



MICHAEL J. SATZ
STATE ATTORNEY

SEVENTEENTH JUDICIAL CIRCUIT OF FLORIDA
BROWARD COUNTY COURTHOUSE
201 S.E. SIXTH STREET
FORT LAUDERDALE, FL 33301-3360

PHONE (954) 831-6955

To: All Assistant State Attorneys
From: Michael J. Satz
Re: New Office Policies under the Criminal Punishment Code
Date: October 1, 1998

The following new office policies are effective immediately for those offenses punishable under the Criminal Punishment Code:

1. Unless otherwise specified, for level 1-6 offenses and third degree felony level 7 offenses that score greater than 44 total sentence points, any plea offer below the figure derived after subtracting 28 requires supervisory approval. (Example: Defendant's total sentence points are 45. After subtracting 28 points the defendants points are 17. While the lowest permissible sentence is $17 \times .75 = 12.75$, our plea offer is 17 months FSP).
2. For level 7 offenses (second degree felonies and higher) that after subtracting 28 points scores less than 60 months in state prison, any plea offer below 5 years FSP requires supervisory approval. For level 7 offenses that score greater than 5 years in state prison, any plea negotiation below the figure derived after subtracting 28 requires supervisory approval. (Example: Defendant's total sentence points are 110. After subtracting 28 points the defendants points are 82. While the lowest permissible sentence is $82 \times .75 = 61.5$, our plea offer is 82 months FSP).
3. For level 8 offenses that after subtracting 28 points scores less than 120 months in state prison, any plea offer below 10 years FSP requires supervisory approval. For level 8 offenses that score greater than 10 years in state prison, any plea negotiation below the figure derived after subtracting 28 requires supervisory approval. (See above example).
4. For level 9 offenses that after subtracting 28 points scores less than 180 months in state prison, any plea offer below 15 years FSP requires supervisory approval. For level 8 offenses that score greater than 15 years in state prison, any plea negotiation below the figure derived after subtracting 28 requires supervisory approval. (See above example).
5. For level 10 offenses that after subtracting 28 points scores less than 240 months in state prison, any plea offer below 20 years FSP requires supervisory approval. For level 10 offenses that score greater than 20 years in state prison, any plea negotiation below the figure derived after subtracting 28 requires supervisory approval. (See above example).
6. For Delivery of Cocaine or Possession with Intent to Deliver Cocaine, any plea offer below 18 months FSP requires supervisory approval. When the guidelines call for a sentence greater than eighteen months, any plea offer below the figure derived after subtracting 28 points requires supervisory approval. If there are prior convictions for drug dealing or indications

from law enforcement of prior drug dealing, our plea offer shall be in the 24-36 month prison range.

7. For Strong Arm Robbery, any plea offer below 60 months FSP requires supervisory approval. When the guidelines call for a sentence greater than 60 months FSP, any plea offer below the figure derived after subtracting 28 points requires supervisory approval.

As you are already aware, the victim of a felony involving physical or emotional injury or trauma or, in a case in which the victim is a minor child or in a homicide, the guardian or family of the victim shall be consulted by the ASA in order to obtain the views of the victim or family about plea agreements.