



SAC Notes

*Information on Crime and Criminal Justice
from the Florida Statistical Analysis Center*

Fall 2006

Florida Drug Offenders: A Comparison of Individuals
Receiving State Prison versus State Supervision,
1999 - 2000

The Florida Statistical Analysis Center (FSAC) in the Florida Department of Law Enforcement (FDLE) compared individuals convicted of felony drug offenses in Florida who were sentenced to state prison or state supervision. This report examines the criminal careers of 50,846 drug offenders who were convicted in 1999 or 2000. Of these offenders, 9,308 were sentenced to prison, thus comprising the *prison cohort*, while 41,538 were sentenced to supervision, making up the *supervision cohort*.

This report uses Florida criminal history records to describe convicted drug offenders in terms of the extent and seriousness of their criminal careers and to illustrate the use and value of criminal history data to provide a comprehensive description of drug offenders to inform policy makers.

Methodology

The FSAC obtained a data set of individuals who were sentenced to state sanctions for drug crimes from the Florida Department of Corrections (FDOC).¹ Specifically, individuals who were convicted of only drug crimes were included. For example, if an individual was convicted of both a drug crime and an assault, that person was not included.

The individuals in the conviction dataset were matched to individuals in FDLE's Computerized Criminal History (CCH)² files. The CCH data contains all arrests submitted to the Florida Department of Law Enforcement. The program matches on several identification points, and based on the matches, each match is given a score ranging from 0 to 95. The matches used in this analysis had a score of 30 or higher. Records that did not have a high enough matching score were not used.

The information from FDOC and CCH was combined into a single database. The database includes the FDOC offense for which the individual was convicted, county of conviction, sentence type (prison or supervision) as well as all prior arrests from the CCH database. The combined database includes the date of arrest, total number of offenses charged, type of offense, level of offense, and offense descriptors. If a person did not have an arrest in the system before the date of conviction, they were not

included in the study. Also, technical violations while on supervision were not included in the prior arrests of the offenders. The completed data set contained 50,846 individuals who were sentenced to Florida state sanctions between 1999 and 2000 as well as all of their arrests prior to their conviction in the state of Florida.

The FSAC applied a *seriousness score* to each of the offenders. The career seriousness score is a technique that the FSAC created to evaluate the seriousness of an offender.³ The score uses the points assigned to individuals convicted of crimes based on the offense and victim injury as written in Florida's Criminal Punishment Code (1998 – 2001).⁴ A seriousness scale was created where each arrest offense is assigned a value. The scores range from 4 to over 200 for individual offenses. The scale was applied to all felony charges in the data set. Since there is

Table 1.		
<u>Description of Drug Offenders</u>		
	<u>Percent of Prison Cohort</u>	<u>Percent of Supervision Cohort</u>
Gender		
Male	88.73	77.6
Female	11.27	22.4
Race		
White	28.19	60.65
Black	71.28	38.84
Other	0.53	0.51
Age		
Average age at conviction	33.94	32.07
Career		
Average career length	11.15	6.51
<u>Offense inmate was convicted of</u>		
Drug Possession	26.03	65.26
Drug Sale	52.61	23.85
Drug Trafficking	13.96	1.64
Unidentified	7.4	9.26
<u>Drug type inmate was convicted of</u>		
Cocaine	80.14	58.53
Marijuana	4.37	17.14
Other	6.54	5.6
Unknown	8.95	18.73
Number of Offenders	9,308	41,538

also an arrest charge level of *unknown*, all crimes which were felonies (75 percent of the time) or had misdemeanors (only three percent of the time) were called felonies for this project. The crimes are: homicide, manslaughter, kidnapping, forcible sex offenses, robbery, aggravated assault, arson, extortion, burglary, motor vehicle theft, embezzlement, stolen property, drug sale, drug trafficking, flight or escape, smuggling, and property crime. In addition, in order to score the offense, all drug offenses needed to be identified by drug type and drug action (possession, sales, trafficking). Some of the offenses in the data set were already coded this way, but others only listed the drug type or the drug offense type as the offense. In order to score each offense as accurately as possible a program was written to examine the arrest offense literals to more precisely identify the offense type.

The data was analyzed by comparing the drug offenders sentenced to supervision (41,538) versus those sentenced to state prison (9,308). They were compared on the following: demographics, career length, number and type of prior arrests, and seriousness scores. The analysis is also broken down by drug offense type (possession, sale, trafficking) based on the individual's sentence, and the region of the state where the individuals sentence was handed down. There were individuals where it was not clear what drug offense they were sentenced for, and those were displayed as *unidentified*.

Findings

Characteristics of the Drug Offenders

Individuals in the prison cohort had criminal careers almost twice as long as those in the supervision cohort (Table 1). The majority of the prison cohort was sentenced for drug sales, while the majority of the supervision cohort was sentenced for drug possession. The majority of both groups were convicted for cocaine offenses, although it was over 80 percent for the prison cohort while only 58 percent for the supervision cohort.

Individuals sentenced to prison for drug offenses were older and more likely to be black males than those sentenced to state supervision.

Arrest History of Drug Offenders

When comparing the arrest history of the two cohorts, it is apparent that those sentenced to prison have more felonies, more drug crimes, more violent crimes, more property crimes and more public order crimes (Table 2).

Individuals in the supervision cohort are less likely to have been arrested for a violent crime than those in the prison cohort.

Average Number of Arrest Events		
	<u>Prison Cohort</u>	<u>Supervision Cohort</u>
Total	11.5	5.2
With a Felony	7.1	3.1
With a Drug Crime	5.0	2.4
With a Violent Crime	1.8	0.7
With a Property Crime	2.9	1.2
With a Public Order Crime	4.1	1.8
Percentage of Offenders with Specific Crime Types		
	<u>Prison Cohort</u>	<u>Supervision Cohort</u>
With Felonies	99.6	96.2
With a Violent Crime	63.9	35.3
With a Property Crime	69.5	47.0
With a Public Order Crime	83.9	61.2

Of those sentenced to prison, 91 percent have a possession arrest, 68 percent have a sales arrest and almost 18 percent have a trafficking arrest (Table 3). In the supervision cohort, 91 percent have a possession arrest, 31 percent have a sales arrest and almost 5 percent have a trafficking arrest. Those in the prison cohort are more likely to have been arrested more frequently and for more serious crimes.

Average Number of Arrest Events		
	<u>Prison Cohort</u>	<u>Supervision Cohort</u>
With Possession	4.1	2.1
With Sales	1.5	0.5
With Trafficking	0.2	0.1
With Marijuana	1.1	0.7
With Cocaine	3.5	1.4
With Other drugs	0.2	0.1
Percentage of Offenders		
	<u>Prison Cohort</u>	<u>Supervision Cohort</u>
With Possession	91.4	90.8
With Sales	67.8	31.2
With Trafficking	17.8	4.8
With Marijuana	51.4	45.4
With Cocaine	88.4	61.7
With Other Drugs	12.0	11.6

Most of the drug offenders had charges in their arrest history for a variety of crime types. Twenty-two percent of those in the supervision cohort have only been arrested for drug crimes, compared to eight percent for the prison cohort (Table 4). Forty-seven

	<u>Prison Cohort</u>	<u>Supervision Cohort</u>
Only Drug Crimes	7.8	22.4
Drug and Violent Crimes	2.0	3.6
Drug and Property Crimes	2.8	7.3
Drug and Public Order Crimes	9.1	16.7
Drug, Violent and Property Crimes	2.7	2.9
Drug, Violent, Property and Public Order	47.5	19.0
Drug, Violent and Public Order	11.1	8.8
Drug, Property and Public Order	15.5	14.8
Cocaine Crimes only	40.1	35.0
Marijuana Crimes only	3.9	17.1
Other Drugs only	2.6	4.6

percent of those sentenced to prison have been arrested for drugs, violent, property and public order crimes.

Criminal Histories by Conviction Offense

In an attempt to further describe those sentenced to prison for drugs and those sentenced to supervision for drugs, criminal histories by conviction offense were examined (Table 5). The offenses are segmented into the categories of possession, sales, trafficking and unidentified. The category of “unidentified” contains those where the data did not clearly provide the type of drug offense conviction.

Table 5.

Criminal Histories by Conviction Offense

Average Number of Arrest Events

	<u>Prison Cohort</u>				<u>Supervision Cohort</u>			
	Possession	Sale	Trafficking	Unidentified	Possession	Sale	Trafficking	Unidentified
Total	13.9	12.1	5.1	10.8	5.2	5.1	3.7	5.7
With a Felony	8.3	7.6	3.5	6.8	3.0	3.1	2.3	3.3
With a Drug Crime	5.5	5.5	2.7	3.9	2.4	2.4	1.9	2.1
With a Violent Crime	2.0	1.9	0.7	1.9	0.7	0.8	0.5	0.7
With a Property Crime	4.0	2.8	1.0	3.5	1.2	1.0	0.7	2.1
With a Public Order Crime	5.3	4.2	1.7	4.0	1.9	1.7	1.1	1.9

Percentage of Offenders with Specific Crime Types

	<u>Prison Cohort</u>				<u>Supervision Cohort</u>			
	Possession	Sale	Trafficking	Unidentified	Possession	Sale	Trafficking	Unidentified
With Felonies	99.6	99.8	99.2	99.3	96.3	97.9	97.8	91.9
With a Violent Crime	70.0	68.3	33.3	69.7	34.8	37.1	28.4	36.2
With a Property Crime	78.8	78.3	37.0	87.9	44.3	44.5	44.9	74.6
With a Public Order Crime	90.3	88.7	54.7	82.9	62.4	58.9	49.7	61.1

Each category of conviction offense, when looking at the frequency of arrests, is higher in the prison cohort than those in the supervision cohort. For example, those convicted of drug possession in the prison cohort have 8.3 felony arrests, while individuals in the supervision cohort have on average, 3 felony arrests. Within the prison cohort, those sentenced for possession have a higher number of felony, drug, violent, property and public order arrests than those sentenced for sales or trafficking.

Career Seriousness of Drug Offenders

Applying the seriousness scale to the arrest histories of the two cohorts makes it even more apparent that those in the prison cohort have more serious criminal histories. The career seriousness score is 182 percent higher for the prison cohort (Table 6). The difference in the score when applied to only the violent crimes in the

Table 6.

Average Career Seriousness Score of Arrest Charges for Each Cohort

	<u>Prison</u>	<u>Supervision</u>
All Crimes	316.9	112.2
Violent Crimes	98.6	31.5
Drug Crimes	134.6	50.0
Property Crimes	61.1	22.4
Public Order Crimes	22.5	8.4

criminal histories of the two groups is even higher. The violent career seriousness score is 31.5 for the supervision cohort and 98.6 for the prison cohort. The prison cohort's score is 213 percent higher than the supervision cohort's.

As with the frequency of arrests, when looking at career seriousness, individuals convicted of possession, sales and trafficking that were sentenced to prison all have higher career seriousness scores than individuals sentenced to supervision (Table 7). For example, under the violent career seriousness score, individuals convicted of drug possession who were sentenced to prison had a violent score of 122, while those sentenced to supervision had a violent score of 31. This same pattern occurs when comparing conviction offense between the prison and supervision cohort for violent, drug, property and public order career seriousness score.

Table 7.
Average Career Seriousness Score of Arrest Charges by Conviction Offense Type

	<u>Prison Cohort</u>				<u>Supervision Cohort</u>			
	Possession	Sale	Trafficking	Unidentified	Possession	Sale	Trafficking	Unidentified
All Crimes	342.0	329.3	204.3	352.0	103.4	125.0	152.2	134.2
Violent Crimes	121.9	99.1	35.8	131.8	30.5	32.7	21.7	37.1
Drug Crimes	110.1	150.4	135.5	106.7	43.2	64.1	109.3	50.0
Property Crimes	85.6	56.2	63.3	85.6	21.6	19.8	13.6	36.4
Public Order Crimes	24.3	23.7	11.8	27.9	8.0	8.4	7.6	10.8

Seriousness Score of Supervision Cohort by Type of Supervision

A closer look at the supervision cohort⁵ reveals that those with higher career seriousness scores were sentenced to community control (Table 8). Those with lower scores were sentenced to pretrial intervention. Individuals who had higher violent career seriousness scores were also sentenced to community control. The majority of the individuals in the supervision cohort were sentenced to probation.

Table 8.
Supervision Cohort

<u>Conviction Offense Type</u>	<u>Community Control</u>	<u>Pretrial Intervention</u>	<u>Probation</u>
Possession	2,622	5,568	18,884
Sales	1,892	432	7,569
Trafficking	227	4	449
Unidentified Drug Crimes	432	489	1,605
Total Individuals	5,173	6,493	28,507
Seriousness Scores			
All Crimes	161.8	38.0	116.2
Violent Crimes	45.3	6.8	33.2
Drug Crimes	74.0	21.8	51.3
Property Crimes	31.3	6.8	23.1
Public Order Crimes	11.2	2.6	8.7

Seriousness Score by Region

Lastly, a brief description of the two cohorts by region of conviction was compiled using the FDLE geographical regions (Table 9). The Miami region has the highest average career seriousness scores for those sentenced to both prison and supervision. The region with the lowest average career seriousness scores is Pensacola. Also included is the prison and supervision rate per 100,000 individuals in the region population. These descriptive comparisons between the rate of sentencing drug offenders to prison or supervision and the each regions career seriousness scores provide an overview from a descriptive perspective but should not be interpreted as an evaluation of sentencing policy across different regions.

Table 9.

Regional Differences

Region	Region Population	# of Drug Offenders sentenced to Prison	# of Drug Offenders sentenced to Supervision	Prison Rate per 100,000	Supervision Rate per 100,000	Average Career Seriousness Score for those sentenced to prison	Average Career Seriousness Score for those sentenced to supervision
Fort Myers	1,672,767	682	3,704	40.8	221.4	341.4	97.9
Jacksonville	1,847,898	1,099	3,931	59.5	212.7	308.7	115.8
Miami	5,170,846	2,719	10,811	52.6	209.1	340.7	130.9
Orlando	3,087,845	2,076	8,476	67.2	274.5	319.6	103.0
Pensacola	900,029	514	2,931	57.1	325.7	241.8	76.9
Tallahassee	510,662	345	1,667	67.6	326.4	264.0	106.2
Tampa Bay	3,141,692	1,873	10,018	59.6	318.9	305.4	115.1

Conclusion

This report demonstrates the utility of criminal history data combined with inmate and supervision data to describe the level of criminality of felony drug offenders in Florida. The descriptive statistics provided illustrate that in Florida, individuals who are sentenced to prison for drug crimes generally have committed more serious crimes prior to the drug conviction than those sentenced to community supervision. Individuals sentenced to prison for a drug possession charge have been arrested for more felonies and more violent, property, public order and drug crimes than individuals sentenced to supervision for drug possession. In summary, individuals sentenced to prison for drug crimes have relatively extensive criminal careers and rarely are they first time offenders, especially those sentenced for drug possession and sale.

¹ Florida Department of Corrections maintains the Offender Based Information System (OBIS), this information system contains a host of information pertaining to all inmates and supervised populations under state custody. Data were extracted by the Bureau of Research and Data Analysis, Blair Stone Road, Tallahassee, Florida.

² Florida Department of Law Enforcement maintains Florida’s Computerized Criminal History (CCH) files, which contain arrest information submitted by Florida law enforcement agencies via fingerprint cards or Livescan, as well as judicial and custody information submitted by the Clerks of Court and the

Department of Corrections, respectively. Data used for this analysis were extracted September 8, 2003 by the Florida Statistical Analysis Center, 2331 Phillips Road, Tallahassee, Florida.

³ Burton, S. E., Finn, M. G., Livingston, D., Scully, K., Bales, W. D., and Padgett, K. (2004). Applying a crime seriousness scale to measure changes in the severity of offenses by individuals arrested in Florida. *Justice Research and Policy*, 6, 1-18.

⁴ Criminal Punishment Code, Florida Statutes 921.0022 (1998-2001).

⁵ Florida Department of Corrections 1999-2000 Annual Report, pgs. 68-69. Tallahassee, FL, Department of Corrections, Bureau of Research and Data Analysis. Website: <http://www.dc.state.fl.us>.

This report was developed under grant number 2000-MU-CX-K011 from the U.S. Department of Justice, Bureau of Justice Statistics. The points of view expressed herein are those of the authors and do not necessarily represent the official position or policies of the Bureau of Justice Statistics or the Florida Department of Law Enforcement.

Prepared by:

Susan Burton, Administrator

Cynthia Durrett, Government Analyst

Debra Livingston, Senior Data Analyst

Kristen Scully, Research Associate

Florida Statistical Analysis Center
Florida Department of Law Enforcement
Tallahassee, Florida

Appendix A – Florida Department of Law Enforcement Regions

