



Florida Safety Valves

IMPORTANT NOTE: Laws change frequently, and this may not be an up-to-date description of safety valves available. Talk with a lawyer in your state if you have questions about safety valves.

Statute	Applies to	Terms of Safety Valve
F.S. § 775.084(4)(e)	Habitual felony offenders, habitual violent felony offenders, or violent career criminals	For offenses committed after October 1, 1995, the court may sentence habitual felony offenders, habitual violent felony offenders, or violent career criminals below the mandatory minimum sentence if the court finds that the mandatory minimum is “not necessary for the protection of the public.”
F.S. § 775.082(9)(d)	Prison releasee reoffenders (see below for a description of these offenders)	Defendant may be given a sentence other than the mandatory minimum if the state attorney determines that there are extenuating circumstances that make prosecuting the offender as a prison releasee reoffender unjust (including whether the victim recommends that the offender not be sentenced as a prison releasee reoffender). However, the state attorney must explain this sentencing deviation in writing and submit copies of the explanations annually to the Florida Prosecuting Attorneys Association. The explanations are made available to the public.

To learn more about safety valves, read our factsheet, Safety Valves in a Nutshell, available online at:
http://www.famm.org/Repository/Files/Safety_valves_in_a_nutshell_7.16.09%5B1%5D.pdf.