

Public Records Transparency Report

For charge: **F.S. 893.13(6)(a)** | State: **Florida** | County: **Volusia**

Caseparity is not a law firm and does not provide legal advice. This report cannot evaluate the legal strength of any case, the admissibility of evidence, constitutional defenses, suppression issues, witness credibility, charging defects, immigration exposure, collateral consequences, plea advisability, or litigation strategy.

These statistics describe groups of past cases, not the legal strength, likely outcome, sentencing exposure, or strategic value of any individual case. A licensed attorney evaluating police reports, criminal history, evidence, suppression issues, prosecutors, and local practice may reach conclusions very different from what aggregate statistics alone suggest.

This report is not intended to assist in legal decision-making and should not be used to determine plea decisions, trial decisions, sentencing strategy, or litigation strategy.

AT A GLANCE — WHAT THE PUBLIC RECORDS SHOW FOR THIS CHARGE IN THIS COUNTY

25.7%

of all past Volusia 893.13(6)(a) charges — counting every disposition, including those dismissed or diverted — ended in **state prison** (median prison length: **24 months**)

17,620

Volusia charges in the public record for this charge since January 1, 2010;
135,202 statewide

9th of 23

Volusia's prison-rate rank among qualifying FL counties (**1 = highest prison rate**) — above the statewide median (18.5%)

These three numbers come from the public records described below. They describe past cases and **do not predict any individual case**. The full statistics, statutory references, and confidence intervals are in the body of the report.

Historical aggregate statistic only. It does not account for CPC score, criminal history, evidence, defenses, judge, prosecutor, or the facts of any individual case.

Why this data is public. In 2018 the Florida Legislature established the Criminal Justice Data Transparency initiative under F.S. 900.05. Its stated purpose:

"To create transparency and public knowledge of the workings of the criminal justice system in this state, the Department of Law Enforcement shall collect and publish complete, accurate, and timely criminal justice data..."

The House sponsor of the 2018 legislation, then-Rep. Chris Sprowls, framed the rationale this way:

"The ability to look at qualitative information about our criminal justice system will not only bring transparency, it will guide our future decision making." — Rep. Chris Sprowls, House sponsor of HB 7071 (companion to SB 1392), March 2018

Rep. Sprowls's statement is about the underlying public-data legislation he sponsored. It is not an endorsement of Caseparity, this report, or any product. Caseparity quotes him only to show why Florida law makes this data public.

Caseparity organizes that already-public data into a readable report. Florida law (F.S. 900.05) makes this criminal-justice data public so the people of Florida can see what happens in Florida criminal courts. Caseparity does one thing with it: organize the already-public record into a readable, accurately described report — with its limits stated. **Caseparity does not interpret the law, predict any case, advise on strategy, or substitute for an attorney.** It transparently re-presents what the public records already say.

This report describes patterns in those public Florida court records. **Date range:** outcomes from January 1, 2010 through December 31, 2025. **14,344 Volusia cases comprising 17,620 charges**, and **114,555 statewide cases comprising 135,202 charges**, for charge F.S. 893.13(6)(a). A single court case can carry more than one charge; except where it says "cases," every figure in this report counts charge records. Data refreshes monthly.

All statistics in this report — including percentages, confidence intervals, statistical tests, and trend analyses — are computed for this specific charge and county subset. A report for a different charge or county will show different statistics computed from that subset's data. **Statistical analyses that would return a null result for the chosen subset are**

suppressed — if a test below is missing in a future report it is because the data did not reveal a meaningful difference there, not an oversight.

The accuracy of every statistic in this report depends on the accuracy of the information as it was captured and provided in the underlying public data files — a step Caseparity does not control and has no means of independently verifying. If a clerk's office or a state agency records data inconsistently, omits fields, or makes data-entry errors, those problems flow directly through into every percentage, confidence interval, and result shown here. Caseparity performs automated format and consistency checks on the data it receives, but does not re-investigate underlying court events or verify any individual record. See "What this report can and cannot do" near the end of the report.

For questions about how any statistic in this report applies to a specific case, consult a licensed Florida attorney. *This report does not provide legal advice — see the full terms in the box below.*

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PART A THE CHARGE AND THE LAW

Steps 1, 1b, 2 — what the statute says, related statutory provisions (historical reference), and how Florida's CPC scoring works.

Step 1: Confirm the exact charge

This section just summarizes Florida state laws. The chart below is a plain-English summary of public Florida statutes. Caseparity does not interpret these laws as applied to any individual case. To read the original law, scan the code below or click the link.



Read the actual Florida law:

F.S. 893.13

leg.state.fl.us — [F.S. 893.13](https://leg.state.fl.us)

Scan the QR code to open the law on your phone.

Florida's drug statute (893.13) has many subsections, and the penalty depends entirely on which subsection applies. The applicable subsection should be confirmed with a licensed attorney before using this report:

Subsection	What it covers	Felony degree	Max prison	Max fine
893.13(6)(b)	Possession of cannabis 20g or less	1st-degree misdemeanor	1 year (jail)	\$1,000
893.13(6)(a)	Possession of a controlled substance (selected charge)	3rd-degree felony	5 years	\$5,000
893.13(1)(a)2	Sale/manufacture/delivery, Schedule III-IV	3rd-degree felony	5 years	\$5,000
893.13(1)(a)1	Sale/manufacture/delivery, Schedule I-II	2nd-degree felony	15 years	\$10,000
893.135	Trafficking (by drug type and weight)	1st-degree felony	30 years + mandatory minimums	\$50,000+

Selected Charge — F.S. 893.13(6)(a): felony of the third degree. Maximum 5 years prison (F.S. 775.082), maximum \$5,000 fine (F.S. 775.083). This is a plain-English summary of publicly available Florida law, not legal advice. Confirm the exact subsection, penalty tier, and any collateral consequences with a licensed attorney.

Penalty shown — felony of the third degree (maximum 5 years; maximum \$5,000 fine under ss. 775.082, 775.083, Fla. Stat.) — has been in effect since at least 1991 throughout the period covered by this report. This is a summary of publicly available law, not legal advice. Historical outcomes in this report draw on Volusia charges sentenced while that statutory version was in effect (n = 1978).

Step 1b: Related statutory provisions (historical reference) — click to collapse on screen (always printed in full)

The statutes below are those Florida law references in connection with charge F.S. 893.13(6)(a). Whether any specific statute applies to a particular case is a legal question for an attorney with the case file — see note below.

Sentence enhancers (can raise the maximum or impose a mandatory minimum)

Florida statute	Common name	What it does	Used in past Volusia 893.13(6)(a) scoresheets (n=998)
F.S. 775.084(1)(a)	Habitual Felony Offender (HFO)	Doubles the statutory maximum if the defendant has 2 or more prior felony convictions meeting specific timing rules. For 893.13(6)(a), HFO raises the cap from 5 years to 10 years.	0 / 998 (0.0%) 95% CI: 0.0% – 0.4%
F.S. 775.084(1)(c)	Habitual Violent Felony Offender (HVFO)	Mandatory minimum of 5 years (with the doubled maximum) if priors include enumerated violent felonies. Applies on top of HFO; rarely triggered on drug possession alone.	0 / 998 (0.0%) 95% CI: 0.0% – 0.4%
F.S. 775.084(4)	Violent Career Criminal (VCC)	Life or 30 years+ if defendant has 3 or more enumerated violent priors. Almost never applies to a clean 893.13(6)(a) charge but can apply if the slate carries a violent co-charge.	0 / 998 (0.0%) 95% CI: 0.0% – 0.4%
F.S. 775.082(9)	Prison Releasee Reoffender (PRR)	Mandatory full statutory max (here, 5 years) if the current offense was committed within 3 years of release from state prison. No early release; no gain time.	0 / 998 (0.0%) 95% CI: 0.0% – 0.4%
F.S. 775.082	Mandatory Minimum Applies (any statutory ground)	The scoresheet flag for any mandatory-minimum statute being invoked at sentencing.	0 / 998 (0.0%) 95% CI: 0.0% – 0.4%
F.S. 893.13(8)(b)	Drug-free zone enhancement	Raises 893.13(6)(a) to a 2nd-degree felony (max 15 years) when the offense occurs within 1,000 feet of a school, college, park, public housing, or place of worship.	Not directly coded in scoresheet data; inferable from charge-class shift in the underlying clerk records (future analysis).
F.S. 893.135	Trafficking-quantity threshold	If the substance amount crosses statutory trafficking thresholds (e.g., 28+ grams cocaine, 4+ grams opiates), the charge becomes trafficking under 893.135 with mandatory minimums (3, 7, 15, or 25 years depending on substance and weight). This is a different charge, not an enhancer of 893.13(6)(a).	A separate charge, not an enhancer flag. Volusia 893.135 charges are not in this 893.13(6)(a) dataset.

What the 0% rates mean — two possible readings. Across 998 Volusia 893.13(6)(a) scoresheets, none of the named enhancer flags (HFO, HVFO, VCC, PRR) were checked. The 95% confidence interval is 0.0% to 0.4% for each. There are two ways to read this and the data alone cannot tell us which:

- **Reading A — the enhancers really aren't applied to this charge in Volusia.** Simple-possession defendants typically don't have the prior records HFO/PRR/VCC require, so these designations may genuinely not be triggered for 893.13(6)(a) in Volusia. Plausible.
- **Reading B — Volusia court staff aren't checking the boxes on the scoresheet even when the statutes apply.** The scoresheet enhancer-flag fields rely on accurate clerk entry. If Volusia doesn't reliably populate them, a real 0% can come from a paperwork pattern, not a sentencing pattern.

Either way, the descriptive statement is the same: **the public Volusia scoresheet record for 893.13(6)(a) does not show these enhancers being invoked.** A licensed attorney with access to the actual case file can verify whether either reading applies to a specific case.

Mitigation paths (can reduce or avoid prison)

Florida statute	Common name	What it does	Used in past Volusia 893.13(6) (a) scoresheets (n=998)
F.S. 921.0026	Mitigated Downward Departure (MDD)	Allows a sentence below the CPC floor when at least one of 14 statutory grounds applies and the judge enters written findings. The principal statutory mechanism for sentencing below the CPC floor when CPC ≥ 44. Detailed in Step 9.	7 / 998 (0.7%) 95% CI: 0.3% – 1.4%
F.S. 921.0024 / Plea Bargain ground (a)	Formal Plea Bargain (scoresheet-flagged)	The "Plea Bargain" check-box on the scoresheet, used as both a mitigator ground and a sentencing-record flag.	451 / 998 (45.2%) 95% CI: 42.1% – 48.3%
F.S. 775.082(10)	Non-state-prison sanction for low-CPC 3rd-degree felonies	For non-violent 3rd-degree felonies with CPC ≤ 22, the court <i>must</i> impose a non-state-prison sanction unless it makes written findings that the defendant presents a danger to the public.	No direct flag in scoresheet data. Indirect signal: at CPC ≤ 22 in Volusia, prison rate is ~0% (Step 2), consistent with this rule operating.
F.S. 958.04	Youthful Offender treatment	For defendants under 21 at the time of the offense, the court may classify the case as Youthful Offender, capping prison at 6 years total and unlocking specialized programs (boot camp, basic-training, conditional release).	Not separately coded as a scoresheet mitigator field — youthful-offender designations are recorded in case records, not the scoresheet mitigator check-boxes (see callout).
F.S. 948.20	Drug-Offender Probation	Special probation tier for substance-abuse offenses requiring random testing, treatment, and intensive supervision. Available in lieu of prison under specified conditions.	Not separately coded from regular probation in the scoresheet data; regular probation rate in Volusia for this charge is 8.4% (Step 3).
F.S. 397.334	Treatment-Based Drug Court	Pre- and post-adjudicatory drug court program. On successful completion, charges may be dismissed (pre-adjudicatory) or sentence reduced (post-adjudicatory). Availability varies by circuit.	Not separately coded in scoresheet data; cases routed to drug court before adjudication may not appear in this dataset at all.
F.S. 948.08	Pre-Trial Intervention (PTI)	Diversion program; charges dismissed on successful completion. Eligibility requires no prior felony convictions and prosecutor consent.	PTI cases are dismissed before sentencing, so do not appear in scoresheet data. Volusia pre-trial diversion rate (from court records, Step 3): 2.1%.
F.S. 944.275	Gain time	Reduces actual time served on a prison sentence (basic, incentive, and meritorious gain time). Does not apply to PRR sentences. Does not change the sentence imposed.	Operates post-sentencing; not a scoresheet field.
F.S. 921.0026 named grounds (13 others)	Specialized Treatment, Amenable, Cooperated, Restitution, etc.	The 13 enumerated mitigation grounds besides Plea Bargain.	Not populated as distinct scoresheet fields across the named grounds (see callout).

Why the named mitigators show 0% – same two-reading problem. Across 998 Volusia scoresheets, only the "Plea Bargain" mitigator check-box was meaningfully populated (45.2%); every other named mitigator (Specialized Treatment, Youthful Offender, Cooperated, Amenable, Restitution, and 8 more) was checked on essentially 0% of scoresheets.

- **Reading A – mitigators really aren't being argued.** Volusia defenders may not be raising these grounds. Implausible at 0% across 998 cases, but the data permits it as a possibility.
- **Reading B – the check-boxes are systematically not populated by Volusia court staff even when mitigators are argued.** Far more likely given how well-known these grounds are. The actual MDD-granted rate (0.7%, F.S. 921.0026) tells us mitigators ARE being argued and granted — just the per-ground check-boxes aren't getting marked.

Caseparity does not infer beyond the data. The descriptive numbers stand. Interpretation of what these numbers mean for any specific case is for a licensed attorney. (The same 0%-flag pattern appears across most Florida counties for this charge, not just Volusia; the under-reporting is statewide, not Volusia-specific.)

What this list is and is not. The statutes above are the reference vocabulary — what Florida law contains. The "Used in" column shows what the public scoresheet data captures. Whether any specific statute applies to a particular case depends on the case file (priors, substance type and weight, location of the case events, defendant's age at the time of the case, post-release timeline, prior probation history) and is a legal determination outside this report.

Plea-bargain rate — scoresheet data, felony-sentenced cohort

Scoresheet flag	Count	Share of 998 scoresheets
Scoresheet-flagged as plea bargain (F.S. 921.0024(3)(b)1 ground (a))	451	45.2%
Not flagged as plea bargain	547	54.8%

Cohort scope: these figures are from 998 felony-sentenced Volusia 893.13(6)(a) scoresheets — the subset of charges that reached state-prison-eligible sentencing and had a scoresheet filed with the court. Dismissed, diverted, withheld-adjudication, and misdemeanor-sentenced charges do not generate a CPC scoresheet and are absent from this count. The denominator here (scoresheet cohort) is smaller than the all-charges base used in Steps 1 and 3.

This report cannot evaluate the legal strength of any case, the admissibility of evidence, constitutional defenses, suppression issues, witness credibility, charging defects, immigration exposure, collateral consequences, plea advisability, or litigation strategy.

These statistics describe groups of past cases, not the legal strength, likely outcome, sentencing exposure, or strategic value of any individual case. A licensed attorney evaluating police reports, criminal history, evidence, suppression issues, prosecutors, and local practice may reach conclusions very different from what aggregate statistics alone suggest.

Step 2: CPC Scores and Outcomes — the historical relationship

Florida's Criminal Punishment Code (CPC) assigns points based on the primary offense and case record. The total CPC score is the single strongest correlate of sentence outcome in the data. Every felony in Florida has a CPC scoresheet filed with the court before sentencing under F.S. 921.0024.

If a CPC score is known, find the matching band below. This is what past Volusia 893.13(6)(a) cases at each band actually received (Volusia only, 998 state-prison-eligible scoresheets):

CPC score band	Volusia cases	State Prison %	95% CI on prison rate	County Jail	Probation	Time Served
<=15	6	0.0%	0.0% – 39.0%	0.0%	50.0%	16.7%
16-21	281	0.0%	0.0% – 1.3%	20.6%	45.2%	28.5%
22-28	227	0.4%	0.1% – 2.5%	38.3%	37.4%	17.2%
29-38	196	3.6%	1.7% – 7.2%	30.6%	36.7%	21.4%
39-50	122	12.3%	7.6% – 19.3%	32.8%	34.4%	14.8%
51+	166	22.3%	16.6% – 29.2%	25.9%	26.5%	11.4%

What this pattern shows.

- **Below 28 points, prison is rare.** Past Volusia cases at scores up to 28 went to prison about 0.2% of the time. The differences between these low bands (0.0%, 0.0%, 0.4%) are small enough that they could just be normal data wobble.
- **Crossing 38 points is the first big jump.** The prison rate jumps from about 3.6% (at 29-38) up to about 12.3% (at 39-50). The 95% confidence intervals for these bands do not overlap, indicating a difference unlikely to be explained by sampling variation (see Methodology).
- **Crossing 50 points is the second big jump.** Above 50 the prison rate jumps again to about 22.3%. The 95% confidence intervals for these bands also do not overlap, indicating a difference unlikely to be explained by sampling variation (see Methodology).
- **The two jumps align with the statutory thresholds.** In the past cases shown, scores at or above that line were followed by prison sentences far more often than scores below it.

Why the "95% confidence interval" column matters: it's the range each percentage could realistically fall in given the number of cases. The ≤ 15 band has only 5 cases, so its 0% rate has a huge interval (0%-43%) — basically uninformative. The bigger bands give us tighter numbers we can trust.

Scope note: the table above is Volusia only. The same CPC score in another Florida county can produce a very different outcome — see Step 5 (cross-county outcome variability) and Step 7 (CPC profile and prison rates by location).

Example: if a CPC score is 28 points, the case falls in the 22–28 band (highlighted). Of 227 past Volusia cases in that band: about 0.4% got state prison, 38.3% got county jail, 37.4% got probation, 17.2% got time served. **Prison was rare at this score in Volusia.** The picture changes sharply above 38 points — at 39–50 the prison rate jumps to 12.3%, and at 51+ it reaches 22.3%.

Statewide reference: same CPC bands across all Florida 893.13(6)(a) state-prison-eligible scoresheets (16,754 cases). Volusia at 51+ runs hotter (22.3%) than the statewide pattern at the same band.

CPC band	Statewide cases	State Prison %	Statewide prison median
≤ 15	352	0.0%	—
16-21	4,804	0.4%	13.5 mo
22-28	3,570	3.2%	13.0 mo
29-38	3,427	6.7%	14.0 mo
39-50	2,380	15.1%	15.4 mo
51+	2,221	27.5%	24.0 mo

The lowest *permissible* prison sentence is calculated as $(\text{Total Points} - 28) \times 0.75$ months. Below 44 points, the floor is zero — probation is legally available. Above 44, prison is the default unless the judge grants a Mitigated Downward Departure (F.S. 921.0026). Without a known CPC score, this report shows statute-only patterns; a known score narrows to a specific band.

PART B HISTORICAL PUBLIC-RECORD OUTCOMES

Steps 3–8— how past Volusia cases were resolved, how Volusia compares to other counties, and how the pattern has changed over time. (Heading renamed per SD#33 to frame as historical record rather than case-outcome prediction.)

Step 3: What happens to comparable cases

Based on **17,620 Volusia charges** charged under 893.13(6)(a) since January 1, 2010.

The Stage-1 outcome distribution, in 100-charge language: of every 100 past Volusia 893.13(6)(a) charges, about 68 ended in a formal conviction ("Adjudicated Guilty"), about 28 ended with adjudication withheld (deferred judgment), about 2 went to Pre-Trial Diversion, and about 1 were dismissed or acquitted.

What this pattern shows. “Out of every 100 charges” is the same number as the percentage; we just say it the way it would be said at a kitchen table instead of in a math class. **This describes what happened to past charges — it is not a prediction for any one case.** The next 100 charges will not split exactly 68/28/2; there's natural wobble. With 17,620 charges behind the 68% figure, the wobble is small — “about 68 out of every 100” is a reliable summary of what happened in past Volusia 893.13(6)(a) charges.

The two stages, visualized:

Stage 1 — all 17,620 charges



Stage 2 — 12,077 convicted charges



Two rates, two denominators — both are correct. The headline figure (25.7%) is the share of **all 17,620 Volusia 893.13(6)(a) charges** — every disposition, including those dismissed or diverted — that ended in state prison. The chart figure (37.0%) is the share of only the **12,077 convicted charges** that received a state-prison sentence. The two percentages differ because they divide by different totals, not because the underlying data disagrees.

Stage 1 — Case Status

Outcome	Charges	%	What it means
Dismissed / Acquitted	134	0.8%	Case ended without conviction
Pre-Trial Diversion	367	2.1%	Diversion program; charge dismissed on successful completion
Adjudicated Guilty (Plea or Trial)	12,077	68.5%	Formal conviction. Our data does not separate which of these came from a plea vs a trial — see note below.
Adjudication Withheld (Deferred Judgment)	5,006	28.4%	The court accepts the plea but withholds a formal finding of guilt. Florida's deferred-adjudication mechanism — it avoids a formal conviction but the charge still appears on the defendant's record.

Plea vs trial: The public records data does not carry a direct plea-or-trial flag, so "Adjudicated Guilty (Plea or Trial)" combines both. National data (American Bar Association, 2023) shows 95–97% of all criminal convictions come through plea rather than trial. So the conviction outcomes here are overwhelmingly — but not provably 100% — pleas.

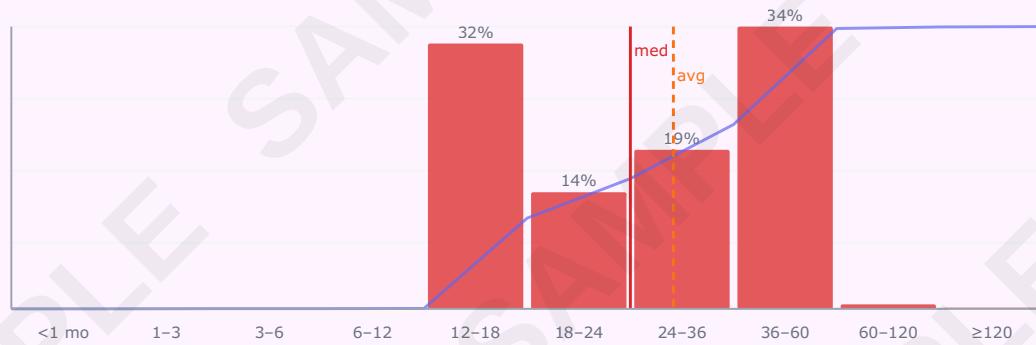
Stage 2 — Sentence (for the 12,077 convicted charges)

Sentence Type	Charges	% of convicted	Median duration
State Prison	4,462	37.0%	24 months
County Jail	6,539	54.2%	3 months
Probation Only	1,007	8.4%	24 months
Community Control	43	0.4%	—
Fine / court cost only	1	0.0%	—
Time served	0	0.0%	—
No sentence detail recorded	2	0.0%	—

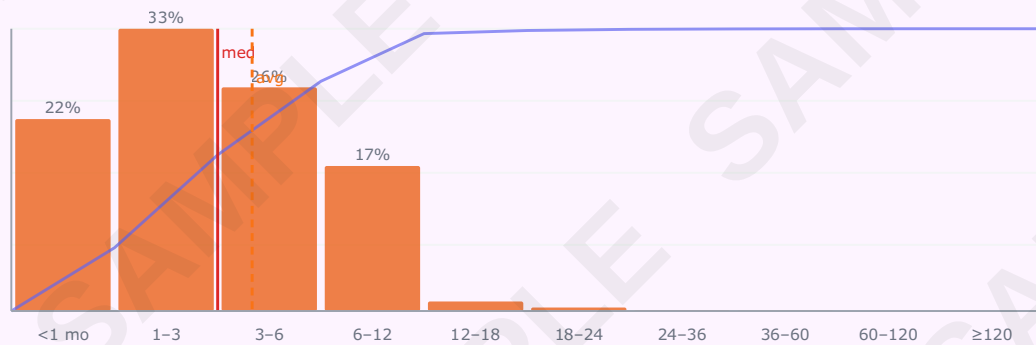
How long? Sentence length distributions

For each sentence type, how long were the terms imposed — shown as a histogram of the Volusia convicted charges. Bars height = share of cases in that range. — Median — Average — Cumulative %

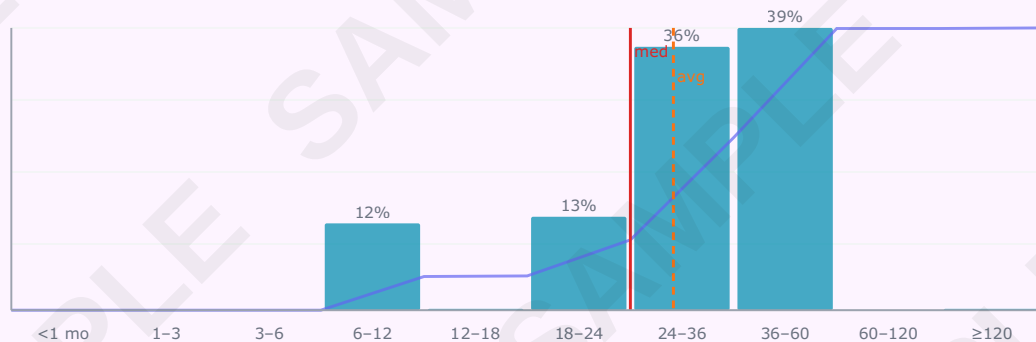
State Prison length (n=4,462 with recorded term)



County Jail length (n=6,539 with recorded term)



Probation length (n=1,007 with recorded term)



Length distributions based on terms recorded in the clerk data (maximum_term_duration_days for prison/jail; sentence_probation_duration_days for probation). Zero and missing terms excluded; terms over 100 years capped.

Fines and court costs:

	Charges with recorded amount	% of all Volusia charges	Median amount
Fine	21	0.1%	\$500
Court costs	8,278	47.0%	\$418

Reminder: sentence outcomes depend a lot on the CPC score (Step 2). These Stage 2 figures are the average across all CPC scores combined — the band-specific numbers in Step 2 are more relevant for any given case.

Step 3b: Outcome breakdown across all dispositions

Based on **all 17,620 Volusia charges** charged under 893.13(6)(a) since January 1, 2010 — counting **every disposition**, not just the cases that ended in a conviction.

A different denominator from Step 3. The Stage 2 sentence figures in Step 3 are percentages *of the charges that ended in a conviction*. The table below is computed over a **different, wider base** — *all* 893.13(6)(a) charges in Volusia, including those dismissed, diverted, or acquitted. The two sets of percentages are not directly comparable because they answer different questions.

How Volusia 893.13(6)(a) charges were resolved

Disposition outcome	Charges	% of all dispositions	What it means
Convicted (Adjudicated Guilty)	12,077	68.5%	Formal conviction entered.
Adjudication withheld or diverted	5,373	30.5%	Deferred judgment (no formal conviction entered) or a Pre-Trial Diversion program.
Dismissed	130	0.7%	Charge dismissed (includes speedy-trial dismissals).
Acquitted	4	0.0%	Found not guilty.
Other / procedural	36	0.2%	Remaining dispositions (for example change of venue or a competency finding) that do not fall into the categories above.

These five rows cover every charge in the base above, so they sum to 100% (subject to rounding). This describes what happened to past Volusia 893.13(6)(a) charges — it is not a prediction for any one case.

Step 4: Who is in this data — counsel type and age

These are patterns in the data, not causes. The numbers below show which groups of past cases had which outcomes. They do not show *why*. See “What this report can and cannot do” near the end of the report.

Type of counsel

Counsel	Charges	Dropped / Diverted	Adjudicated Guilty	Adjudication Withheld	Prison %	Prison median
Public Defender	13,081	1.9%	69.1%	28.9%	22.1%	21 mo
Private Attorney	3,162	6.4%	64.4%	28.9%	36.6%	30 mo
Court Private or Assigned Counsel	449	0.2%	85.1%	14.5%	49.9%	36 mo

What this shows — and what it doesn't

Private-attorney clients had a higher dropped/diverted rate and more withheld adjudications, but also a higher prison rate when convicted. This likely reflects which cases hire private counsel (often the heavier ones), not the lawyer's effort alone. Court-appointed counsel — assigned when a conflict prevents Public Defender representation — shows the highest prison rate, often because these are more serious or multi-defendant cases. **This is a pattern in who-ends-up-where, not a measure of lawyer quality.**

Age

Age	Charges	Dropped / Diverted	Adjudicated Guilty	Adjudication Withheld	Prison %
<21	769	7.4%	47.2%	45.3%	26.0%
21-29	4,449	3.8%	63.7%	32.5%	27.4%
30-39	6,324	2.2%	71.3%	26.2%	27.5%
40-49	3,780	1.9%	74.0%	23.9%	25.4%
50+	2,293	3.1%	68.6%	28.1%	17.6%

What this shows

Age is associated with case *status*: the table above shows how dropped/diverted, adjudicated-guilty, and adjudication-withheld rates vary across age brackets for Volusia 893.13(6)(a) charges. Patterns by age are consistent with the youthful-offender framework set by F.S. 958.04 (see Definitions).

This report cannot evaluate the legal strength of any case, the admissibility of evidence, constitutional defenses, suppression issues, witness credibility, charging defects, immigration exposure, collateral consequences, plea advisability, or litigation strategy.

These statistics describe groups of past cases, not the legal strength, likely outcome, sentencing exposure, or strategic value of any individual case. A licensed attorney evaluating police reports, criminal history, evidence, suppression issues, prosecutors, and local practice may reach conclusions very different from what aggregate statistics alone suggest.

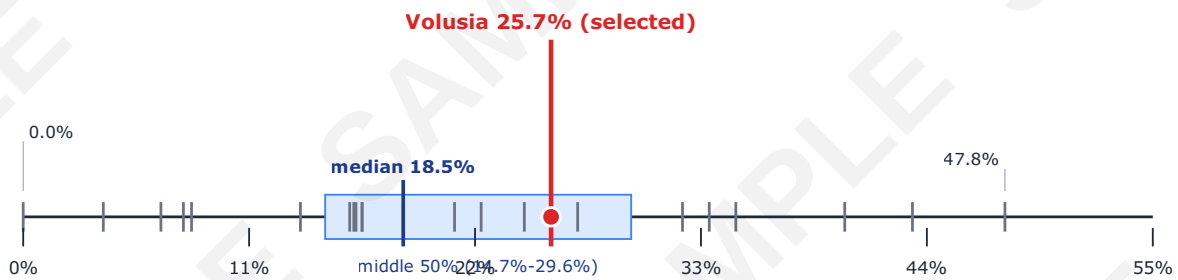
Step 5: How much does the county matter?

Outcomes for the same charge vary a lot across Florida counties. Same statute, same Florida law, very different patterns — driven by local prosecutor culture, judge mix, jail capacity, and policy choices we cannot directly measure. Out of **135,202 statewide 893.13(6)(a) charges since January 1, 2010, 23 of Florida's 67 counties** have at least 30 charges — enough to give a stable per-county estimate. Here is how Volusia compares.

Volusia at a glance: Volusia's state-prison rate for 893.13(6)(a) — measured across **all charges** of every disposition (not only convictions) — is **25.7%**. That is rank **9 of 23** qualifying Florida counties — higher than 61% of qualifying counties but well below the highest. The middle 50% of qualifying counties (P25–P75) sit between **14.7%** and **29.6%** prison rate; the statewide median is **18.5%**. Volusia runs above the middle.

Where Volusia sits in the Florida distribution

How to read this chart: the horizontal axis is the prison rate for 893.13(6)(a). Each small gray tick is one of the 23 Florida counties with enough charges to qualify. **The blue box shows the middle 50% of counties (14.7% to 29.6%); the heavy blue line inside the box is the statewide median (18.5%).** Volusia is the red marker (25.7%). Volusia sits above the statewide median — higher historical prison rate than most qualifying counties, but well below the highest.



Side-by-side: Volusia vs. peer Florida counties

Five counties picked to show the full Florida range: highest prison rate, similar-size county to Volusia, the selected county (Volusia), statewide median, lowest prison rate. All charges under 893.13(6)(a) since January 1, 2010; counties with fewer than 30 charges excluded.

County	Charges	Prison %	95% CI on prison rate	Prison median	Jail %	Probation %	Prob. median	Withheld %	Diversion %
Volusia (selected)	17,620	25.7%	25.1% – 26.3%	24 mo	53.6%	0.0%	—	28.4%	2.1%
Bay (highest prison)	5,987	47.8%	46.5% – 49.1%	—	10.4%	0.0%	—	12.2%	4.3%
Escambia (similar-size peer)	15,779	6.7%	6.3% – 7.1%	—	11.8%	0.0%	10 mo	16.8%	0.8%
Lee (near statewide median)	6,456	18.5%	17.6% – 19.5%	—	32.8%	0.0%	—	16.8%	2.1%
Gadsden (lowest qualifying prison)	66	0.0%	0.0% – 5.5%	—	0.0%	0.0%	—	34.8%	0.0%
Volusia (selected county)	17,620	25.7%	25.1% – 26.3%	24 mo	53.6%	0.0%	—	28.4%	2.1%

What this pattern shows. Where a case is filed is associated with different outcomes for this charge. Volusia has a higher historical prison rate than some qualifying counties and a lower rate than others; these differences are unlikely to be explained by sampling variation alone.

*The "95% confidence interval" column is the range each county's percentage could realistically fall in. Think of it as an honest zone around the number. When two counties' zones don't overlap, the difference between them is unlikely to be explained by sampling variation (see Methodology). Volusia's own zone is **25.1% to 26.3%**. Read it against each county's interval in the table above: where Volusia's zone does not overlap another county's, the difference is unlikely to be explained by sampling variation alone; where the zones overlap, the data cannot separate the two.*

What this does NOT say: it does not say *why* these counties differ. Differences could come from priors, drug type, search circumstances, who lives where, local policy — none of which is in this data. See the "What this comparison cannot show" caveat at the bottom of this step.

What this shows — and what it doesn't

- **Prison rates for the same charge vary substantially across Florida counties.** Among qualifying counties the middle 50% fall between 14.7% and 29.6%, around a statewide median of 18.5%. Volusia is at 25.7%.
- **Diversion and withheld-adjudication availability differ too.** Volusia routes 2.1% of these charges to pre-trial diversion and grants withheld adjudication on another 28.4%. The comparison table above shows how those rates differ across counties.
- **The non-prison picture also differs by county.** Volusia uses county jail in 53.6% of charges and probation in 0.0%; other counties lean on these options to different degrees (see the table).
- **County-level patterns describe past outcomes, not predictions for any one case.** Individual CPC score, priors, drug type, the specific facts, and the assigned judge and prosecutor all vary inside any county. (CPC is not in this cross-county view — it lives in a different data file. See Step 2 for the CPC story.)
- **The same charge in Volusia (25.7% prison) produces different outcomes than in other Florida counties.** Same statute, same Florida law, different county-level patterns.

What this comparison cannot show: we describe variability across counties; we do not attribute it. Differences between counties can reflect many things this data does not capture — prior criminal history of the people charged, drug type and quantity, search circumstances, pre-trial detention, the demographic composition of the people charged in each county, prosecutor charging culture, judge mix, jail capacity, defender resources, and local policy choices. CPC score is one of the few measurable drivers and is treated separately in Steps 2 and 7. Counties with fewer than 30 comparable charges in the January 1, 2010–present window are excluded from this section — their absence is not a statement about outcomes there.

CaseParity takes no position on sentencing policy and does not advocate for longer sentences or shorter ones; it publishes the record.

Step 6: Does the elected State Attorney decide everything? No.

Florida has 20 judicial circuits. Each circuit has **one elected State Attorney** who sets office-wide charging policy for every county in the circuit. If the elected SA's policy were the main driver of outcomes, counties in the same circuit should look similar.

They don't. Of the multi-county circuits with two or more qualifying counties for 893.13(6)(a), here is the prison-rate variation *inside the same circuit*:

Circuit	Counties compared	Lower	Higher	Spread (pts)	Ratio
2nd	Gadsden vs. Leon	Gadsden 0.0%	Leon 16.5%	16.5	—
20th	Lee vs. Charlotte	Lee 18.5%	Charlotte 33.4%	14.9	1.81x
7th	Flagler vs. Volusia (+1 more)	Flagler 15.9%	Volusia 25.7%	9.8	1.62x
1st	Escambia vs. Okaloosa	Escambia 6.7%	Okaloosa 16.1%	9.4	2.40x
19th	Indian River vs. Martin (+1 more)	Indian River 32.1%	Martin 40.0%	7.9	1.25x
9th	Orange vs. Osceola	Orange 3.9%	Osceola 7.8%	3.9	2.00x

The headline: within the same judicial circuit — meaning the *same elected State Attorney* — prison rates for 893.13(6)(a) differ significantly across counties within the same circuit. The elected prosecutor's policy is not the dominant driver. County-level factors — judge mix, jail capacity, jury pool, courthouse culture, defender resources — move outcomes substantially even when the office is the same.

What this pattern shows

Volusia is in the 7th Circuit. The broader Florida pattern is clear: **county-level factors are associated with substantial outcome variation even within circuits sharing the same elected State Attorney.** Judge mix, jail capacity, jury pool, and local courthouse practice are not visible in this public data; the within-circuit spreads above describe the variation that is not accounted for by the elected SA's office-wide policy alone.

How this was computed: 135,202 charges statewide under 893.13(6)(a), grouped by county and then by judicial circuit. The within-circuit variation table shows circuits with at least two counties at 30+ charges each. Single-county circuits appear separately. Within-circuit spread = (highest county prison rate) minus (lowest); ratio = highest / lowest.

What this comparison cannot show: we describe variability within circuits; we do not attribute it. Differences between counties in the same circuit can reflect many things this data does not capture — prior criminal history of the people charged, evidence strength, plea negotiations, local practice, judge mix, jail capacity, and defender resources. These factors are not controlled for in this comparison.

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Step 7: Does CPC mean the same thing in every county?

Step 2 showed how Volusia defendants in each CPC band were sentenced. But the CPC formula is statewide law — F.S. 921.0024 applies in every Florida courthouse identically. Do the same CPC scores produce the same outcomes across the state? **No.**

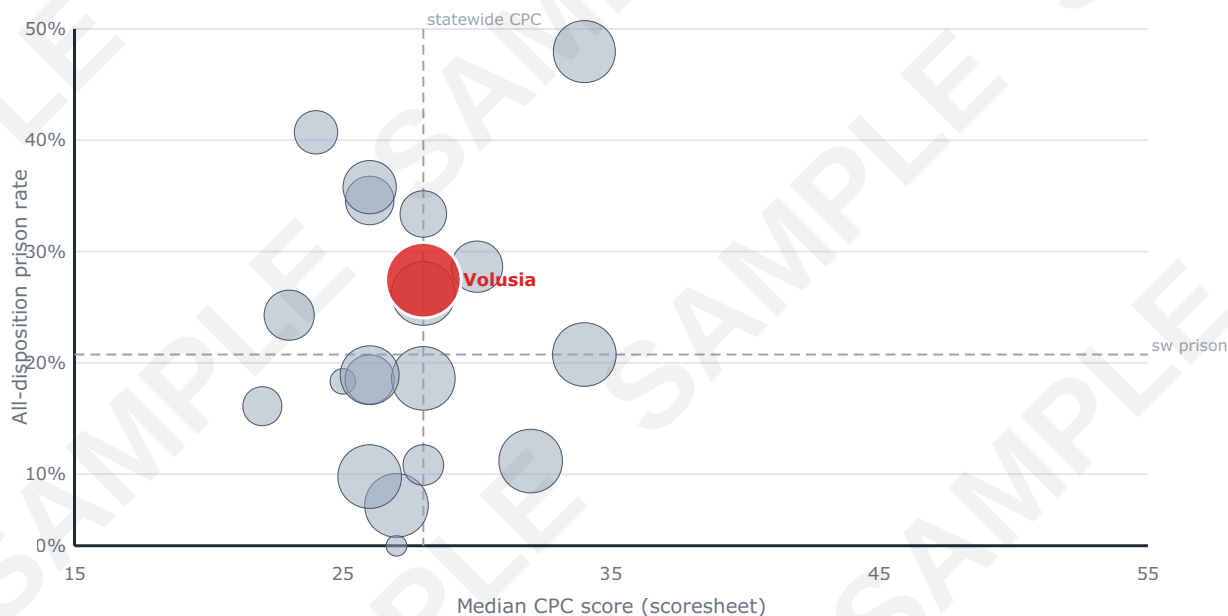
From **16,754 statewide state-prison-eligible scoresheets** for 893.13(6)(a) (state-prison-eligible cases only):

County CPC profile vs. prison rate: a quadrant view

How to read this chart: each dot is one Florida county. Horizontal axis = that county's median CPC score (from scoresheets). Vertical axis = its all-disposition prison rate (from clerk records). Circle size reflects the number of charges.

The two guide lines cross at the statewide medians. Upper-left = high prison rate at modest CPC (county punishing harder than the CPC profile predicts). Lower-right = low prison rate at high CPC (more lenient than the CPC profile predicts). Volusia is highlighted in red.

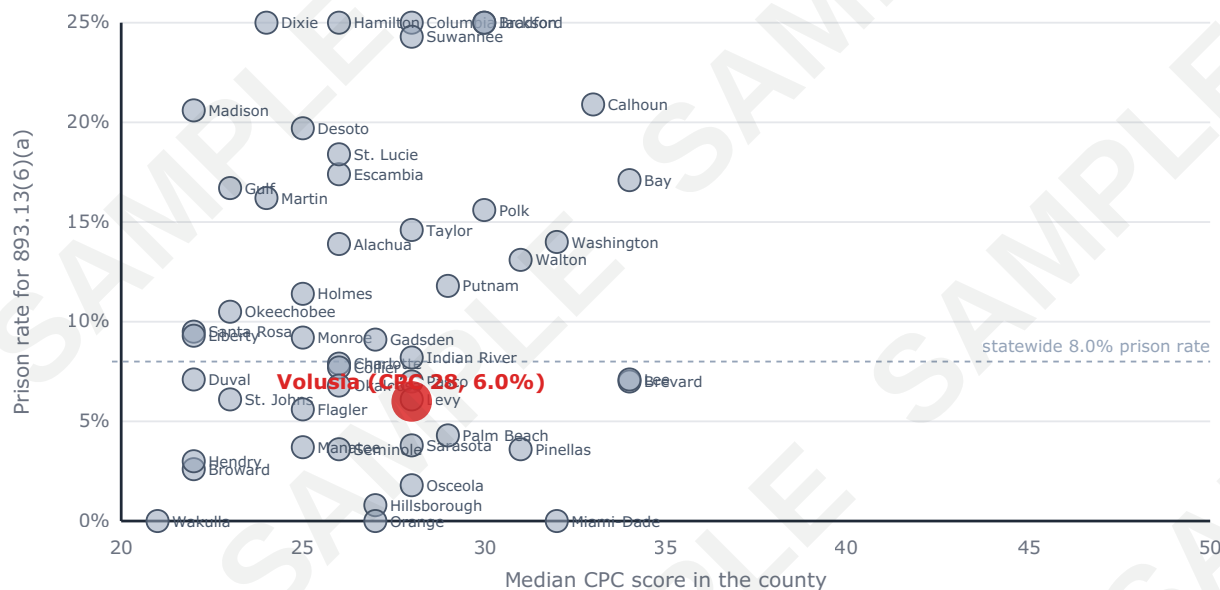
Coverage note: CPC axis is reliable only for counties with ≥ 30 scoresheets. Counties with fewer scoresheets are shown as counts only, not plotted.



Coverage caveat: the CPC (horizontal) axis uses scoresheet data, which is sparse for many counties (3 of 23 qualifying counties have fewer than 30 scoresheets and are not plotted). The prison rate (vertical) axis is from clerk records and is robust for all counties. Counties with fewer than 30 scoresheets: Leon (2,065 charges, 0 scoresheets), Clay (2,195 charges, 0 scoresheets), Citrus (3,574 charges, 0 scoresheets).

Statewide CPC band → prison rate, contrasted with selected counties

How to read this chart: each dot is one Florida county. The horizontal axis is the county's median CPC score for 893.13(6) (a). The vertical axis is the county's prison rate. **Counties that sit at the same horizontal position (same median CPC) but different vertical position (different prison rate) are the headline:** same defendant risk profile, very different outcome. Volusia is the red dot.



County	Cases	Median CPC	CPC middle 50%	Overall prison rate	Recorded plea %
Statewide baseline	16,754	28	20–40	8.0%	40.5%
Orange (9)	829	27	20–41	0.0%	49.6%
Hillsborough (13, single-county)	1,054	27	19–43	0.8%	17.6%
Volusia (7)	998	28	20–41	6.0%	45.2%
Monroe (16, single-county)	98	25	20–38	9.2%	8.2%
Bradford (8)	47	30	21–45	44.7%	53.2%

Same CPC profile, different outcomes:

- Volusia's CPC median is 28; its prison rate is 6.0%.
- In the scatter above, counties sitting at the same horizontal position (same median CPC) but different heights (different prison rate) show the headline: the same formula and a similar defendant risk profile can still produce very different outcomes depending on the county.

What this pattern shows

- **The CPC score is the strongest single predictor of the sentence (Step 2), but it is not the only thing.** The same score in different counties can produce very different outcomes for the same charge.
- **Volusia's historical prison rate for this charge differs from other counties with similar CPC medians.** The scatter shows counties with similar median CPC scores and different prison rates — illustrating that local sentencing patterns differ across counties even when the measured risk profile is similar. This pattern is observed in the public records; the data does not identify its cause.
- **The "Recorded plea %" column varies widely across counties.** This is partly real (some jurisdictions resolve more cases formally as pleas), but partly a side effect of how the data is recorded — some circuits do not consistently record the Plea Bargain Indicator on the scoresheet. Treat this column as suggestive rather than definitive until the recording practice is verified per circuit.

Scope note: Step 7 uses state-prison-eligible scoresheet data (16,754 scoresheets statewide here vs. 135,202 charges in the clerk-case records used by Steps 3–6). Counties with fewer than 30 state-prison-eligible scoresheets for 893.13(6)(a) are excluded. Prison rates here look lower than Steps 3–6 because the denominator skews higher-CPC than the full population.

What this comparison cannot show: we describe variability across counties at similar CPC scores; we do not attribute it. Differences can reflect many things this data does not capture — prior criminal history of the people charged, evidence strength, plea negotiations, local practice, judge mix, and the demographic composition of the people charged. These factors are not controlled for in this comparison.

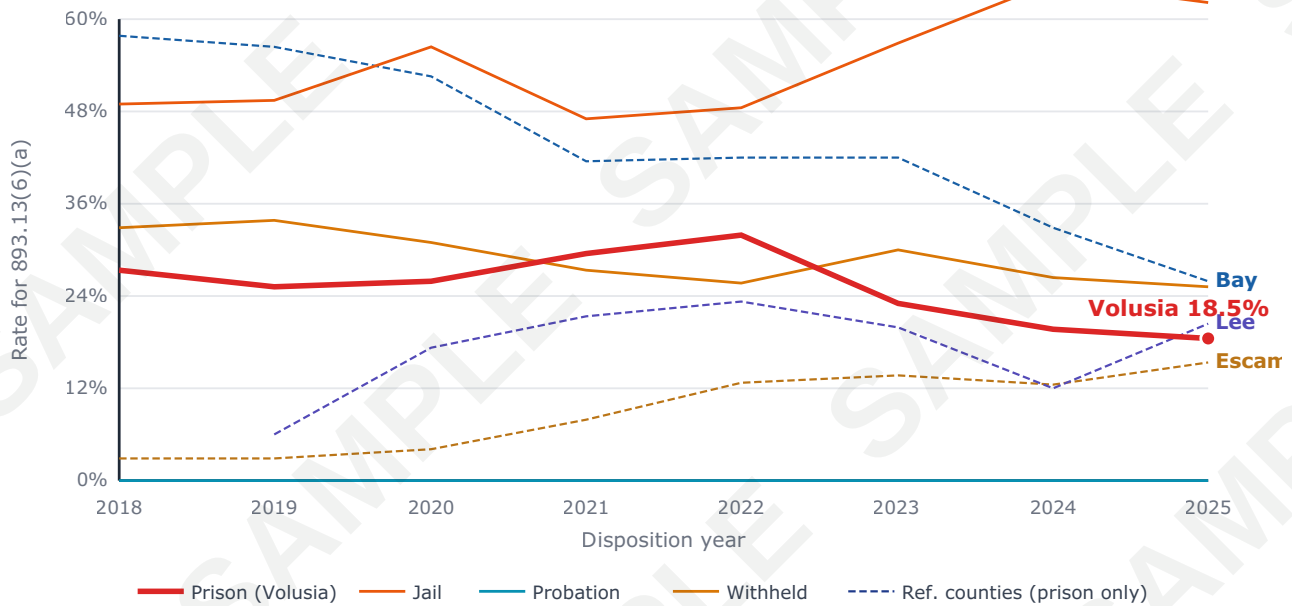
CaseParity takes no position on sentencing policy and does not advocate for longer sentences or shorter ones; it publishes the record.

Step 8: Is Volusia's historical prison rate trending higher or lower?

The snapshot in Steps 3–7 is the January 1, 2010–present average across the full data window. But sentencing practice changes — new elected SAs, new judges, pandemic disruption, statute changes. The year-by-year chart below covers **recent practice (2018–2025)**; whether a given offer aligns with the most recent year or an earlier point in that window depends on which year is used as the baseline. Here is Volusia year-by-year, and a few comparison counties for context.

The picture at a glance

How to read this chart: each line is one Florida county. The horizontal axis is the year of disposition (2018 through 2025). The vertical axis is the prison rate for 893.13(6)(a) in that year. **A line that slopes down means the county's historical prison rate has been lower in more recent years; a line that slopes up means it has been higher.** Volusia is the thick red line; the other lines are reference comparison counties, shown where they have enough data.



Volusia prison rate for 893.13(6)(a), year by year

Year	Charges	Prison %	Prison median	Jail %	Probation %	Withheld %	Diversion %
2018	1,042	27.4%	24.0 mo	48.9%	0.0%	32.9%	1.6%
2019	1,441	25.2%	24.0 mo	49.5%	0.0%	33.9%	1.0%
2020	1,085	25.9%	19.0 mo	56.4%	0.0%	30.9%	1.3%
2021	1,588	29.6%	24.0 mo	47.0%	0.0%	27.4%	2.4%
2022	1,827	31.9%	24.0 mo	48.4%	0.0%	25.6%	3.6%
2023	2,052	23.1%	23.7 mo	56.8%	0.0%	30.0%	3.8%
2024	2,127	19.7%	24.0 mo	64.7%	0.0%	26.3%	2.4%
2025	2,173	18.5%	27.3 mo	62.1%	0.0%	25.3%	1.7%

Volusia 2018 → 2025: 27.4% → 18.5% prison — a 8.9-point drop. The headline metric here is the *frequency* of prison — how often a case ends in state prison — not the typical prison length. The most recent years provide a more current view of the county's historical sentencing pattern for this charge.

Is the change over time real, or just year-to-year wobble?

What this pattern shows. Across 2018–2025, Volusia's prison rate for 893.13(6)(a) ranged from **18.5%** (in 2025) to **31.9%** (in 2022) — a 13.4-percentage-point spread. From 2018 (27.4%) to 2025 (18.5%) the net change was **-8.9 percentage points**. Based on 2018–2025 public records, the recent historical rate for Volusia on this charge has been roughly 1 in 5 cases ending in prison.

How we assessed whether the observed change is consistent over time. We compared the 95% confidence intervals for Volusia's prison rate at the start (2018) and end (2025) of the trend window, across 13,335 charges. **The confidence intervals for those endpoints do not overlap, indicating the year-over-year pattern is unlikely to be explained by sampling variation alone** (see Methodology for the CI comparison method). A separate comparison of the last 3 years (2023–2025) also shows non-overlapping intervals, suggesting the more-recent pattern is unlikely to be explained by sampling variation.

This comparison is only as good as the records. If a year is missing charges or codes things differently, part of the observed pattern could reflect a reporting change rather than a change in sentencing practice.

What this does NOT tell you. The numbers describe what already happened. They do not predict next year, and they do not say *why* the rate moved. Many things could have moved it: the kinds of cases filed, the elected prosecutor, the judges in rotation, or what cases were filtered out earlier. None of that is in this data.

How other counties have moved (selected)

Prison rate (%) for 893.13(6)(a) by year. Reference counties are shown for contrast where they have enough data.

County	2018	2019	2020	2021	2022	2023	2024	2025	Net change
Volusia	27.4%	25.2%	25.9%	29.6%	31.9%	23.1%	19.7%	18.5%	8.9- pts
Bay (softened)	57.9%	56.4%	52.6%	41.6%	41.9%	41.9%	32.9%	25.9%	-32.0 pts
Escambia (hardened)	2.8%	3.0%	4.1%	8.0%	12.8%	13.6%	12.6%	15.3%	12.5 pts
Lee	—	5.9%	17.4%	21.3%	23.3%	20.0%	11.9%	20.5%	—

What this pattern shows

- **The Volusia prison rate is not a single number across the period.** 2018 was 27.4%; the most recent years (2023–2025) range from 18.5% to 23.1%. The recent 3-year average is about 20.4%; the all-years pooled figure is 25.7%.
- **Reference counties have moved in different directions over the same period** — the table above shows which softened and which hardened. A county's recent years, not its all-years average, describe where it sits today.

How this was computed: from the statewide clerk-case records, every disposed 893.13(6)(a) charge grouped by county and disposition year. Year-cells with fewer than 30 charges are suppressed. 2026 is partial (year-to-date through May) and excluded from the table though it appears in the underlying data. "Net change" = 2025 rate minus 2018 rate; a county must have at least 30 charges in both endpoint years to show a value.

This report cannot evaluate the legal strength of any case, the admissibility of evidence, constitutional defenses, suppression issues, witness credibility, charging defects, immigration exposure, collateral consequences, plea advisability, or litigation strategy.

These statistics describe groups of past cases, not the legal strength, likely outcome, sentencing exposure, or strategic value of any individual case. A licensed attorney evaluating police reports, criminal history, evidence, suppression issues, prosecutors, and local practice may reach conclusions very different from what aggregate statistics alone suggest.

PART C PATTERNS OBSERVED IN PAST CASES

Step 9: When the CPC says prison — the Mitigated Departure path

Above 44 CPC points, the formula in Step 2 says prison is the floor. Sentencing below the floor requires the judge to grant a Mitigated Downward Departure under F.S. 921.0026. This step describes how that mechanism works and how often it is granted, by county.

Below 44 points, the same reasons for a lighter sentence can still be argued — they just work differently because the formula already allows a non-prison sentence at that score. The table below shows the threshold structure before the statutory list.

When the mitigators apply — CPC threshold structure

CPC score	What the CPC formula requires	What other Florida law allows	Where mitigators show up
≤ 22 points (3rd-degree, non-violent, non-burglary felony)	No prison required by the formula.	F.S. 775.082(10) says the court <i>must</i> give a non-prison sentence unless the judge writes findings that the defendant is a danger to the public.	Mitigators support the non-prison default and help pick between probation, community control, and county jail.
23–28 points	No prison required by the formula.	A non-prison sentence is already allowed. No special motion needed.	Mitigators are arguments inside the non-prison range.
29–43 points	1–11 months prison — a small prison floor.	For non-violent 3rd-degree felonies, F.S. 775.082(10) <i>still</i> allows a non-prison sentence at the judge’s discretion.	Past records show mitigators are invoked here most often — the floor is low and the judge can go either way.
≥ 44 points	12 months or more prison — the floor is binding.	Sentencing below the floor at this band requires a formal Mitigated Departure under F.S. 921.0026. The judge must write findings on the scoresheet naming the legal ground.	The same mitigators — now used as the legal basis for going below the floor.

The list of reasons for a lighter sentence is not used only for 921.0026 cases. It is the list Florida law uses to describe why a judge might give a lighter sentence. The formal “Mitigated Departure” label — and the requirement that the judge write findings on the scoresheet — only applies once a case crosses 44 points. Below 44 points, the same reasons still exist in the law, but the judge does not need a formal departure motion because the CPC formula already allows a non-prison sentence at that score.

How the law works — F.S. 921.0026

F.S. 921.0026 governs Mitigated Departures. The court may sentence below the CPC floor if two things are true: (a) at least one statutory mitigating ground from the list below applies, and (b) the judge enters written findings on the scoresheet that identify the ground. The State can appeal the departure if the findings on the record are not enough to support it.

F.S. 921.0026 lists the following recognized grounds (this is the statute's list, not an exhaustive theory of mitigation):

#	Ground	Plain-language summary
(a)	Legitimate, uncoerced plea bargain	The departure is part of a negotiated plea agreement reached without coercion.
(b)	Defendant was an accomplice and was a relatively minor participant	The defendant was an accomplice and a relatively minor participant.
(c)	Capacity to appreciate criminal conduct or conform conduct to the law was substantially impaired	A cognitive or mental-health condition meaningfully impaired the defendant's conduct.
(d)	Requires specialized treatment for a mental disorder unrelated to substance abuse or addiction	The defendant has a mental-health condition for which treatment, not prison, is appropriate.
(d2)	Requires specialized treatment for a substance abuse or addiction disorder, and amenable to treatment	Drug-court / treatment alternative is on the table.
(e)	Need for restitution to victim outweighs need for prison sentence	The defendant can compensate the victim only if not in prison.
(f)	Victim was an initiator, willing participant, aggressor, or provoker of the incident	The victim's conduct contributed materially to the offense.
(g)	Defendant acted under extreme duress or under the domination of another person	The defendant was coerced, threatened, or controlled by another.
(h)	Victim was substantially compensated before identification of defendant	The victim was made whole before the case began.
(i)	Defendant cooperated with the State to resolve the current offense or any other offense	Substantial assistance to law enforcement.
(j)	Offense was committed in an unsophisticated manner and was an isolated incident, with remorse shown	One-off, naive offense, with genuine remorse.
(k)	Defendant was too young to appreciate the consequences of the offense	Youthfulness ground (distinct from F.S. 958.04 youthful-offender treatment).
(l)	Defendant is to be sentenced as a youthful offender	Routing into the youthful-offender framework.
(m)	Defendant making good-faith effort to provide restitution	The defendant is credibly trying to make the victim whole.
(n)	Defendant is amenable to nonstate-prison sanctions	Community supervision or county-jail sanction is workable for the defendant.
(o)	Plus several additional grounds in case law and special statutes	Including statute-specific departure grounds (e.g., human-trafficking victim affirmative defense, military service-related).

The list above is paraphrased from F.S. 921.0026(2). The statute is the authoritative source; consult counsel for the exact wording and any judicial gloss applied in the relevant circuit.

What the scoresheet data shows about mitigator usage. The state-prison-eligible scoresheet has a check-box for each of the 14 named mitigators above. In our pull of all 16,754 statewide 893.13(6)(a) scoresheets since 2018, **only the "Plea Bargain" mitigator field was meaningfully populated.** The other 13 named mitigator fields — including specialized treatment, amenability to non-prison sanctions, good-faith restitution effort, cooperation with the State, youthful-offender status, and the rest — were checked on essentially 0% of scoresheets. Two explanations are possible: (a) the mitigators are argued at sentencing without the scoresheet's named-mitigator field being formally checked, or (b) the mitigators are not being raised. The public data alone cannot tell which.

How often are Mitigated Departures granted for 893.13(6)(a) in Volusia?

Two numbers matter: the overall rate (departures granted on any scoresheet), and — more importantly — the rate *among defendants who actually need a departure* (CPC ≥ 44, where prison would otherwise be the floor).

Volusia state-prison-eligible scoresheet measure	Value
All 893.13(6)(a) scoresheets (Volusia)	998
MDD rate overall	0.7%
Cases with CPC $\geq$ 44 (where prison is otherwise the floor)	235
MDD rate among CPC $\geq$ 44 cases	3.0%

For Volusia cases with CPC at or above 44, the historical rate of judges granting a departure is 3.0% — about 1 in 33 cases. The departure mechanism is the principal statutory mechanism for sentencing below the prison floor at the high-CPC range, so this rate reflects how often judges exercised that departure authority in past Volusia cases on this charge.

What the data shows about departures at this charge in Volusia

- **The scoresheet records mitigator grounds as check-boxes.** Across the 16,754 statewide 893.13(6)(a) scoresheets, the named per-ground mitigator fields are largely unpopulated (see the callout above), so the data cannot rank which grounds are cited most often. The scoresheet has a check-box for each of the 14 listed grounds, and several grounds can be cited on the same case.
- **Volusia's 3.0% rate is the historical baseline.** It is what happened in past Volusia cases at this CPC range. Whether any one case turns out the same depends on which grounds the record supports and on the specific judge handling it — neither of which this report can speak to.
- **Below 44 CPC points, the formal "departure" mechanism is not in play.** The CPC formula already permits non-prison sanctions in that range. The formal departure question only kicks in once a case crosses the 44-point line.

How this was computed: from state-prison-eligible scoresheet data for 893.13(6)(a), 2018–present. The "MDD rate among CPC $\geq$ 44 cases" is the share of scoresheets within that CPC range where the field Sentence Imposed Mitigated Departure was flagged True. Counties with fewer than 10 above-44 cases are shown as "—" rather than computed. Departures granted on other grounds (e.g., specific statute-based departures outside F.S. 921.0026) may not be captured by this indicator.

Prior-record-band profile: how 893.13(6)(a) outcomes vary by criminal history

Volusia state-prison-eligible 893.13(6)(a) scoresheets, grouped by the defendant's prior record at sentencing (scoresheet field Total Priors):

Prior record	Volusia cases	State Prison %	95% CI on prison rate	County Jail %	Probation %
0	84	0.0%	0.0% – 4.4%	16.7%	52.4%
1-2	106	0.0%	0.0% – 3.5%	29.2%	42.5%
3-5	146	0.0%	0.0% – 2.6%	26.0%	41.8%
6+	662	9.1%	7.1% – 11.5%	31.0%	33.7%

How this was computed: from the same state-prison-eligible 893.13(6)(a) scoresheets used throughout this report (Volusia, 2018–present), grouped into four bands by Total Priors (0, 1–2, 3–5, 6+). Every band is shown with its case count. For a band with fewer than 30 scoresheets we deliberately do not compute a percentage or confidence interval — a rate from that few cases would be statistically unreliable — so we show the raw count on its own rather than a misleading number.

Step 10: Where the CPC score comes from — and which parts move case-to-case

Step 2 showed what total CPC score is associated with what sentence pattern. This step opens up the scoresheet itself. **Some sections of the scoresheet are fixed by the statute — they only change if the primary charge or co-charges change.** Other sections vary case-to-case based on the record: priors, co-

charge slate, legal status, victim injury. The data below shows how the scoresheet decomposes across past Volusia cases.

What drives the CPC score: three components

From the pre-computed scoresheet aggregate (Volusia). Share = avg points per case as a fraction of the additive total (§1-8); §9 sentence multiplier excluded.

Component	Avg points / case	Share of additive total
§1 — Primary Offense (fixed by statute)	15.92	46.8%
§4 — Prior Record (varies case-to-case)	12.97	38.2%
§2,3,5,6,7,8 — All other sections	5.11	15.0%

How an average 893.13(6)(a) CPC scoresheet decomposes

From the statewide state-prison-eligible scoresheet pull (16,748 893.13(6)(a) scoresheets). Volusia numbers shown alongside.

Scoresheet section	% of cases where this section contributes > 0 points (Volusia)	Avg points when present (Volusia)	% of avg total points (Volusia)	% of avg total points (Statewide)
Section 1 — Primary Offense	100.0%	15.9	47.4%	48.0%
Section 4 — Prior Record	91.6%	14.2	38.6%	36.9%
Section 2 — Additional Offenses (co-charges)	82.4%	2.2	5.3%	7.0%
Section 6 — Community-Sanction Violations (VOP)	30.6%	9.9	9.0%	8.6%
Section 5 — Legal Status (on probation, fleeing, etc.)	6.7%	4.0	0.8%	0.6%
Section 3 — Victim Injury	0.3%	4.0	0.0%	0.1%
Section 7-9 (Firearm / Prior Serious Felony / Enhancements)	0.1%	—	0.1%	~0.2%

Median total CPC for Volusia 893.13(6)(a): 28.0 points. Statewide median: 28.0. Average total: 33.6 (Volusia) / 32.7 (statewide).

Which sections are fixed vs. which vary case-to-case

Section	Source of the points	What the data shows about variability
Section 1 (Primary Offense) — biggest contributor	Determined directly by the statutory offense level of the primary charge. F.S. 921.0024 assigns a fixed point value per offense level.	This section's value is identical for every case charged with the same primary offense. It moves only if the primary charge itself changes.
Section 4 (Prior Record) — second-biggest contributor	Determined by the defendant's prior conviction record at the time of sentencing.	Across Volusia 893.13(6)(a) scoresheets, this section ranges from 0 to 80+ points. Common record issues observed in the data: (a) identity-confusion entries, (b) priors counted as convictions despite withheld adjudication, (c) out-of-state priors with a Florida-severity classification that the record can be checked against, (d) juvenile outcomes outside the statutory window.
Section 2 (Additional Offenses / co-charges)	Determined by the co-charges filed alongside the primary charge.	Tracks the co-charges filed alongside the primary charge. When a co-charge is dropped, its Section 2 contribution comes off the scoresheet. In Volusia 893.13(6)(a) data, 82.4% of cases include at least one co-charge contributing to Section 2.
Section 5 (Legal Status)	Set by the defendant's legal status at the time of the offense (on probation, escaped, fleeing, etc.).	Present on 6.7% of Volusia scoresheets. The classification depends on facts that exist independently of the current charge.
Section 6 (Community-Sanction Violation)	Set by the severity of any community-sanction violation forming part of the case.	Present on 30.6% of Volusia scoresheets. Formula-driven on the violation severity.
Section 3 (Victim Injury)	Set by the severity classification of any victim injury (death / severe / moderate / slight).	Present on 0.3% of Volusia 893.13(6)(a) cases. Rare on drug-possession charges; when present the severity classification is fact-intensive.
Sections 7–9 (Firearm / Prior Serious Felony / Enhancements)	Triggered by specific findings (firearm use, prior serious felony, statutory enhancement).	0.1% of Volusia 893.13(6)(a) scoresheets. When they do appear they add large point totals.

Where the scoresheet moves and where it doesn't: the two sections that show the most case-to-case variation in Volusia 893.13(6)(a) data are **Section 4 (Prior Record, ~39% of average Volusia points)** and **Section 2 (Additional Offenses, ~5%)**. Combined they account for roughly 44% of the average Volusia scoresheet. Section 1 (47% of points) is fixed by the statutory offense level and only moves if the primary charge itself changes. The other sections (3, 5, 6, 7–9) are present in a small share of cases and depend on case-specific facts. An attorney with the actual scoresheet can confirm what each section contains in any one case.

How this was computed: from the public state-prison-eligible scoresheet records for 893.13(6)(a), the per-section point totals were averaged across cases. "% of cases where section contributes > 0" is the share of cases with a non-zero value for that section. Scoresheets with non-positive total points are excluded.

Step 11: Before the case reaches court — what prosecutors decline to file

Every 893.13(6)(a) arrest that gets referred to the State Attorney's Office (SAO) goes through a screening step before it becomes a court case. The SAO can **file** the charge, decline it as **"No Action,"** drop or abandon it, nolle prosequere it, or route to diversion. The decisions made at this stage compound everything shown in Steps 3–10: if a county's SAO declines half of these charges before they reach court, the downstream conviction and prison rates are calculated only on the half that survives.

Volusia's State Attorney's Office reports case-screening data for this charge. Of **1,855** 893.13(6)(a) referrals, **91.6%** were filed (proceeded toward a court case). The remainder were declined ("No Action"), dropped or abandoned, nolle prossed, or routed to diversion before reaching court.

What this means for the rest of the report

- **The downstream numbers in Steps 3–10 already reflect this filtering.** Volusia's 25.7% prison rate is calculated on cases that already cleared the SAO's screening — whatever fraction the local SAO declines before filing is not in that denominator. Where an office declines or diverts a larger share of referrals, the cases that do reach court may differ in characteristics from those that were declined.
- **"No Action" vs. "Dropped/Abandoned" vs. "Nolle Prossed" mean different things.** No Action = the SAO declined to file in the first place. Dropped/Abandoned = filed but later abandoned. Nolle Prossed = the SAO formally dismissed a filed charge, typically after discovery developed badly for the State.
- **Diversion as a routing decision happens here too.** Programs like Pre-Trial Diversion, drug court, or treatment alternatives are routed by the SAO at this stage. The Volusia diversion rate shown in Step 3 is calculated post-court — the actual front-end routing rate may be higher.

Data note: Only a subset of Florida's 67 counties report data to the State Attorney case-screening feed. Where the selected county does not report, this step describes only the structural effect of SAO screening on the downstream numbers, not the county's specific filing rate.

Frequently charged alongside F.S. 893.13(6)(a)

The statutes below appeared on the same case docket as **F.S. 893.13(6)(a)** charges in **Volusia** (January 1, 2010–December 31, 2025) in the public records. Frequencies describe how often other charges appeared alongside this one — they do not imply a causal relationship, predict co-charges in any future case, or reflect the merits of any specific charge.

Rank	Co-charge	% of Volusia 893.13(6)(a) cases
1	F.S. 893.147	41.6%
2	F.S. 893.13.6b	9.9%
3	F.S. 322.34	9.6%
4	F.S. 843.02	7.6%
5	F.S. 893.13	6.6%
6	F.S. 812.014	4.0%
7	F.S. 790.23	3.0%
8	F.S. 893.135	2.6%
9	F.S. 322.03	2.5%
10	F.S. 316.1935	2.4%

Source: precomputed case co-charge slate (FL CJDT January 1, 2010–December 31, 2025). Percentage = share of Volusia 893.13(6)(a) cases that also carried the listed statute on the same docket, ranked by frequency within Volusia.

Restitution

Florida clerks record a restitution amount on some charges, but do so inconsistently across charge types and counties — most charge records in the public data have no restitution value captured at all. The figures below describe **only the Volusia F.S. 893.13(6)(a) charges where a restitution value was recorded** (38 of 17,620 charges); they say nothing about charges where the field is blank.

Among the 38 Volusia F.S. 893.13(6)(a) charges with a restitution value recorded (0.2% of all Volusia F.S. 893.13(6)(a) charges in this cohort), **100.0%** show a restitution amount greater than zero (95% CI: 90.8%–100.0%); the remainder show an explicit zero amount (restitution addressed, none ordered).

Data note: Restitution is one of the least consistently captured fields in Florida's public court data — statewide, roughly one in six charge records has any restitution value recorded, and it is far more often captured for property-related charges (theft, burglary, worthless checks) than for other charge types. **A blank field does not mean restitution was not ordered** — it means no value was captured in the public record for that charge.

This report cannot evaluate the legal strength of any case, the admissibility of evidence, constitutional defenses, suppression issues, witness credibility, charging defects, immigration exposure, collateral consequences, plea advisability, or litigation strategy.

These statistics describe groups of past cases, not the legal strength, likely outcome, sentencing exposure, or strategic value of any individual case. A licensed attorney evaluating police reports, criminal history, evidence, suppression issues, prosecutors, and local practice may reach conclusions very different from what aggregate statistics alone suggest.

Why correlation isn't causation

The patterns above are real patterns in Volusia court data. But a pattern is not proof that one thing causes another:

1. **Confounding.** Counsel type correlates with prior record, the specific drug, bond status, pre-trial detention, and the assigned judge — all of which independently affect outcomes.
2. **Selection.** Who hires private counsel isn't random. The "counsel effect" mixes the lawyer's work with everything true about the client who hired them.
3. **Missing facts.** The data has no case facts — drug amount, search circumstances, co-defendants — which drive outcomes heavily.

What would establish causation: regression controlling for every known variable, or matched-pair sampling. Raw public data alone cannot do this. **The patterns here describe what happened in past cases; they do not predict any one case.**

Index — what each section covers

Section	What it covers
Step 1	The charge and applicable Florida statutes.
Step 1b	Related statutory provisions (historical reference) for this charge.
Step 2	Volusia sentencing patterns by CPC score band.
Step 3	Case-outcome distribution across 17,620 Volusia charges.
Step 3b	Disposition-outcome breakdown across all 17,620 Volusia charges (every disposition, not just convictions).
Step 4	Outcome patterns by counsel type and age group (attorney tier).
Step 5	How Volusia compares to other qualifying Florida counties on this charge.
Step 6	Within-circuit variation under the same elected State Attorney.
Step 7	CPC profile vs. prison rate by county.
Step 8	Year-by-year time trends in Volusia and selected comparison counties.
Step 9	F.S. 921.0026 Mitigated Downward Departure mechanics and county grant rates at CPC ≥ 44 , plus a prior-record-band outcome profile (attorney tier).
Step 10	Decomposition of the CPC scoresheet across past Volusia cases.
Step 11	State Attorney's Office case-filing rates (for reporting counties).
Why correlation isn't causation	How to read the associations shown above.
Definitions	Glossary of every term used in the report.
Data sources and limits	Where the numbers come from, what is and isn't included.

Definitions — what the terms in this report mean

Quick reference for the vocabulary used throughout this report. If a term in any section above is unfamiliar, look it up here.

Statute and sentencing terms

Term	What it means
F.S. (Florida Statute)	A section of Florida law, citable as "F.S. 893.13(6)(a)" — chapter.section(subsection).
Felony degree (F1, F2, F3)	FL classifies felonies by degree: 1st = up to 30 years prison; 2nd = up to 15 years; 3rd = up to 5 years. Set in F.S. 775.082.
Misdemeanor degree (M1, M2)	1st-degree misdemeanor = up to 1 year jail; 2nd-degree = up to 60 days.
CPC (Criminal Punishment Code)	FL's structured-sentencing framework (F.S. 921.0024). Assigns points to the primary offense, additional offenses, victim injury, prior record, legal status, community-sanction violations, firearm use, prior serious felony, and enhancements. Total points produce a "Lowest Permissible Sentence" in prison months.
Scoresheet	The CPC calculation document filed with the court before sentencing. Required for every felony.
Lowest Permissible Sentence	The CPC formula's floor: $(\text{Total Points} - 28) \times 0.75$ months. Below 28 points the floor is zero (non-prison sanction available). Above 44 points the floor is meaningful prison time.
Mitigated Downward Departure (MDD)	A sentence below the CPC floor, granted by the judge under F.S. 921.0026 if at least one statutory mitigating ground exists and the judge enters written findings. See Step 9.
F.S. 775.082(10)	For non-violent 3rd-degree felonies with $\text{CPC} \leq 22$ points, the court must impose a non-state-prison sanction unless the court makes written findings that the defendant presents a danger to the public.
Habitual Felony Offender (HFO)	Enhanced sentencing under F.S. 775.084 for defendants with 2+ prior felony convictions; doubles the statutory maximum.
Prison Releasee Reoffender (PRR)	Enhanced sentencing under F.S. 775.082(9) if the current offense occurred within 3 years of release from state prison. Triggers mandatory full-statute-max prison.

Outcome terms

Term	What it means
Adjudicated Guilty	Formal felony conviction. May result from plea or trial; FL CJDT does not flag which.
Adjudication Withheld (Deferred Judgment)	Court accepts a plea but withholds a formal finding of guilt under F.S. 948.01. On successful completion of probation, not a "conviction" for many civil purposes (housing, professional licensing). Still a conviction for some federal purposes (immigration, federal firearms).
Pre-Trial Diversion (PTD)	Prosecutor-routed alternative to prosecution. On successful completion (typically classes, community service, no new arrests), the charge is dismissed. Eligibility varies by SAO.
Nolle Prossed (Nolle Prosequi)	The prosecutor formally drops a filed charge, typically after evidence develops badly for the State.
No Action / Decline-to-File	The prosecutor declines to file in the first place after reviewing the law-enforcement referral.
State Prison	Confinement in a FL Department of Corrections facility. Typical floor for sentences over 12 months.
County Jail	Confinement in the county detention facility. Typical for sentences of 1 year or less.
Community Control	House arrest with electronic monitoring; a stricter form of probation. F.S. 948.10.
Probation	Supervised release in the community. F.S. 948.
Time Served	Credit for pre-disposition jail time; sentence equals time already spent in jail.

Location and process terms

Term	What it means
Judicial Circuit	FL has 20. Each is a multi-county court district with one elected State Attorney (prosecutor) and one elected Public Defender. Volusia is in the 7th Circuit.
Single-county circuit	A circuit consisting of only one county (e.g., Miami-Dade = 11th, Hillsborough = 13th, Broward = 17th, Palm Beach = 15th, Monroe = 16th). Cannot have within-circuit variation by definition.
SAO (State Attorney's Office)	The elected prosecutor's office for a circuit.
Indigent / Court-Appointed Counsel	"Indigent" = court-determined inability to afford private counsel. Default is Public Defender; if the PD has a conflict, the court appoints private counsel at state expense.
Criminal Justice Data Transparency (F.S. 900.05)	The 2018 Florida statute that makes case-level criminal court records public so people can see what happens in Florida courts.

Statistical terms used in this report

Term	What it means
Charges	The number of charge records that fall into the category being described — the grain of every count in this report unless it says "cases." (In some statistical reports this is shortened to "N" — we spell it out.)
Cases	A distinct court case (one defendant's charging event); a single case can carry more than one charge. Shown in this report only in the dual-count summary near the top.
Median	The middle value when results are sorted. Half of charges fall above, half below.
Middle 50% (25th–75th percentile)	The range that the middle half of charges fall into. The bottom 25% and the top 25% are outside this range.
Statewide median (in cross-county tables)	The median of per-county rates among qualifying counties — not the median across individual charges.
Qualifying county (at least 30 charges)	A county with at least 30 charges in our window. Counties with fewer charges are suppressed from per-county statistics to avoid noisy estimates.
Within-circuit spread	The difference between the highest- and lowest-prison-rate counties inside the same judicial circuit. A measure of how much county-level factors matter even under the same elected SA.
Ratio (e.g., 2.45×	The factor by which the highest county exceeds the lowest. A 2.45× ratio means the high county's rate is 2.45 times the low county's.
Correlation vs. causation	A pattern in data ("when X happens, Y often does too") is a correlation. Causation ("X causes Y") requires controlled comparison. This report describes correlations, not causes. See the "Why correlation isn't causation" section.

Methodology — confidence interval comparison (how observational differences are assessed)

When this report says a difference between two counties, two CPC bands, or two time periods is "unlikely to be explained by sampling variation," it is describing a 95% confidence interval (CI) comparison:

- **What is computed.** For each percentage shown, a 95% confidence interval is calculated (Wilson score interval for proportions). The interval describes the range of values that are plausible given the number of charges in the group. A wider interval reflects a smaller group; a narrower interval reflects a larger group.
- **What non-overlap means.** When two intervals do not overlap, the observed difference is unlikely to have arisen from sampling variation alone — i.e., if both groups were drawn from the same underlying distribution, non-overlapping intervals would be expected to occur by chance less than roughly 5% of the time.
- **What non-overlap does not mean.** Non-overlapping intervals describe a statistically reliable difference in the observed public records. They do not establish a *cause* for that difference. The observed difference could reflect different case characteristics, different criminal histories, different plea patterns, different local policy, or many other factors not captured in this dataset.
- **What overlapping intervals mean.** When intervals overlap, the observed difference is consistent with sampling variation. This report does not claim a directional pattern in such cases.

The CI comparison method is used throughout this report for CPC band comparisons (Step 2), county comparisons (Steps 5–7), and trend endpoint comparisons (Step 8). Interval computation uses a 95% confidence level ($z = 1.96$, two-sided) unless otherwise noted.

Things this report does not include — and why

Missing element	Why
Race or ethnicity breakdowns for Volusia	Volusia records a usable ethnicity value on 0.0% of public records for this charge — the field is “Not Available” or “Unknown” on the rest — so Hispanic defendants would be largely invisible and no ethnicity breakdown is shown. Some other Florida counties populate the ethnicity field more reliably and can qualify for an ethnicity breakdown.
Specific judge or prosecutor names	Florida removes judge names from the public statewide bulk records.
Direct plea-vs-trial flag	Not in the public records. A Plea Deal indicator exists for the state-prison-eligible scoresheet records, covering ~5% of charges.
Pretrial detention duration per defendant	Per-defendant detention duration is not in the public records. County-level snapshot data exists but with data-quality limits.
Original arrest charges (vs. filed charges)	Charge-level cross-file linking between arrest and clerk records is probabilistic, not deterministic. We restrict to within-file analysis at the 90%+ confidence bar.

What this report can and cannot do (data caveats)

This report shows what the public records say. If a court, a clerk, or a state office records data wrong or skips fields, those errors show up here. Caseparity does not check each record. Some counties record data well; others do not. Where a field is missing or weak in a county, we say so in the step above.

The data does not include everything that affects a sentence. Things like prior record, drug type and amount, search facts, pre-trial detention, and the kinds of people charged in each place are not in this data. So when two counties or two judges show different rates, the data *cannot* tell us how much of the gap comes from those missing factors versus from real differences in how the place sentences. The report shows the gap. It does not explain it.

Sentence enhancements are not separated out

Some sentences in this data were increased under Florida's habitual- and repeat-offender laws. Florida can sentence a person more severely as a Habitual Felony Offender, Habitual Violent Felony Offender, or Violent Career Criminal (F.S. 775.084), or as a Prison Releasee Reoffender (F.S. 775.082(9)). Whether any of these applies turns on a person's *prior record* — information Caseparity never collects and never asks you for.

The figures in this report **combine enhanced and non-enhanced sentences without separating them.** They cannot tell you whether an enhancement would apply to a particular charge, and they are not a prediction for any individual case. Only a licensed attorney reviewing the full criminal history can assess whether an enhancement applies.

Report provenance

Every number in this report traces to specific public-records source files. The tables below identify this exact report build and the data it was computed from. Anyone — a defendant, an attorney, a journalist, or a regulator — can use these identifiers to verify the numbers independently.

Data last refreshed: May 30, 2026; updated monthly.

Report identity

Field	Value
Charge	F.S. 893.13(6)(a)
County	Volusia, Florida
Report variant	Pro (Felony)
Data window	January 1, 2010 – December 31, 2025
Rendered (UTC)	2026-07-03T20:26:54Z
Methodology & audit URL	CaseParity.com/methodology

Data cohort for this report

Row counts cover January 1, 2010 through December 31, 2025, matching this charge and county (or statewide). All figures in this report are derived from these cohorts; none are based on estimates or external projections.

Source	Scope	Records in window
FL Clerk of Courts (CJDT)	F.S. 893.13(6)(a), Volusia county	17,620
FL Clerk of Courts (CJDT)	F.S. 893.13(6)(a), statewide	135,202
FDC Scoresheet (CPC)	F.S. 893.13(6)(a), statewide	16,754

Update window

Field	Value
Purchase date	(filled at purchase)
Update window expires	Purchase date + 6 months
Material change definition	Headline rate change ≥ 5pp OR charge count change ≥ 20%

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