

1 A bill to be entitled

2 An act relating to data collection on direct filing;
3 amending s. 985.557, F.S.; requiring the Department of
4 Juvenile Justice to begin collecting on a certain date
5 specified information relating to children who qualify
6 for prosecution as adults and for children who are
7 transferred to adult court for criminal prosecution;
8 requiring the department to work with the Office of
9 Program Policy Analysis and Government Accountability
10 to generate a report analyzing the data on juveniles
11 transferred for criminal prosecution as adults during
12 a certain period; requiring the department to provide
13 the report to the Governor and the Legislature by a
14 certain date; requiring the department to work with
15 the Office of Program Policy Analysis and Government
16 Accountability to generate an annual report that
17 includes certain information, and to provide the
18 report to the Governor and the Legislature by a
19 specified date; providing an effective date.
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21 Be It Enacted by the Legislature of the State of Florida:
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23 Section 1. Subsection (5) is added to section 985.557,
24 Florida Statutes, to read:

25 985.557 Direct filing of an information; discretionary and

26 | mandatory criteria.—

27 | (5) DATA COLLECTION RELATING TO DIRECT FILE.—

28 | (a) Beginning March 1, 2019, the department shall collect
 29 | data relating to children who qualify to be prosecuted as adults
 30 | under s. 985.556 and this section regardless of the outcome of
 31 | the case, including, but not limited to:

32 | 1. Age.

33 | 2. Race and ethnicity.

34 | 3. Gender.

35 | 4. Circuit and county of residence.

36 | 5. Circuit and county of offense.

37 | 6. Prior adjudications or adjudications withheld.

38 | 7. Prior periods of probation, including any violations of
 39 | probation.

40 | 8. Previous contacts with law enforcement agencies or the
 41 | court which resulted in a civil citation, arrest, or charges
 42 | being filed with the state.

43 | 9. Initial charges.

44 | 10. Charges at disposition.

45 | 11. Whether child codefendants were involved who were
 46 | transferred to adult court.

47 | 12. Whether the child was represented by counsel or
 48 | whether the child waived counsel.

49 | 13. Risk assessment instrument score.

50 | 14. The child's medical, mental health, substance abuse,

51 or trauma history.

52 15. The child's history of mental impairment or
53 disability-related accommodations.

54 16. The child's history of abuse or neglect.

55 17. The child's history of foster care placements,
56 including the number of prior placements.

57 18. Whether the child has below-average intellectual
58 functioning.

59 19. Whether the child has received mental health services
60 or treatment.

61 20. Whether the child has been the subject of a child-in-
62 need-of-services or families-in-need-of-services petition or a
63 dependency petition.

64 21. Whether the child was transferred for criminal
65 prosecution as an adult, and if transferred, the provision of
66 this section under which the prosecution is proceeding or
67 proceeded.

68 22. The case resolution in juvenile court.

69 23. The case resolution in adult court.

70 (b) Beginning March 1, 2019, for a child transferred for
71 criminal prosecution as an adult, the department shall also
72 collect:

73 1. Disposition data, including, but not limited to,
74 whether the child received adult sanctions, juvenile sanctions,
75 or diversion and, if sentenced to prison, the length of the

76 prison sentence or the enhanced sentence; and

77 2. Whether the child was previously found incompetent to
78 proceed in juvenile court.

79 (c) For every juvenile case transferred to adult court
80 between July 1, 2017, and June 30, 2018, the department shall
81 work with the Office of Program Policy Analysis and Government
82 Accountability to generate a report analyzing the data in
83 paragraphs (a) and (b). The department must provide this report
84 to the Governor, the President of the Senate, and the Speaker of
85 the House of Representatives by January 31, 2019.

86 (d) The department shall work with the Office of Program
87 Policy Analysis and Government Accountability to generate a
88 report analyzing the aggregated data collected under paragraphs
89 (a) and (b) on an annual basis. The department must provide this
90 report annually to the Governor, the President of the Senate,
91 and the Speaker of the House of Representatives no later than
92 January 31 of the following calendar year.

93 Section 2. This act shall take effect July 1, 2018.