conditional Clemency

All of the preceding forms of clemency may be granted subject to various conditions. If the conditions of clemency are violated or breached, such clemency may be revoked by the Clemency Board, returning the applicant to his or her status prior to receiving the conditional clemency.

5. Eligibility

I. A. Pardons

A person may not apply for a pardon unless he or she has completed all sentences imposed and all conditions of supervision have expired or been completed, including but not limited to, parole, probation, community control, control release and conditional release, for a period of no less than 10 years. The applicant may not have outstanding detainers, or any pecuniary penalties or liabilities which total more than \$1,000 and result from any criminal conviction or traffic infraction. In addition, the applicant may not have any outstanding victim restitution, including, but not limited to, restitution pursuant to a court order or civil judgment, or obligations pursuant to Chapter 960, Florida Statutes.

Persons who had adjudication of guilt withheld and were not convicted, may apply for a pardon if they otherwise meet the eligibility requirements of this rule.

B. Commutations of Sentence

A person may not be considered for a commutation of sentence unless he or she has been granted a waiver pursuant to Rule 8 or has had his or her case placed upon a Clemency Board agenda pursuant to Rule 17.

C. Remission of Fines and Forfeitures

A person may not apply for a remission of fines and forfeitures unless he or she has completed all sentences imposed and all conditions of supervision have expired or been completed, including, but not limited to, parole, probation, community control, control release, and conditional release.

D. Specific Authority to Own, Possess, or Use Firearms

A person may not apply for the specific authority to own, possess, or use firearms unless he or she has completed all sentences imposed and all conditions of supervision have expired or been completed, including but not limited to, parole, probation, community control, control release, and conditional release, for a period of no less than eight (8) years. The applicant may not have outstanding detainers, or any pecuniary penalties or liabilities which total more than \$1,000 and result from any criminal conviction or traffic infraction. In addition, the applicant may not have any outstanding victim restitution, including, but not limited to, restitution pursuant to a court order or civil judgment, or obligations pursuant to Chapter 960, Florida Statutes. Persons convicted in a federal, military, or out-of-state court are not eligible to apply.

E. Restoration of Civil Rights or Alien Status under Florida Law

A person, who meets the requirements of Rule 9, shall have his or her civil rights immediately restored by automatic approval of the Clemency Board. Persons who do not qualify for automatic approval under Rule 9, may qualify for restoration of civil rights without a hearing under Rule 10.¹ All others may request restoration of civil rights pursuant to Rule 6 after completion of all sentences imposed and all conditions of supervision have expired or been completed, including but not limited to, imprisonment, parole, probation, community control, control release, and conditional release, has no pending outstanding detainers or pending criminal charges, and has paid all restitution pursuant to a court order or civil judgment and obligations pursuant to Chapter 960, Florida Statutes. Restoration of civil rights includes all rights of citizenship enjoyed by the person before his or her conviction, except the specific authority to own, possess or use firearms.

If the person was convicted in a court other than a court of the State of Florida, he or she must be a legal resident of the State of Florida at the time the application is filed, considered, and acted upon. If the person is applying for Restoration of Alien Status under Florida Law, he or she must be domiciled in the State of Florida at the time the application is filed, considered, and acted upon.

Notwithstanding any provision of this rule, an individual who has previously had his or her civil rights or Alien Status under Florida Law restored and is subsequently convicted of any offense listed in Rule 9(A)(4) or 9(A)(5) shall be ineligible for restoration of civil rights or Alien Status under Florida law unless the individual has remained crime and arrest free for a period of no less than ten (10) years after completing all sentences and conditions of supervision (including but not limited to, parole, probation, community control, control release and conditional release) arising from the subsequent conviction.

6. Applications

I. A. Application Forms

All correspondence regarding an application for clemency should be addressed to Coordinator, Office of Executive Clemency, 2601 Blair Stone Road, Building C, Room 244 Tallahassee, Florida, 32399-2450. Those persons seeking clemency shall complete an application and submit it to the Office of Executive Clemency. Persons eligible for automatic approval of Restoration of Civil Rights or Alien Status under Florida Law under Rule 9, or approval without a hearing under Rule 10 need not submit an application. (See Rule 9 or 10.) Application forms will be furnished by the Coordinator upon request or they may be downloaded from the clemency website at <https://fpc.state.fl.us/Clemency.htm>. All applications for clemency must be filed with the Coordinator on the form provided by the Office of Executive Clemency.

B. Supporting Documents

Each application for clemency, except for requests seeking only restoration of civil rights, shall have attached to it a certified copy of the charging instrument (indictment, information, or warrant with supporting affidavit) for each felony conviction, or misdemeanor conviction if seeking a pardon for a

¹ Effective April 5, 2007, persons released from incarceration and/or supervision shall have their names electronically transmitted from the Department of Corrections to the Office of Executive Clemency to begin the process for the automatic approval of restoration of civil rights or for restoration of civil rights without a hearing.

misdemeanor, and a certified copy of the judgment and sentence for each felony conviction, or misdemeanor conviction if seeking a pardon for a misdemeanor. *(Note: The Office of Executive Clemency or Parole Commission may assist in preparation of applications in unique situations.)* Each application for clemency may include character references, letters of support, and any other documents that are relevant to the application for clemency.

C. Applicant Responsibility

It is the responsibility of the applicant to answer all inquiries fully and truthfully and to keep the Office of Executive Clemency advised of any change in the information provided in the application, specifically change of address and phone number.

D. Failure to Meet Requirements

If any application fails to meet the requirements of the Rules of Executive Clemency, the Coordinator may return it without further consideration.

II. Notification

Upon receipt of a completed application that meets the requirements of the Rules of Executive Clemency, the Coordinator shall make reasonable attempts to notify the victims of record, the respective State Attorney's Office, the Office of the Statewide Prosecutor, if applicable, and the Office of the Attorney General, Bureau of Advocacy and Grants.

7. Applications Referred to the Florida Parole Commission

Every application which meets the requirements of these Rules may be referred to the Florida Parole Commission for an investigation, report, and recommendation. All persons who submit applications shall comply with the reasonable requests of the Florida Parole Commission in order to facilitate and expedite investigation of their cases. Failure to comply with such requests by the Commission, without adequate explanation, may result in denial of the application without further consideration.

8. Waiver of the Rules to Apply for Clemency

I. A. Request for Waiver

If an applicant cannot meet the requirements of Rule 5, he or she may seek a waiver of the rules so long as at least two years have elapsed since the applicant was first convicted and, except for waivers for commutation of sentence, no restitution is owed by applicant. However, an applicant who receives a mandatory minimum sentence must serve at least one-third of the sentence before applying for a waiver of the rules. If an otherwise ineligible applicant demonstrates extraordinary merit, based upon a concise statement of compelling need, the two-year time period or the serving of one-third of the mandatory minimum sentence may be waived by the Governor. Individuals eligible for waiver consideration may receive a "Request for Waiver" application form by contacting the Office of Executive Clemency or it may be downloaded from the clemency website at <https://fpc.state.fl.us/Clemency.htm>. Upon receipt of the original and four (4) copies of the Request for Waiver form, clemency application, and any other

material to be considered, the Coordinator shall forward copies of the documents to the Clemency Board and the Florida Parole Commission. The Commission shall review the documents and make an advisory recommendation to the Clemency Board. Notification of receipt by the Office of Executive Clemency of such a request for waiver shall be provided as indicated under Rule 6. A waiver of the rules may only be granted by the Governor with the approval of at least one member of the Clemency Board. Rule 17 may also be invoked by any member of the Clemency Board.

B. Denial of Waiver

Waiver cases which have not been acted upon by the Clemency Board within 90 days of receipt of the Parole Commission's waiver report by the Office of Executive Clemency, shall be summarily denied, unless the period is extended by the Governor.

C. Referral to Commission

Upon receipt by the Coordinator of written notification from the Governor and at least one member of the Clemency Board, or such notification invoking Rule 17, the Coordinator may refer the request to the Parole Commission for a full investigation and place the case on the next possible agenda to be heard by the Clemency Board.

D. Notification

The Coordinator shall attempt to provide individuals seeking waivers of the rules, and the respective prosecuting authority, with approximately 20 days notice prior to any such request being heard by representatives of the Clemency Board.

II. §944.30 Cases

All remaining §944.30, Florida Statutes, cases will be processed under this rule.

III. Domestic Violence Case Review

Domestic violence cases that meet the criteria as enumerated within the special waiver procedures adopted by the Clemency Board on December 18, 1991, as amended, will be processed as requests for waivers of the rule.

9. Automatic Approval of Restoration of Civil Rights or Alien Status under Florida Law

A. Criteria for Eligibility

A person shall have his or her civil rights or alien status under Florida Law immediately restored by automatic approval of the Clemency Board, excluding the specific authority to own, possess, or use firearms, if the following requirements are met:

1. The person has completed all sentences imposed and all conditions of supervision have expired or been completed, including but not limited to, imprisonment, parole, probation, community control, control release, and conditional release;

2. The person has no outstanding detainers or pending criminal charges;
3. The person has paid all restitution pursuant to a court order or civil judgment and obligations pursuant to Chapter 960, Florida Statutes;
4. The person has never been convicted of one of the following crimes:
 - a. murder, attempted murder, attempted felony murder, manslaughter (F.S. Chapter 782);
 - b. DUI manslaughter (F.S. 316.193(3));
 - c. sexual battery, attempted sexual battery (F.S. 794.011)
 - d. lewd or lascivious battery, attempted lewd or lascivious battery, lewd or lascivious molestation, lewd or lascivious conduct, or lewd or lascivious exhibition (F.S. Chapter 800);
 - e. lewd or lascivious offense upon or in the presence of an elderly or disabled person, attempted lewd or lascivious offense upon or in the presence of an elderly or disabled person (F.S. 825.1025);
 - f. sexual performance by a child, attempted sexual performance by a child (F.S. 827.071);
 - g. aggravated child abuse (F.S. 827.03);
 - h. failure to register as a sexual predator (F.S. 775) or sexual offender (F.S. 943.0435);
 - i. computer pornography, transmission of computer pornography, buying or selling of minors (F.S. Chapter 847);
 - j. kidnapping, attempted kidnapping, false imprisonment, or luring and enticing a child (F.S. Chapter 787);
 - k. aggravated battery, attempted aggravated battery (F.S. 784.045);
 - l. armed robbery, attempted armed robbery, carjacking, attempted carjacking, home invasion, attempted home invasion (F.S. Chapter 812);
 - m. poisoning of food or water (F.S. 859.01);
 - n. abuse of a dead human body (F.S. 872.06);
 - o. first degree burglary or attempted first degree burglary (F.S. 810.02);
 - p. arson or attempted arson (F.S. 806.01);
 - q. aggravated assault (F.S. 784.021);
 - r. aggravated stalking (F.S. 784.048);
 - s. aggravated battery or aggravated assault on a law enforcement officer or other specified officer (F.S. 784.07);
 - t. first degree trafficking in illegal substances (F.S. 893.135);
 - u. aircraft piracy (F.S. 860.16);
 - v. unlawful throwing, placing, or discharging of a destructive device or bomb (F.S. 790.161);
 - w. facilitating or furthering terrorism (F.S. 775.31);
 - x. treason (F.S. 876.32); or
 - y. any offense committed in another jurisdiction that would be an offense listed in this paragraph if that offense had been committed in this State.
5. The person has not been declared to be one of the following:
 - a. Habitual Violent Felony Offender under F.S. 775.084(1)(b);
 - b. Three-time Violent Felony Offender under F.S. 775.084(1)(c);
 - c. Violent Career Criminal under F.S. 775.084;
 - d. Prison Releasee Reoffender under F.S. 775.082(9)(a);
 - e. Sexual Predator under F.S. 775.21;

6. In the case of restoration of civil rights, (a) the person must be a citizen of the United States; and (b) if convicted in a court other than a Florida court, the person must be a legal resident of Florida.
7. In the case of restoring alien status under Florida Law, the person must be domiciled in Florida.

B. Action by Clemency Board

The Florida Parole Commission shall review the records of individuals released by the Department of Corrections by expiration of sentence or from community supervision, who are identified as eligible for automatic approval of restoration of civil rights. If an individual meets all requirements under Rule 9(A), then the Coordinator shall provide that information to the Clemency Board, and pursuant to executive order, issue a certificate that grants restoration of civil rights or alien status under Florida Law in the State of Florida, without the specific authority to own, possess or use firearms. Article IV, Section 8 of the Florida Constitution provides that an executive order granting clemency requires the signature of the Governor and two members of the Clemency Board. A person who is not eligible for automatic restoration of civil rights under Rule 9(A), and is not eligible for restoration of civil rights without a hearing under Rule 10, may request restoration of civil rights pursuant to Rule 6.

C. Out-of-State or Federal Convictions

If the person has been convicted in a court other than a court of the State of Florida, a request for the restoration of civil rights or alien status under Florida law must be submitted in accordance with Rule 6. Such request shall be reviewed by the Florida Parole Commission to determine if the requirements under Rule 9(A) are met. If the Commission certifies that all of the requirements in Rule 9(A) are met, the Coordinator shall follow procedures for the automatic restoration of civil rights as enumerated herein.

10. Restoration of Civil Rights or Alien Status under Florida Law Without a Hearing

A. Criteria for Eligibility

As provided in paragraph 10 C, an individual may have his or her civil rights or alien status under Florida law restored, excluding the specific authority to own, possess, or use firearms, without a hearing, if the following requirements are met:

1. The person has completed all sentences imposed and all conditions of supervision have expired or been completed, including but not limited to, imprisonment, parole, probation, community control, control release, and conditional release;
2. The person has no outstanding detainers or pending criminal charges;
3. The person has paid all restitution pursuant to a court order or civil judgment and obligations pursuant to Chapter 960, Florida Statutes;
4. The person has never been convicted of one of the following crimes:
 - a. murder, attempted murder, attempted felony murder, manslaughter (F.S. Chapter 782);
 - b. DUI manslaughter (F.S. 316.193(3));
 - c. sexual battery, attempted sexual battery (F.S. 794.011)

- d. lewd or lascivious battery, attempted lewd or lascivious battery, lewd or lascivious molestation, lewd or lascivious conduct, or lewd or lascivious exhibition (F.S. Chapter 800);
- e. lewd or lascivious offense upon or in the presence of an elderly or disabled person, attempted lewd or lascivious offense upon or in the presence of an elderly or disabled person (F.S. 825.1025);
- f. sexual performance by a child, attempted sexual performance by a child (F.S. 827.071);
- g. aggravated child abuse (F.S. 827.03);
- h. failure to register as a sexual predator (F.S. 775) or sexual offender (F.S. 943.0435);
- i. facilitating or furthering terrorism (F.S. 775.31);
- j. treason (F.S. 876.32); or
- k. any offense committed in another jurisdiction that would be an offense listed in this paragraph if that offense had been committed in this State.

5. The person has not been declared to be a Sexual Predator under F.S. 775.21;

6. In the case of restoration of civil rights, (a) the person must be a citizen of the United States; and (b) if convicted in a court other than a Florida court, the person must be a legal resident of Florida.

7. In the case of restoring alien status under Florida Law, the person must be domiciled in Florida.

B. Criteria for 15 Year Eligibility

Except as provided in paragraph 10 C, an individual may have his or her civil rights or alien status under Florida law restored, excluding the specific authority to own, possess, or use firearms, without a hearing, if the following requirements are met:

1. The person has remained crime and arrest free for a period of 15 years or more after completion of all sentences imposed and all conditions of supervision have expired or been completed, including but not limited to, imprisonment, parole, probation, community control, control release, and conditional release;

2. The person has paid all restitution pursuant to a court order or civil judgment and obligations pursuant to Chapter 960, Florida Statutes;

3. In the case of restoration of civil rights, (a) the person must be a citizen of the United States; and (b) if convicted in a court other than a Florida court, the person must be a legal resident of Florida.

4. In the case of restoring alien status under Florida Law, the person must be domiciled in Florida.

C. Approval by Clemency Board

The Florida Parole Commission shall review the records of all individuals released by the Department of Corrections by expiration of sentence or community supervision to certify their eligibility for restoration of civil rights or alien status under Florida law without a hearing. The Coordinator shall issue a preliminary review list of individuals eligible for restoration of civil rights or alien status under

Florida law without a hearing to the Clemency Board members. If the Governor plus two members approve an individual's restoration of civil rights or alien status under Florida law without a hearing within 30 days of issuance of the preliminary review list, the Coordinator shall, by executive order, issue a certificate that grants the individual restoration of civil rights or alien status under Florida law in the State of Florida, without the specific authority to own, possess, or use firearms. If approval is not granted, that candidate will be notified, and may pursue restoration of these rights pursuant to Rule 6.

D. Out-of-State or Federal Convictions

If the person has been convicted in a court other than a court of the State of Florida, a request for the restoration of civil rights or alien status under Florida law must be submitted in accordance with Rule 6. Such request shall be reviewed by the Florida Parole Commission to determine if the requirements under Rule 10(A) are met. If the Commission certifies that all of the requirements in Rule 10(A) are met, the Coordinator shall follow procedures for the restoration of civil rights or alien status without a hearing as enumerated herein.

11. Hearings by the Clemency Board on Pending Applications

A. Cases on the Agenda

After the Parole Commission investigation is complete, the Coordinator may place upon the agenda for consideration by the Clemency Board at its next scheduled meeting:

1. Timely applications that meet the eligibility requirements under Rule 5 for which any investigation, report and recommendation, conducted under Rule 7, has been completed;

2. Cases in which an applicant has obtained a waiver under Rule 8 or when Rule 17 has been invoked so long as any investigation, report and recommendation conducted under Rule 7 has been completed.

B. Distribution of Agenda

The Coordinator shall prepare an agenda which shall include all cases that qualify for a hearing under Subsection A of this Rule. A preliminary agenda shall be distributed to the Clemency Board at least 10 days before the next scheduled meeting.

C. Failure of Applicant to Comply With Rules

An applicant's failure to comply with any rule of executive clemency may result in refusal, without notice, to place an application on the agenda for consideration.

12. Hearings Before the Clemency Board

A. Scheduled Meetings

The Clemency Board will meet in the months of March, June, September, and December of each year, or at such times as set by the Clemency Board. The Governor may call a special meeting at any time for any reason.

B. Notice of Appearance

Applicants are not required to appear at the hearing, but the Clemency Board encourages applicants to attend. The applicant, or any other person intending to speak on behalf of the applicant, must notify the Office of Executive Clemency at least 10 days prior to the scheduled meeting of the Clemency Board.

C. Time Limits

Any person making an oral presentation to the Clemency Board will be allowed no more than five minutes. All persons making oral presentations in favor of an application shall be allowed cumulatively no more than 10 minutes. All persons making oral presentations against an application, including victims, shall be allowed cumulatively no more than 10 minutes.

D. Filing of Executive Orders

Subsequent to the hearings of the Clemency Board, the Coordinator shall prepare executive orders granting clemency as directed and circulate them to the members of the Clemency Board. After the Executive Orders are fully executed, the Coordinator shall certify and mail a copy to the applicant. The original executive order shall be filed with the custodian of state records. The Coordinator shall send a letter to each applicant officially stating the disposition of his or her application. A seal is not used by the Office of Executive Clemency.

13. Continuance and Withdrawal of Cases

An interested party may apply for a continuance of a case if the continuance is based on good cause. The Governor will decide if the case will be continued. Cases held under advisement for further information desired by the Governor will be marked “continued” and noted on each subsequent agenda until the case is decided.

The applicant may withdraw his or her application by notifying the Office of Executive Clemency at least 20 days prior to the next scheduled meeting of the Clemency Board. A request to withdraw a case made within 20 days of the hearing on the application will be allowed if the Governor or the Coordinator for the Office of Executive Clemency determines that there is good cause. Cases that are withdrawn from the agenda will not be considered again until the application is re-filed.

14. Reapplication for Clemency

Any otherwise eligible person who has been granted or denied any form of executive clemency may not reapply for further executive clemency for at least two years from the date that such action became final. Any person who was granted a waiver of the Rules but was subsequently denied any form of executive clemency, must apply for another waiver prior to seeking any form of executive clemency in the future, if otherwise ineligible. However, he or she may not apply for another waiver for at least three years from the date that such action became final. Any person who has been denied a waiver under Rule 8 may not apply for another waiver for at least three years from the date the waiver was denied. Any person who (i) has been convicted of a capital or life felony, (ii) has been denied a waiver pursuant to Rule 8 and,

(iii) is currently incarcerated, may not apply for another waiver for at least five years from the date the waiver was denied.

15. Commutation of Death Sentences

This Rule applies to all cases where the sentence of death has been imposed. The Rules of Executive Clemency, except Rules 1, 2, 3, 4, 15 and 16 are inapplicable to cases where inmates are sentenced to death.

A. Confidentiality

Notwithstanding incorporation of Rule 16 by reference in cases where inmates are sentenced to death, the full text of Rule 16 is repeated below for clarification: Due to the nature of the information presented to the Clemency Board, all records and documents generated and gathered in the clemency process as set forth in the Rules of Executive Clemency are confidential and shall not be made available for inspection to any person except members of the Clemency Board and their staff. Only the Governor and no other member of the Clemency Board, nor any other state entity that may be in the possession of Clemency Board materials, has the discretion to allow such records and documents to be inspected or copied. Access to such materials shall not constitute a waiver of confidentiality.

B. Parole Commission Investigation

In all cases where the death penalty has been imposed, the Florida Parole Commission may conduct a thorough and detailed investigation into all factors relevant to the issue of clemency and provide a final report to the Clemency Board. The investigation shall include, but not be limited to, (1) an interview with the inmate, who may have clemency counsel present, by the Commission; (2) an interview, if possible, with the trial attorneys who prosecuted the case and defended the inmate; (3) an interview, if possible, with the presiding judge and; (4) an interview, if possible, with the defendant's family. The Parole Commission shall provide notice to the Office of the Attorney General, Bureau of Advocacy and Grants, that an investigation has been initiated. The Office of the Attorney General, Bureau of Advocacy and Grants shall then provide notice to the victims of record that an investigation is pending and at that time shall request written comments from the victims of record. Upon receipt of comments from victims of record or their representatives, the Office of the Attorney General, Bureau of Advocacy and Grants shall forward such comments to the Parole Commission to be included in the final report to the Clemency Board.

C. Monitoring Cases for Investigation

The investigation by the Parole Commission shall begin at such time as designated by the Governor. If the Governor has made no such designation, the investigation shall begin immediately after the defendant's initial petition for writ of habeas corpus, filed in the appropriate federal district court, has been denied by the 11th Circuit Court of Appeals, so long as all post-conviction pleadings, both state and federal, have been filed in a timely manner as determined by the Governor. An investigation shall commence immediately upon any failure to timely file the initial motion for postconviction relief in state court, and any appeal therefrom, or the initial petition for writ of habeas corpus in federal court, and any appeal therefrom. The time frames established by this rule are not tolled during the pendency of any petition for rehearing or reconsideration (or any similar such motion for clarification, etc.), request for rehearing en banc in the 11th Circuit Court of Appeals, or petition for writ of certiorari in the U.S.

Supreme Court. Failure to conduct or complete the investigation pursuant to these rules shall not be a ground for relief for the death penalty defendant. The Parole Commission's Capital Punishment Research Specialist shall routinely monitor and track death penalty cases beyond direct appeal for this purpose. Cases investigated under previous administrations may be reinvestigated at the Governor's discretion.

D. Parole Commission Report

After the investigation is concluded, the Commissioners who personally interviewed the inmate shall prepare and issue a final report on their findings and conclusions. The final report shall include (1) any statements made by the defendant, and defendant's counsel, during the course of the investigation; (2) a detailed summary from each Commissioner who interviewed the inmate; and (3) information gathered during the course of the investigation. The final report shall be forwarded to all members of the Clemency Board within 120 days of the commencement of the investigation, unless the time period is extended by the Governor.

E. Request for Hearing by any Clemency Board Member

After the report is received by the Clemency Board, the Coordinator shall place the case on the agenda for the next scheduled meeting or at a specially called meeting of the Clemency Board if, as a result of the investigation, or final report, any member of the Clemency Board requests a hearing within 20 days of transmittal of the final report to the Clemency Board. Once a hearing is set, the Coordinator shall provide notice to the appropriate state attorney, the inmate's clemency counsel, the victim's rights coordinator in the Executive Office of the Governor and the Office of Attorney General, Bureau of Advocacy and Grants. The Office of the Attorney General, Bureau of Advocacy and Grants shall then notify the victims of record of the hearing.

F. Request for Hearing by Governor

Notwithstanding any provision to the contrary in the Rules of Executive Clemency, in any case in which the death sentence has been imposed, the Governor may at any time place the case on the agenda and set a hearing for the next scheduled meeting or at a specially called meeting of the Clemency Board.

G. Transcript of Interview

Upon request, a copy of the actual transcript of any statements or testimony of the inmate relating to a clemency investigation shall be provided to the state attorney, the inmate's clemency counsel, or victim's family. The attorney for the state, the inmate's clemency counsel, the victim's family, the inmate, or any other interested person may file a written statement, brief or memorandum on the case within 90 days of initiation of the investigation under Rule 15, copies of which will be distributed to the members of the Clemency Board. The person filing such written information should provide five (5) copies to the Coordinator of the Office of Executive Clemency.

H. Time Limits

At the clemency hearing for capital punishment cases, the inmate's clemency counsel and the attorneys for the state may make an oral presentation, each not to exceed 15 minutes collectively. Representatives of the victim's family may make oral statements not to exceed an additional five minutes collectively. The Governor may extend these time frames at his or her discretion.

I. Distribution and Filing of Orders

If a commutation of a death sentence is ordered by the Governor with the approval of at least two members of the Clemency Board, the original order shall be filed with the custodian of state records, and a copy of the order shall be sent to the inmate, the attorneys representing the state, the inmate's clemency counsel, a representative of the victim's family, the Secretary of the Department of Corrections, and the chief judge of the circuit where the inmate was sentenced. The Office of the Attorney General, Bureau of Advocacy and Grants shall inform the victim's family within 24 hours of such action by the Clemency Board.

16. Confidentiality of Records and Documents

Due to the nature of the information presented to the Clemency Board, all records and documents generated and gathered in the clemency process as set forth in the Rules of Executive Clemency are confidential and shall not be made available for inspection to any person except members of the Clemency Board and their staff. Only the Governor, and no other member of the Clemency Board nor any other state entity that may be in the possession of Clemency Board materials, has the discretion to allow such records and documents to be inspected or copied. Access to such materials, as approved by the Governor, does not constitute a waiver of confidentiality.

17. Cases Proposed by the Governor or Members of the Clemency Board

A. In cases of exceptional merit, any member of the Clemency Board may place a case on an upcoming agenda for consideration.

18. Effective Dates

History. - Adopted September 10, 1975, Rule 6 (formerly Rule 9) effective November 1, 1975; Rule 7 adopted December 8, 1976; Rule 6 amended December 8, 1976, effective July 1, 1977; revised September 14, 1977; Rule 12 amended October 7, 1981; revised December 12, 1984; amended January 8, 1985; amended July 2, 1985; Rule 12 amended September 18, 1986; Rules amended December 18, 1991, effective January 1, 1992; Rule 10 and Rule 15 amended June 22, 1992; Rules amended December 29, 1994, effective January 1, 1995. Rules amended January 7, 1997, effective January 15, 1997; Rule 4 and Rule 9 revised October 28, 1999, effective January 1, 2000; Rules revised June 14, 2001, effective June 14, 2001; Rules revised March 27, 2003; effective March 27, 2003; Rules revised June 20, 2003; effective June 20, 2003; Rules revised December 9, 2004; effective December 9, 2004; Rules revised April 5, 2007, effective April 5, 2007.

RULES OF EXECUTIVE CLEMENCY

1. Statement of Policy

Executive Clemency is a power vested in the Governor by the Florida Constitution of 1968. Article IV, Section 8(a) of the Constitution provides:

Except in cases of treason and in cases where impeachment results in conviction, the governor may, by executive order filed with the custodian of state records, suspend collection of fines and forfeitures, grant reprieves not exceeding sixty days and, with the approval of two members of the cabinet, grant full or conditional pardons, restore civil rights, commute punishment, and remit fines and forfeitures for offenses.

The Governor and members of the Cabinet collectively are the Clemency Board. Clemency is an act of mercy that absolves the individual upon whom it is bestowed from all or any part of the punishment that the law imposes.

2. Administration

A. These rules were created by mutual consent of the Clemency Board to assist persons in applying for clemency. However, nothing contained herein can or is intended to limit the authority or discretion given to the Clemency Board in the exercise of its constitutional prerogative.

B. The Office of Executive Clemency was created to assist in the orderly and expeditious exercise of this executive power.

C. The Governor, with the approval of at least two members of the Clemency Board, appoints a Coordinator who hires all assistants. The Coordinator and assistants comprise the Office of Executive Clemency. The Coordinator must keep a proper record of all proceedings and is the custodian of all records.

3. Parole and Probation

The Clemency Board will neither grant nor revoke parole or probation.

4. Clemency

The Governor has the unfettered discretion to deny clemency at any time, for any reason. The Governor, with the approval of at least two members of the Clemency Board, has the unfettered discretion to grant, at any time, for any reason, the following forms of clemency:

I. A. Full Pardon

A Full Pardon unconditionally releases a person from punishment and forgives guilt for any Florida convictions. It restores to an applicant all of the rights of citizenship possessed by the person before his or her conviction, including the right to own, possess, or use firearms.

B. Pardon Without Firearm Authority

A Pardon Without Firearm Authority releases a person from punishment and forgives guilt. It entitles an applicant to all of the rights of citizenship enjoyed by the person before his or her conviction, except the specific authority to own, possess, or use firearms.

C. Pardon for Misdemeanor

A Pardon for a Misdemeanor Conviction releases a person from punishment and forgives guilt.

D. Commutation of Sentence

A Commutation of Sentence may adjust an applicant's penalty to one less severe but does not restore any civil rights, and it does not restore the authority to own, possess, or use firearms. (See also Rule 15 on commutation of death sentences.)

E. Remission of Fines and Forfeitures

A Remission of Fines or Forfeitures suspends, reduces, or removes fines or forfeitures.

F. Specific Authority to Own, Possess, or Use Firearms

The Specific Authority to Own, Possess, or Use Firearms restores to an applicant the right to own, possess, or use firearms, which were lost as a result of a felony conviction. Due to federal firearms laws, the Clemency Board will not consider requests for firearm authority from individuals convicted in federal or out-of-state courts. In order to comply with the federal laws, a Presidential Pardon or a Relief of Disability from the Bureau of Alcohol, Tobacco and Firearms must be issued in cases involving federal court convictions. A pardon or restoration of civil rights with no restrictions on firearms must be issued by the state where the conviction occurred.

G. Restoration of Civil Rights in Florida

The Restoration of Civil Rights restores to an applicant all of the rights of citizenship in the State of Florida enjoyed before the felony conviction, except the specific authority to own, possess, or use firearms. Such restoration shall not relieve an applicant from the registration and notification requirements or any other obligations and restrictions imposed by law upon sexual predators or sexual offenders.

H. Restoration of Alien Status Under Florida Law

The Restoration of Alien Status Under Florida Law restores to an applicant who is not a citizen of the United States such rights enjoyed by him or her, under the authority of the State of Florida, which were lost as a result of a conviction of any crime that is a felony or would be a felony under Florida law, except the specific authority to own, possess, or use firearms. However, restoration of these rights shall not affect the immigration status of the applicant (i.e., a certificate evidencing Restoration of Alien Status Under Florida Law shall not be a ground for relief from removal proceedings initiated by the United States Immigration and Naturalization Service).

II. Conditional Clemency

All of the preceding forms of clemency may be granted subject to various conditions. If the conditions of clemency are violated or breached, such clemency may be revoked by the Clemency Board, returning the applicant to his or her status prior to receiving the conditional clemency.

5. Eligibility

I. A. Pardons

A person may not apply for a pardon unless he or she has completed all sentences imposed and all conditions of supervision have expired or been completed, including but not limited to, parole, probation, community control, control release and conditional release, for a period of no less than 10 years. The applicant may not have outstanding detainers, or any pecuniary penalties or liabilities which total more than \$1,000 and result from any criminal conviction or traffic infraction. In addition, the applicant may not have any outstanding victim restitution, including, but not limited to, restitution pursuant to a court order or civil judgment, or obligations pursuant to Chapter 960, Florida Statutes. Persons who had adjudication of guilt withheld and were not convicted, may apply for a pardon if they otherwise meet the eligibility requirements of this rule.

B. Commutations of Sentence

A person may not be considered for a commutation of sentence unless he or she has been granted a waiver pursuant to Rule 8 or has had his or her case placed upon a Clemency Board agenda pursuant to Rule 17.

C. Remission of Fines and Forfeitures

A person may not apply for a remission of fines and forfeitures unless he or she has completed all sentences imposed and all conditions of supervision have expired or been completed, including, but not limited to, parole, probation, community control, control release, and conditional release.

D. Specific Authority to Own, Possess, or Use Firearms

A person may not apply for the specific authority to own, possess, or use firearms unless he or she has completed all sentences imposed and all conditions of supervision have expired or been completed, including but not limited to, parole, probation, community control, control release, and conditional release, for a period of no less than eight (8) years. The applicant may not have outstanding detainers, or any pecuniary penalties or liabilities which total more than \$1,000 and result from any criminal conviction or traffic infraction. In addition, the applicant may not have any outstanding victim restitution, including, but not limited to, restitution pursuant to a court order or civil judgment, or obligations pursuant to Chapter 960, Florida Statutes. Persons convicted in a federal, military, or out-of-state court are not eligible to apply.

E. Restoration of Civil Rights or Alien Status Under Florida Law

A person, who meets the requirements of Rule 9, shall have his or her civil rights immediately restored by automatic approval of the Clemency Board. Persons who do not qualify for automatic approval under Rule 9, may qualify for restoration of civil rights

without a hearing under Rule 10. 1 All others may request restoration of civil rights pursuant to Rule 6 after completion of all sentences imposed and all conditions of supervision have expired or been completed, including but not limited to, imprisonment, parole, probation, community control, control release, and conditional release, has no pending outstanding detainers or pending criminal charges, and has paid all restitution pursuant to a court order or civil judgment and obligations pursuant to Chapter 960, Florida Statutes. Restoration of civil rights includes all rights of citizenship enjoyed by the person before his or her conviction, except the specific authority to own, possess or use firearms.

If the person was convicted in a court other than a court of the State of Florida, he or she must be a legal resident of the State of Florida at the time the application is filed, considered, and acted upon. If the person is applying for Restoration of Alien Status Under Florida Law, he or she must be domiciled in the State of Florida at the time the application is filed, considered, and acted upon.

6. Applications

I. A. Application Forms

All correspondence regarding an application for clemency should be addressed to Coordinator, Office of Executive Clemency, 2601 Blair Stone Road, Building C, Room 244 Tallahassee, Florida, 32399-2450. Those persons seeking clemency shall complete an application and submit it to the Office of Executive Clemency. Persons eligible for automatic approval of Restoration of Civil Rights or Alien Status Under Florida Law under Rule 9, or approval without a hearing under Rule 10 need not submit an application. (See Rule 9 or 10.) Application forms will be furnished by the Coordinator upon request or they may be downloaded from the clemency website at <https://fpc.state.fl.us/Clemency.htm>. All

¹ Effective April 4th, 2007, persons released from incarceration and/or supervision shall have their names electronically transmitted from the Department of Corrections to the Office of Executive Clemency to begin the process for the automatic approval of restoration of civil rights or for restoration of civil rights without a hearing.

applications for clemency must be filed with the Coordinator on the form provided by the Office of Executive Clemency.

B. Supporting Documents

Each application for clemency, except for requests seeking only restoration of civil rights, shall have attached to it a certified copy of the charging instrument (indictment, information, or warrant with supporting affidavit) for each felony conviction, or misdemeanor conviction if seeking a pardon for a misdemeanor, and a certified copy of the judgment and sentence for each felony conviction, or misdemeanor conviction if seeking a pardon for a misdemeanor. *(Note: The Office of Executive Clemency or Parole Commission may assist in preparation of applications in unique situations.)* Each application for clemency may include character references, letters of support, and any other documents that are relevant to the application for clemency.

C. Applicant Responsibility

It is the responsibility of the applicant to answer all inquiries fully and truthfully and to keep the Office of Executive Clemency advised of any change in the information provided in the application, specifically change of address and phone number.

D. Failure to Meet Requirements

If any application fails to meet the requirements of the Rules of Executive Clemency, the Coordinator may return it without further consideration.

II. Notification

Upon receipt of a completed application that meets the requirements of the Rules of Executive Clemency, the Coordinator shall make reasonable attempts to notify the victims of

record, the respective State Attorney's Office, the Office of the Statewide Prosecutor, if applicable, and the Office of the Attorney General, Bureau of Advocacy and Grants.

7. Applications Referred to the Florida Parole Commission

Every application which meets the requirements of these Rules may be referred to the Florida Parole Commission for an investigation, report, and recommendation.

All persons who submit applications shall comply with the reasonable requests of the Florida Parole Commission in order to facilitate and expedite investigation of their cases. Failure to comply with such requests by the Commission, without adequate explanation, may result in denial of the application without further consideration.

8. Waiver of the Rules to Apply for Clemency

I. A. Request for Waiver

If an applicant cannot meet the requirements of Rule 5, he or she may seek a waiver of the rules so long as at least two years have elapsed since the applicant was first convicted and, except for waivers for commutation of sentence, no restitution is owed by applicant. However, an applicant who receives a mandatory minimum sentence must serve at least one-third of the sentence before applying for a waiver of the rules. If an otherwise ineligible applicant demonstrates extraordinary merit, based upon a concise statement of compelling need, the two-year time period or the serving of one-third of the mandatory minimum sentence may be waived by the Governor. Individuals eligible for waiver consideration may receive a "Request for Waiver" application form by contacting the Office of Executive Clemency or it may be downloaded from the clemency website at <https://fpc.state.fl.us/Clemency.htm>. Upon receipt of the original and four (4) copies of the Request for Waiver form, clemency application, and any other material to be considered, the Coordinator shall forward copies of the documents to the Clemency Board and the Florida Parole Commission. The Commission shall review the documents and make an advisory recommendation to the Clemency Board. Notification of receipt by the Office of

Executive Clemency of such a request for waiver shall be provided as indicated under Rule 6. A waiver of the rules may only be granted by the Governor with the approval of at least one member of the Clemency Board. Rule 17 may also be invoked by any member of the Clemency Board.

B. Denial of Waiver

Waiver cases which have not been acted upon by the Clemency Board within 90 days of receipt of the Parole Commission's waiver report by the Office of Executive Clemency, shall be summarily denied, unless the period is extended by the Governor.

C. Referral to Commission

Upon receipt by the Coordinator of written notification from the Governor and at least one member of the Clemency Board, or such notification invoking Rule 17, the Coordinator may refer the request to the Parole Commission for a full investigation and place the case on the next possible agenda to be heard by the Clemency Board.

D. Notification

The Coordinator shall attempt to provide individuals seeking waivers of the rules, and the respective prosecuting authority, with approximately 20 days notice prior to any such request being heard by representatives of the Clemency Board.

II. §944.30 Cases

All remaining §944.30, Florida Statutes, cases will be processed under this rule.

III. Domestic Violence Case Review

Domestic violence cases that meet the criteria as enumerated within the special waiver procedures adopted by the Clemency Board on December 18, 1991, as amended, will be processed as requests for waivers of the rule.

9. Automatic Approval of Restoration of Civil Rights or Alien Status Under Florida Law

A. Criteria for Eligibility

A person shall have his or her civil rights or alien status under Florida Law immediately restored by automatic approval of the Clemency Board, excluding the specific authority to own, possess, or use firearms, if the following requirements are met:

1. The person has completed all sentences imposed and all conditions of supervision have expired or been completed, including but not limited to, imprisonment, parole, probation, community control, control release, and conditional release;
2. The person has no outstanding detainers or pending criminal charges;
3. The person has paid all restitution pursuant to a court order or civil judgment and obligations pursuant to Chapter 960, Florida Statutes;
4. The person has never been convicted of one of the following crimes:
 - a. murder, attempted murder, attempted felony murder, manslaughter (F.S. Chapter 782);
 - b. DUI manslaughter (F.S. 316.193(3));
 - c. sexual battery, attempted sexual battery (F.S. 794.011)
 - d. lewd or lascivious battery, attempted lewd or lascivious battery, lewd or lascivious molestation, lewd or lascivious conduct, or lewd or lascivious exhibition (F.S. Chapter 800);

- e. lewd or lascivious offense upon or in the presence of an elderly or disabled person, attempted lewd or lascivious offense upon or in the presence of an elderly or disabled person (F.S. 825.1025);
- f. sexual performance by a child, attempted sexual performance by a child (F.S. 827.071);
- g. aggravated child abuse (F.S. 827.03);
- h. failure to register as a sexual predator or sexual offender (F.S. 775);
- i. computer pornography, transmission of computer pornography, buying or selling of minors (F.S. Chapter 847);
- j. kidnapping, attempted kidnapping, false imprisonment, or luring and enticing a child (F.S. Chapter 787);
- k. aggravated battery, attempted aggravated battery (F.S. 784.045);
- l. armed robbery, attempted armed robbery, carjacking, attempted carjacking, home invasion, attempted home invasion (F.S. Chapter 812);
- m. poisoning of food or water (F.S. 859.01);
- n. abuse of a dead human body (F.S. 872.06);
- o. first degree burglary or attempted first degree burglary (F.S. 810.02);
- p. arson or attempted arson (F.S. 806.01);
- q. aggravated assault (F.S. 784.021);
- r. aggravated stalking (F.S. 784.048);
- s. aggravated battery or aggravated assault on a law enforcement officer or other specified officer (F.S. 784.07);
- t. first degree trafficking in illegal substances (F.S. 893.135);
- u. aircraft piracy (F.S. 860.16);
- v. unlawful throwing, placing, or discharging of a destructive device or bomb (F.S. 790.161);
- w. facilitating or furthering terrorism (F.S. 775.31);
- x. treason (F.S. 876.32); or
- y. any offense committed in another jurisdiction that would be an offense listed in this paragraph if that offense had been committed in this State.

5. The person has not been declared to be one of the following:

- a. Habitual Violent Felony Offender under F.S. 775.084(1)(b);
- b. Three-time Violent Felony Offender under F.S. 775.084(1)(c);
- c. Violent Career Criminal under F.S. 775.084;
- d. Prison Releasee Reoffender under F.S. 775.082(9)(a);
- e. Sexual Predator under F.S. 775.21;

6. In the case of restoration of civil rights, (a) the person must be a citizen of the United States; and (b) if convicted in a court other than a Florida court, the person must be a legal resident of Florida.

7. In the case of restoring alien status under Florida Law, the person must be domiciled in Florida.

B. Action by Clemency Board

The Florida Parole Commission shall review the records of individuals released by the Department of Corrections by expiration of sentence or from community supervision, who are identified as eligible for automatic approval of restoration of civil rights. If an individual meets all requirements under Rule 9(A), then the Coordinator shall provide that information to the Clemency Board, and pursuant to executive order, issue a certificate that grants restoration of civil rights or alien status under Florida Law in the State of Florida, without the specific authority to own, possess or use firearms. Article IV, Section 8 of the Florida Constitution provides that an executive order granting clemency requires the signature of the Governor and two members of the Clemency Board. A person who is not eligible for automatic restoration of civil rights under Rule 9(A), and is not eligible for restoration of civil rights without a hearing under Rule 10, may request restoration of civil rights pursuant to Rule 6.

C. Out-of-State or Federal Convictions

If the person has been convicted in a court other than a court of the State of Florida, a request for the restoration of civil rights or alien status under Florida law must be submitted in accordance with Rule 6. Such request shall be reviewed by the Florida Parole Commission to determine if the requirements under Rule 9(A) are met. If the Commission certifies that all of the requirements in Rule 9(A) are met, the Coordinator shall follow procedures for the automatic restoration of civil rights as enumerated herein.

10. Restoration of Civil Rights or Alien Status Under Florida Law Without a Hearing

A. Criteria for Eligibility

As provided in paragraph 10 C, an individual may have his or her civil rights or alien status under Florida law restored, excluding the specific authority to own, possess, or use firearms, without a hearing, if the following requirements are met:

1. The person has completed all sentences imposed and all conditions of supervision have expired or been completed, including but not limited to, imprisonment, parole, probation, community control, control release, and conditional release;
2. The person has no outstanding detainers or pending criminal charges;
3. The person has paid all restitution pursuant to a court order or civil judgment and obligations pursuant to Chapter 960, Florida Statutes;
4. The person has never been convicted of one of the following crimes:
 - a. murder, attempted murder, attempted felony murder, manslaughter (F.S. Chapter 782);
 - b. DUI manslaughter (F.S. 316.193(3));
 - c. sexual battery, attempted sexual battery (F.S. 794.011)

- d. lewd or lascivious battery, attempted lewd or lascivious battery, lewd or lascivious molestation, lewd or lascivious conduct, or lewd or lascivious exhibition (F.S. Chapter 800);
- e. lewd or lascivious offense upon or in the presence of an elderly or disabled person, attempted lewd or lascivious offense upon or in the presence of an elderly or disabled person (F.S. 825.1025);
- f. sexual performance by a child, attempted sexual performance by a child (F.S. 827.071);
- g. aggravated child abuse (F.S. 827.03);
- h. failure to register as a sexual predator or sexual offender (F.S. 775);
- i. facilitating or furthering terrorism (F.S. 775.31);
- j. treason (F.S. 876.32); or
- k. any offense committed in another jurisdiction that would be an offense listed in this paragraph if that offense had been committed in this State.

5. The person has not been declared to be a Sexual Predator under F.S. 775.21;

6. In the case of restoration of civil rights, (a) the person must be a citizen of the United States; and (b) if convicted in a court other than a Florida court, the person must be a legal resident of Florida.

7. In the case of restoring alien status under Florida Law, the person must be domiciled in Florida.

B. Criteria for 15 Year Eligibility

Except as provided in paragraph 10 C, an individual may have his or her civil rights or alien status under Florida law restored, excluding the specific authority to own, possess, or use firearms, without a hearing, if the following requirements are met:

1. The person has remained crime and arrest free for a period of 15 years or more after completion of all sentences imposed and all conditions of supervision have expired or been completed, including but not limited to, imprisonment, parole, probation, community control, control release, and conditional release;

2. The person has paid all restitution pursuant to a court order or civil judgment and obligations pursuant to Chapter 960, Florida Statutes;

3. In the case of restoration of civil rights, (a) the person must be a citizen of the United States; and (b) if convicted in a court other than a Florida court, the person must be a legal resident of Florida.

4. In the case of restoring alien status under Florida Law, the person must be domiciled in Florida.

C. Approval by Clemency Board

The Florida Parole Commission shall review the records of all individuals released by the Department of Corrections by expiration of sentence or community supervision to certify their eligibility for restoration of civil rights or alien status under Florida law without a hearing. The Coordinator shall issue a preliminary review list of individuals eligible for restoration of civil rights or alien status under Florida law without a hearing to the Clemency Board members. If the Governor plus two members approve an individual's restoration of civil rights or alien status under Florida law without a hearing within 30 days of issuance of the preliminary review list, the Coordinator shall, by executive order, issue a certificate that grants the individual restoration of civil rights or alien status under Florida law in the State of Florida, without the specific authority to own, possess, or use firearms. If approval is not granted, that candidate will be notified, and may pursue restoration of these rights pursuant to Rule 6.

D. Out-of-State or Federal Convictions

If the person has been convicted in a court other than a court of the State of Florida, a request for the restoration of civil rights or alien status under Florida law must be submitted in accordance with Rule 6. Such request shall be reviewed by the Florida Parole Commission to determine if the requirements under Rule 10(A) are met. If the Commission certifies that all of the requirements in Rule 10(A) are met, the Coordinator shall follow procedures for the restoration of civil rights or alien status without a hearing as enumerated herein.

11. Hearings by the Clemency Board on Pending Applications

A. Cases on the Agenda

After the Parole Commission investigation is complete, the Coordinator may place upon the agenda for consideration by the Clemency Board at its next scheduled meeting:

1. Timely applications that meet the eligibility requirements under Rule 5 for which any investigation, report and recommendation, conducted under Rule 7, has been completed;
2. Cases in which an applicant has obtained a waiver under Rule 8 or when Rule 17 has been invoked so long as any investigation, report and recommendation conducted under Rule 7 has been completed.

B. Distribution of Agenda

The Coordinator shall prepare an agenda which shall include all cases that qualify for a hearing under Subsection A of this Rule. A preliminary agenda shall be distributed to the Clemency Board at least 10 days before the next scheduled meeting.

C. Failure of Applicant to Comply With Rules

An applicant's failure to comply with any rule of executive clemency may result in refusal, without notice, to place an application on the agenda for consideration.

12. Hearings Before the Clemency Board

A. Scheduled Meetings

The Clemency Board will meet in the months of March, June, September, and December of each year, or at such times as set by the Clemency Board. The Governor may call a special meeting at any time for any reason.

B. Notice of Appearance

Applicants are not required to appear at the hearing, but the Clemency Board encourages applicants to attend. The applicant, or any other person intending to speak on behalf of the applicant, must notify the Office of Executive Clemency at least 10 days prior to the scheduled meeting of the Clemency Board.

C. Time Limits

Any person making an oral presentation to the Clemency Board will be allowed no more than five minutes. All persons making oral presentations in favor of an application shall be allowed cumulatively no more than 10 minutes. All persons making oral presentations against an application, including victims, shall be allowed cumulatively no more than 10 minutes.

D. Filing of Executive Orders

Subsequent to the hearings of the Clemency Board, the Coordinator shall prepare executive orders granting clemency as directed and circulate them to the members of the

Clemency Board. After the Executive Orders are fully executed, the Coordinator shall certify and mail a copy to the applicant. The original executive order shall be filed with the custodian of state records. The Coordinator shall send a letter to each applicant officially stating the disposition of his or her application. A seal is not used by the Office of Executive Clemency.

13. Continuance and Withdrawal of Cases

An interested party may apply for a continuance of a case if the continuance is based on good cause. The Governor will decide if the case will be continued. Cases held under advisement for further information desired by the Governor will be marked “continued” and noted on each subsequent agenda until the case is decided.

The applicant may withdraw his or her application by notifying the Office of Executive Clemency at least 20 days prior to the next scheduled meeting of the Clemency Board. A request to withdraw a case made within 20 days of the hearing on the application will be allowed if the Governor or the Coordinator for the Office of Executive Clemency determines that there is good cause. Cases that are withdrawn from the agenda will not be considered again until the application is refiled.

14. Reapplication for Clemency

Any otherwise eligible person who has been granted or denied any form of executive clemency may not reapply for further executive clemency for at least two years from the date that such action became final. Any person who was granted a waiver of the Rules but was subsequently denied any form of executive clemency, must apply for another waiver prior to seeking any form of executive clemency in the future, if otherwise ineligible. However, he or she may not apply for another waiver for at least three years from the date that such action became final. Any person who has been denied a waiver under Rule 8 may not apply for another waiver for at least three years from the date the waiver was denied. Any person who (i) has been convicted of a capital or life felony, (ii) has been denied a waiver pursuant to

Rule 8 and, (iii) is currently incarcerated, may not apply for another waiver for at least five years from the date the waiver was denied.

15. Commutation of Death Sentences

This Rule applies to all cases where the sentence of death has been imposed. The Rules of Executive Clemency, except Rules 1, 2, 3, 4, 15 and 16 are inapplicable to cases where inmates are sentenced to death.

A. Confidentiality

Notwithstanding incorporation of Rule 16 by reference in cases where inmates are sentenced to death, the full text of Rule 16 is repeated below for clarification: Due to the nature of the information presented to the Clemency Board, all records and documents generated and gathered in the clemency process as set forth in the Rules of Executive Clemency are confidential and shall not be made available for inspection to any person except members of the Clemency Board and their staff. Only the Governor and no other member of the Clemency Board, nor any other state entity that may be in the possession of Clemency Board materials, has the discretion to allow such records and documents to be inspected or copied. Access to such materials shall not constitute a waiver of confidentiality.

B. Parole Commission Investigation

In all cases where the death penalty has been imposed, the Florida Parole Commission may conduct a thorough and detailed investigation into all factors relevant to the issue of clemency and provide a final report to the Clemency Board. The investigation shall include, but not be limited to, (1) an interview with the inmate, who may have clemency counsel present, by the Commission; (2) an interview, if possible, with the trial attorneys who prosecuted the case and defended the inmate; (3) an interview, if possible, with the presiding judge and; (4) an interview, if possible, with the

defendant's family. The Parole Commission shall provide notice to the Office of the Attorney General, Bureau of Advocacy and Grants, that an investigation has been initiated. The Office of the Attorney General, Bureau of Advocacy and Grants shall then provide notice to the victims of record that an investigation is pending and at that time shall request written comments from the victims of record. Upon receipt of comments from victims of record or their representatives, the Office of the Attorney General, Bureau of Advocacy and Grants shall forward such comments to the Parole Commission to be included in the final report to the Clemency Board.

C. Monitoring Cases for Investigation

The investigation by the Parole Commission shall begin at such time as designated by the Governor. If the Governor has made no such designation, the investigation shall begin immediately after the defendant's initial petition for writ of habeas corpus, filed in the appropriate federal district court, has been denied by the 11th Circuit Court of Appeals, so long as all post-conviction pleadings, both state and federal, have been filed in a timely manner as determined by the Governor. An investigation shall commence immediately upon any failure to timely file the initial motion for postconviction relief in state court, and any appeal therefrom, or the initial petition for writ of habeas corpus in federal court, and any appeal therefrom. The time frames established by this rule are not tolled during the pendency of any petition for rehearing or reconsideration (or any similar such motion for clarification, etc.), request for rehearing en banc in the 11th Circuit Court of Appeals, or petition for writ of certiorari in the U.S. Supreme Court. Failure to conduct or complete the investigation pursuant to these rules shall not be a ground for relief for the death penalty defendant. The Parole Commission's Capital Punishment Research Specialist shall routinely monitor and track death penalty cases beyond direct appeal for this purpose. Cases investigated under previous administrations may be reinvestigated at the Governor's discretion.

D. Parole Commission Report

After the investigation is concluded, the Commissioners who personally interviewed the inmate shall prepare and issue a final report on their findings and conclusions. The final report shall include (1) any statements made by the defendant, and defendant's counsel, during the course of the investigation; (2) a detailed summary from each Commissioner who interviewed the inmate; and (3) information gathered during the course of the investigation. The final report shall be forwarded to all members of the Clemency Board within 120 days of the commencement of the investigation, unless the time period is extended by the Governor.

E. Request for Hearing by any Clemency Board Member

After the report is received by the Clemency Board, the Coordinator shall place the case on the agenda for the next scheduled meeting or at a specially called meeting of the Clemency Board if, as a result of the investigation, or final report, any member of the Clemency Board requests a hearing within 20 days of transmittal of the final report to the Clemency Board. Once a hearing is set, the Coordinator shall provide notice to the appropriate state attorney, the inmate's clemency counsel, the victim's rights coordinator in the Executive Office of the Governor and the Office of Attorney General, Bureau of Advocacy and Grants. The Office of the Attorney General, Bureau of Advocacy and Grants shall then notify the victims of record of the hearing.

F. Request for Hearing by Governor

Notwithstanding any provision to the contrary in the Rules of Executive Clemency, in any case in which the death sentence has been imposed, the Governor may at any time place the case on the agenda and set a hearing for the next scheduled meeting or at a specially called meeting of the Clemency Board.

G. Transcript of Interview

Upon request, a copy of the actual transcript of any statements or testimony of the inmate relating to a clemency investigation shall be provided to the state attorney, the

inmate's clemency counsel, or victim's family. The attorney for the state, the inmate's clemency counsel, the victim's family, the inmate, or any other interested person may file a written statement, brief or memorandum on the case within 90 days of initiation of the investigation under Rule 15, copies of which will be distributed to the members of the Clemency Board. The person filing such written information should provide five (5) copies to the Coordinator of the Office of Executive Clemency.

H. Time Limits

At the clemency hearing for capital punishment cases, the inmate's clemency counsel and the attorneys for the state may make an oral presentation, each not to exceed 15 minutes collectively. Representatives of the victim's family may make oral statements not to exceed an additional five minutes collectively. The Governor may extend these time frames at his or her discretion.

I. Distribution and Filing of Orders

If a commutation of a death sentence is ordered by the Governor with the approval of at least two members of the Clemency Board, the original order shall be filed with the custodian of state records, and a copy of the order shall be sent to the inmate, the attorneys representing the state, the inmate's clemency counsel, a representative of the victim's family, the Secretary of the Department of Corrections, and the chief judge of the circuit where the inmate was sentenced. The Office of the Attorney General, Bureau of Advocacy and Grants shall inform the victim's family within 24 hours of such action by the Clemency Board.

16. Confidentiality of Records and Documents

Due to the nature of the information presented to the Clemency Board, all records and documents generated and gathered in the clemency process as set forth in the Rules of Executive Clemency are confidential and shall not be made available for inspection to any person except members of the Clemency Board and their staff. Only the Governor, and no

other member of the Clemency Board nor any other state entity that may be in the possession of Clemency Board materials, has the discretion to allow such records and documents to be inspected or copied. Access to such materials, as approved by the Governor, does not constitute a waiver of confidentiality.

17. Cases Proposed by the Governor or Members of the Clemency Board

A. In cases of exceptional merit, any member of the Clemency Board may place a case on an upcoming agenda for consideration.

18. Effective Dates

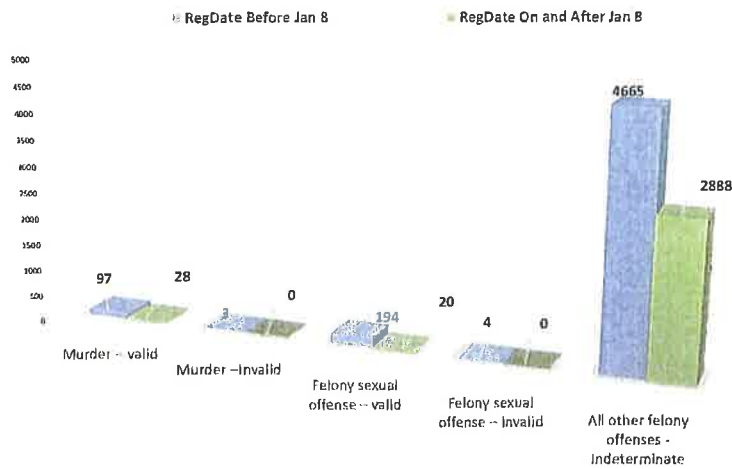
History. - Adopted September 10, 1975, Rule 6 (formerly Rule 9) effective November 1, 1975; Rule 7 adopted December 8, 1976; Rule 6 amended December 8, 1976, effective July 1, 1977; revised September 14, 1977; Rule 12 amended October 7, 1981; revised December 12, 1984; amended January 8, 1985; amended July 2, 1985; Rule 12 amended September 18, 1986; Rules amended December 18, 1991, effective January 1, 1992; Rule 10 and Rule 15 amended June 22, 1992; Rules amended December 29, 1994, effective January 1, 1995. Rules amended January 7, 1997, effective January 15, 1997; Rule 4 and Rule 9 revised October 28, 1999, effective January 1, 2000; Rules revised June 14, 2001, effective June 14, 2001; Rules revised March 27, 2003; effective March 27, 2003; Rules revised June 20, 2003; effective June 20, 2003; Rules revised December 9, 2004; effective December 9, 2004; Rules revised April 5, 2007, effective April 5, 2007.

Felon count (as of 3/7/2019)	Total (regardless of registration date)	Registration date before Jan 8, 2019	Registration date on or later than Jan 8 2019
Murder – valid match - no clemency			
C -Department of Corrections	25	24	1
F - Florida Department of Law Enforcement	80	62	18
Murder –invalid match			
C -Department of Corrections	0	0	0
F - Florida Department of Law Enforcement	2	2	0
Felony sexual offense – valid match - no clemency			
C -Department of Corrections	35	35	0
F - Florida Department of Law Enforcement	151	136	15
Felony sexual offense – invalid match			
C -Department of Corrections	0	0	0
F - Florida Department of Law Enforcement	4	4	0
NMNSO (Other than murder or felony sexual offense - no valid/invalid determination yet made)			
C -Department of Corrections	333	277	56
F - Florida Department of Law Enforcement	6003	4052	1951

Staff using categories of offenses provided by FDLE

Notice: Based on current law, a new registered voter record is compared to criminal records within 24 hours AFTER a person is registered to vote. Process for creation of credible and reliable file, notice to voter, due process, final determination of ineligibility and removal may take up to 120 days to complete.

Chart 1: Felon Match File Count - Initial Review By Registration Date (Updated 3.21.2019)

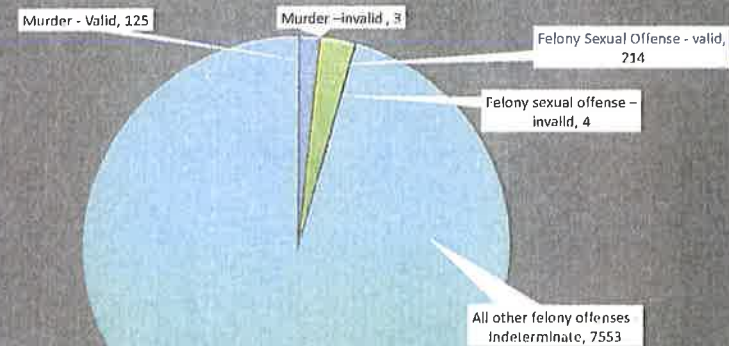


Disclaimer: Pending legislative action on Constitutional Amendment 4, the Division of Elections has assigned matches based on felony offenses within categories identified by the Florida Department of Law Enforcement.

Registration Date Before 01/08/2019		
Murder - valid		
C		28
F		69
Murder - invalid		
C		0
F		3
Felony sexual offense - valid		
C		48
F		146
Felony sexual offense - invalid		
C		0
F		4
All other felony offenses (NMNSO)		
C		395
F		4270
TOTAL		4963

Registration Date On or After 01/08/2019		
Murder - valid		
C		1
F		27
Murder - invalid		
C		0
F		0
Felony sexual offense - valid		
C		0
F		20
Felony sexual offense - invalid		
C		0
F		0
All other felony offenses (NMNSO)		
C		56
F		2832
TOTAL		2936

Chart 2: Felon Match File Count - Initial Review - Total (Updated 3.21.2019)



Disclaimer: Pending legislative action on Constitutional Amendment 4, the Division of Elections has assigned matches based on felony offenses within categories identified by the Florida Department of Law Enforcement.

Legend	
Valid	Match based on credible and reliable information as to identity, felony conviction, and no rights restored
Invalid	Match cannot be validated for one or more reasons - e.g., identity mismatch, adjudication withheld, misdemeanor offense, voting rights restored, etc.
Indeterminate	Match cannot be validated pending legislative guidance as to what constitutes a sentence and how to determine if sentence is completed - no determination of validity or invalidity yet made. These numbers represent possible matches to date that appear to be a felony conviction other than murder or felony sexual offense.
Felony Offense Class Categories	
*Pending legislative action on Constitutional Amendment 4, the Division of Elections has assigned matches based on felony offenses within categories identified by the Florida Department of Law Enforcement.	
Murder*	Method of rights restoration - Clemency
Felony Sexual Offense*	Method of rights restoration - Clemency
All Other Felonies	Method of rights restoration - Completion of Sentence (to be determined by legislature) if clemency not already granted
Out-of-State Court Felony	Restoration of Rights Methodology in State of Conviction governs State Felon Voting Laws (Felonvoting.pptx on file)
Military Court "Felony"	Military process for restoration
F	Source of match - Florida Department of Law Enforcement
C	Source of match - Florida Department of Corrections

	Statistical information for 2018	
	Note: Before Const. Amend 4 a	
Potential Ineligibility Stats - BVRS	Average time to put a felony conviction files together before Const. Amend 4: 15-20 minutes unless court documents must be requested (Before Const. Amend 4 without regard to nature of felony offense and only method of restoration was clemency. Automated felony matches most frequently come in with multiple case files	
	Felony convictions source	
Average daily automated matches from DOC is 8 and from FDLE 164	Florida Department of State (FDLE)/Florida Department of Corrections (DOC) Felon	23,419
	Federal Courts (FED)	132
	Florida Parole Commission (FPC)	4
	Interstate felony convictions (INT)	27
	Sexual Offender Predator (SOP)	734
	Deceased	53,451
	Mental Incapacity	2204
	Out-of-state cancellations - people who register in Florida	131,464
	in-state cancellation - people who register elsewhere	35,691
	HSMV manual Verifications	71,717
	Average time to obtain court docs not found online - older cases take longer, some clerks wait to batch up response to requests. 20% of cases require multiple requests submitted before documents are obtained (most common with older cases and cases that have VOP -violation of probation or parole). Some lag response time can extend up to 3 months	Estimated 3-5 days
	Factors affecting document request time - court documents archived, older cases have nonuniform court numbering format, poor quality of faxed, emailed, or mailed documents, delays due to understaffing or responses bundled. Note: Miami-Dade Clerk of Court takes the longest to return court documents- Counties which the Division Most frequently requested counties: Miami-Dade, Broward, Hillsborough, Pinellas.	
	Performance Measures for Felon File Match/Review	
	3 Examiner (20-24) - Reviewer (30-40)	
	4 Examiner (25-30 - Reviewer (41-50)	
	5 Examiner (31+) - Reviewer (51+)	
	Staff	
	Chief/Assistant chief	2
	floor supervisors	2
	Examiners	9
	Reviewers	5
	Court doc requesters	2
	administrative assistant	1
	OPS	21

Potential
Process
time

MATCH_ID	MATCH_ID	COUNTY	VOTER_ID	TOTAL
C	PEN	ALA	ACT	3
F	PEN	ALA	ACT	101
F	PEN	ALA	INA	27
F	PEN	BAK	ACT	6
F	PEN	BAK	INA	3
A	PEN	BAY	ACT	1
C	PEN	BAY	INA	1
F	PEN	BAY	INA	11
F	PEN	BRA	ACT	2
C	PEN	BRE	ACT	2
F	PEN	BRE	ACT	23
C	PEN	BRE	INA	1
F	PEN	BRE	INA	5
C	PEN	BRO	ACT	4
F	PEN	BRO	ACT	146
C	PEN	BRO	INA	1
F	PEN	BRO	INA	13
F	PEN	CAL	ACT	1
F	PEN	CHA	ACT	4
F	PEN	CIT	ACT	20
F	PEN	CIT	INA	1
F	PEN	CLA	ACT	15
F	PEN	CLL	ACT	19
F	PEN	CLL	INA	9
F	PEN	CLM	ACT	5
C	PEN	DAD	ACT	3
F	PEN	DAD	ACT	120
F	PEN	DAD	INA	7
C	PEN	DES	ACT	1
F	PEN	DES	ACT	3
C	PEN	DUV	ACT	6
F	PEN	DUV	ACT	96
F	PEN	DUV	INA	8
F	PEN	ESC	ACT	45
F	PEN	ESC	INA	8
F	PEN	FLA	ACT	2
F	PEN	FRA	ACT	5
C	PEN	GAD	ACT	3
F	PEN	GAD	ACT	4
F	PEN	GIL	ACT	7
F	PEN	GLA	ACT	1
F	PEN	GUL	ACT	1
F	PEN	HAM	ACT	5
F	PEN	HAR	ACT	12
F	PEN	HEV	ACT	1
C	PEN	HER	ACT	1
F	PEN	HER	ACT	26
F	PEN	HER	INA	1
F	PEN	HIG	ACT	4
F	PEN	HIG	INA	1
C	PEN	HIL	ACT	1
F	PEN	HIL	ACT	18
C	PEN	HIL	INA	1
F	PEN	HIL	INA	2
F	PEN	HOL	ACT	1
F	PEN	IND	ACT	6
F	PEN	JAC	ACT	7
C	PEN	JAC	INA	1
F	PEN	JAC	INA	1
F	PEN	JEF	ACT	1
F	PEN	JEF	INA	4
F	PEN	LAK	ACT	30
F	PEN	LAK	INA	2
F	PEN	LEE	ACT	36
F	PEN	LEE	INA	11
C	PEN	LEO	ACT	3
F	PEN	LEO	ACT	32
F	PEN	LEV	ACT	5
F	PEN	LEV	INA	2
F	PEN	LUB	ACT	3
F	PEN	LUB	INA	1
F	PEN	MAD	ACT	3
F	PEN	MAN	ACT	9
F	PEN	MAN	INA	1
C	PEN	MON	ACT	1
F	PEN	MON	ACT	13
F	PEN	MON	INA	5
F	PEN	MRN	ACT	8
F	PEN	MRN	INA	1
F	PEN	MRT	ACT	10
C	PEN	NAS	ACT	1
F	PEN	NAS	ACT	5
C	PEN	OKA	INA	3
F	PEN	OKA	INA	7
F	PEN	OKE	ACT	2
C	PEN	ORA	ACT	14
F	PEN	ORA	ACT	170
C	PEN	ORA	INA	1
F	PEN	ORA	INA	8
C	PEN	OSC	ACT	3
F	PEN	OSC	ACT	58
F	PEN	OSC	INA	13
C	PEN	PAL	ACT	3
F	PEN	PAL	ACT	129
F	PEN	PAL	INA	7
C	PEN	PAS	ACT	3
F	PEN	PAS	ACT	80
F	PEN	PAS	INA	15
F	PEN	PIN	ACT	112
F	PEN	PIN	INA	16
C	PEN	POL	ACT	3
F	PEN	POL	ACT	58
C	PEN	POL	INA	1
F	PEN	POL	INA	12
C	PEN	PUT	ACT	3
F	PEN	PUT	ACT	6
C	PEN	PUT	INA	1
F	PEN	PUT	INA	1
F	PEN	SAN	ACT	23
F	PEN	SAN	INA	1
F	PEN	SAR	ACT	54
C	PEN	SEM	ACT	10
F	PEN	SEM	ACT	190
F	PEN	SEM	INA	4
C	PEN	STJ	ACT	2
F	PEN	STJ	ACT	15
C	PEN	STL	ACT	1
F	PEN	STL	ACT	21
F	PEN	STL	INA	3
F	PEN	SUM	ACT	3
F	PEN	SUV	ACT	5
F	PEN	TAY	ACT	6
C	PEN	VOL	ACT	37
F	PEN	VOL	ACT	440
C	PEN	VOL	INA	6
F	PEN	VOL	INA	52
F	PEN	WAK	ACT	1
F	PEN	WAL	ACT	8
F	PEN	WAL	INA	1
F	PEN	WAS	INA	1
				2703

2703

MICHAEL BENNETT • SUPERVISOR OF ELECTIONS • MANATEE COUNTY

600 301 Boulevard West, Suite 108, Bradenton, Florida 34205

P O Box 1000, Bradenton, Florida 34206-1000



Phone: 941-741-3823 • Fax: 941-741-3820 • VoteManatee.com • Info@VoteManatee.com

MEMORANDUM

TO: All Staff

FROM: Mike Bennett
Supervisor of Elections

DATE: November 27, 2018

RE: Processing of Potential Ineligibility - Felon

Amendment 4 passed in the 2018 General Election. As a result, the eligibility criteria relative to voter registration for citizens who have been convicted of a felony will change when the amendment takes effect in January of 2019.

Until rulemaking is established to clarify and define the new eligibility criteria, please process voter registration applications for those potentially ineligible due to a felony conviction as follows. The same will apply to files sent by the Division of Elections for those who are currently registered.

Determine whether or not the applicant or registered voter is likely to meet the new criteria for automatic restoration of civil rights basing this determination primarily on the date of the felony conviction. Process those not likely to meet the new criteria as you have been doing. Hold all others until further notice.

Protect the Manatee

Dear ...,

Thank you for submitting a Florida Voter Registration Application. I appreciate your interest in becoming a registered voter here in Escambia County.

Our records indicate that you were previously removed from the voter rolls due to the loss of your civil rights, and we have been unable to confirm that your rights have been restored. As a result, we are unable to register you to vote at this time.

As you may be aware, Florida voters recently passed an amendment to the Florida Constitution (Amendment 4 – The Voting Restoration Amendment), which “restores the voting rights of Floridians with felony convictions after they complete all terms of their sentence including parole or probation.” To date, we have not received any information as to the implementation of this amendment, including the effective date or any procedures for applicants or voter registration officials.

I expect to receive guidance in the near future from one or more of the following entities: the Department of State; the Florida Cabinet; the Florida Legislature; and/or the Office of Executive Clemency. Once such guidance is provided regarding the procedures for implementing Amendment 4, my office will promptly implement such procedures.

Thank you again for your interest in registering to vote, and for your patience as we await guidance on the implementation of Amendment 4.

Sincerely,

David H. Stafford, CERA
Supervisor of Elections

Leon County
January 17, 2019

«Certificate»

«Voter_Name_FML»

«Mailing_Address»

«Mailing_Address2»

«Mailing_City_State» «Mailing_Zip_Country»

NOTICE OF DENIAL OF VOTER REGISTRATION

Florida law, section 97.041(2) (b), prohibits voting by "persons convicted of any felony by any court of record and whose civil rights have not been restored."

The Leon County Supervisor of Elections Office has been provided information which states that you have been convicted of a felony and as a result you are not eligible to be a registered voter. A copy of the information has been enclosed for your review.

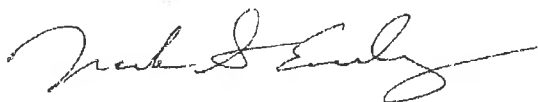
However, the loss of your right to vote may not be permanent. Your civil rights may have been restored or you may be eligible to have them restored. You can inquire about your present status by contacting:

Office of Executive Clemency: 4070 Esplanade Way, Tallahassee, FL 32399-2450
Web: <https://fpc.state.fl.us/>
Phone: (850) 488-2952 or 1-800-435-8286
Fax: 850-488-0695

Failure to respond to this notice within 30 days of receipt will result in the removal of your name from the list of eligible voters. If you deny the accuracy of the documentation provided, you may submit the enclosed form indicating your denial and any supporting documentation to our office by mail, fax, e-mail, or in person.

Upon proof of your restoration of Civil Rights you will remain on the list of active voters. You can also attend an Administrative Hearing for the purpose of providing this proof by contacting our office at (850) 606-8683. If you choose to do so, please bring all necessary items to prove that your civil rights have been restored. For further assistance, please feel free to call (850) 606-8683.

Sincerely,



Mark S. Earley

Enclosures: Copy of Judgment, Eligibility Form, and Restoration of Civil Rights application

«Certificate»

«Voter_Name_FML»

«Mailing_Address»

«Mailing_Address2»

«Mailing_City_State» «Mailing_Zip_Country»

In response to the Notice of Denial of Voter Registration you may choose one of the following:

- ☐ I deny the accuracy of the information determining my potential ineligibility and would like to call (850) 606-8683 to schedule a hearing.
- ☐ I deny the accuracy of the information determining my potential ineligibility, but do not request to attend a hearing. **(You will be removed from the voter rolls if you choose this option.)**
- ☐ I confirm the accuracy of the information determining my potential ineligibility. **(You will be removed from the voter rolls if you choose this option.)**

Final determination is made by the Supervisor of Elections after reviewing all evidence provided.

Please sign below and mail this form to P.O. Box 7357, Tallahassee, FL 32314-7357 or hand deliver to our office at 2990-1 Apalachee Pkwy, Tallahassee, FL 32301.

Signature of Voter

Date

Phone

APPLICATION FOR CLEMENCY

Check box for type of clemency desired. All applications must have the proper court documents attached.

- ☐ Restoration of Civil Rights for Florida/Federal/
Military, or Out-of-State conviction
(Eligible 5 or 7 years after completion of sentence)
- ☐ Restoration of Alien Status Under Florida Law
(Eligible 5 or 7 years after completion of sentence)
- ☐ Remission of Fine or Forfeiture

- ☐ Specific Authority to Own, Possess or Use Firearms
(Eligible 8 years after completion of sentence)
- ☐ Full Pardon
(Eligible 10 years after completion of sentence)
- ☐ Pardon Without Firearm Authority
(Eligible 10 years after completion of sentence)

Commutation of Sentence (Use Form "Request for Review")

If you have applied for a Full Pardon, Pardon Without Firearm Authority or Specific Authority to Own, Possess or Use Firearms and are determined ineligible due to not meeting the time requirement, you will be processed for Restoration of Civil Rights. If you have already received Restoration of Civil Rights, a Certificate for Restoration of Civil Rights will be mailed to you.

Your signature acknowledges you understand this action. _____

SIGNATURE: _____

PLEASE PRINT

Name When Convicted: _____

Current Name: _____ Other Names Used: _____

Date of Birth: _____ Race: _____ Sex: ☐ Male ☐ Female Driver License #: _____

U.S. Citizen? ☐ Yes ☐ No - Alien Registration _____ Social Security #: _____

Home Address: _____
Street City County State Zip

Mailing Address: _____
Street City County State Zip

Home Telephone #: _____ Cellular Telephone #: _____

E-mail Address: _____

PRISON/PROBATION # _____

CONVICTIONS: (Please list each conviction and provide court documents for each conviction. If you have more than two convictions, please attach a separate sheet of paper listing all the required information.) **YOU DO NOT NEED TO FILL OUT A SEPARATE APPLICATION FOR EACH CONVICTION.**

Court _____ County/State _____ Date Convicted _____ Date Sentenced _____

What was your sentence? _____

Date you completed/expired your sentence: _____ (Please Circle one of the following: Prison Jail Release Parole Probation)

Signature _____

Date _____

YOU DO NOT NEED AN ATTORNEY FOR THIS PROCESS. However, if you have chosen to be represented by an attorney for the clemency process, please provide the Attorney Name, Address & Telephone Number

Attorney Name _____

Address _____

Telephone Number _____

Attach a certified copy of the following for EACH felony conviction: charging indictment/information; judgment; and sentence/community control/probation order.

APPLICATIONS SUBMITTED WITHOUT THE PROPER COURT DOCUMENTS WILL NOT BE ACCEPTED.

Mailing Address: Office of Executive Clemency
4070 Esplanade Way
Tallahassee, FL 32399-2450

Form ADM 1501
Updated 08/18/2017-JMc

IN FLORIDA, A CONVICTED FELON CANNOT VOTE, SERVE
ON A JURY, OR HOLD PUBLIC OFFICE UNTIL CIVIL RIGHTS HAVE BEEN RESTORED.

Matthews, Maria I.

From: Tammy Jones <tammy@votelevy.com>
Sent: Thursday, August 1, 2019 7:10 PM
To: Matthews, Maria I.
Cc: Cannon, Vicki P.; Labasky, Ron - FSASE Legal Counsel
Subject: Re: Felon File Processing/Notice to the Potentially Ineligible Voter

EMAIL RECEIVED FROM EXTERNAL SOURCE

Thank you for the update.



Tammy Jones

Supervisor of Elections

Levy County Supervisor of Elections

Office: 352-486-5163 Fax: 352-486-5146

421 S. Court St. | Bronson, FL 32621 | www.VoteLevy.com



NOTICE: Under Florida law e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Sent: Thursday, August 1, 2019 6:13 PM
To: Tammy Jones <tammy@votelevy.com>
Cc: Cannon, Vicki P. <vcannon@votenessau.com>; Labasky, Ron - FSASE Legal Counsel <rlabasky@bplawfirm.net>
Subject: RE: Felon File Processing/Notice to the Potentially Ineligible Voter

I still haven't heard back from legal but I will keep ping.

From: Tammy Jones <tammy@votelevy.com>
Sent: Wednesday, July 31, 2019 9:13 AM
To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>; Cannon, Vicki P. <vcannon@votenessau.com>; Labasky, Ron - FSASE Legal Counsel <rlabasky@bplawfirm.net>
Subject: Re: Felon File Processing/Notice to the Potentially Ineligible Voter

EMAIL RECEIVED FROM EXTERNAL SOURCE

Thank you very much!!!



Tammy Jones

Supervisor of Elections

Levy County Supervisor of Elections

Office: 352-486-5163 Fax: 352-486-5146

421 S. Court St. | Bronson, FL 32621 | www.VoteLevy.com



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From: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>

Sent: Wednesday, July 31, 2019 8:58 AM

To: Tammy Jones <tammy@votelevy.com>; Cannon, Vicki P. <vcannon@votenassau.com>; Labasky, Ron - FSASE Legal Counsel <rlabasky@bplawfirm.net>

Subject: RE: Felon File Processing/Notice to the Potentially Ineligible Voter

I have pinged the legal office again.

From: Tammy Jones <tammy@votelevy.com>

Sent: Tuesday, July 30, 2019 7:20 PM

To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>; Cannon, Vicki P. <vcannon@votenassau.com>; Labasky, Ron - FSASE Legal Counsel <rlabasky@bplawfirm.net>

Subject: Re: Felon File Processing/Notice to the Potentially Ineligible Voter

EMAIL RECEIVED FROM EXTERNAL SOURCE

Hi Director Matthews,

Just circling back to see if anything was decided on the uniformed template for potentially ineligible voters.

Please advice as letters are being mailed and we would like to provide similar documentation.

Sincerely,
Tammy



Tammy Jones

Supervisor of Elections

Levy County Supervisor of Elections

Office: 352-486-5163 Fax: 352-486-5146

421 S. Court St. | Bronson, FL 32621 | www.VoteLevy.com



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From: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Sent: Monday, July 1, 2019 10:56 AM
To: Cannon, Vicki P. <vcannon@votenassau.com>; Tammy Jones <tammy@votelevy.com>; Labasky, Ron - FSASE Legal Counsel <rlabasky@bplawfirm.net>
Cc: Cannon, Vicki P. <vcannon@votenassau.com>
Subject: RE: Felon File Processing/Notice to the Potentially Ineligible Voter

Just letting you know, I have not forgotten about this. We are still bandying about a potential 1 page- template.

From: Matthews, Maria I.
Sent: Tuesday, June 25, 2019 5:00 PM
To: Vicki Cannon <vcannon@votenassau.com>
Cc: Cannon, Vicki P. <vcannon@votenassau.com>
Subject: RE: Felon File Processing/Notice to the Potentially Ineligible Voter

Got it! Thanks.

From: Vicki Cannon <vcannon@votenassau.com>
Sent: Tuesday, June 25, 2019 3:57 PM
To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Cc: Cannon, Vicki P. <vcannon@votenassau.com>
Subject: RE: Felon File Processing/Notice to the Potentially Ineligible Voter

EMAIL RECEIVED FROM EXTERNAL SOURCE

Maria,

I found a typo in the last sentence of the first paragraph—try as we might. FOCR should be FCOR. Wanted to let you know in case you use any part of our document. Have a great day and thanks so much for EVERYTHING you do!

Vicki P. Cannon

Supervisor of Elections of Nassau County
96135 Nassau Place, Suite 3, Yulee, Florida 32097
Direct: 904.491.7500 | Toll Free: 1.866.260.4301 | Fax: 904.432.1400
vcannon@votenassau.com | www.votenassau.com | [Facebook](#) | [Twitter](#) | [Newsletter Sign Up](#)

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, please do not send electronic mail (email) to this entity. Instead, please contact this office by phone or in writing.

From: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>
Sent: Tuesday, June 25, 2019 9:14 AM
To: Jones, Tammy <tammy@votelevy.com>
Cc: Vicki Cannon <vcannon@votenassau.com>; Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>; Labasky, Ron - FSASE Legal Counsel <rlabasky@bplawfirm.net>; Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>; Brenda Shubert <bshubert@votenassau.com>; O'Brien, Colleen E. <Colleen.O'Brien@dos.myflorida.com>; McVay, Brad R. <Brad.McVay@dos.myflorida.com>
Subject: RE: Felon File Processing/Notice to the Potentially Ineligible Voter

Thanks for sharing – great starting point.

From: Tammy Jones <tammy@votelevy.com>

Sent: Monday, June 24, 2019 4:35 PM

To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>

Cc: Cannon, Vicki P. <vcannon@votenassau.com>; Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>; Labasky, Ron - FSASE Legal Counsel <rlabasky@bplawfirm.net>; Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>; Shubert, Brenda T. <bshubert@votenassau.com>; O'Brien, Colleen E. <Colleen.O'Brien@dos.myflorida.com>; McVay, Brad R. <Brad.McVay@dos.myflorida.com>

Subject: Re: Felon File Processing/Notice to the Potentially Ineligible Voter

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Director Matthews,

Attached is a word document that Vicki and Ron have been working on for the "instructions for seeking restoration of civil rights". Your team can use what they feel is relevant as they prepare a uniform template.

Have a great evening,
Tammy



Tammy Jones

Supervisor of Elections

Levy County Supervisor of Elections

Office: 352-486-5163 Fax: 352-486-5146

421 S. Court St. | Bronson, FL 32621 | www.VoteLevy.com



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From: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>

Sent: Monday, June 24, 2019 2:39 PM

To: Tammy Jones

Cc: Cannon, Vicki P.; Brown, Toshia; Labasky, Ron - FSASE Legal Counsel; Marconnet, Amber; Shubert, Brenda T.; O'Brien, Colleen E.; McVay, Brad R.

Subject: FW: Felon File Processing/Notice to the Potentially Ineligible Voter

Supervisors Jones and Cannon,

I am out of the office today but I am copying legal and will discuss further with them about what further guidance we can provide and the establishment of a uniform template for notice.

To date, we have never dictated the content of these notices as the law simply says to include the instructions for seeking to restore civil rights. Obviously that was just one way before – clemency. Constitutional amendment 4 changes that.

My initial thoughts are that the messaging will probably be along the following lines and you would probably also include copies of section 4, Article VI and s.8, Article IV of the Florida Constitution based on the new language in section 98.075(7)(a)1.f., Fla. Stat. (SB 7066):

In Florida, pursuant to section 4, Article VI of the Florida Constitution (effective January 8, 2019), if convicted of a felony, voting rights can only be restored through clemency or by completion of all terms of your sentence including parole and probation, whichever may be applicable:

1. To apply for clemency, please find enclosed an [application](#) for clemency. More information is available from the Florida Commission on Offender Review at

<https://www.fcor.state.fl.us/restoration.shtml>

Toll Free: 1-800-435-8286

Phone: (850) 488-2952

Fax: (850) 488-0695

Email: ClemencyWeb@fcor.state.fl.us

The Office of Executive Clemency
Florida Commission on Offender Review
4070 Esplanade Way
Tallahassee, FL 32399-2450

2. To determine if you have completed all the terms of your sentence as to one or more felony conviction(s), please contact the Florida Department of Corrections [trying to find number that they could contact in Tallahassee] and/or the Clerk of Court in the jurisdiction in which you were convicted [I will find out what number the clerk of courts might recommend but it may be jurisdictional specific and for out-of-state, not easy to determine].

Respectfully,

Maria Matthews, Esq.
Division of Elections, Director
Florida Department of State
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6520

Maria.matthews@dos.myflorida.com

This response is provided for reference only and does not constitute legal advice or representation. As applied to a particular set of facts or circumstances, interested parties should refer to the Florida Statutes and applicable case law, and/or consult a private attorney before drawing any legal conclusions or relying upon the information provided.

Please note: Florida has a broad public records law. Written communications to or from state officials regarding state business constitute public records and are available to the public and media upon request unless the information is subject to a specific statutory exemption. Therefore, your e-mail message may be subject to public disclosure.

From: Tammy Jones <tammy@votelevy.com>

Sent: Monday, June 24, 2019 12:57 PM

To: Cannon, Vicki P. <vcannon@votenassau.com>; Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>; Labasky, Ron - FSASE Legal Counsel <rlabasky@bplawfirm.net>

; Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>; Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>; Shubert, Brenda T. <bshubert@votenassau.com>

Subject: Re: Felon File Processing

The attachments/links in this message have been scanned by Proofpoint.

Director Matthews,

As follow-up to Supervisor Cannon's email concerning instructions for seeking restoration of civil rights, I would like to request a template for our Supervisors from the Division of Elections. We need guidance from you and know this area is a sensitive one for all parties. We as Supervisors want to make sure we provide CORRECT information to voters that are potentially ineligible. Since some names have already been released to us this information is needed as soon as possible. I, along with many Supervisors have already mailed out our initial letters and might need to follow-up with additional information to ensure the most accurate information is provided.

In addition to the uniform template for instructions to seek restoration of civil rights, we need guidance on the following:

1) Beginning July 1st, if we receive a public record request concerning any names that have been submitted to the counties for removal, what information should NOT be provided and what is allowable? (HB 281 Likewise, if the Division of Elections gets a request for felon files (names, landscape/portrait orientation documents, etc.) that have been sent to SOEs, what will the Division's response be to the requestor?

2) Sample notification letter with all required statements as outlined in SB7066 (FS 98.075(7)(1)1.a-f).

3) Since documentation must be provided to our potentially ineligible voter showing what the conviction was what document do we send and what information MUST be redacted? Below is Amber Marconnet's email which specifies that the *landscape orientation* document that SOEs are provided should not be sent to the PIV as it contains confidential information. I want to make sure that the *portrait orientation* document will not contain confidential information and is the only document that meets the requirement of FS 98.075(7)(a)1.a. (see attached portrait example)

Thanks you for your time on this VERY important matter. I appreciate your partnership with our association.

Tammy



Tammy Jones

Supervisor of Elections

Levy County Supervisor of Elections

Office: 352-486-5163 Fax: 352-486-5146

421 S. Court St. | Bronson, FL 32621 | www.VoteLevy.com



NOTICE: Under Florida law e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Dear Supervisors and staff,

We have received questions about what can be included in your felon packet when mailing the notice of eligibility to the voter. The law requires a copy of the documentation upon which the potential ineligibility is based. See section [98.075\(7\)\(a\)1.a.](#)

For the potential ineligibility case files we are currently sending you, we are basing the ineligibility on DOC information that the registered voter is in prison or under supervision with the Florida Department of Corrections (DOC) as part of their sentence for a felony conviction.

Therefore the documentation you would include in the notice to the voter is the public (portrait orientation) DOC screenshot of the "Corrections Offender Network" which should be in the case files sent to you. You would **not** include a copy of the DOC-BVRS screenshot (landscape orientation) because that version contains confidential information.

You can use the below link to search the DOC Corrections Offender Network before and after noticing the voter:

<http://www.dc.state.fl.us/OffenderSearch/Search.aspx>

If you have any questions about a case file, please contact me at amber.marconnet@dos.myflorida.com or 850.245.6224.

Thank you,

Amber Marconnet

Sr. Management Analyst Supervisor
Division of Elections, Bureau of Voter Registration Services
R.A. Gray Building, Room 316
500 S. Bronough Street
Tallahassee, Florida 32399
850.245.6224

From: Vicki Cannon <vcannon@votenassau.com>

Sent: Tuesday, June 18, 2019 4:10 PM

To: Matthews, Maria I.; Tammy Jones; Ronald Labasky (rlabasky@bplawfirm.net)

Cc: Brown, Toshia; Marconnet, Amber; Brenda Shubert; Vicki Cannon

Subject: RE: Felon File Processing

I would like to ask for guidance on processing the electronic case files of potentially ineligible registered voters (PIV) we have been receiving over the past week. My questions are as follows:

1. It appears that SB 7066 has not been signed by the Governor and, even if he had signed it, the effective date would be 7/1/2019. So, until the effective date (if the Governor does sign the bill), do we follow current law? Shouldn't we wait July 1, 2019 until we begin processing these files?
2. If we are to follow SB 7066 now and/or in the future, FS 98.075(7)(a)1.f. (see page 44 of SB 7066) provides that the notice shall include....."Instructions for seeking restoration of civil rights pursuant to s. 8, Art. IV of the State Constitution and information explaining voting rights restoration pursuant to s. 4., Art. VI of the State

Constitution following a felony conviction, if applicable.” Does any state agency have this information in a document that all 67 counties could use or is it expected that 67 counties will come up with this information? At this time, with old laws and proposed laws not yet signed by the Governor or effective, I am very uncomfortable with having to notify the PIV within 7 days of receipt of notice or information, as is required by current law and SB 7066.

3. If the State isn't going to provide the information, can the FSASE provide a uniform document for the process?

Thank you so much for your attention to this matter.

Vicki P. Cannon

Supervisor of Elections of Nassau County

96135 Nassau Place, Suite 3, Yulee, Florida 32097

Direct: 904.491.7500 | Toll Free: 1.866.260.4301 | Fax: 904.432.1400

vcannon@votenassau.com | www.votenassau.com | [Facebook](#) | [Twitter](#) | [Newsletter Sign Up](#)

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, please do not send electronic mail (email) to this entity. Instead, please contact this office by phone or in writing.

From: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>

Sent: Friday, June 7, 2019 10:27 AM

To: SOEList <FVRSSOE@dos.myflorida.com>; SOEStaffContacts <SOEStaffContacts@dos.myflorida.com>

Cc: Brown, Toshia <Toshia.Brown@DOS.MyFlorida.com>; Marconnet, Amber <Amber.Marconnet@DOS.MyFlorida.com>

Subject: Felon File Processing

Dear Supervisors and staff,

The Division will begin today to forward electronically case files of potentially ineligible registered voters who have been identified as convicted of a felony and are currently in prison or under supervision with the Florida Department of Corrections (DOC) as part of their sentence.

In each case file, you will find a copy of a screen shot of 'the inmate' or of the person as supervised based on information from the Florida Department of Corrections' official's webpage. See attached examples. These official screen shots will take the place of a copy of the judgment and will constitute the "documentation upon which the potential ineligibility is based" pursuant to section 98.075(7), Fla. Stat. Therefore, a judgment will not be included in the case file.

To determine if a person is still in prison or under supervision with DOC, you may search the online "Corrections Offender Network" by name or DC number. We recommend you search by the DC number that is in the screen shot in the case file sent to you. You may [Search All Corrections Offender Databases](#) whereby it will return information indicating another link to either the active inmate or supervised offender database. Click on the link for the detailed and updated information on the status.

If you have any questions about a case file, please contact Amber Marconnet, amber.marconnet@dos.myflorida.com; 850.245.6224.

Respectfully,

Maria Matthews, Esq.

Division of Elections, Director
Florida Department of State
500 S. Bronough Street
Tallahassee, Florida 32399
904.245.6520

Maria.matthews@dos.myflorida.com

This response is provided for reference only and does not constitute legal advice or representation. As applied to a particular set of facts or circumstances, interested parties should refer to the Florida Statutes and applicable case law, and/or consult a private attorney before drawing any legal conclusions or relying upon the information provided.

Please note: Florida has a broad public records law. Written communications to or from state officials regarding state business constitute public records and are available to the public and media upon request unless the information is subject to a specific statutory exemption. Therefore, your e-mail message may be subject to public disclosure.

Template for Instructions to the Voter Regarding Restoration of Voting Rights

DRAFT ONLY – Not Finalized or Approved

Please note that you must satisfy all requirements in law to be eligible to register and vote in Florida.

Effective January 8, 2019, section 4 of Article VI of the Florida Constitution provides the following:

....

(a) No person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent, shall be qualified to vote or hold office until restoration of civil rights or removal of disability. Except as provided in subsection (b) of this section, any disqualification from voting arising from a felony conviction shall terminate and voting rights shall be restored upon completion of all terms of sentence including parole or probation.

(b) No person convicted of murder or a felony sexual offense shall be qualified to vote until restoration of civil rights.

...

Therefore, voting rights in Florida can only be restored through clemency pursuant to section 8, Art. V of the Florida Constitution, or by completion of all terms of a sentence including parole or probation pursuant to section 4., Art. VI of the Florida Constitution, whichever may be applicable to the type of felony conviction(s):

1. To apply for clemency, please find enclosed an application for clemency. For more information, contact:

The Executive Board of Clemency

Toll Free: 1-800-435-8286

Phone: (850) 488-2952

Fax: (850) 488-0695

Email: ClemencyWeb@fcor.state.fl.us

The Office of Executive Clemency

Florida Commission on Offender Review

4070 Esplanade Way

Tallahassee, FL 32399-2450

For specific information on the types of clemency and the clemency process, visit the website for **Florida Commission on Offender Review** at <https://www.fcor.state.fl.us/restoration.shtml>

2. To determine if you have completed all the terms of your sentence including parole or probation as to one or more felony conviction(s), please contact one or more of the following offices as may be applicable:

- **Florida Department of Corrections**

(in county or city where imprisoned or supervised)

[insert City], call XXX-XXX-XXXX

Main line 850-488-5021

Visit online _____

- **Clerk of the Circuit Court and Comptroller**

(If not convicted in the county below, you will need to contact the clerk of court in the county or counties in which you were convicted. If convicted out of state, you will need to contact the clerk of the court in the state in which you were convicted.)

For _____ County, call XXX-XXX-XXXX,

Visit online _____

- **Clerk of Clerk for Federal District Court**

For [insert North, Middle or Southern] District Court

Call xxx-xxx-xxxx or visit online _____

Section 98.07()(a)1., Fla. Stat.

Regarding the Restoration of Civil Rights (RCR) process and the passage of Amendment Four:

For those offenders covered by the amendment, only the right to vote, not the right to sit on a jury or the right to hold public office, is contemplated by the amendment. Restoration of the right to sit on a jury and to hold public office can only be obtained through application to the Board of Executive Clemency.

As to those offenders not covered by the amendment, namely those convicted of murder or a felony sexual offense or those who have not completed all terms of their sentence, the restoration of the right to vote, to sit on a jury, and to hold public office can only be obtained through application to the Board of Executive Clemency.

Restoration of Alien Status under Florida Law - The Restoration of Alien Status Under Florida Law restores to an applicant who is not a citizen of the United States such rights enjoyed by him or her, under the authority of the State of Florida, which were lost as a result of a conviction of any crime that is a felony or would be a felony under Florida law, except the specific authority to own, possess, or use firearms. However, restoration of these rights shall not affect the immigration status of the applicant (i.e., a certificate evidencing Restoration of Alien Status Under Florida Law shall not be a ground for relief from removal proceedings initiated by the United States Immigration and Naturalization Service).

For more information on the eligibility criteria for each form of clemency (Rule 5) read the "Rules of Executive Clemency" available at <https://www.fcor.state.fl.us>.

Contact the Office of Executive Clemency

Toll Free: 1-800-435-8286

Phone: (850) 488-2952

Fax: (850) 488-0695

Email: ClemencyWeb@fcor.state.fl.us

Website: <https://www.fcor.state.fl.us>

The Office of Executive Clemency
Florida Commission on Offender Review
4070 Esplanade Way
Tallahassee, FL 32399-2450

Contact information for the agencies listed below is being provided by the Nassau County Supervisor of Elections as resources for persons who may need assistance in confirming if the terms of their sentence has been completed.

- **Clerk of the Circuit Court and Comptroller** in the county where sentenced.
In Nassau County, call 904-548-4600 or visit online: www.nassauclerk.com
- **Florida Department of Corrections** where supervised or incarcerated:
Statewide, call 850-488-5021 or visit online: www.dc.state.fl.us
- **United States District Court, Middle District of Florida** – for federal court conviction records
In Jacksonville, call 904-549-1900 or visit online: www.flmd.uscourts.gov

DOC 0684 06242019

INSTRUCTIONS FOR SEEKING RESTORATION OF CIVIL RIGHTS

Disqualification from voting, due to a felony conviction, may be terminated upon completion of all terms of your sentence, including parole and probation, as provided in section 98.0751, Florida Statutes. The following information was copied from the website of the Florida Commission on Offender Review (FCOR) as of 6/20/2019. This information may have changed since the date of printing. Please visit <https://www.fcor.state.fl.us> or contact the FOCR (see contact information below) for the most current instructions.

Clemency

Overview

Clemency is the constitutionally authorized process that provides the means through which convicted felons may be considered for relief from punishment and seek restoration of their civil rights. The clemency function is an act of mercy that absolves an individual from all, or any part, of the punishment that the law imposes. This is a power to grant full or conditional pardons, or commute punishment. If an individual was adjudicated delinquent of an offense as a juvenile and not adjudicated guilty in adult court, that person is not eligible for any form of clemency.

There are rules for these procedures, and these powers to grant clemency are vested in the Governor with the agreement of two cabinet members who are also statewide elected officials. The Governor also has the sole power to deny clemency.

Types of Clemency

Full Pardon – A Full Pardon unconditionally releases a person from punishment and forgives guilt for any Florida convictions. It restores to an applicant all of the rights of citizenship possessed by the person before his or her conviction, including the right to own, possess, or use firearms.

Pardon Without Firearm Authority – A Pardon Without Firearm Authority releases a person from punishment and forgives guilt. It entitles an applicant to all of the rights of citizenship enjoyed by the person before his or her conviction, except the specific authority to own, possess, or use firearms.

Pardon for Misdemeanor – A Pardon for Misdemeanor conviction releases a person from punishment and forgives guilt.

Commutation of Sentence – A Commutation of Sentence may adjust an applicant's penalty to one less severe but does not restore any civil rights, and it does not restore the authority to own, possess, or use firearms.

Remission of Fines and Forfeitures – A Remission of Fines or Forfeitures suspends, reduces, or removes fines or forfeitures.

Specific Authority to Own, Possess, or Use Firearms – The Specific Authority to Own, Possess, or Use Firearms restores to an applicant the right to own, possess, or use firearms, which were lost as a result of a felony conviction. Due to federal firearms laws, the Clemency Board will not consider requests for firearm authority from individuals convicted in federal or out-of-state courts. In order to comply with the federal laws, a Presidential Pardon or a Relief of Disability from the Bureau of Alcohol, Tobacco and Firearms must be issued in cases involving federal court convictions. A Pardon or Restoration of Civil Rights with no restrictions on firearms must be issued by the state where the conviction occurred.

Restoration of Civil Rights in Florida – The Restoration of Civil Rights restores to an applicant all of the rights of citizenship in the State of Florida enjoyed before the felony conviction, except the specific authority to own, possess, or use firearms. Such restoration shall not relieve an applicant from the registration and notification requirements or any other obligations and restrictions imposed by law upon sexual predators or sexual offenders.

DOC 0684 06242019

Matthews, Maria I.

From: Peg Reese <preese@hcsoe.org>
Sent: Thursday, November 29, 2018 9:28 AM
To: Matthews, Maria I.
Subject: Implementation of Amendment 4

EMAIL RECEIVED FROM EXTERNAL SOURCE

Hi Maria,

I am writing about Amendment 4 – I have received multiple inquiries from interested groups and individuals about how the changes approved by the amendment will be implemented.

While I do not know the thinking of the Division on this, the current form of the Voter Registration Application seems to me to be adequate and appropriate – Line 2 can be read to cover the new voting rights restoration scheme, and, as is the case with Lines 1 and 3, would not require anything other than the applicant's affirmation via the signed oath on Line 12.

I assume the state would continue to provide files for persons convicted of murder or felony sexual offense, and the processes set forth in F.S. 98.075 would apply.

I appreciate any guidance you can provide on this.

Thanks.

Peg

Peg Reese, CERA, J.D.

Chief of Staff

Representing Craig Latimer, Hillsborough County Supervisor of Elections

County Center, 601 E. Kennedy Blvd., 16th Floor, Tampa, FL 33602

Direct: (813) 276-2818 Cell: (813) 352-2630 Email: preese@hcsoe.org

VoteHillsborough.org

Please note: Florida has a very broad public records law. Written communications to or from the Supervisor of Elections regarding business constitute public records and are available to the public and media upon request unless the information is subject to a specific statutory exemption. Therefore, your e-mail address and message may be subject to public disclosure.

Matthews, Maria I.

From: Meredith D. Crawford <mdcrawford@myescambia.com>
Sent: Wednesday, November 28, 2018 11:29 AM
To: Labasky, Ron - FSASE Legal Counsel; Stafford, David H.; Matthews, Maria I.
Cc: Kia M. Johnson; Alain Espinosa; Alain Espinosa
Subject: RE: DRAFT letter re: Amendment 4
Attachments: Amendment 4 DRAFT.docx; Amendment 4 DRAFT.pdf

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Yes, the amendment goes into effect on January 8, 2019.

By my reading, they are simply eligible to register to vote since the "disqualification terminates" and their rights are restored. There aren't any additional requirements for proof/documentation from the voter in the language of the amendment.

I don't think it hurts to add space on the registration form to address the restoration. Something like: "I am not a convicted felon; or I am a convicted felon and was not convicted of murder or a felony sex crime and have completed my sentence; or I am a convicted felon and have had my civil rights restored..."

It doesn't appear that you are precluded from requesting additional information related to the jurisdiction of the crime (that you can confirm the sentence is complete) but it should be a request and not a requirement. And the burden should be on us and not the voter. At least unless and until there is further direction from the powers that be. Make sense?

Here is the complete text of the amendment:

Article VI, Section 4. Disqualifications.—

(a) No person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent, shall be qualified to vote or hold office until restoration of civil rights or removal of disability. Except as provided in subsection (b) of this section, any disqualification from voting arising from a felony conviction shall terminate and voting rights shall be restored upon completion of all terms of sentence including parole or probation.

(b) No person convicted of murder or a felony sexual offense shall be qualified to vote until restoration of civil rights.

(b c) No person may appear on the ballot for re-election to any of the following offices:

- (1) Florida representative,
- (2) Florida senator,
- (3) Florida Lieutenant governor,
- (4) any office of the Florida cabinet,
- (5) U.S. Representative from Florida, or
- (6) U.S. Senator from Florida

by the end of the current term of office, the person will have served (or, but for resignation, would have served) in that office for eight consecutive years.

See attached changes to your draft letter. Just my two cents. Let me know your thoughts. I'm always happy to discuss.
Meredith

Meredith D. Crawford
Assistant County Attorney
Escambia County Attorney's Office
221 Palafox Place, Suite 430
Pensacola, FL 32502
Telephone: (850) 595-4970
Fax: (850) 595-4979

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From: Ronald Labasky <rlabasky@bplawfirm.net>
Sent: Tuesday, November 27, 2018 12:08 PM
To: David Stafford <dstafford@escambiovotes.com>; Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>;
Meredith D. Crawford <mdcrawford@myescambia.com>
Subject: RE: DRAFT letter re: Amendment 4

David: I think the amendment is effective January 8, 2019.

From: David Stafford <dstafford@escambiovotes.com>
Sent: Monday, November 26, 2018 3:28 PM
To: Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>; Ronald Labasky <rlabasky@bplawfirm.net>; Meredith D. Crawford <mdcrawford@myescambia.com>
Subject: DRAFT letter re: Amendment 4

We have received several applications from voters we have previously removed for loss of civil rights due to a felony conviction. As we have yet to receive any guidance from anyone regarding implementation of Amendment 4, I have drafted the attached letter as a placeholder. Please let me know if you have any suggested edits or concerns.

Thanks,

David H. Stafford, CERA
Escambia County Supervisor of Elections
(850) 595-3900
dstafford@escambiovotes.com
Follow us @EscambiaVotes
Like us on Facebook

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Matthews, Maria I.

From: Mike Bennett <Mike@votemanatee.com>
Sent: Tuesday, November 27, 2018 3:51 PM
To: Matthews, Maria I.
Subject: Processing potential ineligibility – Felon
Attachments: Staff Memo - Potential Ineligibility Felon.pdf

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Hello Maria,

I would like to request some guidance relative to processing applications for newly registered voters and files for currently registered voters who have been convicted of felonies. The passing of Amendment 4 will certainly change the criteria and research methods my staff uses. I know this topic is on the agenda for the conference next week and I hope that will lead to some clarity.

In the interim, I have instructed my staff via the attached memo.

Thank you,

Mike

Mike Bennett
Manatee County
Supervisor of Elections
941 741-3823

Under Florida Law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact our office by phone or in writing.



MEMORANDUM

TO: All Staff

FROM: Mike Bennett
Supervisor of Elections

DATE: November 27, 2018

RE: Processing of Potential Ineligibility - Felon

Amendment 4 passed in the 2018 General Election. As a result, the eligibility criteria relative to voter registration for citizens who have been convicted of a felony will change when the amendment takes effect in January of 2019.

Until rulemaking is established to clarify and define the new eligibility criteria, please process voter registration applications for those potentially ineligible due to a felony conviction as follows. The same will apply to files sent by the Division of Elections for those who are currently registered.

Determine whether or not the applicant or registered voter is likely to meet the new criteria for automatic restoration of civil rights basing this determination primarily on the date of the felony conviction. Process those not likely to meet the new criteria as you have been doing. Hold all others until further notice.

Protect the Manatee

2017-18 ANNUAL REPORT



FLORIDA DEPARTMENT
OF CORRECTIONS

FLORIDA DEPARTMENT OF CORRECTIONS



VISION

"Inspiring success by transforming one life at a time," encompasses not only our approach to inmate and offender rehabilitation, but also our commitment to our members. We will work collaboratively, addressing each issue, one at a time, as we continue to rebuild this agency.

MISSION

"Provide a continuum of services to meet the needs of those entrusted to our care, creating a safe and professional environment with the outcome of reduced victimization, safer communities and an emphasis on the premium of life."

VALUES

Safety

Safety remains the priority in everything we do for our staff, inmates, offenders and the public. Looking forward, technology will allow us to take an innovative approach toward creating safer environments.

Accountability

We must be accountable to those under our supervision, our fellow members and, most importantly, the people of Florida through fiscally sound policy and strategic goals that complement our mission and vision.

Fairness and Integrity

We must always act with fairness and integrity. Our officers face difficult situations every day and we expect them to rise above these testing circumstances and conduct themselves professionally at all times.

Innovation

Finally, we must take an innovative approach to building a modern Department of Corrections. We expect Florida to serve as a national leader in correctional policy and embrace a best-in-class approach to creating policies that promote success for our supervised population.

STRATEGIC GOALS TO IMPLEMENT OUR PHILOSOPHY:

Talent Development:

We will invest in our members for their professional development, growth and success.

Inmate/Offender Programs:

We will implement rehabilitative programs that support a continuum of services for inmates and offenders, resulting in a successful transition into the community.

Communications:

We intend to promote a collaborative and transparent communications framework that engages all members and stakeholders.

Environment:

We intend to provide healthy, sustainable and compassionate environments that are the foundation of our values.



SECRETARY'S MESSAGE

During this fiscal year the Florida Department of Corrections (FDC) embarked on a major milestone. Year 2018 marked the Department's 150th year as an integral part of Florida's criminal justice system.

Together we achieved many successes with the advancement of inmate programming, the expansion of mental health services for inmates, the growth of ADA accessibility at our facilities and the implementation of new technology through the launch of tablets and kiosks.

One historic event that shaped the course of this year was Hurricane Irma, which made landfall in August. This storm taught us that through collaboration and unprecedented team work, we could not only be successful in a crisis, but we could excel. FDC successfully evacuated more than 12,000 inmates in the storm's path, marking the largest evacuation in our state history.

This Annual Report provides a snapshot of the year and documents our achievements and our collective progress as we continue to strive to be a leader in correctional practice nationwide.

The report will also serve as a time capsule for next 150 years as the Florida's correctional system continues to evolve and serve this great state.

- SECRETARY JULIE L. JONES

AGENCY OVERVIEW



The Florida Department of Corrections (FDC) is the third largest state prison system in the country with an annual budget of \$2.4 billion. FDC incarcerates approximately 96,000 inmates in correctional facilities and supervises nearly 166,000 offenders as part of its community supervision programs. FDC is also the largest of Florida's state agencies, with more than 24,225 authorized full-time employees statewide.

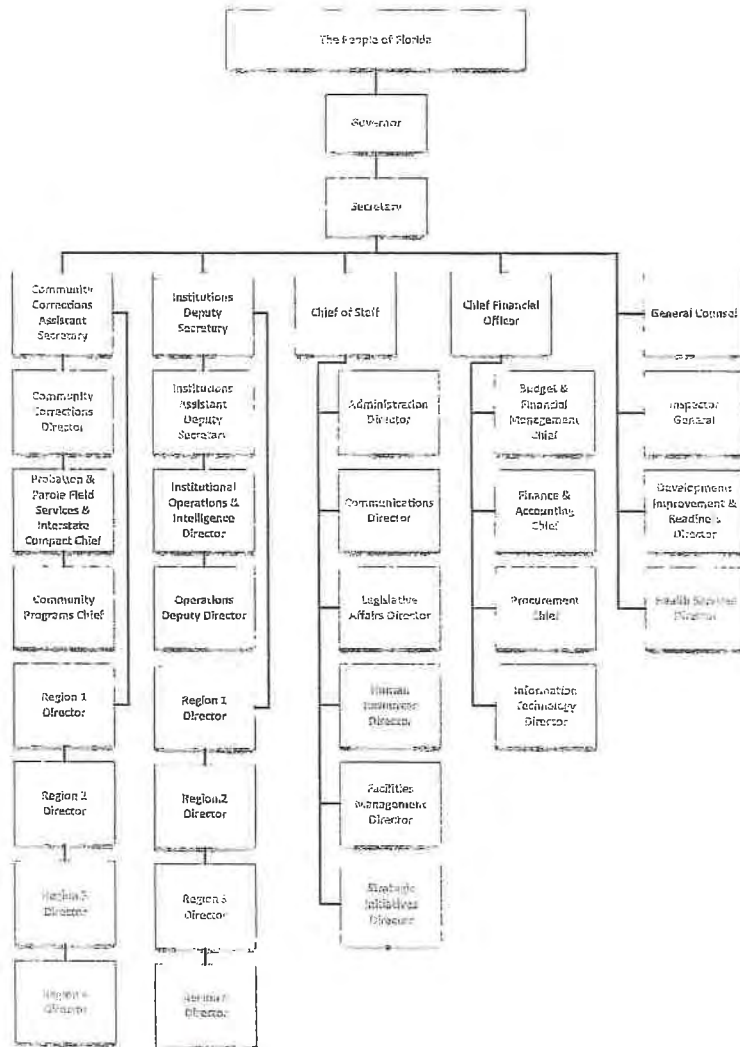
The Department has 144 facilities statewide, including 50 correctional institutions, seven private partner facilities, 17 annexes, 34 work camps, three re-entry centers, 13 FDC operated work release centers, 16 private work release centers, two road prisons, one forestry camp and one basic training camp. In Fiscal Year (FY) 2017-18, 27,916 inmates were admitted to prison and another 30,224 were released. During that year, 83,820 offenders were placed on community supervision and another 83,587 were released from supervision.

The Department strives to ensure that the penalties of the criminal justice system are completely and effectively administered while protecting the public safety of law abiding citizens throughout the state. Accordingly, the safety and well-being of staff and inmates is vital in providing and maintaining a humane system of rehabilitation.

With a majority of those who serve time in an institution or under supervision transitioning back to Florida's communities, the Department strives to provide inmates and offenders with the programs, services and skills needed to become productive and law-abiding citizens.

The information and events included in this agency annual report have occurred during the fiscal year from July 1, 2017 to June 30, 2018.

ORGANIZATIONAL CHART



PERSONNEL

The FDC is the largest state agency in Florida. As of June 30, 2018, the agency had a total of 24,225 authorized full time positions.

The majority of the positions are comprised of certified correctional office staff in Institutions or probation/parole officers, totaling 19,658 employees (81.2%). Certified staff are those that are eligible for, or have completed officer training and earned a certificate of compliance issued by the Criminal Justice Standards and Training Commission.

A total of 17,481 (88.9%) certified staff are located at the institutions and can be broken down into the following ranks:

- 12,032 (68.8%) Correctional Officers
- 4,352 (24.9%) Sergeants
- 484 (2.8%) Lieutenants
- 356 (2.0%) Captains
- 85 (0.5%) Majors
- 47 (0.3%) Colonels
- 125 (0.7%) Correctional Inspectors in the Office of the Inspector General

Certified Correctional Probation Officers totaled 2,177, comprising (11.1%) of the overall certified staff.

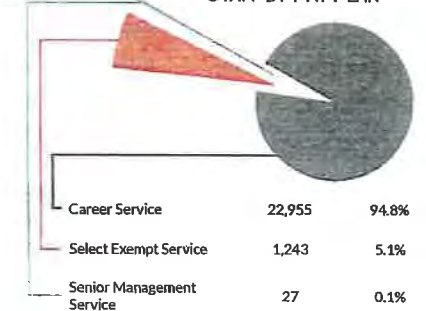
Additional non-certified Institutional staff provide programs for inmates and offenders and chaplaincy services totaling 1.8% of FDC full-time positions.

Health Care positions (professional, managerial, and support) represented only 0.6% of FDC full-time positions as the majority of health care staff at the Institutions are privately contracted. Additional agency support staff totaled 14.1% with 11.5% providing institutional support and 2.4% supporting community corrections.

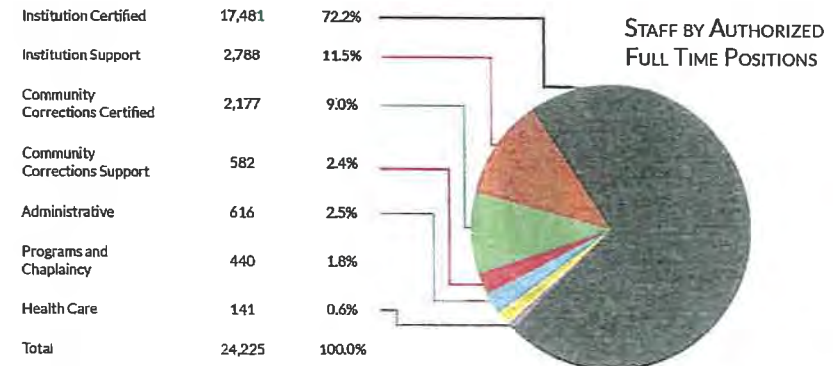
Less than 3% of full-time positions provided management and administrative support in Central Office and regional service centers.

The average Department employee is 40 years of age and has been with the agency for 9 years. Approximately 95.0% of the Department's employees are in the state's Career Service pay plan, 5.1% are Selected Exempt Service (SES), and 0.1% are Senior Management Service (SMS).

STAFF BY PAY PLAN

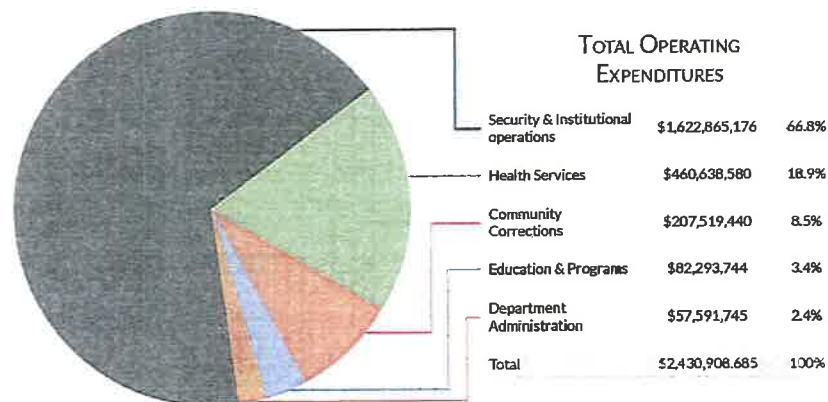


STAFF BY AUTHORIZED FULL TIME POSITIONS



BUDGET

The Department's Annual Budget for FY 2017-18 was over 2.4 billion and can be broken down into the following categories:



FIXED CAPITAL OUTLAY

Category	Expenditures
Construction/Maintenance	\$39,564,233
Debt Service	\$52,933,562
Total Fixed Capital Outlay Funds	\$92,497,795

OTHER REVENUES COLLECTED

Collections	Amount
Cost of Supervision Fees ¹	\$19,407,872
Restitution, Fines, Court Cost ²	\$49,961,784
Subsistence and other Court Ordered ³	\$20,345,413
Inmate Bank⁴	
Deposits	\$130,108,809
Disbursements	\$127,481,738
Total Assets	\$15,550,130
Other Activity	
Revenue from Canteen Operations ⁴	\$36,156,779

¹ All funds are deposited into General Revenue (GR).

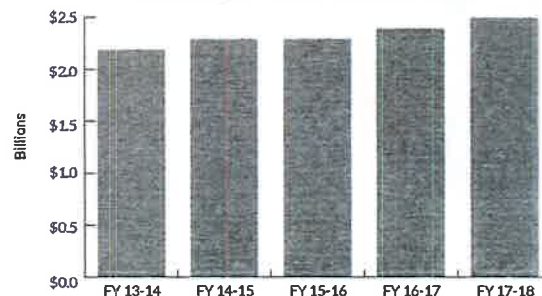
² These fees are dispersed to victim courts and are only determined by the court.

³ From the banking funds are for inmate use, FDC does submit a transaction fee.

⁴ These funds are deposited into GR. FDC retains an administrative fee on this program.

BUDGET

DEPARTMENT APPROPRIATION HISTORY



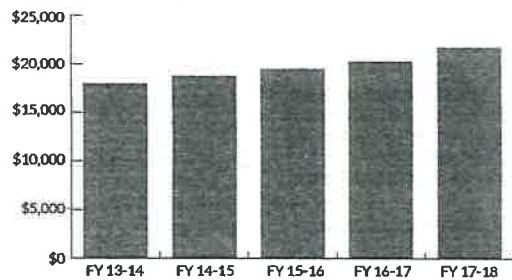
SUMMARY OF AVERAGE INMATE COSTS FY 2017-18

Type of Facility	Average Population	Total Per Diem	Security Operations	Health Services	Education Services
Total All Facilities (Excluding Private)	86,729	\$59.57	\$43.94	\$14.13	\$1.50
Adult Male Custody	46,363	\$52.28	\$40.20	\$10.67	\$1.41
Reception Center	7,601	\$68.76	\$52.00	\$15.82	\$0.94
Adult and Youthful Female Custody	3,542	\$64.46	\$48.40	\$13.52	\$2.54
Specialty Institution	24,243	\$72.27	\$49.30	\$21.82	\$1.14
Work Release Centers	1,393	\$45.12	\$34.58	\$8.53	\$2.00
Re-Entry Centers	1,585	\$57.11	\$41.58	\$4.06	\$11.46
Contracted Facility	2,002	\$42.89	\$35.26	\$7.63	
Private Institutions	9,742	\$44.08	\$44.08		

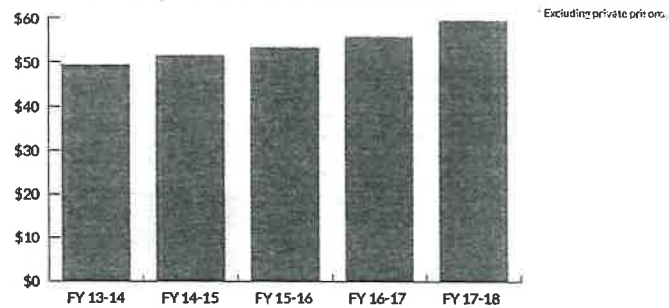
*Per diem figures do not include indirect and administrative cost of \$0.75 for private institutions and \$4.31 for state facilities (security operations \$1.71, health services \$0.40, education \$0.26, and department administration \$1.92).

BUDGET

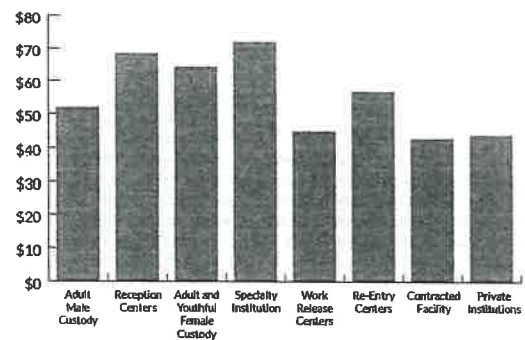
ANNUAL COST TO HOUSE AN INMATE



INMATE COST PER DAY OVER FIVE YEARS*

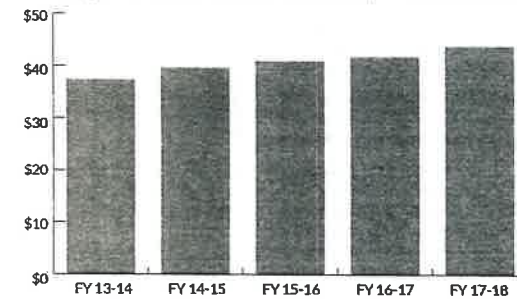


INMATE COST PER DAY BY FACILITY TYPE

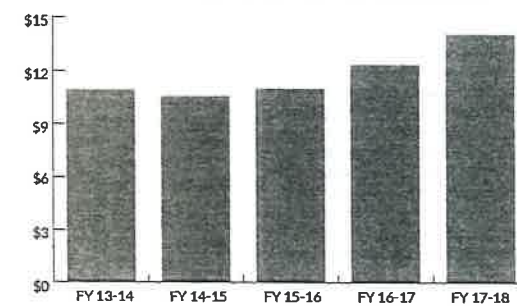


BUDGET

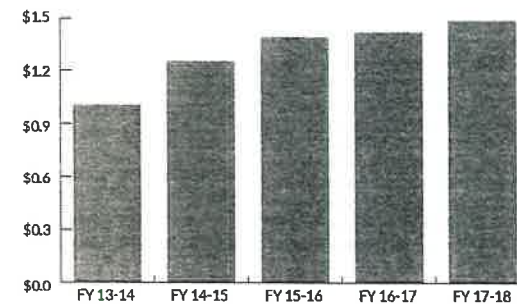
PORTION OF DAILY COSTS FOR SECURITY OPERATIONS



PORTION OF DAILY COSTS FOR HEALTH SERVICES



PORTION OF DAILY COSTS FOR EDUCATION SERVICES



AGENCY ACCOMPLISHMENTS

House Bill 6059 (F.S.) – HB 6059 was signed into law reauthorizing the Corrections Foundation, the direct-support organization for the Department. The Corrections Foundation supports FDC's officers, staff, and programs through a variety of initiatives such as Fallen Officers Fund and the Employee Assistance Program which provides help to employees in times of crisis. The Foundation's authorization in Florida Statute was set to repeal on October 1, 2018, and HB 6059 eliminated the scheduled repeal.



American Correctional Association (ACA) Accreditation & Prison Rape Elimination Act (PREA) – Fifteen facilities received ACA reaccreditation, and one received its initial accreditation. All facilities presented for accreditation achieved 100% on mandatory standards and averaged 98.43% on non-mandatory standards. Additionally, 20 facilities successfully underwent certified Department of Justice Prison Rape Elimination Act (PREA) audits during the fiscal year.

Computer Assistance Reception Process Transition into OBIS – In 2017, the Department transitioned the inmate reception process from Computer Assistance Reception Process (CARP), an independent application at each reception center, into one centralized automated process to be completed through the Offender Based Information System (OBIS). Although the actual implementation occurred previously, the development, programming, and testing for this new program was completed this fiscal year. The primary benefit of this system is the uniformity of data gathered during processing of newly received inmates into the Department. It has eliminated errors in institutional counts and transfers and resulted in a modernized and efficient reception process at a significant cost savings.

Correctional Behavioral Health Care Certification – The Department was the first correctional agency in the nation to have staff issued the Correctional Behavioral Health Certification facilitated by the ACA. The purpose

of the examination for the Correctional Behavioral Health Certification is to ensure a staff member's knowledge of national standards and guidelines, legal and ethical principles, relevant security regulations, and the role of correctional professionals associated with behavioral health services.

Synthetic Drug Campaign – One of the more recent substance abuse problems plaguing Florida correctional institutions is the use of synthetic cannabinoids, cathinones (bath salts) and opiates, also known as K2 or Spice. FDC created and implemented a synthetic drug campaign to educate and inform inmates about the dangers of synthetic drug use. The campaign is multi-faceted in its approach to reach inmates, staff, visitors and volunteers. The campaign includes the use of marketing materials such as posters, pamphlets and videos for inmate distribution; new training materials for staff; as well as the professionally produced "Contraband Bob" video for the public.

Transportation Security Upgrades – High definition audio and video monitoring equipment with live-stream capabilities were installed on all FDC transport busses. Cameras were installed in several areas, both inside/outside of the transport vehicle to monitor inmate and staff during transports. Additionally, all FDC transport busses are now required to have highly visible roof top identifiers (FDC and vehicle number), which can be seen from the air.

Statewide Blue Courage Resilience Training – All Community Corrections certified staff completed Blue Courage Resilience training which is designed to build diverse high-performance teams and help employees maintain a sustainable lasting career with FDC.

Community Corrections Accreditation – Community Corrections received statewide accreditation from the ACA.

Thinking for a Change – In an effort to implement evidence-based programs designed to reduce recidivism and increase offender success, Community Corrections staff conducted 84 Thinking for a Change (Cognitive Therapy Programs) statewide.

Free Vaccines for Inmates – The Department entered into a collaborative agreement with DOH for the provision of free vaccines under Section 317 of the Public Health Act. FDC already receives free influenza and TDAP (Tetanus, Diphtheria and Pertussis) vaccines, and plans are underway to expand the program to include pneumococcal and other vaccines. This new partnership resulted in savings of \$177,788 in FY 17-18. When fully

AGENCY ACCOMPLISHMENTS

implemented, this collaboration is expected to result in a cost avoidance of \$700,000 – \$1.0 million annually.

Tele-psychiatry and Tele-health Programs – In conjunction with FDC's health services vendor, the Department expanded the use of tele-psychiatry and is currently identifying opportunities to implement tele-health. This program not only provides increased access to healthcare but also lessens the burden of transportation and staffing requirements necessary for specialty care appointments.

Opening of an Outpatient Residential Treatment Continuum of Care program at Wakulla CI Annex – This specialized program provides protective housing and augmented treatment units designed for inmates with serious mental impairment associated with a historical inability to successfully adjust to living in the general inmate population. It features a 240-bed Diversion Treatment Unit for inmates with severe mental illness; a 240-bed Secure Treatment Unit for inmates with severe mental illness and behavioral issues; 26 beds for inmates with cognitive issues, such as dementia, mild traumatic brain injury or other neurocognitive disorders; 12 isolation management rooms; and an 80-bed Inpatient unit to support the program. Funding for this project was provided over multiple fiscal years by the Legislature with support from the Governor's Office.

Fleet Upgrades – The fleet unit purchased 166 new vehicles including Bluebird buses, passenger vans, sedans, K-9 trucks, and SUVs. In addition, 20 pre-owned vehicles from various auctions were purchased including vans, sedans, a pickup truck and a semi-tractor trailer. Additionally, the Department purchased 50 rugged terrain vehicles which are used for perimeter security patrols and each institution received specialized training to use the new equipment.

New Strategic Plan – With participation of staff and leadership from across the state, the Department updated completed the 2018-2022 Strategic Plan for the planning horizon. Through its strategies and objectives, the plan provides a framework to guide the growth and development of the agency in achieving its overall mission and vision. By focusing on collaborative, innovative and sustainable operational strategies the plan embodies the foundation and future of FDC.



Farm & Edible Crops Program (FECF) – This program grows millions of pounds of fresh vegetables each year in support of the food service master menu. In FY17-18, approximately 4.1 million pounds of fresh produce was harvested and distributed to the institutions. Crop production was valued at approximately \$2.69 million. FECF staff initiated and implemented a consolidation plan to reduce costs without severely impacting harvest productions. As part of this consolidation, smaller farms were closed and agricultural equipment and related supplies were relocated to invest in a more centralized farm program. This effort is projected to save costs while continuing to produce fresh vegetables that are consistent with the food service master menu. The program continues to benefit the inmate population by providing an opportunity to learn agricultural skills for future employment upon release.

Hurricane Damages and Risk Management Monitoring Program – In coordination with the Department of Financial Services, FDC reported, processed and closed more than 1,200 property damage claims resulting from Hurricane Irma. To further streamline and expedite the damage assessment and recovery process, the Department developed a web-based system to track damage estimates and insurance claims from the initial notice of loss through facility reconstruction or repair and reconcile actual project expenditures with insurance payments. This new system provides a single source of information for all offices within the Department and reduces errors between redundant systems while standardizing agency reporting.

Employee Recruitment and Hiring – The Department hosted two regional large-scale same day hiring events to recruit, train and hire new correctional officer staff. These events, in addition to a multi-faceted media campaign, have attracted thousands of potential candidates. During this time, the security recruitment team processed 16,141 new applicants, with the successful hiring of 4,399 correctional officers.

Hurricane Irma Damage Repairs – FDC has completed 297 roof replacements in addition to minor structural repairs resulting from Hurricane Irma.

Americans with Disabilities Act (ADA) Updates – FDC maintenance staff completed substantial repairs and modifications to nine of the Department's 20 ADA facilities as a result of a legal settlement agreement and will continue making repairs to all 20 of the Department's ADA facilities statewide over the next fiscal year.

AGENCY ACCOMPLISHMENTS

Quarterly Maintenance Inspections – FDC implemented quarterly maintenance inspections at each facility in order to conduct a thorough and complete assessment of the Department's buildings. Additionally, across the state, the number of maintenance work orders over 30 days and 60 days old has been reduced by 100%.

Modernized security access requests (SAR 2.0) – The Department acquired and implemented ServiceNow—a suite of tools designed to streamline several Office of Information Technology core functions and assist in updating the SAR process. The objective of this project was to rewrite the workflows and approval processes for program areas requesting security access, thereby enhancing the customer experience, simplifying the approvals required and reducing the time to fulfill requests.

Inmate Tablets and Kiosks – The Department completed installation of inmate kiosks and inmate tablets on a statewide basis to enable video visitation and email for family and inmates to help reduce recidivism.

Educational Tablets – FDC has been allocated Education Tablets that will operate on the Lantern Platform

provided through the JPay vendor. The Department is utilizing the tablets to expand some curriculum delivery and provide supplemental educational material to inmates. Training was held at a few of the facilities designated to receive these tablets first.

Facility Program Performance Measures – The Department began statewide tracking of inmate program effectiveness. Measures such as enrollment, staff vacancies, number of testing events, number of Literacy Completion Points, and reporting timeliness are all measured. This process provides data substantiating program needs, assists with strategic planning, and identifies areas requiring additional technical assistance.

Career and Technical Education Expansion – FDC established partnerships with outside educational entities through contractual services in 2017 and 2018, resulting in 688 additional career technical educational seats per year. The partnering educational facilities include seven colleges and the Home Builders Institute.

INSTITUTIONS

As of June 30, 2018, Florida housed 96,253 inmates in 144 facilities, including 50 major institutions and 7 privately run institutions. Unifon Correctional Institution in Raiford, built in 1913, is the state's oldest prison still in use today.

Major institutions, or prisons, are similar to small towns in that they have their own academic and career/technical schools, places of worship, medical services, maintenance facilities, parks (for visiting family) and often their own water supplies. All mentally and physically able inmates are assigned jobs at major institutions, and inmates are responsible for all the cooking, laundry, cleaning, farming and lawn maintenance at these facilities.

Upon sentencing to prison, inmates are sent to a prison reception center. Inmates usually spend an average of three to four weeks in the reception process before being sent to a more permanent facility. During reception, an inmate's custody level is determined, health care and programming needs are assessed, and inmates learn the rules and regulations of prison life. They are then sent to a major institution, or prison.

Inmates in Florida may be housed in prisons, annexes, work camps, community release centers or road prisons. Each facility serves a different function and inmates must be specific custody levels to be placed in particular facilities. An inmate nearing his or her release date, who is classified "community custody" and disciplinary-report free, may have the opportunity to be placed in a community release center (CRC). Inmates at CRC's work during the day in their communities and earn a salary, but return to the center at night and any other time they are not working. They are still considered incarcerated. If they fail to follow the rules, they are returned to prison until their release. Part of the money they earn goes to room and board and victim restitution, and they may keep the rest to help them get established upon release.

The classification of inmates for placement in these different facilities takes into account the seriousness of their offenses, length of sentence, time remaining to serve, prior criminal record, escape history, prison adjustment, and other factors. The most serious offenders, those with the longest sentences, and those least likely to adjust to institutional life are placed in more secure facilities.

TYPES OF PRISON FACILITIES

Correctional Institutions are prisons with fences, razor wire or ribbon, electronic detection systems, perimeter towers with armed correctional officers and/or officers in roving perimeter vehicles. These institutional compounds may include annex buildings and re-entry centers. Most of these inmates do not reside in cells, but in open bay dormitories with bunk beds. Some exceptions include those confined for disciplinary or security reasons, and those on death row. These facilities are divided into seven levels of security ranging from minimum custody facilities to maximum custody facilities. About 84.1% of the Florida prison population is housed in a major institution or annex.

Work/Forestry Camps are minimum to medium custody facilities, surrounded by fences and razor ribbon. Inmates are usually transferred to a work camp after completing part of their sentences at a correctional institution and demonstrating satisfactory adjustment. Most of these work camps are located next to correctional institutions enabling the sharing of facilities like laundry and health services. The inmates housed at these facilities may be assigned to community and public work squads. Their jobs include cleaning up roadways and right-of-ways, grounds and building maintenance, painting, building construction projects, moving state



INSTITUTIONS

offices, and cleaning up forests. About 11% of the prison population resides in work camps.

Community Release Centers (CRC) house two categories of inmates: community custody inmates who are participating in community work release by working at paid employment in the community and minimum custody inmates who are participating in a center work assignment by working in a support capacity for the center (such as food services and laundry). These inmates must be within two or three years of their release date, depending on their job assignment. Sex offenders may not participate in work release or center work assignments. There are no perimeter fences, and inmates must remain at the CRC when they are not working or attending programs such as Alcoholics Anonymous. Inmates participating in work

release must save part of their earnings for when they are released in order to pay toward victim restitution as well as room and board. More than 3,000 inmates participate in Florida's community release programs annually, with about 3.1% of the prison population enrolled at any given time. Work release centers are supervised by the Department's Office of Institutions.

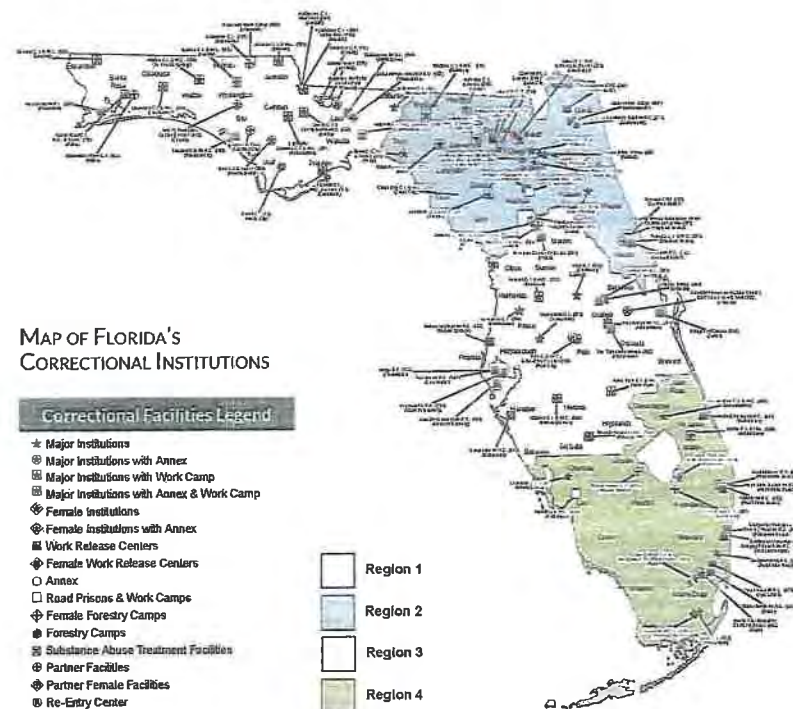
Road Prisons house minimum and medium custody inmates and have perimeter fences. Most of these inmates work on community work squads and the highways doing road work. Their jobs also include support services to state agencies such as collecting recycling materials and moving furniture. Less than 1% of the prison population is housed in road prisons.

SUMMARY OF FLORIDA STATE CORRECTIONAL FACILITIES

Facility	Total	Male	Female	Population on June 30, 2018	Percentage of Population
Correctional Institutions	50	46	4	56,820	59.0%
Private Correctional Facilities	7	6	1	9,790	10.2%
Prison Annexes	17	16	1	14,381	14.9%
Re-Entry Centers	3	3	0	1,165	1.2%
Work Camps	34	33	1	10,628	11.0%
State-Run Community Release Centers	13	9	4	1,412	1.5%
Private Community Release Centers	16	13	3	1,594	1.7%
Road Prisons, Forestry, Basic Training Unit	4	4	0	463	0.5%
Total Facilities	144	130	14		
Population Total				96,253	100%



INSTITUTIONS MAP



INMATE ADMISSIONS

GENERAL CHARACTERISTICS

Gender		
Male	24,404	87.4%
Female	3,512	12.6%
Race/Ethnicity		
White Male	10,918	39.1%
White Female	2,498	8.9%
Black Male	10,521	37.7%
Black Female	809	2.9%
Hispanic Male	2,851	10.2%
Hispanic Female	188	0.7%
Other Male	114	0.4%
Other Female	17	0.1%

Age at Admission		
17 & Under	171	0.6%
18 - 24	4,915	17.6%
25 - 34	10,102	36.2%
35 - 49	9,134	32.7%
50 - 59	2,873	10.3%
60+	721	2.6%

Prior DC Prison Commitments		
0	13,675	50.0%
1	6,432	23.5%
2	3,217	11.8%
3	1,684	6.2%
4+	2,352	8.6%
Data Unavailable	556	

* Due to rounding, percentages may not total 100%.

** Violent crimes include murder, manslaughter, and violent personal offenses. Sexual offenses, robbery, burglary, theft, forgery, and may also be considered violent in instances where actual physical harm or threat of physical harm, or a reasonable probability existed that individual or individual acts could have resulted in unintended physical harm or the threat of physical harm.

Inmate admissions refer to the number of inmates admitted into the prison system during a given period of time. The following tables and charts detail the characteristics of inmates who were admitted into Florida state prisons from July 1, 2017 - June 30, 2018.

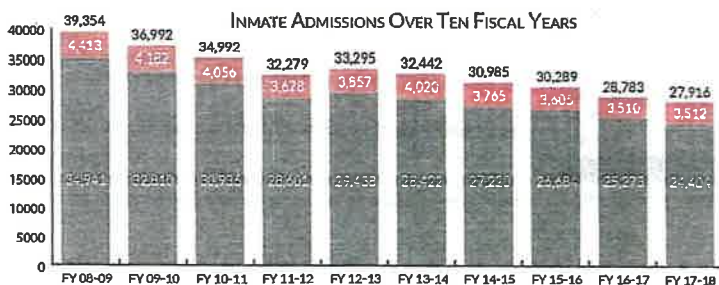
Based on the data presented, inmate admissions for this fiscal year totaled 27,916, decreasing by approximately 3% from last fiscal year. The majority of inmates admitted to prison in FY 2017-18 were between the ages of 25-34 (36.2%). Almost 50% of those admitted had served time in the Florida state prison system before.

Those who enter prison today for a crime committed on or after October 1, 1995, will serve a minimum of 85% of their sentence.

GENERAL CHARACTERISTICS BY OFFENSE TYPE

Type of Offense	Number	Percent	Avg Sentence Length in Years*	Avg Age at Admission
Murder, Manslaughter	1,006	3.7%	25.9	34.0
Sexual Offenses	1,549	5.7%	12.6	39.5
Robbery	1,595	5.8%	7.6	28.9
Violent Personal Offenses	4,383	16.0%	4.1	34.5
Burglary	4,067	14.9%	4.8	31.9
Theft/Forgery/Fraud	4,279	15.6%	2.4	37.1
Drug Offenses	6,266	22.9%	3.2	36.7
Weapons	1,815	6.6%	3.3	31.7
Other	2,400	8.8%	2.8	38.3
Data Unavailable	556			

* Sentence Lengths of 50 years or longer are coded as 50 years for calculation of averages.



INMATE POPULATION

Inmate population refers to the 96,253 inmates who were present in the Florida prison system on June 30, 2018. Florida's prison population decreased by 1,541 or 1.6% from the previous fiscal year.

The Florida Demographic Estimating Conference held on July 9, 2018, estimated Florida's population at 20,841,358 for FY 2017-18, a 1.7% increase in Florida's population over last fiscal year. On June 30, 2018, 470.1 of every 100,000 Floridians were incarcerated compared to 517.5 five years ago in 2014.

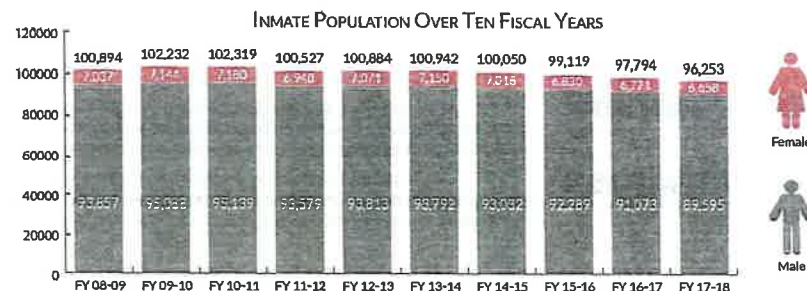
GENERAL CHARACTERISTICS BY OFFENSE TYPE

Type of Offense	Number	Percent	Avg Sentence Length in Years*	Avg Age
Murder, Manslaughter	15,127	15.7%	36.4	43.7
Sexual Offenses	12,526	13.0%	24.7	46.2
Robbery	12,002	12.5%	21.1	37.0
Violent Personal Offenses	12,154	12.6%	13.2	38.0
Burglary	15,204	15.8%	13.7	36.9
Theft/Forgery/Fraud	6,792	7.1%	5.4	40.1
Drug Offenses	13,818	14.4%	7.8	39.8
Weapons	4,276	4.4%	7.4	34.6
Other	4,354	4.5%	6.8	40.2

* Sentence Lengths of 50 years or longer are coded as 50 years for calculation of averages.



** Violent crimes include murder, manslaughter, and violent personal offenses. Sexual offenses, robbery, burglary, theft, forgery, and may also be considered violent in instances where actual physical harm or threat of physical harm, or a reasonable probability existed that individual or individual acts could have resulted in unintended physical harm or the threat of physical harm.



GENERAL CHARACTERISTICS

Gender		
Male	89,595	93.1%
Female	6,658	6.9%
Race/Ethnicity		
White Male	34,264	35.6%
White Female	4,340	4.5%
Black Male	43,444	45.1%
Black Female	1,855	1.9%
Hispanic Male	11,551	12.0%
Hispanic Female	429	0.4%
Other Male	336	0.3%
Other Female	34	0.0%

Age on June 30, 2018		
17 & Under	102	0.1%
18-24	8,596	8.9%
25-34	29,445	30.6%
35-49	34,772	36.1%
50-59	15,674	16.3%
60+	7,664	8.0%

Prior DC Prison Commitments		
0	49,738	51.7%
1	21,135	22.0%
2	11,200	11.6%
3	6,093	6.3%
4+	8,086	8.4%
Data Unavailable	1	

* Due to rounding, percentages may not total 100%.

INMATE RELEASES

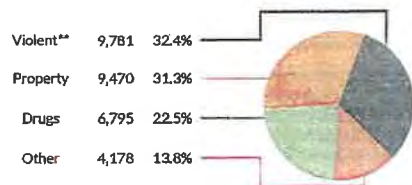
This section includes statistics on the number of inmates who were released from the Florida prison system during the period of July 1, 2017 through June 30, 2018.

- In FY 2017-18, 30,224 inmates were released, a 2.0% decrease from FY 2016-17.
- Most of the permanent releases (18,319 or 60.6%) were due to expired sentences and 16.0% (4,833) were released to probation or community control.
- 17.2% (5,212) were released to conditional release supervision for more serious offenders.
- The majority of inmates released in FY 2017-18 were white (13,868 or 45.9%) with blacks making up 42.9% (12,972) and Hispanics totaling 10.9% (3,280).
- 35.5% (10,719) were between the ages of 35-49 and 34.5% (10,414) were between the ages of 25-34.

RELEASE BY OFFENSE TYPE

Type of Offense	Number	Percent	Avg Sentence Length in Years*	Avg Age at Release
Murder, Manslaughter	831	2.7%	20.4	44.4
Sexual Offenses	1,646	5.4%	10.6	45.0
Robbery	2,286	7.6%	8.9	35.0
Violent Personal Offenses	4,718	15.6%	4.0	37.1
Burglary	4,957	16.4%	5.0	34.7
Theft/Forgery/Fraud	4,851	16.1%	2.7	38.3
Drug Offenses	6,795	22.5%	3.4	38.5
Weapons	1,745	5.8%	3.4	34.0
Other	2,395	7.9%	2.9	40.0

* Sentence Length of 50 years or longer are coded as 50 years for calculation of average.



** Violent crimes include murder, manslaughter and violent personal offenses. Sexual offenses, robbery, burglary, theft/forgery/fraud may also be considered violent in instances where actual physical harm or threat or physical harm or a reasonable probability existed that individual's acts could have resulted in unlawful physical harm or the threat of physical harm.

GENERAL CHARACTERISTICS

Gender		
Male	26,652	88.2%
Female	3,572	11.8%
Race/Ethnicity		
White Male	11,387	37.7%
White Female	2,481	8.2%
Black Male	12,065	39.9%
Black Female	907	3.0%
Hispanic Male	3,109	10.3%
Hispanic Female	171	0.6%
Other Male	91	0.3%
Other Female	13	0.0%
Age at Release		
17 & Under	25	0.1%
18-24	3,555	11.8%
25-34	10,414	34.5%
35-49	10,719	35.5%
50-59	4,101	13.6%
60+	1,410	4.7%
Prior DC Prison Commitments		
0	15,039	49.8%
1	6,906	22.8%
2	3,461	11.5%
3	2,043	6.8%
4+	2,775	9.2%

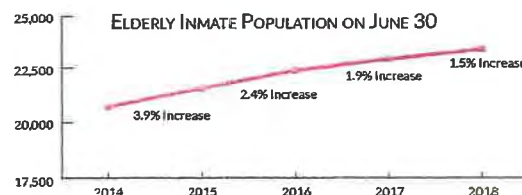
* Due to rounding, percentages may not total 100%.

ELDERLY INMATES

As required by Chapter 944.8041, F.S., the Department, in conjunction with the Correctional Medical Authority, annually reports on the status and treatment of elderly offenders within the correctional system.

Elderly inmates are defined by 944.02 F.S., as "prisoners age 50 or older in a state correctional institution or facility operated by the Department of Corrections or the Department of Management Services."

The elderly inmate population has increased by 353 or 1.5% from June 30, 2017 (22,985) to June 30, 2018 (23,338). This trend has been steadily increasing over the last five years, from 20,753 on June 30, 2014 to 23,338 on June 30, 2018; a 12.5% (2585) increase overall.



ELDERLY INMATE RELEASES OVER FIVE FISCAL YEARS



More specifically:

- The majority of elderly inmates in prison on June 30, 2018 were serving time for sex offenses (22.1%), murder/manslaughter (21.7%) or burglary (12.0%).
- 43.3% of the elderly inmates in prison were white male; 40.1% were black male.
- 44.8% of the elderly inmates in prison had no prior prison commitments.
- The 23,338 elderly inmates in prison on June 30, 2018 represented 24.2% of the total inmate population.
- During FY 2017-18, elderly inmates accounted for 57.0% of all episodes of outpatient events, 47.5% of all hospital admissions, and 52.0% of all inpatient hospital days, although they only represented 24.2% of the total prison population.

GENERAL CHARACTERISTICS

Gender		
Male	22,073	94.6%
Female	1,265	5.4%
Race/Ethnicity		
White Male	10,112	43.3%
White Female	829	3.6%
Black Male	9,350	40.1%
Black Female	348	1.5%
Hispanic Male	2,518	10.8%
Hispanic Female	78	0.3%
Other Male	93	0.4%
Other Female	10	0.0%
Age on June 30, 2017		
50-54	8,723	37.4%
55-59	6,951	29.8%
60-64	3,946	16.9%
65-69	2,080	8.9%
70-74	1,025	4.4%
75-79	418	1.8%
80-84	141	0.6%
85-89	44	0.2%
90-94	10	0.0%
95+	0	0.0%
Prior DC Prison Commitments		
0	10,445	44.8%
1	3,643	15.6%
2	2,566	11.0%
3	2,031	8.7%
4+	4,653	19.9%

* Due to rounding, percentages may not total 100%.

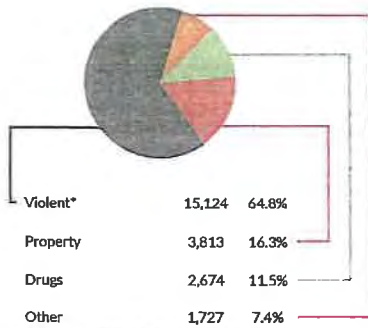
ELDERLY INMATES

During FY 2017-18, there were 3,594 elderly inmates admitted to Florida prisons, a 2.8% decrease from FY 2017-18. The majority were admitted for violent offenses (30.5%), followed by property crimes (28.4%) and drug offenses (23.4%). The oldest male inmate admitted was 92 years old with a conviction of manslaughter. The oldest female inmate admitted was 77 with a conviction of drug trafficking.

ELDERLY POPULATION BY OFFENSE TYPE ON JUNE 30, 2018

Type of Offense	Number	Percent
Murder, Manslaughter	5,058	21.7%
Sexual Offenses	5,160	22.1%
Robbery	2,227	9.5%
Violent Personal Offenses	2,348	10.1%
Burglary	2,810	12.0%
Theft/Forgery/Fraud	1,575	6.7%
Drug Offenses	2,674	11.5%
Weapons	502	2.2%
Other	984	4.2%

ELDERLY POPULATION BY OFFENSE TYPE ON JUNE 30, 2018



* Violent crimes include murder, manslaughter, and violent personal offenses. Sexual offenses, robbery, burglary, theft/forgery/fraud may also be considered violent in instances where actual physical harm or threat of physical harm, or a reasonable probability existed that individual criminal acts could have resulted in unintended physical harm or the threat of physical harm.

HEALTH CARE CHALLENGES REGARDING ELDERLY INMATES

As the population of elder inmates continues to increase, the cost to house and treat these inmates also substantially increases.

The cost of health care for the elderly is very high compared to non-elderly inmates for several reasons:

- Episodes of outside care for elderly inmates increased from 10,553 in FY 08-09 to 21,469 in FY 17-18, which is generally more expensive than in-house treatment.
- In FY 08-09, elderly inmates accounted for 42% of all inpatient hospital days. By FY 17-18, that percentage increased to 58%.
- Older patients have a longer length of inpatient hospital stay than younger patients. This results in increased costs for hospitalists and other providers (and in the case of patients who are not housed at secure hospital units, security and transport costs).

This situation is not unique to Florida according to Pew Charitable Trust:

"Nearly every state is seeing that upward tick in elderly state prisoners. For state prisons, the consequence of that aging is money, more and more of it every year. Health care for aging prisoner's costs far more than it does for younger ones, just as it does outside prison walls. Corrections departments across the country report that health care for older prisoner's costs between four and eight times what it does for younger prisoners."

SERVICES AND HOUSING

The Department has a comprehensive system for ensuring elderly inmates receive appropriate medical, mental health, and dental services under a managed care model. All inmates are screened at a reception center after intake from the county jail, to determine their current medical, dental and mental health care needs. This includes assessments for auditory, mobility, and vision disabilities, and the need for specialized services. Additionally, the Department has a process for reviewing service plans of impaired elderly inmates quarterly, at a minimum.

Elderly inmates are housed in most of the Department's major institutions consistent with their custody level and medical/mental health status. Some of the more specific

ELDERLY INMATES

institutional programs and processes tailored to elderly inmates include:

- By Department policy, all inmates (including those age 50 and older) who have limitations in the performance of activities of daily living are assessed and diagnosed by a physician, provided with a service plan that is designed to meet their medical and mental health needs, and housed consistent with their custody level and medical status.
- Inmates who are blind, deaf, require a walker, or a wheelchair, or who have more specialized housing and/or service needs are assigned only to institutions designated for such custody and care.
- Per policy, each institution has an impaired inmate committee that functions as a multidisciplinary team working together for the development, implementation, and monitoring of an individualized service plan for each impaired inmate. As mentioned above, the committees review service plans for all impaired inmates quarterly, at a minimum.
- Inmates are monitored at regular intervals for chronic illnesses, and once they turn 50 automatically receive a periodic screening every year (as opposed to every five years before age 50).
- Dental periodic oral examinations are performed annually when the inmate turns 50 (as opposed to every two years prior to age 50).
- Mental health services for elderly inmates include assessment, consultation, and treatment services in order to facilitate the inmate's ability to adequately function in a prison environment. As part of the health care screening processes, inmates are examined for signs of Alzheimer's or other forms of dementia.

The Department contracts with a correctional health care company, Centurion of Florida, LLC, to provide comprehensive health care services to approximately 88,000 inmates statewide. Demand for bed space for elderly inmates with chronic medical needs is very high. Though Centurion is providing care to all elderly inmates, the Department retained responsibility for assigning and transferring elderly inmates with chronic medical needs to the specialty beds outlined above. This ensures elderly inmates with the highest levels of acuity are placed in the most appropriate setting.

For quality assurance, health care procedures and health services bulletins are reviewed annually to ensure they reflect the latest standards of care, with acuity level,

age and other factors. Contracted staff is trained on an annual basis to inform them of all recent updates and standards of care. Additionally, the Department has an inmate grievance appeal process established in Florida Administrative Code that allows inmates to submit appeals directly to the central office staff. The health care grievances are screened by a registered nurse and personally reviewed by the Health Services Director and the appropriate discipline directors for Medical, Mental Health, Dental, Pharmaceutical, and/or Nursing services. This process includes a review of the inmate's health care record, to ascertain if appropriate care has been provided.

Currently, the facilities listed below serve relatively large populations of elderly inmates. Housing these inmates separate from the general population reduces the potential for predatory and abusive behavior by younger, more aggressive inmates and promotes efficient use of medical resources.

- The Reception and Medical Center has a 120-bed licensed hospital on-site in Lake Butler, Florida, and cares for chronically ill, elderly inmates in different dorms on campus including F dorm, where nursing care is provided chiefly to the infirmed elderly and others. The South Unit of the Central Florida Reception Center is specifically designated for special needs inmates, including the elderly, as well as palliative care inmates.
- Zephyrhills Correctional Institution has two dorms specifically designed for elderly inmates as well as inmates with complex medical needs.
- Lowell Correctional Institution has a dorm specifically designated for female inmates with complex medical needs, including the elderly.
- South Florida Reception Center - South Unit includes 487 beds for inmates age 50+.
- F-Dorm at South Florida Reception Center features 84 beds designated for long-term and palliative care. The facility also provides step down care for inmates who can be discharged from hospitals but are not ready for an infirmary level of care at an institution.
- Union Correctional Institution includes 156 beds for inmates age 50+.
- The Department has eight (8) Transitional Care Units, which are inpatient mental health units where elderly inmates with impairment in mental and cognitive functioning receive necessary care in a safe and protective environment.

ELDERLY INMATES

CORRECTIONAL MEDICAL AUTHORITY (CMA)

In its FY 2016-17 Annual Report and Update on the Status of Elderly Offender's in Florida's Prisons, the CMA agrees with the national findings.

"Correctional experts share a common view that many incarcerated persons experience accelerated aging because of poor health, lifestyle risk factors, and limited health care access prior to incarceration. Many inmates have early-onset chronic medical conditions, untreated mental health issues, and unmet psychosocial needs that make them more medically and socially vulnerable to experience chronic illness and disability approximately 10-15 years earlier than the rest of the population."

"Elderly offenders have complex health care needs that are often significantly different and more costly than those of younger offenders. In FY 2014-15, elderly offenders accounted for 43% of all outpatient episodes of care and 50% of all inpatient hospital days. A 2014 Florida Tax Watch Report, estimated that, on average, the cost of providing health care to elderly offenders is \$11,000 per inmate per year, compared to \$2,500 per inmate for inmates under the age of 50. These figures help highlight the fiscal impact that elderly offenders have on the FDC health care service delivery system and emphasize the need for sound programmatic and fiscal planning to address this population. Therefore, it is important to assess the health care status of elderly offenders to provide policymakers with reliable information that can be used to help inform budgetary, policy, and programmatic decision making."

"Previous CMA reports have included numerous recommendations for addressing Florida's elderly offender population. Within the resources available, the Department has taken steps to develop programs that address the needs of older inmates such as consolidation of older inmates at certain institutions and palliative care units. While FDC has taken steps to better meet the needs of Florida's elderly offender population, additional system, policy, and programmatic changes are needed.

CMA Recommendations

Expand the Use of Conditional Medical Release—Despite the challenges associated with compassionate release, the CMA recommends that FDC conduct a feasible study to determine how many offenders would meet the designations outlined in § 947.149 F.S. and determine potential costs savings of increasing the use of conditional medical release, without compromising public safety. Additionally, the CMA recommends that FDC work the Florida Commission on Offender Review to identify and address procedural barriers that impact inmates being able to apply for conditional medical release and being approved for release.

Increased Preventative Screenings—Given the number of inmates aged 40-49 enrolled in chronic illness clinics, it can be assumed that these inmates will have increasing health care needs as they age. Preventive health care services can reduce the risk of worsening disease complications and prevent the development of diseases.

FDC policy requires that inmates receive annual preventative screening. Inmates under the age of 50 receive periodic health screenings every 5 years while inmates age 50 and over are screened annually. Due to inmates being at higher risk for accelerated aging and poor health outcomes, the CMA recommends that FDC explore the feasibility of providing periodic screenings every three years beginning at age 40.

In addition to investigating the feasibility of increasing the frequency of preventive health screenings, the CMA also recommends that FDC review their current mental health policies and procedures to ensure processes are in place to detect age-related declines in cognitive functioning.

Geriatric Specific Training—Given the complex needs of elderly offenders, it is essential that correctional and health services staff are knowledgeable of the changing physical and mental health needs of this population. The CMA recommends that FDC continue efforts to develop and enhance geriatric training programs. These trainings should address common health conditions, age-related physical impairments, age-related cognitive impairments, mental health, and the psychosocial needs of elderly offenders.

ELDERLY INMATES

CHALLENGES FOR THE FUTURE

The average inmate is now over 40 years old, versus 32 years in 1996. The aging population is estimated to continue to increase at a rapid pace as the next decade approaches. The Department has developed a projection of the elderly inmate population growth based on Criminal Justice Estimating Conference (CJEC) population estimates. Though the projection for growth of the total inmate population is relatively flat over the next five years (a projected decrease of 729 inmates), the elderly population is expected to increase from 24.3% of the total population (23,412 as of July 31, 2018) to 28.6% during that same five-year period. This represents an increase of 4,164 inmates, bringing the estimated total of elderly inmates to 27,576 by June 30, 2024.

Several policy options are being explored to assist in reducing these numbers over time, including the potential for early release. Section 947.149, F.S. establishes the Conditional Medical Release (CMR) program, which is managed by the Florida Commission on Offender Review (FCOR). Under the current Statute, an inmate must be permanently incapacitated or terminally ill to be eligible for consideration for a CMR. A potential solution to reducing elderly inmate populations would be to add a third category of eligibility, for the infirmed elderly population

or inmates with debilitating illness, as many of the aging inmates are also chronically ill. However, one limiting factor to consider is the criminogenic background of the inmate. As of June 30, 2018, 64.8% of all elderly inmates had been incarcerated for violent crimes. These violent histories may deter any decision for early release.

Until new strategies are implemented to aid in reducing elderly inmate populations, the Department continues to assess the growing need for appropriate bed space for elderly inmates, especially those with complex medical and/or mental health needs and implement solutions to meet the demand. The Department has recently constructed and opened a 598-bed Residential Mental Health Continuum of Care (RMHCC) program at Wakulla Correctional Institution. The RMHCC is an innovative initiative that uses specialized residential mental health units to improve treatment outcomes, promote safety and reduce costs. These specialized units provide protective housing and augmented treatment for inmates whose serious mental illness makes it difficult for them to adjust to the prison environment. The RMHCC uses specialized mental health units for diversion, stabilization, habilitation, and rehabilitation, creating an inter-connected continuum of care at a singular location. This facility will also serve many of the elderly inmates with dementia and other mental health issues.

YOUTHFUL OFFENDERS

Chapter 958.11 (9) F.S. requires the Department to include in its Annual Report the assignment of youthful offenders (YO) in its facilities. There are various means by which YOs are categorized within the FDC. The assignment of these youthful offenders by facility and category for FY 17-18 is identified in the following table.

Department-Designated Youthful Offender

Chapter 958.11 (4) F.S. authorizes the Department to classify a person as a YO if they are at least 18 years of age, or have been transferred for prosecution to the criminal division of the circuit court pursuant to Chapter 985. The offender cannot have been previously classified as a YO, cannot be found guilty of a capital or life felony, be older than 24 and cannot be sentenced to more than 10 years.

Department-Declared Vulnerable Youthful Offender

Chapter 958.11 (6) F.S. authorizes the Department to assign an inmate to a YO facility if their age does not exceed 19 years and if the Department determines that the inmates mental or physical vulnerability would jeopardize his or her safety in a non-youthful facility.

Additionally, the inmate cannot be a capital or life felon.

Court-Ordered Youthful Offender

Chapter 958.04 F.S. authorizes the court to sentence as a YO any person that is at least 18 years of age, or has been transferred for prosecution to the criminal division of the circuit court pursuant to Chapter 985. The person must have been younger than 21 years of age at the time the sentence was imposed for offenses committed on or after October 1, 2008. Additionally, the offender cannot have been previously classified as a YO, cannot have been found guilty of a capital or life felony, and cannot have been sentenced to prison for greater than 10 years.

Young Adult Offender

Chapter 944.1905 (5)(a) F.S. mandates that the Department assign any inmate under 18, not meeting the provisions of section 958, to a YO facility. Such inmates are assigned to YO facilities until 18 years of age, but may remain assigned until age 21 if the Department determines that continued assignment is in the best interest of the inmate and the assignment does not pose an unreasonable risk to other inmates in the facility.

YOUTHFUL OFFENDER POPULATION (YO) ON JUNE 30, 2018

Location	Department Designated Youthful Offenders F.S. 958.11(4)	Inmates with Emotional/Physical Vulnerability F.S. 958.11(6)	Court-Ordered Youthful Offenders F.S. 958.04(1)	Young Adult Offender F.S. 944.1905	Total Population
Central Florida Reception Center-Main	3	0	3	0	6
Lake City Correctional Facility (Private)	387	3	467	22	879
Lowell CI	54	1	20	2	77
Lowell Work Camp	7	0	2	0	9
North West Florida Reception Center-Annex	7	0	4	0	11
Reception and Medical Center-Main Unit	35	0	32	0	67
South Florida Reception Center	11	0	8	0	19
Sumter CI	58	0	71	8	137
Sumter Annex	12	0	16	6	34
Sumter Basic Training Unit	11	0	11	0	22
Suwannee CI	22	0	31	9	62
Work Release Centers	18	0	23	0	41
All Other Facilities	19	0	6	5	30
Total	644	4	694	52	1,394

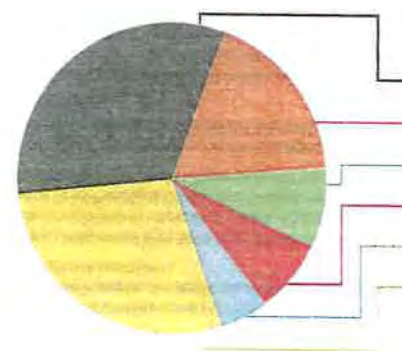
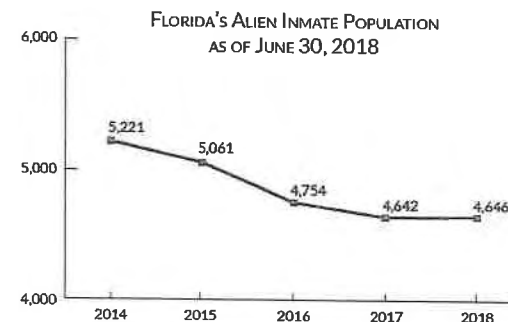
ALIEN INMATE POPULATION

An alien inmate is one who does not have U.S. citizenship. Newly admitted inmates are referred to Immigration and Customs Enforcement (ICE, formerly part of INS) agents, who identify and investigate those who may be aliens.

Over the past several years, Florida's alien inmate population has decreased, but is now leveling. On June 30 2018, Florida prisons housed 4,646 confirmed alien inmates; 4 more than June 30, 2017, total of 4,642.

Approximately 73.6% of confirmed alien inmates are in prison for violent crimes followed by 12.1% for property crimes, 10.3% for drug crimes, and 4.0% for other crimes.

Alien inmates may be deported promptly after release from prison, if (1) they have been ordered out of the country, (2) have no further appeals of their final deportation order, and (3) are from a country to which the United States can deport them. Other alien inmates are transferred to ICE for further immigration and deportation proceedings. In some instances, ICE will not receive and detain the inmate (primarily when the inmate is from a country to which they cannot be deported).



BIRTH COUNTRIES OF CONFIRMED ALIENS ON JUNE 30, 2018

Cuba	1,496	32.2%
Mexico	837	18%
Haiti	380	8.2%
Jamaica	368	7.9%
Honduras	230	5%
All Others	1,335	28.7%

* Due to rounding, percentages may not total 100%.

DEATH ROW

There were four(4) executions during FY 2017-18.

On June 30, 2018, there were 345 inmates (342 males and 3 females) on Florida's death row.

- Average number of years between offense date and execution date is 17.9
- Average number of years served on death row prior to execution is 16.2
- Average age at offense date for those executed is 27.3
- Average age at execution date is 45.2

Florida was given the authority to execute inmates by the 1923 Legislature. Frank Johnson was the first inmate executed in Florida's electric chair on October 7, 1924. During the year 1929 and from May 1964 to May 1979, there were no executions.

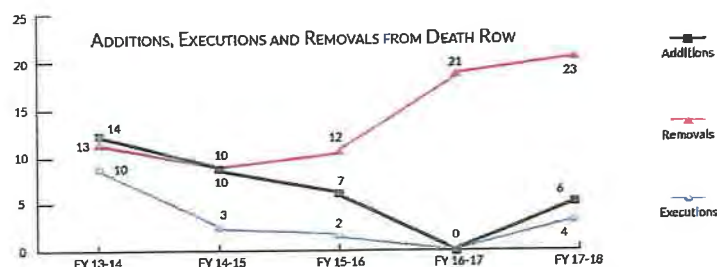
The U.S. Supreme Court declared capital punishment unconstitutional in 1972, in *Furman vs. Georgia*. In 1976, the *Furman* decision was overturned, upholding the constitutionality of the death penalty. The death penalty was resumed in Florida in 1979, with the execution of John Spinklink.

Lethal injection became an option for death row inmates in 1999. The first inmate to die by lethal injection was Terry Sims, on February 23, 2000.

Florida has executed two (2) females: Judias Buenoano (March 1998) and Aileen Wuornos (October 2002).

Male inmates under sentence of death are housed at Union Correctional Institution in Raiford, FL or at Florida State Prison in Starke, FL. Female death row inmates are housed at Lowell Annex in Lowell, FL. The chart below provides a detailed breakdown of inmates on death row.

During this fiscal year, 23 of the inmates previously housed on death row have been removed due to their death penalty sentences being vacated and a life sentence being imposed or because of natural death. Several court cases, including a U.S. Supreme Court decision in *Hurst v. Florida*, and the Florida Supreme Court opinion in *Perry v. State*, found Florida's death penalty sentencing laws unconstitutional. These cases determined that a jury is required to find each fact necessary to impose a sentence of death and that it must be a unanimous decision by the jury. The State revised its death penalty laws in 2016 and 2017 to reflect the findings. Based on the date of another significant U.S. Supreme Court case, *King v. Arizona*, those inmates whose convictions and sentences became final after June 24, 2002, are now awaiting review under the new law.



CONTRABAND AND SECURITY THREAT GROUP INTERDICTION

The Office of Intelligence was created in April 2016 with the initial mission to integrate an intelligence-led corrections model into daily institutional operations.

Having progressed into 2018, the Office's current primary mission is to provide timely, relevant, accurate, and synchronized intelligence to tactical, operational, and strategic level managers and leaders within the Florida Department of Corrections.

The Office of Intelligence produces intelligence both for FDC use and for sharing across the local and national intelligence communities.

The Office focuses on a hybrid combination of criminal intelligence strategies and business intelligence. Both areas stem from data analytics to create a cohesive, evidence-based approach towards producing a safe and secure environment among institutions while advancing the Department's strategic initiatives.

The Office of Intelligence is comprised of several divisions specializing in their own specific disciplines of correctional enforcement and intelligence:

DIGITAL FORENSIC CELL PHONE LAB

The Office of Intelligence oversees the operation of the forensic cell phone lab. The function of the lab is to receive contraband cellular devices seized at the facility level and conduct extractions for data that may be stored on the devices. The extraction process in turn produces a report packet from data, photos, and any other information that is stored on the devices. The information is then used by the Office of Intelligence personnel to develop leads, which has proven to be an invaluable method of identifying criminal activity, gang issues, trends, and other issues affecting our population and facilities. The use of intelligence gleaned from this process has greatly contributed to enhancing staff, inmate, and public safety.

RECOVERED CONTRABAND FOR FY 17-18

Contraband Type	Amount
Tobacco (grams)	809,198
Drugs (grams)	
Marijuana	9,600
K2 (Synthetic Cannabinoid)	36,177
Cocaine (powder and crack)	1,564
Other (Heroin, Meth, Methadone)	3,986
Narcotic Pills (each)	2,332
Prescription Medicine (each)	1,957
Weapons	
Shank/Bladed Weapon	10,616
Lock in Sock	209
Nail/Sharp	487
Razor Type Weapons	598
Communication Devices	
Cell Phones	9,009
Cell Phone Accessories (charger, SIM card, battery pack)	5,529



CONTRABAND AND SECURITY THREAT GROUP INTERDICTION

CANINE INTERDICTION

Equipped with 31 highly trained canines (K9) and handlers, interdiction teams are dispatched in unannounced search and recovery deployments to detect and recover contraband. Interdiction teams are frequently deployed to provide searches of agency staff and visitors entering our institutions, vehicles in the institution parking lot, and inmate work sites on and off state property. Intelligence leads derived from data evidence often direct teams to when and where threats may be located. The teams respond to the targeted areas for contraband recovery efforts.

SECURITY THREAT GROUPS (STGs)

The mission of the Security Threat Intelligence Unit (STIU) is to effectively validate Security Threat Groups (gang) related persons, gather intelligence on STG related activities, and provide investigative efforts in all STG related occurrences. Operating within the Office of Intelligence, the STIU is tasked with maintaining and supervising the Department's STG program which consists of 12,262 inmates in over 1,100 gangs ranging from those nationally known to local street gangs. This unit, combined with mobile strike force teams, provide FDC with a dedicated and well qualified STG work force that can quickly and efficiently respond to STG related incidents within a specific institution.

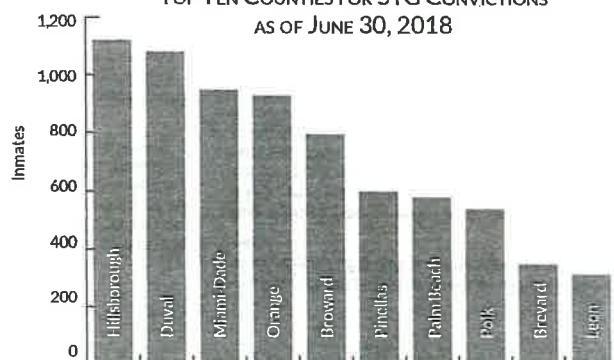
The STIU collects, analyzes, and distributes intelligence related to criminal gang activity both within and outside the state correctional system. They also assist institutional staff by reviewing gang-related incidents as they occur in prison settings, and by making recommendations for relocating or restricting inmates based on their role in these incidents.

The Security Threat Operational Review Management System (STORMS) is the primary method of recording and communicating disruptive behavior of security threat group members, and any other activities of which they may be involved. An intelligence gathering tool, STORMS stores data on suspected and confirmed members of security threat groups who are currently incarcerated, confirmed members of security threat groups, and those who are released from Department custody. STORMS is designed to give the Department and other law enforcement agencies a blueprint of gang activities in Florida by permitting Department staff to conduct gang trend analysis, tattoo analysis, etc. in order to evaluate any information deemed critical to the orderly operation of the Department and safety of the citizens of the state.

IDENTIFIED STG GANG MEMBERS

Fiscal Year Date	Total
Fiscal Year 16-17	10,656
Fiscal Year 17-18	12,262

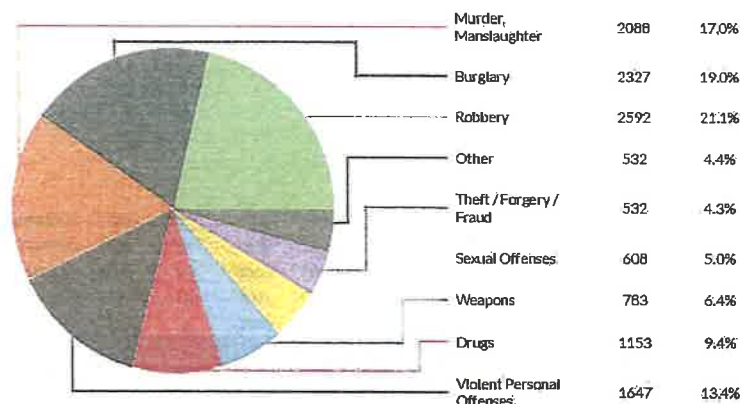
TOP TEN COUNTIES FOR STG CONVICTIONS AS OF JUNE 30, 2018



CONTRABAND AND SECURITY THREAT GROUP INTERDICTION

The most common primary offense for STG inmates on June 30, 2018 was robbery, followed by burglary.

STGs BY PRIMARY OFFENSE GROUP AS OF JUNE 30, 2018



The Department also monitors the anticipated number of STG inmates that will be released into the general population over the next year. These estimates are based on the end of sentence (EOS) dates determined for the inmates and the identification of those who are STG.

For fiscal year 2018-19, it is estimated that 21,650 inmates will be released from prison and that 2,205 of those inmates (10.2%) have gang affiliations. FDC staff

consistently coordinate with local law enforcement in each county to notify them of the STG inmates scheduled to be released in their county. Additionally, the 2,205 STG inmates scheduled for release are comprised of members from 396 different gangs with the greatest amount of those (215) being members of the Bloods and the second largest amount (185) being members of the Latin Kings.



CONTRABAND AND SECURITY THREAT GROUP INTERDICTION

STRATEGIC ANALYSIS UNIT

In recognizing that corrections operations poses a unique criminal environment, and understanding that the criminal nexus can reach beyond the boundaries of our facilities, the future of institutional security will be defined by the ability of corrections professionals to distinguish patterns, trends, and threats from an overwhelming tangle of information.

One role of the Strategic Analysis Unit is to assist facility personnel in the collection, organization, and dissemination of intelligence so that it may be applied appropriately. This is especially vital to a facility because analysts examine crime patterns and trends in the context of the environment where they take place.

The Strategic Analysis Unit utilizes current and historical data resources to identify trends and patterns in an effort to detect threats to FDC operations. Data collected from phone calls, mail, video systems, observation, or incident reports, can be synchronized with investigative data and

forensics to develop cases or prevent incidents that could prove detrimental to facility operations or inmate/staff safety.

Analytics assist the agency in targeting institutions and specific areas of concern to focus resources where they may have the greatest impact in reducing contraband and gang activity. These data-driven decisions are the result of intelligence-led corrections operations and are essential in reducing incidents and preventing harm to FDC staff or inmates. Intelligence information developed often links to individuals associated with STG groups or organized criminal enterprises, both inside and outside of our facilities.

Additionally, vital intelligence information is shared with command staff and external stakeholders to notify them of the discoveries and the potential risks involved.

Currently, FDC oversees the piloting of a Wireless Containment System (WCS) at three facilities in the state. This is designed to assist in detecting and capturing unauthorized cell phone activity.



SEXUALLY VIOLENT PREDATOR PROGRAM

Chapter 394.931 F.S. requires the Department to compile recidivism data on those referred, detained, or committed to the Department of Children and Family Services (DCF) as part of the Sexually Violent Predators Program (SVPP) and include the data in FDC's annual report. In this instance, recidivism is defined by FDC as the return to prison as a result of either a new conviction, or a violation of post-release supervision any time after referral to the SVPP.

In 1998 the Florida Legislature enacted the Involuntary Civil Commitment of Sexually Violent Predators Act allowing for the civil commitment of sexually violent predators. The Act defines "Sexually Violent Predators" as persons who have been convicted of a sexually violent offense and have a mental abnormality or personality disorder that makes them likely to engage in future acts of sexual violence if not confined in a secure facility for long-term control, care, and treatment.

The SVPP is part of the Substance Abuse and Mental Health Program Office of the DCF. Individuals with a history of qualifying sexually motivated offenses are referred to SVPP prior to their release from the FDC, Department of Juvenile Justice (DJJ), Florida State Hospital (DCF) and county jails. SVPP collects all available information about the referred individual's sexual, criminal, mental health, and personal history and determines whether this individual meets the clinical definition as a sexually violent predator as defined by the Act. DCF makes a recommendation to the state attorney regarding whether a petition should be filed to pursue civil commitment. The court determines whether the individual is a sexually violent predator to be committed to DCF.

The following table presents data on those referred, detained or committed to the SVPP by one of the four agencies and tracks those that returned to prison after SVPP referral.

RECIDIVISM OF OFFENDERS REFERRED, DETAINED OR COMMITTED TO SVPP

Fiscal Year of Release	Referral Source									
	Assistant State Attorney / County Jails		FDC		DJJ		DCF State Hospital		Total	
	No Return	Re-turned	No Return	Re-turned	No Return	Re-turned	No Return	Returned	No Return	Returned
FY 2013-14	2	0	2048	1212	17	10	63	4	2130	1226
FY 2014-15	208	159	2567	1255	10	13	54	3	2839	1430
FY 2015-16	203	119	2787	1042	17	3	47	6	3054	1170
FY 2016-17	202	66	2983	756	10	0	58	3	3253	825
FY 2017-18	193	25	3339	367	5	0	56	0	3593	392

ESCAPES

An escape is an unauthorized absence from the designated facility boundary or absence from any official assignment outside the boundary.

The Department classifies escapes into three categories:

- Level 1: Escape from non-secure environment, such as a community correctional center or an outside work squad, in which no Level 3 behaviors are exhibited.
- Level 2: Escape from a secure perimeter or supervised environment in which no Level 3 behaviors are exhibited.
- Level 3: Escape that involves hostages, weapons/tools, outside assistance or violence during or after the escape.

The number of escapes increased 16.7% from 42 in FY 2016-17 to 49 during FY 2017-18. Of the 49 escapes, 46

(93.9%) were recaptured as of July 18, 2017. Of the 46 recaptured, 40 (81.6%) were recaptured within the quarter. Of the 40 recaptured within the quarter, 27 (67.5%) were recaptured within 24 hours of escape.

Although two (4.1%) escapes were from correctional institutions, these escapes did not occur from the secure perimeter and only involved inmates working outside the perimeter. Two (4.1%) from work camps and/or road prisons.

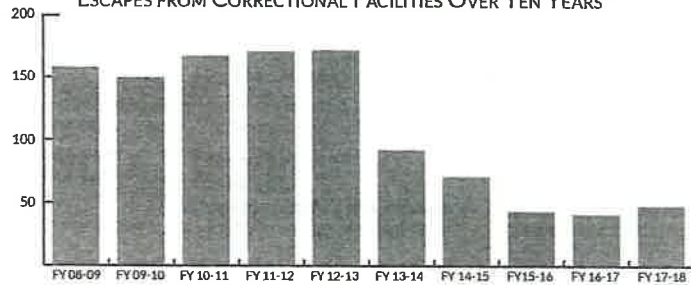
The majority (45 or 91.8%) of escapes were community custody walk-aways from community work release/contract centers, where inmates are out in the community working during the day, returning to the work release center afterward. Inmates returning late from work without valid reasons may be charged with escape and returned to a major institution to complete their sentences.

FY 2017-18 ESCAPES BY QUARTER BY FACILITY TYPE



To ensure public safety and maintain a low number of escapes from inside prisons, the Department utilizes three factors: a zero tolerance policy for escapes; the implementation of a comprehensive security audit program; and replacing and upgrading perimeter barriers including fences, razor wire, and installing electronic detection systems.

ESCAPES FROM CORRECTIONAL FACILITIES OVER TEN YEARS*



*A majority of escapes are walk-aways from community work release centers.

EDUCATIONAL PROGRAMS

FDC provides academic education, career and technical education, library services, and life skills programs to incarcerated individuals. The programs are designed to help inmates to better themselves and equip them with competencies conducive to successful social reintegration. FDC administers the programs utilizing credentialed, certified teachers.

During FY 2017-18, a total of 16,630 inmates participated in academic education programs and 6,328 inmates participated in career and technical classes. A summary of participants and graduates of these programs are illustrated below. A detailed list of the inmate programs offered through FDC is listed in the following tables.

FY 2017-18 GED, HIGH SCHOOL DIPLOMA, CAREER AND TECHNICAL CERTIFICATES AWARDED

Type of Award Locations	GED	High School Diploma	Vocational Certificates	Industry Certificates	Total
Correctional Institutions	1,134	87	1,937	2,063	5,221
LEA-Based*	5	0	0	0	5
Total	1,139	87	1,937	2,063	5,226

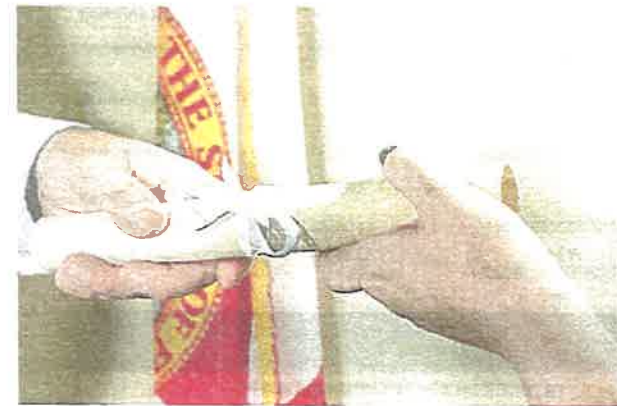
*LEA-Based includes Local Educational Agencies, such as community colleges.

PARTICIPATION IN CORRECTIONAL EDUCATION CLASSES IN FY 2017-18

Enrollments	Mandatory Literacy (MLP)	Adult Basic Education (ABE)	GED	HSD	Career / Technical	Total
Number of Enrollments*	11,585	7,375	6,763	497	8,259	34,479
Number of Inmates	8,029	5,261	4,154	399	6,328	24,171
Number of Completions**	1,205	920	1,139	87	2,618	5,969

* Inmates may enroll in more than one class at a time and may include enrollments from the previous year.

** In some instances, there is a lag between completion of the industry courses and the award of the certificates.



INMATE PROGRAMS

Academic & Special Education:

ASE = Academic Education Program staffed to provide special education services to disabled students

ITA = Academic Education Program for open-population inmates staffed by one Academic Teacher and Inmate Teaching Assistants

LEA = Academic Education Program operated by local education agency

CE = Contractor Operated Academic Education Program

CF = Child Find reception processing

CM = Close Management education including academic, special education and voluntary literacy as appropriate

SHCOE = Smart Horizons Career Online Education high school diploma program

T1 = Title I Program

C.A.M.P. = Character Awareness & Motivation Program

Career & Technical Education: Number of programs offered at facility

Re-Entry: X = 100-Hour Transition Course or approved equivalent taught at facility.

Substance Abuse: SA = Screening Assessments; 1 = Intensive Outpatient; 2 = Residential Therapeutic Community; 3 = Outpatient After-care/Intervention; A = Aftercare; O = Outpatient; P = Prevention.

Chaplaincy Services: FCBR-Faith and Character Based Programming, PWO-Primary Worship Opportunity, RES-Religious Education Studies, CL-Chapel Library, SM-Sacred Music, SPE-Special Events, Religious Holy Days, and Seminars, CC-Contracted Chaplaincy

All correctional institutions provide General Library and Law Library programs. Agency special education staff provide appropriate services to all verified special education inmates at work release centers.

INMATE PROGRAMS AS OF JUNE 30, 2018

LEGEND:

* = Female Facility;

(R)=Re-Entry Center

CI=Correctional Institution

BTU=Basic Training Unit (Boot Camp)

CRC=Contract

Community Release Center

RC=Reception Center

WC=Work Camp

WRC=Work Release Center

Correctional Facilities	100-Hour Transition	Academic & Special Education	Career & Technical Education	Chaplaincy Services	Substance Abuse
Apalachee CI East	X	ASE, T1	1	PWO, RES, CL, SM, SPE	
Apalachee CI West	X	ITA		PWO, RES, CL, SM, SPE	
Atlantic WRC *	X			RES	A, P
Avon Park CI	X	ASE, T1	4	PWO, RES, CL, SM, SPE	1, P
Baker CI & WC	X	ITA, LEA, SHCOE	4	PWO, RES, CL, SM, SPE	1, P
Baker Re-Entry Center (R)	X	CE	3	CC	A, O, P
Bartow WRC	X			RES	3
Bradenton Transition *	X	CE	1		A, O, P
Bridges of Jacksonville	X	CE			A, O
Bridges of Orlando	X	CE			A, O
Calhoun CI	X	ITA	1	PWO, RES, CL, SM, SPE	
Central Florida RC	X	CF, SHCOE		PWO, RES, CL, SM, SPE	SA
Central Florida RC East	X	ITA		PWO, RES, CL, SM, SPE	
Century CI	X	ITA		PWO, RES, CL, SM, SPE	2, P
Charlotte CI	X	ASE, T1	2	PWO, RES, CL, SM, SPE	

INMATE PROGRAMS

INMATE PROGRAMS AS OF JUNE 30, 2018

LEGEND:

* = Female Facility;

(R)=Re-Entry Center

CI=Correctional Institution

BTU=Basic Training Unit (Boot Camp)

CRC=Contract

Community Release Center

RC=Reception Center

WC=Work Camp

WRC=Work Release Center

Correctional Facilities	100-Hour Transition	Academic & Special Education	Career & Technical Education	Chaplaincy Services	Substance Abuse
Cocoa WRC	X	CE		RES	3
Columbia Annex	X	ASE, LEA, T1	1	FCBR, PWO, RES, CL, SM, SPE	1, P
Columbia CI	X	ASE, T1	1	PWO, RES, CL, SM, SPE	
Cross City CI East Unit	X	ITA			1
Cross City CI	X	ITA	3	PWO, RES, CL, SM, SPE	
Dade CI	X	ITA		PWO, RES, CL, SM, SPE	
Daytona Beach WRC	X			RES	3
DeSoto Annex	X	ASE, T1	3	FCBR, PWO, RES, CL, SM, SPE	
Dinsmore WRC	X			RES	3
Everglades CI	X	ITA, SHCOE		FCBR, PWO, RES, CL, SM, SPE	1, P
Everglades Re-Entry Center (R)	X	ASE	1	CC	A, O, P
Florida State Prison	X	CM, ASE		PWO, RES, CL, SM, SPE	P
Florida State Prison West	X	ITA	2	PWO, RES, CL, SM, SPE	P
Florida Women's RC	X	CF, ITA		PWO, RES, CL, SM, SPE	SA
Franklin CI	X	ITA, SHCOE	1	PWO, RES, CL, SM, SPE	2
Ft. Pierce WRC	X			RES	A, P
Gadsden Re-Entry Center (R)	X	CE	4	CC	A, O, P
Gulf Annex	X	ITA		FCBR, PWO, RES, CL, SM, SPE	1, P
Gulf CI	X	ITA, SHCOE	1	PWO, RES, CL, SM, SPE	
Hamilton Annex	X	ITA, T1	1	PWO, RES, CL, SM, SPE	
Hamilton CI	X	ITA, T1	2	PWO, RES, CL, SM, SPE	
Hardee CI	X	ITA	1	PWO, RES, CL, SM, SPE	
Hernando CI *	X	ITA	1	FCBR, PWO, RES, CL, SM, SPE	
Hollywood WRC *	X			RES	A
Holmes CI	X	ASE, ITA, T1	3	PWO, RES, CL, SM, SPE	
Homestead CI *	X	ITA	2	PWO, RES, CL, SM, SPE	
Jackson CI	X	ITA, T1, CE		FCBR, PWO, RES, CL, SM, SPE	2

INMATE PROGRAMS

INMATE PROGRAMS AS OF JUNE 30, 2018

	Correctional Facilities	100-Hour Transition	Academic & Special Education	Career & Technical Education	Chaplaincy Services	Substance Abuse
LEGEND:						
* = Female Facility;						
(R)=Re-Entry Center						
CI=Correctional Institution						
BTU=Basic Training Unit (Boot Camp)						
CRC=Contract						
Community Release Center						
RC=Reception Center						
WC=Work Camp						
WRC=Work Release Center						
Jacksonville Bridge	X	CE	2			2
Jefferson CI	X	ITA, SHCOE		PWO, RES, CL, SM, SPE		2, P
Kissimmee WRC	X			RES		A, P
Lake CI	X	ASE	2	PWO, RES, CL, SM, SPE		1, P
Lake City WRC	X			RES		3
Lancaster CI & WC	X	ASE, T1	4	FCBR, PWO, RES, CL, SM, SPE		1, P
Lawtey CI	X	ITA	1	FCBR, PWO, RES, CL, SM, SPE		1, P
Liberty CI	X	ITA	1	PWO, RES, CL, SM, SPE		
Liberty CI Quincy Annex	X	ITA		PWO, RES, CL, SM, SPE		
Lowell Annex *	X	ASE, T1, CM, SHCOE	1	FCBR, PWO, RES, CL, SM, SPE		2
Lowell CI, BTU & WC *	X	ASE, ITA, T1	5	PWO, RES, CL, SM, SPE		1, 2, A, P
Madison CI	X	ITA, SHCOE	1	PWO, RES, CL, SM, SPE		1, P
Marion CI	X	ASE, T1, CE	4	FCBR, PWO, RES, CL, SM, SPE		2
Martin CI	X	ASE, SHCOE		PWO, RES, CL, SM, SPE		
Mayo Annex	X	ITA, SHCOE	1	PWO, RES, CL, SM, SPE		1, P
Miami North WRC	X			RES		A, P
Northwest Florida RC	X	ITA		PWO, RES, CL, SM, SPE		SA, 1, P
Northwest Florida RC Annex	X	CF, CE, ITA		FCBR, PWO, RES, CL, SM, SPE		
Northwest Florida RC	X	ITA	1	PWO, RES, CL, SM, SPE		2
Northwest Florida RC Annex	X	CF, CE, ITA		FCBR, PWO, RES, CL, SM, SPE		
Okaloosa CI	X	ITA		PWO, RES, CL, SM, SPE		
Okeechobee CI	X	ITA, SHCOE	1	FCBR, PWO, RES, CL, SM, SPE		1, P
Opa Locka WRC	X			RES		A, P
Orlando Transition Center	X	CE	1			A, O, P
Orlando WRC *	X			RES		A, P

INMATE PROGRAMS

INMATE PROGRAMS AS OF JUNE 30, 2018

	Correctional Facilities	100-Hour Transition	Academic & Special Education	Career & Technical Education	Chaplaincy Services	Substance Abuse
LEGEND:						
* = Female Facility;						
(R)=Re-Entry Center						
CI=Correctional Institution						
BTU=Basic Training Unit (Boot Camp)						
CRC=Contract						
Community Release Center						
RC=Reception Center						
WC=Work Camp						
WRC=Work Release Center						
Panama City WRC	X				RES	A, P
Pensacola WRC	X				RES	A, P
Pinellas WRC *	X				RES	A, P
Polk CI	X	ITA, CE, SHCOE	3	FCBR, PWO, RES, CL, SM, SPE		1, P
Putnam CI	X	LEA		PWO, RES, CL, SM, SPE		
Reality House	X	CE				A, O, 2
Reception & Medical Center	X	ASE, CF, ITA		PWO, RES, CL, SM, SPE		SA
Reception & Medical Center West	X	ITA		PWO, RES, CL, SM, SPE		
Reentry of Ocala WRC	X			RES		A, O
Sago Palm WC (R)	X	ITA	1	RES		1, P
Santa Fe WRC	X	CE		RES		A, O, P
Santa Rosa Annex & WC	X	ITA, SHCOE	1	PWO, RES, CL, SM, SPE		1
Santa Rosa CI	X	ASE, CM		PWO, RES, CL, SM, SPE		P
Shisa West WRC *	X					A, O
South Florida RC	X	CF		PWO, RES, CL, SM, SPE		SA
South Florida RC South	X			PWO, RES, CL, SM, SPE		
St. Petersburg WRC	X			RES		A, P
Sumter CI, BTU, & Annex	X	ASE, CF, T1	5	PWO, RES, CL, SM, SPE		P
Suncoast WRC *	X	CE		RES		A, O
Suwannee Annex	X	ASE, T1	2	PWO, RES, CL, SM, SPE		
Suwannee CI	X	ASE, CM, T1		PWO, RES, CL, SM, SPE		P
Tallahassee WRC	X			RES		A, P
Tarpon Springs WRC	X			RES		A, P
Taylor Annex	X	ITA, SHCOE		PWO, RES, CL, SM, SPE		
Taylor CI & WC	X	ITA		PWO, RES, CL, SM, SPE		1, P
Tomoka CI	X	ITA	2	FCBR, PWO, RES, CL, SM, SPE		
Tomoka CRC (285)	X	CE	1			1
Tomoka CRC (290)	X	CE	1			3
Tomoka CRC (298)	X	CE	1			2

INMATE PROGRAMS

INMATE PROGRAMS AS OF JUNE 30, 2018

	Correctional Facilities	100-Hour Transition	Academic & Special Education	Career & Technical Education	Chaplaincy Services	Substance Abuse
LEGEND:						
F = Female Facility:	Transition House Kissimmee	X	CE	1		A, O, P
(R) = Re-Entry Center	Union CI	X	ITA, CM		FCBR, PWO, RES, CL, SM, SPE	
CI = Correctional Institution	Wakulla Annex	X	ITA, SHCOE		FCBR, PWO, RES, CL, SM, SPE	
BTU = Basic Training Unit (Boot Camp)	Wakulla CI	X	ITA	1	FCBR, PWO, RES, CL, SM, SPE	
CRC = Contract	Walton CI	X	ITA	2	PWO, RES, CL, SM, SPE	
Community Release Center	West Palm Beach WRC	X			RES	A, P
RC = Reception Center	Zephyrhills CI	X	ITA		PWO, RES, CL, SM, SPE	
WC = Work Camp						
WRC = Work Release Center						

CAREER AND TECHNICAL EDUCATION PROGRAMS BY FACILITY

	Facility / # of Programs	Career and Technical Education Programs
LEGEND:		
F = Female facility	Apalachee CI - East (1)	(1) Carpentry
(R) = DC-operated career and technical education programs	Avon Park CI (4)	(1) Automotive Technology Career Services, (2) Cabinetmaking, (3) Graphic Communications and Printing, (4) Welding Technology
YO = Youthful Offender program	Baker CI (4)	(1) Cabinetmaking, (2) Electricity, (3) Masonry, Brick and Block, (4) Plumbing Technology
	Baker Re-Entry Center (3)	(1) Culinary Arts, (2) Janitorial Services, (3) Electricity
	Bradenton Transition (1)	(1) Culinary Arts
	Calhoun CI (1)	(1) Digital Design
	Century CI (1)	(1) Building Construction
	Charlotte CI (2)	(1) Masonry, Brick and Block, (2) Environmental Services
	Columbia CI (1)	(1) Technology Support Services
	Columbia Annex (1)	(1) Masonry, Brick and Block
	Cross City CI (3)	(1) Automotive Collision Repair and Refinishing, (2) Cabinetmaking, (3) Computer Systems & Information Technology
	DeSoto Annex (3)	(1) Carpentry, (2) Masonry, Brick and Block, (3) Welding Technology
	Everglades CI (1)	(1) Landscaping
	Everglades Re-Entry Center (2)	(1) Masonry, Brick and Block, (2) Electricity (HBI)
	Franklin CI (1)	(1) Plumbing Technology
	Gadsden Re-Entry Center (4)	(1) Environmental Services, (2) Electricity, (3) Culinary Arts, (4) Carpentry
	Gulf CI (1)	(1) Air Conditioning, Refrigeration and Heating Technology

INMATE PROGRAMS

CAREER AND TECHNICAL EDUCATION PROGRAMS BY FACILITY

	Facility / # of Programs	Career and Technical Education Programs
LEGEND:		
F = Female facility	Hamilton CI (2)	(1) Cabinetmaking, (2) Masonry, Brick and Block
(R) = DC-operated career and technical education programs	Hamilton CI Annex (1)	(1) Technology Support Services
YO = Youthful Offender program	Hardee CI (1)	(1) Carpentry
	Hernando CI * (1)	(1) Web Development
	Holmes CI (3)	(1) Automotive Collision Repair and Refinishing, (2) Technology Support Services, (3) Welding Technology
	Homestead CI * (2)	(1) Automotive Technology Career Services, (2) Technology Support Services
	Jacksonville Bridge (2)	(1) Culinary Arts, (2) Building Construction Technology
	Jefferson CI (1)	(1) Electricity
	Lancaster CI (4)	(1) Automotive Technology Career Services, (2) Commercial Foods and Culinary Arts, (3) Environmental Services, (4) Graphic Communications and Printing
	Lawtey CI (1)	(1) Drafting (PSAV)
	Liberty CI (1)	(1) Masonry, Brick and Block
	Lowell CI * (4)	(1) Cosmetology, (2) Technology Support Services, (3) Equine Care Technology, (4) Commercial Foods and Culinary Arts
	Lowell CI Annex * (2)	(1) Fashion Design Services, (2) Air Conditioning, Refrigeration and Heating Technology
	Madison CI (1)	(1) Commercial Foods and Culinary Arts
	Marion CI (4)	(1) Cabinetmaking, (2) Air Conditioning, Refrigeration and Heating Technology, (3) Electricity, (4) Water/Wastewater Treatment Technologies
	Mayo Annex (1)	(1) Electronics Technology
	New River CI (1)	(1) Carpentry
	Northwest FL Reception Center (1)	(1) Electricity
	Okaloosa CI (1)	(1) Nursery Management/Horticulture
	Okeechobee CI (2)	(1) Fast Track Manufacturing, (2) Computer Technology
	Orlando Transition Center (1)	(1) Culinary Arts
	Polk CI (4)	(1) Automotive Technology Career Services, (2) Computer Systems & Information Technology, (3) Plumbing Technology, (4) Advanced Manufacturing
	Quincy Annex (1)	(1) Culinary Arts
	Sago Palm WC (R) (1)	(1) Technology Support Services
	Santa Rosa Annex (1)	(1) Commercial Class "B" Driving
	Sumter CI (5)	(1) Automotive Technology Career Services, (2) Electronics Technology, (3) Masonry, Brick and Block, (4) YO Masonry, Brick and Block, (5) Landscape and Turf Management
	Suwannee CI Annex (2)	(1) Plumbing Technology, (2) Air Conditioning, Refrigeration and Heating Technology
	Taylor Annex (1)	(1) Carpentry

INMATE PROGRAMS

CAREER AND TECHNICAL EDUCATION PROGRAMS BY FACILITY

LEGEND:

* = Female facility

(#) = DC-operated career and technical education programs

YO = Youthful Offender program

Facility / # of Programs	Career and Technical Education Programs
Taylor CI (1)	(1) Plumbing Technology
Transition House Kissimmee (1)	(1) PC Support Services
Tomoka CI (1)	(1) Masonry, Brick and Block
Tomoka CRC-285 (1)	(1) Culinary Arts
Tomoka CRC-298 (2)	(1) Culinary Arts, (2) Building Construction Technology
Wakulla CI (1)	(1) Web Development
Walton CI (2)	(1) Carpentry, (2) Air Conditioning, Refrigeration and Heating Technology

CHANGE IN LITERACY LEVELS

Chapter 944.801, (3), (g), F.S. requires the Department to include in its Annual Report, a summary of change in literacy levels of Correctional Education students during the fiscal year. To that end, this section includes the results of Test of Adult Basic Education (TABE) for inmate students.

TABE tests administered to students during FY 2017-18 were scored using TestMate and the Advanced Module of the TestMate System (test scoring and reporting system). Inmate names and DC numbers were used to track those who achieved literacy level completions as indicated by their pre-test and post-test assessments during this period. For inmates at the highest literacy levels (9.0 grade level and above), GED® subtest scores

were also included. This summary includes inmate students who, during this period, had participated in academic education programs and had matching pre- and post-test assessments in the subject area.

The chart below illustrates the academic gains made in each subject in terms of completing at least one or more literacy levels. In terms of Mathematics matching scores, 50% of the Inmate students demonstrated gains of one or more levels. In Reading, 49% of the Inmate students advanced one or more levels. For Language, 51% of the inmate students showed academic gains of one or more levels.

CAREER AND TECHNICAL EDUCATION PROGRAMS BY FACILITY

Pre-Test Level (Total Inmates with both pre-test and post-test: 3,531)	Math			Reading			Language		
	Inmates Who Completed the Level	Inmates Who Advanced One or More Levels	All	Inmates Who Completed the Level	Inmates Who Advanced One or More Levels	All	Inmates Who Completed the Level	Inmates Who Advanced One or More Levels	All
ABE Beginning Literacy (0.0-1.9)	0	78	78	0	219	219	9	361	370
ABE Beginning Basic Education (2.0-3.9)	7	629	636	3	441	444	6	769	775
ABE Intermediate Low (4.0-5.9)	19	1087	1106	23	840	863	13	758	771
ABE Intermediate High (6.0-8.9)	13	1010	1023	0	964	964	18	884	902
ASE Low (9.0-10.9)	10	335	345	25	536	561	0	389	389
ASE High (11.0-12.9)	95	0	95	111	0	111	64	0	64
Total	144	3139	3283	162	3000	3162	110	3161	3271

Pretest: most recent TABE test before first enrollment up to 30 days after first enrollment (since 7-1-2015)

Posttest: Highest TABE test taken during FY1718 (after the pretest and enrollment date)

Completed the Level: Posttest reached the maximum score of the pretest scale level

Advanced One or More Level: Posttest achieved was higher than the pretest scale level

PARTNER AGENCIES

Pursuant to Chapter 944.516 (2) F.S., a report on post release job placement and the rate of subsequent contact with the correctional system for those inmates who have participated in the correctional work programs operated by the PRIDE corporation and by the Department shall be included in the Annual Report.



Prison Rehabilitative Industries and Diversified Enterprises, Inc. (PRIDE)

PRIDE is a state-authorized, private, not-for-profit, internationally recognized inmate training company operating general manufacturing and services facilities in correctional institutions throughout the State of Florida. Since 1981, when the Florida Legislature authorized the company to manage and operate the state's correctional industries, PRIDE has trained thousands of prison inmates and has provided them with marketable and accredited job skills.

According to PRIDE's 2017 Annual Report, PRIDE trained 3,117 inmates who worked almost 3.5 million hours. Many of these inmates were trained in modern high technology trades including print and digital information, garments and apparel, furniture manufacturing, vehicle renovation, metal fabrication, as well as dental and optical.

Additionally, as provided in its annual report, 91% of PRIDE-trained former inmates were placed into full-time jobs and only 9.89% of PRIDE's former workers recidivate.



For more information, please contact:
PRIDE Enterprises
223 Morrison Road, Brandon, FL 33511
813-324-8700 (phone)
info@pride-enterprises.org
www.pride-enterprises.org

INMATE IDENTIFICATION CARDS

Pursuant to Chapter 944.605, (7)(f), F.S., the Department shall provide a report that identifies the number of inmates released with and without identification cards (IDs), specifies any impediments to obtaining IDs, and provides recommendations to improve obtaining release documents and ID cards for all inmates.

A total of 30,224 inmates were released during FY 2017-18. Of this total, the Department was responsible for providing identification cards to 14,228 of the released inmates subject to ID eligibility requirements listed in Chapter 944.605 (7)(b), F.S.

The total number of inmates released with an ID during FY 2017-18 was 11,929 (83.8%) and the total released without IDs was 2,299 (16.2%). Additionally, of the 2,299 inmates without IDs, 66.2% (1,522) were identification prepared, but unable to acquire an ID prior to release.

Identification prepared inmates are those that have obtained and completed all the paperwork necessary to attain an ID, but were unable to access the Florida Department of Highway Safety and Motor Vehicles Flow Unit (Florida Licensing on Wheels) for identification events held at the FDC institutions and privately operated facilities.

Although access to the FLOW unit is an impediment to inmates receiving IDs, other impediments included:

- The inability to consistently secure accurate information from an inmate in order to obtain a certified birth certificate from the Department of Health, Bureau of Vital Statistics, and/or a social security replacement card from the Social Security Administration; and
- The timeframe of requesting a social security replacement card is no earlier than 120 days prior to release.

The Department recommends continuing to work with the Florida Department of Highway Safety and Motor Vehicles, the Florida Department of Health - Bureau of Vital Statistics, and the Social Security Administration to develop solutions to the identified impediments. The Department and the Social Security Administration will execute a second Memorandum of Understanding prior to the end of 2018.



INMATE DRUG TESTING

Chapter 944.473 (3), Florida Statutes mandates that the Department report the number of random and reasonable suspicion substance abuse tests administered in the fiscal year, the number of positive and negative results, and number of inmates requesting and participating in substance abuse treatment programs as part of its Annual Report.

The Department's Inmate Drug Testing Unit currently oversees the random drug testing program, substance abuse program drug testing and "for cause" drug testing for all correctional facilities statewide and randomly drug tests thousands of inmates annually.

Inmates are chosen for random and substance abuse program drug testing based on a random computer-generated selection system. Selection of inmates for "for cause" drug testing is based on reasonable suspicion of involvement with drugs or alcohol.

Drug testing enables the Department to detect and identify inmates using illicit drugs, including abuse of prescription drugs and/or alcohol. Furthermore, the role of drug testing has been recognized as highly effective in identifying those who have substance abuse problems, getting inmates into treatment, and monitoring them during the treatment process.

DRUG TEST RESULTS FOR FY 2017-18

Type of Test	Valid Tests	Negative Tests	Positive Tests	Positive Rate	Drug Test Positive					
					Alcohol	Cannabis	Cocaine	Opiates	Other	Total
Random	63,757	63,424	333	0.5%	0	281	19	8	46	354
For Cause	1,675	1,356	319	18.5%	6	190	4	4	125	329

During FY 2017-2018 there were 63 inmates who participated in a substance abuse treatment course with a positive drug test within a year prior to enrollment. Nine inmates were considered repeat substance abuse offenders, having 2 or more positive drug tests during FY 2017-2018. Compare this with results from the previous fiscal year in which there were 97 inmates who enrolled in a substance abuse treatment course with a drug test within a year prior to enrollment and 13 inmates had at least two positive random or for-cause drug tests. One of the more recent substance abuse problems plaguing Florida institutions is the use of synthetic cannabinoids, cathinones (bath salts) and opiates, also known as K2 or Spice and Fentanyl. Some drug users, especially those undergoing drug treatment or rehabilitation, resort to these synthetic drugs as an alternative to marijuana. K2 and related synthetic substances are considered highly dangerous. Some of the adverse effects associated with these drugs include aggression, mood swings, altered perception, paranoia, panic attacks, heart palpitations, and respiratory complications.

Synthetic drugs have been difficult to control because they can be derived from common household products. Additionally, they are typically blended with other substances or coated on other materials making them almost impossible to identify and to determine their makeup or quantity. Although some synthetics are currently classified as controlled substances, most are undetectable by standard drug testing. Recently, new drug testing kits have become available that are capable of detecting some of the compounds in K2, Spice and Fentanyl through urine or blood testing. FDC currently tests inmate population for K2 both randomly, in instances where there is reason to believe an inmate has used K2 (for-cause testing), and for inmates participating in court ordered substance abuse programs. To combat use of synthetic drugs, the FDC continues to apply new approaches and technologies to both eliminate the introduction of contraband in the institutions, as well as to detect and treat their effects on inmates.

SUBSTANCE ABUSE PROGRAMS

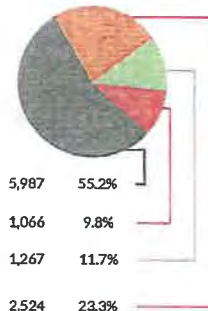
INSTITUTIONS

The Department provides four primary categories of substance abuse programming for incarcerated inmates:

Intensive Outpatient - A 4 to 6 month substance abuse intensive outpatient licensed program provided to inmates at designated institutions throughout the state. Treatment occurs for half a day, at least four days per

INMATE-BASED SUBSTANCE ABUSE PROGRAMS

Intensive Outpatient	5,987	55.2%
Program Centers	1,066	9.8%
Work Release Centers	1,267	11.7%
Residential Therapeutic Community	2,524	23.3%
Total	10,844	100%



week and inmates participate in a minimum of 12 hours of counselor supervised activities. These activities include group and individual counseling. The inmates spend the remainder of their days performing institutional work assignments.

Residential Therapeutic Community - A 9 to 12 month Therapeutic Community (TC) program housed within the institution or at a designated community based facility. The program is divided into four phases. Inmates are housed together in the same dormitory, segregated from non-program inmates. Services are provided in a positive, supportive environment wherein participants share similar problems of chemical abuse and patterns of criminal thinking. They live and work together to change their lives while residing in the therapeutic community. The TC model emphasizes structure, responsibility, credibility, accountability, discipline, consistency and limit setting with consequences.

Program Centers - Substance Abuse Transitional/ Re-Entry Programs is a 16-24 month program model designed to assist inmates nearing release in making a successful transition from the correctional institution to the community. They offer a continuum of substance

abuse services. Inmates who successfully complete the initial intensive programming component (9-12 months) are eligible to participate in the work release component.

Work Release Centers - Contracted Substance Abuse Counselors operate in nineteen department-operated work release centers to provide outpatient services (four months in length) and aftercare services to inmates based on their identified needs. Inmates work in the community while attending treatment in the evenings or on the days they are not working.

The table to the left provides a summary of the Inmate-Based Substance Abuse Treatment Programs for FY 2017-18.

COMMUNITY CORRECTIONS

Offenders on supervision also participate in substance abuse treatment programs in one of the following forms.

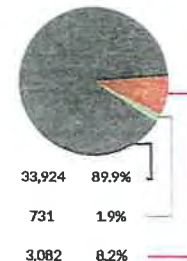
Outpatient - Substance abuse treatment for offenders who maintain residence and employment in the community. Services are provided on a variety of intensity levels including individual, group or family sessions along with drug education classes.

Nonsecure - A 6-month program consisting of a 2-month intensive treatment component followed by a 4-month employment/re-entry component.

Secure - This long-term treatment program involves a structured, live-in, non-hospital environment focusing upon all aspects of substance abuse rehabilitation including job training and educational programs. This therapeutic community consists of up to 12 months of intensive treatment and up to six months of an employment and re-entry component.

COMMUNITY-BASED SUBSTANCE ABUSE PROGRAMS

Outpatient	33,924	89.9%
Secure	731	1.9%
Non-secure	3,082	8.2%
Total	37,737	100%



COMMUNITY CORRECTIONS

MISSION STATEMENT

"Community Corrections promotes public safety by providing effective supervision of offenders in the community, holding offenders accountable and connecting offenders to services in order to reduce victimization and the re-occurrence of crime."

Community supervision is a critical component of the criminal justice system and offers the following benefits to the community:

- Community Corrections is committed to helping offenders succeed, which results in more positive outcomes for the offender and ultimately leads to reduced victimization and recidivism.
- Offenders are held accountable for victim compensation.
- Offenders on supervision can be contributing members of the community by working, and paying court costs, fines and taxes in lieu of burdening taxpayers with their cost of incarceration in county jails or state prisons.
- Supervision provides an alternative sentence to prison for many offenders. It costs much less per day to supervise an offender on community supervision versus the cost per day to house an inmate in a Florida prison.
- Offenders performed more than 1.1 million hours of public service work for the community last fiscal year, which equates to roughly \$11 million dollars of work performed.

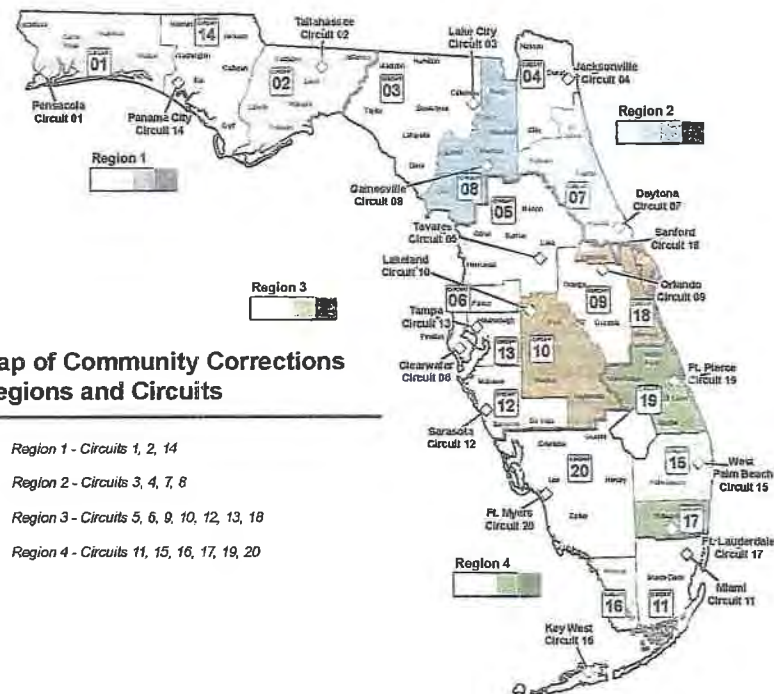
All of these efforts assist in generating revenue to offset cost incurred for supervising offenders. During the past fiscal year, probation officers collected approximately \$90 million from offenders, including: \$49,961,784 in restitution, fines and court costs; \$19,407,872 in the cost of supervision; and \$20,345,413 in subsistence and other court ordered fees, which is deposited into Florida's general revenue fund.



State Probation Officers perform work that makes a critical difference in the safety of our communities. State probation officers serve to protect the community and provide effective supervision by:

- Monitoring and enforcing offender compliance with conditions of supervision;
- Reporting non-compliance to the court or Florida Commission on Offender Review and providing recommendations for appropriate sanctions;
- Visiting the offender in the community to monitor compliance with conditions of supervision, conduct searches and curfew checks, verify residence and employment, and observe attendance at treatment or community service work sites; and;
- Assisting law enforcement with violation arrests, deportation, sex offender registration requirements, gang or other public safety/crime prevention initiatives or intelligence.

COMMUNITY CORRECTIONS MAP



TYPES OF SUPERVISION

State Probation Officers also play an integral part in reducing victimization and recidivism by assisting offenders to succeed by:

- Working with the offender to identify what is needed to comply with conditions of supervision and change behavior (e.g. employment, stable residence, education, vocational skills, transportation, counseling, etc.);
- Holding offenders accountable for their actions and decisions by providing positive reinforcement and incentives to motivate offenders and reward good behavior and by acting quickly, firmly and fairly to address non-compliance or declining behavior;
- Collaborating with community partners to provide services and resources for offenders; and;
- Maintaining partnerships in the community to provide offenders with employment application/ interviewing classes, bus tokens, used bikes, clothes, financial assistance, anger management, marriage or parenting classes and educational/vocational opportunities.

CONTRACTUAL AGREEMENT FOR OFFENDER SUPERVISION

Pretrial Intervention

Pretrial Intervention is a type of supervision intended for first time non-violent offenders. Any first time offender, or any person previously convicted of less than one nonviolent misdemeanor who is charged with any misdemeanor or felony of a third degree, is eligible for release to the pretrial intervention program. Consent must be obtained from the victim, the state attorney, and in some jurisdictions, as in the case of Drug Courts, the Judge. The offender signs a contract, agreeing to certain terms and conditions of supervision. If the offender completes the program successfully, charges are dropped. If the offender does not comply with the terms of the contract, his/her case is referred back to the state attorney for further prosecution.

Requirements are similar in the Drug Offender Pretrial Intervention Program, except the offense can be a second or third degree felony for purchase or possession of a controlled substance under Chapter 893, Florida Statutes; prostitution; tampering with evidence; solicitation for purchase of a controlled substance; or obtaining a prescription by fraud. Drug Offender Pretrial Intervention is often used by judges as a type of supervision

Imposed for first time offenders with a substance abuse problem.

COURT IMPOSED SUPERVISION

Probation

Probation is a court-ordered term of community supervision under specified conditions for a specific period of time that cannot exceed the maximum sentence for the offense. It is the most common type of community supervision. The offender on probation is required to abide by all conditions ordered by the court. Offenders on probation must comply with standard conditions of supervision, including but not limited to: no violations of the law, monthly reporting requirements, not changing residence or employment or leaving the county without the consent of the probation officer, submitting to random drug testing and searches, and paying the costs of supervision. The sentencing judge will often impose special conditions of supervision, including but not limited to, substance abuse or mental health treatment, victim restitution, and community service hours. Willful non-compliance or a violation of any of these conditions may result in modification of the sentence or revocation by the court. Additionally, courts may decide to impose the original sentence that was served by the probation.

Drug Offender Probation

Drug Offender Probation is a more intensive form of supervision, which emphasizes treatment of drug offenders and monitoring of offenders' substance abuse through field supervision, contact with treatment providers, and random drug testing. Offenders on Drug Offender Probation have all the standard conditions of supervision imposed, along with any special conditions the court deems necessary due to the offender's substance abuse history, including but not limited to: inpatient or outpatient substance abuse treatment, increased frequency of drug testing, and sometimes curfews.

Sex Offender Probation

Sex Offender Probation is an intensive form of supervision which emphasizes sex offender treatment and close monitoring in the field to ensure compliance with sex offender conditions of supervision and sex offender registration requirements.

TYPES OF SUPERVISION

Abbreviated versions of the standard sex offender conditions of supervision include:

- Mandatory curfews;
- If the victim was under 18
 - A prohibition of living within 1,000 feet of a school, child care facility, park, playground, or other place where children regularly congregate;
 - No unsupervised contact with a child under 18;
 - A prohibition of working for pay or as a volunteer at any place where children regularly congregate including, but not limited to, schools, child care facilities, parks, playgrounds, pet stores, libraries, zoos, theme parks, and malls;
- Active participation in and successful completion of a sex offender treatment program;
- Prohibition of any contact with the victim;
- Prohibition of viewing, accessing, owning or possessing any obscene, pornographic, or sexually stimulating visual or auditory material, including telephone, electronic media, computer programs, or computer services that are relevant to the offender's deviant behavior pattern;
- Prohibition on accessing the internet or other computer services until a qualified practitioner in the offender's sex offender treatment program, (after a risk assessment is completed), approves and implements a safety plan for the offender's accessing or using the Internet or other computer services;
- Making restitution;
- Submission to warrant-less search of person, residence or vehicle;
- Participation at least annually in polygraph examinations;
- Maintenance of a driving log and prohibition against driving a motor vehicle alone without the prior approval of the supervising officer;
- Prohibition of using a post office box;
- If there was sexual contact, a submission to an HIV test, at the probationer's expense; and
- For a crime that was committed on or after May 26, 2010, and for those convicted at any time of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses listed in Section

943.0435(1)(a)1.a.(I), Florida Statutes, or a similar offense in another jurisdiction, against a victim who was under the age of 18 at the time of the offense, a prohibition on visiting schools, child care facilities, parks, and playgrounds, without prior approval from the offender's supervising Officer and a prohibition on distributing candy or other items to children on Halloween; wearing a Santa Claus costume, or other costume to appeal to children, on or preceding Christmas; wearing an Easter Bunny costume, or other costume to appeal to children, on or preceding Easter; entertaining at children's parties; or wearing a clown costume; without prior approval from the court.

For more detailed descriptions of the sex offender standard conditions of supervision, please refer to Section 948.30, Florida Statutes.



Community Control

Community Control is a form of intensive supervised "house arrest" including weekends and holidays. The offender is restricted to his/her residence, with the exception of being allowed to work, attend treatment, visit the probation office, and limited other occasions that must be approved in advance by the Community Control Officer. As with probation, violation of any community control condition may result in revocation by the court and imposition of any sentence that it might have imposed before placing the offender on community control supervision. Many of the offenders who are placed on community control are prison diversions.

TYPES OF SUPERVISION

POST-PRISON RELEASE SUPERVISION



Parole

Parole is a post-prison supervision program where eligible inmates have the terms and conditions of parole set by the Florida Commission on Offender Review (FCOR), an agency separate from the Department that was formerly known as the Florida Parole Commission. The period of parole cannot exceed the balance of the offender's original sentence. Parole supervision is provided by Correctional Probation Officers who work for the Florida Department of Corrections. Only offenders sentenced for offenses committed prior to October 1, 1983, are eligible for parole, as it was abolished for all offenses committed after that date. Even so, there are still more than 5,000 inmates in prison who remain eligible for parole. Parole violations are reported by Probation Officers to FCOR, which makes the final determination whether to continue the offender on supervision, modify the conditions of supervision, or revoke the supervision and return the offender to prison.

Conditional Release

An inmate sentenced to murder/mauslaughter, sexual offenses, robbery or other violent personal crimes, and who has a previous commitment to a state or federal institution or has been convicted as a Habitual Offender or Sexual Predator, meets the criteria for conditional release. Upon reaching their release date with accrued gain time, an inmate is placed on conditional release to serve up to the remainder of their sentence. FCOR imposes the

conditions of supervision on offenders released to conditional release supervision. Supervision is provided by the Department's Probation Officers. Conditional release violations are reported by Probation Officers to FCOR, which makes the final determination whether to continue the offender on supervision, modify the conditions of supervision, or revoke the supervision and return the offender to prison.

Addiction Recovery

Addiction Recovery Supervision is a form of supervision for an offender released from a state correctional facility, convicted of a crime committed on or after July 1, 2001, when the offender has:

- A history of substance abuse or a substance addiction;
- Participated in any drug treatment;
- No current or previous convictions for a violent offense; or
- No current or previous convictions for: drug trafficking; unlawful sale of a controlled substance; or property offense, except for passing worthless checks, forgery, uttering, or counterfeiting, third degree felony grand theft (excluding a theft relating to firearms), third degree felony burglary of an unoccupied structure or conveyance; or a traffic offense involving injury or death.

FCOR imposes the conditions of supervision on offenders released to Addiction Recovery Supervision, which include substance abuse treatment and random drug testing to monitor substance abuse. Supervision is provided by the Department's Probation Officers. Addiction Recovery Supervision violations are reported by Probation Officers to FCOR, which makes the final determination whether to continue the offender on supervision, modify the conditions of supervision, or revoke the supervision and return the offender to prison.

COMMUNITY CORRECTIONS POPULATION

GENERAL CHARACTERISTICS

Gender		
Male	125,524	75.5%
Female	40,633	24.5%
Race/Ethnicity		
White Male	61,319	36.9%
White Female	24,255	14.6%
Black Male	39,376	23.7%
Black Female	11,581	7.0%
Hispanic Male	24,135	14.5%
Hispanic Female	4,570	2.8%
Other Male	694	0.4%
Other Female	227	0.1%

Age at Admission		
17 & Under	79	0.0%
18-24	23,953	14.4%
25-34	49,229	29.6%
35-49	53,870	32.4%
50-59	25,109	15.1%
60+	13,910	8.4%
Data Unavailable	7	

Prior DC Supervision Commitments		
0	100,653	60.6%
1	34,858	21.0%
2	14,844	8.9%
3	7,362	4.4%
4	8,296	5.0%
Data Unavailable	144	

GENERAL CHARACTERISTICS BY OFFENSE TYPE

Type of Offense	Number	Percent	Avg Sentence Length in Years*	Avg Age at Admission
Murder, Manslaughter	2,644	1.6%	15.0	28.6
Sexual Offenses	7,599	4.6%	10.2	34.8
Robbery	5,376	3.2%	6.6	25.1
Violent Personal Offenses	27,823	16.8%	3.9	32.8
Burglary	16,642	10.0%	4.0	27.9
Theft/Forgery/Fraud	45,801	27.6%	4.1	33.1
Drug Offenses	40,776	24.6%	2.9	32.3
Weapons	5,034	3.0%	3.2	30.3
Other	14,314	8.6%	3.0	35.7
Data Unavailable	148			

* Sentence Lengths of 50 years or longer are coded as 50 years for calculation of average



** Violent crimes include murder, manslaughter and violent personal offenses. Sexual offense, robbery, burglary, theft/forgery/fraud are also considered violent in instances where actual physical harm or threat of physical harm, or a reasonable probability existed that individual's criminal acts could have resulted in unintended physical harm or the threat of physical harm.

* Due to rounding, percentages may not total 100%.

COMMUNITY CORRECTIONS POPULATION OVER TEN FISCAL YEARS



COMMUNITY CORRECTIONS POPULATION

For any specified date, the community supervision offender population consists of ALL offenders actively under supervision and those on supervision caseload but temporarily unavailable for direct supervision because of known and designated reasons, such as hospitalization or incarceration.

- The number of offenders on community supervision on June 30, 2018 decreased by 1,073 from June 30, 2017.
- There were 166,157 offenders being supervised by probation officers on June 30, 2018.
 - 83,820 offenders were admitted to supervision.
 - 83,587 offenders were released from supervision.
 - 12,801 were revoked due to a new arrest.
 - 18,432 were revoked due to a technical violation.
 - 11,234 were terminated due to court/Florida Commission on Offender Review action.
- The majority of those 166,157 offenders are male (75.5%), white (51.5%), and between the ages of 35-49 (32.4%) and 25-34 (29.6%).

- Most (60.9%) had never been on felony community supervision in Florida before.
- The majority of these offenders were serving felony probation sentences (65.2%), compared to other types of supervision like drug offender probation, community control, etc.
- The average overall age of offenders on community supervision was 39.
- Those on control release were the oldest on average (58 years) and offenders on pretrial intervention were the youngest on average (31 years).
- The overall average sentence length for those on community supervision was 4 years.
- The top three counties of conviction were Broward (10.0%), Miami-Dade (9.6%), and Hillsborough (7.2%).
- The majority of offenders on supervision had third degree felonies (63.4%) and were serving for property offenses (37.0%).

As of June 30, 2018, the statewide rate for offenders successfully completing probation was 58.7%.

COMMUNITY CORRECTIONS ADMISSIONS

Supervision admissions refer to the number of offenders beginning a new period of community supervision by the Department. This would be the result of a new offense or the revocation of existing supervision followed by an immediate imposition of new supervision. It does not include offenders already on supervision who receive an additional sentence for an offense separate from the one that initially placed them on supervision.

- The community supervision admissions over the last three years has remained slightly over 83,000.
- Of the 83,820 offenders admitted to supervision 72.9% are male, 53.4% are white and 34.6% are between the ages of 25-34.
- 53.6% of offenders had never been on felony supervision in Florida before.
- The average offenders age at admission to community supervision is 35.3.
- 32.5% of offenders are sentenced to community supervision for committing a drug crime while another 32.4% are serving for a property crime, which includes theft, fraud, and damage.

Supervision sentences include: an original sentence by the court to probation, community control or a pretrial intervention program, or the supervision portion of a "split" sentence – prison followed by community control or probation, or assignment to supervision as a condition of prison release, or offenders from other states that Florida supervises through Interstate Compact agreements.

GENERAL CHARACTERISTICS

Gender		
Male	61,108	72.9%
Female	22,712	27.1%
Race/Ethnicity		
White Male	30,329	36.2%
White Female	14,426	17.2%
Black Male	20,363	24.3%
Black Female	5,779	6.9%
Hispanic Male	10,063	12.0%
Hispanic Female	2,377	2.8%
Other Male	353	0.4%
Other Female	130	0.2%
Age at Admission		
17 & Under	137	0.2%
18-24	19,988	23.8%
25-34	28,971	34.6%
35-49	24,051	28.7%
50-59	8,025	9.6%
60+	2,648	3.2%
Prior DC Supervision Commitments		
0	44,969	53.6%
1	18,836	22.5%
2	8,931	10.7%
3	4,846	5.8%
4	6,238	7.4%

* Due to rounding, percentages may not total 100%.

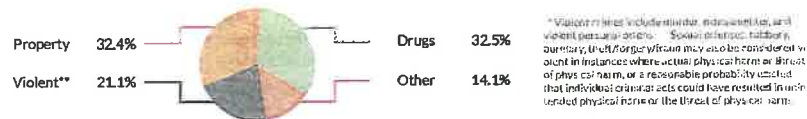
COMMUNITY CORRECTIONS ADMISSIONS

When the more detailed offense groups listed (below) are combined into four primary offense categories, the primary offenses for those under supervision are drug related crimes (32.5%) and property crimes (32.4%).

GENERAL CHARACTERISTICS BY OFFENSE TYPE

Type of Offense	Number	Percent	Avg Sentence Length in Years*	Avg Age at Admission
Murder, Manslaughter	550	0.7%	8.0	41.3
Sexual Offenses	1,510	1.8%	6.5	43.0
Robbery	1,990	2.4%	3.5	32.6
Violent Personal Offenses	13,253	15.8%	2.4	35.6
Burglary	7,209	8.6%	2.8	31.3
Theft/Forgery/Fraud	20,228	24.2%	2.4	34.2
Drug Offenses	27,213	32.5%	2.0	33.0
Weapons	3,024	3.6%	2.4	31.4
Other	8,765	10.5%	2.0	37.0
Data Unavailable	78			

* Sentence Lengths of 50 years or longer are coded as 50 years for calculation of average.



COMMUNITY CORRECTIONS ADMISSIONS OVER TEN FISCAL YEARS



COMMUNITY CORRECTIONS RELEASES

The community supervision release population consists of all offenders permanently removed from the FDC from a specific term of supervision due to satisfaction of sentence, a pardon, return to another state, death, revocation, or other court action.

The number of offenders released from community supervision in FY 2017-18 increased marginally from the previous year, from 83,474 in FY 2016-17 to 83,587 in FY 2017-18.

- Approximately 51.6% of releases had no prior state of Florida community supervision.
- The majority of community supervision releases were between the ages of 25-34 (35.5%).
- 30.9% of community supervision offenders released had drug offenses.

GENERAL CHARACTERISTICS BY OFFENSE TYPE

Type of Offense	Number	Percent
Murder, Manslaughter	508	0.6%
Sexual Offenses	1,454	1.7%
Robbery	2,109	2.5%
Violent Personal Offenses	13,380	16.0%
Burglary	7,450	8.9%
Theft/Forgery/Fraud	21,864	26.2%
Drug Offense	25,831	30.9%
Weapons	2,596	3.1%
Other	8,395	10.0%

* Sentence Lengths of 50 years or longer are coded as 50 years for calculation of average.



GENERAL CHARACTERISTICS

Gender		
Male	60,567	72.5%
Female	23,020	27.5%

Race/Ethnicity		
White Male	30,442	36.4%
White Female	14,440	17.3%
Black Male	19,852	23.8%
Black Female	5,961	7.1%
Hispanic Male	9,912	11.9%
Hispanic Female	2,515	3.0%
Other Male	361	0.4%
Other Female	104	0.1%

Age at Admission		
17 & Under	37	0.0%
18 - 24	15,976	19.1%
25 - 34	29,681	35.5%
35 - 49	25,234	30.2%
50 - 59	9,068	10.8%
60+	3,591	4.3%

Prior DC Supervision Commitments		
0	43,104	51.6%
1	19,827	23.7%
2	9,226	11.0%
3	5,070	6.1%
4+	6,360	7.6%

Due to rounding, percentages may not total 100%.

Violent crimes include murder, manslaughter, and violent personal offenses. Sexual offenses, robbery, burglary, theft/forgery/fraud may also be considered violent in instances where actual physical harm or threat of physical harm, or a reasonable probability existed that individual criminal acts could have resulted in uninitiated physical harm or the threat of physical harm.

SUPERVISION OF SEX OFFENDERS

The Sexual Predator Act became law on October 1, 1993. This first-in-the-nation registration law was followed by the Public Safety Information Act (PSIA), which became law on October 1, 1997, and broadened public access to the records of sexual predators and sex offenders.

What's the difference between a Sexual Predator and a Sex Offender?

- An offender can be designated a sexual predator only by the court system. They are designated as such if the offender commits certain statutorily defined sex crimes that are first degree felonies or greater, or if he or she commits two or more 2nd degree or greater felony sex offenses as provided in section 775.21, Florida Statutes.
- An offender is a sex offender if he or she has been convicted of certain sex crimes listed in section 943.0435(1)(a), Florida Statutes and was still serving

any part of their sentence on or after October 1, 1997.

- Both sexual predators and sex offenders are subject to registration and community notification, but sexual predators usually have to register more frequently than sex offenders.
- It should be noted that some of the sex offenders and predators on supervision previously served state prison time for their offenses.

Sex offenders and sexual predators are supervised by probation officers with specialized training. These offenders must comply with additional conditions of supervision provided in statute and are supervised at a higher level than regular probation offenders. Some examples of sex offender conditions imposed include sex offender treatment, curfew, and certain sex offenders (with minor victims) not being allowed to reside within 1,000 feet of a school or child care facility.

SEX OFFENDERS (PSIA & SEXUAL PREDATORS) ON SUPERVISION ON JUNE 30, 2018

Circuit Number	Judicial Circuit	Male	Female	Total	Percent
1	Pensacola	429	8	437	4.8%
2	Tallahassee	302	7	309	3.4%
3	Lake City	194	6	200	2.2%
4	Jacksonville	625	7	632	6.9%
5	Tavares	535	19	554	6.1%
6	Clearwater	529	8	537	5.9%
7	Daytona Beach	446	12	458	5.0%
8	Gainesville	184	7	191	2.1%
9	Orlando	1,042	20	1,062	11.6%
10	Bartow	558	13	571	6.2%
11	Miami	881	4	885	9.7%
12	Sarasota	423	8	431	4.7%
13	Tampa	582	6	588	6.4%
14	Panama City	223	4	227	2.5%
15	West Palm Beach	265	1	266	2.9%
16	Key West	45	2	47	0.5%
17	Ft. Lauderdale	520	8	528	5.8%
18	Sanford	383	10	393	4.3%
19	Ft. Pierce	291	11	302	3.3%
20	Ft. Myers	511	8	519	5.7%
Total		8,968	169	9,137	100%

VICTIM SERVICES

The primary function of Victim Services is to assist victims of crimes committed by inmates in the Department's custody or offenders under supervision, and to notify victims prior to an inmate's release. Victim Services also provides referral services to victims with specific needs, such as counseling, support groups, crimes compensation, restitution and crisis intervention.

VICTIM INFORMATION AND NOTIFICATION EVERYDAY SERVICES (VINE)

The Department offers a toll-free automated offender information and notification service. Victim Information and Notification Everyday (VINE) service is available 24 hours a day, seven days a week. Anyone may call the toll-free number 1-877-VINE-4-FL (1-877-846-3435), and receive an inmate's current location and tentative release date. You may also register to receive an automated

notification when an inmate is released, transferred, escapes, is placed in a work release facility, transferred to another jurisdiction, returned to the Department's custody, or dies while in custody. VINE services also notify victims of offenders on Community Supervision when an offender absconds, returns from absconder status (captured), has a change in supervision, or when the offender dies while under supervision.

The VINE Service is anonymous and confidential and no information is ever shared with the inmate or offender. VINE is a free service, which is accessible 24 hours a day via phone or the internet at VINELink.com. A link to this site is also available next to the offender's photo on our public website. VINE services are also available for all 67 county jails in the State. Victim Services also provides referral services to victims with specific needs and developing safety plans.

MOBILE APP



Victims will not automatically be notified by the Department of Corrections of an inmate's custody status, unless notification information is provided to the FDC office. However, victims can register their telephone number(s) or email address(es) for automated notification or inmate's transfer, escape, death, out-to-court or release status by calling 1-877-VINE-4-FL (1-877-846-3435).

For information and assistance with inmates in the custody of the Department, please contact:

Victim Services, 501 South Calhoun Street Tallahassee, Florida 32399-2500 (850) 488-9166 or 1-877-8-VICTIM (1-877-884-2846) Toll-Free or E-mail victim.services@fdc.myflorida.com.

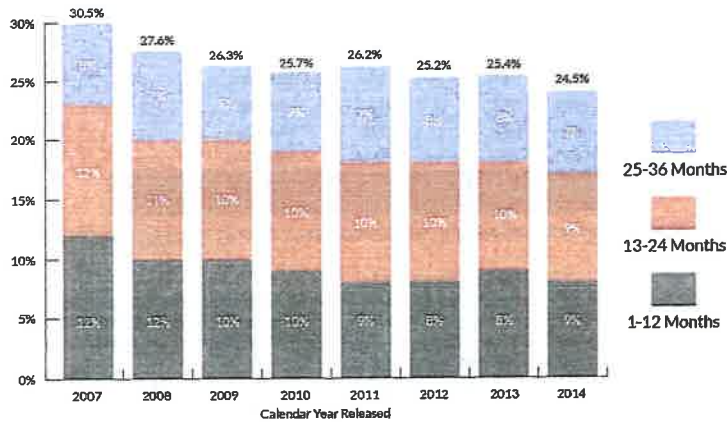
RECIDIVISM RATES

The Department defines inmate recidivism as a return to prison, as the result of either a new conviction or a violation of post-prison supervision, within three years of their prison release date. Recidivism is calculated by comparing an inmate's prison release date to the date of readmission to prison over a three year period.

Recidivism Rates:

- Inmates released in 2010 who returned to prison within three years: 25.7% recidivism rate
- Inmates released in 2011 who returned to prison within three years: 26.2% recidivism rate
- Inmates released in 2012 who returned to prison within three years: 25.2% recidivism rate
- Inmates released in 2013 who returned to prison within three years: 25.4% recidivism rate
- Inmates released in 2014 who returned to prison within three years: 24.5% recidivism rate

RECIDIVISM RATES OVER TIME



For more detailed information regarding FDC recidivism tracking, please see the Recidivism Report published on the Department's website at: www.dc.state.fl.us

CORRECTIONS FOUNDATION

The mission of the Corrections Foundation is to support the programs, personnel, and services of the Department of Corrections through grants, contributions, and community partnerships in the interest of public safety. The Corrections Foundation was established in 1996 as the 501(c)(3) non-profit Direct Support Organization to the Department of Corrections (Chapter 944.802, Florida Statutes).

The Corrections Foundation is governed by a volunteer Board of Directors, who are appointed by the Secretary of the Department and serve under the leadership of President Louie L. Walnwright. The Corrections Foundation was the first Direct Support Organization of its kind nationally in the field of Corrections and celebrated its 20th year anniversary in 2016. Membership is comprised of Florida Department of Corrections employees, contractors, and others who support public safety.

Donations to the Corrections Foundation are tax deductible and receive the maximum charitable deduction allowed by law. In FY 2017-18, the Corrections Foundation's Employee Assistance Program (EAP) assisted 372 employees for emergencies, critical illnesses, house fires, natural disasters, hospitalizations, and out-of-town travel due to family death or illness. In March 2018, the Corrections Foundation established a stand-alone Disaster Relief Fund. Last FY, the Corrections Foundations assisted 490 FDC officers and staff with \$285,350, through the Disaster Relief Fund.

Other programs the Corrections Foundation supports through private donations include the K-9 Drug Interdiction Team, Statewide K-9 Tracking Teams, 21 Dog Obedience Training Programs, Computers for Florida's Kids, Culinary Arts, Hardee Correctional Institution Seminary, Toastmaster Gavel Clubs, Chaplaincy and Education Programs statewide.



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info@correctionsfoundation.org

