

Non-violent v. violent crime prisoners- 2.xlsx

s. 776.08, "Forcible Felonies," are the "violent" crimes per SB-642 (2019), and are listed below	# of prisoners with these crimes, Jan. 2, 2019		Notes:	
murder and manslaughter	15,674			
burglary	14,753		This includes 2,553 3rd degree burglaries, which were excluded from "violent" in SB 642 (2019)	
robbery, all	12,004			
sexual battery	6,497			
" . . . and any other felony which involves the use or threat of physical force or violence against any individual." (I included FDOC's violent personal offenses not otherwise in this list.)	3,885		NOTE: This spreadsheet assumes that "violent" crimes are those listed in s. 776.08, Florida Statutes, "Forcible Felonies," and therefore non-violent crimes are any other crimes. This was the definition used in the 2019 Legislative Session in SB 642 on setting 65% gain-time retroactively, which was passed by the full Senate.	
aggravated battery	3,246			
kidnapping	1,421			
aggravated assault	1,277			
carjacking	947			
unlawful throwing, placing, or discharging of a destructive device or bomb ??	329			
arson	320			
aggravated stalking	182			
aircraft piracy	-			
TOTAL "violent" from above list	60,535	63%		
"non-violent" estimate	36,195	37%	(This number comes from subtracting "violent" prisoners from the number of total prisoners)	
Total prisoners	96,730	100%		
xxxxxxx	xxxxxxxxxxxx	xxxxx	FDOC Annual Report states: "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."	
ANAYSIS PLAN B:				
Total prisoners	96,730	100%		
minus lifers, de facto lifers, death row	16,851	17%		
Prisoners with valid release dates	79,879	83%		
ANALYSIS PLAN C:	xxxxxxxxxxxx	xxxxx		
Prisoners with valid release dates	79,879	100%		
"non-violent" from above calculation; assumes non-violents do not have life sentences	36,195	45%		so 45% of releasable prisoners are "non-violent"
"violent crime" prisoners with release dates; subtracting above computed "non-violent" from total releasable prisoners	43,684	55%		
	xxxxxxxxxxxx	xxxxx		
"b. If the offense is not a nonviolent felony, as defined in s. 948.08(6), the prisoner is not eligible to earn any type of gain-time in an amount that would cause a sentence to expire, end, or terminate, or that would result in a prisoner's release, before he or she serves a minimum of 85 percent of the sentence."			This on the left is from SB-642, page 147 of Committee Substitute, as of April 28, 2019, see https://www.flsenate.gov/Session/Bill/2019/642/BillText/c2/PDF	
Source: FDOC OBIS data file of January 2, 2019				