

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Sprowls offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 58-720 and insert:

5 900.05 Criminal justice data collection.-

6 (1) LEGISLATIVE FINDINGS AND INTENT.-It is the intent of
7 the Legislature to create a model of uniform criminal justice
8 data collection by requiring local and state criminal justice
9 agencies to report complete, accurate, and timely data, and
10 making such data available to the public. The Legislature finds
11 that it is an important state interest to implement a uniform
12 data collection process and promote criminal justice data
13 transparency.

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14 (2) DEFINITIONS.-As used in this section, the term:

15 (a) "Admission date" means the date a defendant was
16 admitted to the Department of Corrections.

17 (b) "Admission type" means the underlying reason for which
18 defendant is admitted to the Department of Corrections,
19 including a new conviction, probation violation, probation
20 violation based on a new offense, parole violation, or parole
21 violation based on a new offense.

22 (c) "Annual felony caseload" means the yearly adult
23 criminal felony caseload of each full-time state attorney and
24 assistant state attorney or public defender and assistant public
25 defender, based on the number of felony cases reported to the
26 Supreme Court under s. 25.075. The term does not include the
27 appellate caseload of a public defender or assistant public
28 defender.

29 (d) "Annual misdemeanor caseload" means the yearly adult
30 criminal misdemeanor caseload of each full-time state attorney
31 and assistant state attorney or public defender and assistant
32 public defender, based on the number of misdemeanor cases
33 reported to the Supreme Court under s. 25.075. The term does not
34 include the appellate caseload of a public defender or assistant
35 public defender.

36 (e) "Arrest date or initial appearance" means the
37 date a defendant first appears before a judge to enter a plea.

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38 (f) "Arrest date" means the date a defendant is taken into
39 physical custody by a law enforcement agency on a criminal
40 charge, a defendant is issued a notice to appear, or a charging
41 document is filed by the state attorney's office.

42 (g) "Attorney assignment date" means the date a court-
43 appointed attorney is assigned to the case or, if privately
44 retained, the date an attorney files a notice of appearance with
45 the clerk of court.

46 (h) "Attorney withdrawal date" means the date the court
47 removes court-appointed counsel from a case or, for a privately
48 retained attorney, the date a motion to withdraw is granted by
49 the court.

50 (i) "Bail or bond hearing date" means the date a defendant
51 appears in court for bail or bond determination.

52 (j) "Bail or bond modification date" means the date a
53 hearing is held to consider a defendant's bail or bond
54 conditions and the conditions are modified.

55 (k) "Bail or bond posting date" means the date a defendant
56 posts bail or bond.

57 (l) "Bail or bond revocation" means the date a court
58 revokes a defendant's bail or bond.

59 (m) "Bail or bond setting date" means the date a court
60 confirms or orders bail or bond in a criminal case.

61 (n) "Booking date and reason" means the date a defendant
62 is booked into a jail facility for a new charge, probation

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63 violation, pursuant to a bench warrant for pretrial release
64 violation, or pursuant to a warrant from another jurisdiction.

65 (o) "Case number" means the identification number assigned
66 by the clerk of court to a criminal case.

67 (p) "Case status" means whether a case is open, closed,
68 reopened due to a probation violation, or inactive.

69 (q) "Cash bail or bond amount" means the monetary amount
70 of bail or bond imposed by a court.

71 (r) "Cash bail or bond payment" means whether or not a
72 defendant posted bail or bond.

73 (s) "Charge class severity" means the degree misdemeanor
74 or felony for each charged offense.

75 (t) "Charge description" means the statement of the charge
76 matched to the statutory section establishing the conduct as
77 criminal.

78 (u) "Charge disposition date" means the date of final
79 judgment, adjudication, adjudication withheld, dismissal, or
80 nolle prosequi of each charge.

81 (v) "Charge modifier" means an aggravating circumstance of
82 an alleged crime that enhances or modifies a charge to a more
83 serious offense level.

84 (w) "Charge sequence number" means the unique numerical
85 identifier for each charge in a case with multiple charges.

86 (x) "Charge statute" means the statute for each charge
87 establishing the conduct as criminal.

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88 (y) "Charge type" means whether the charge is a
89 misdemeanor or felony.

90 (z) "Committing county" means the county from which
91 defendant was transported to the Department of Corrections.

92 (aa) "Concurrent or consecutive sentence flag" means an
93 indication that a defendant is serving another sentence
94 concurrently or consecutively in addition to the current
95 sentence.

96 (bb) "Court fees amount" means the amount of fees owed to
97 the clerk of court at disposition of the case.

98 (cc) "Court fees amount balance or payment to date" means
99 the amount a defendant paid towards outstanding court fees and
100 the remaining balance owed.

101 (dd) "Current institution and institution security level"
102 means the name of the institution where a defendant is currently
103 incarcerated and the institution's security level.

104 (ee) "Daily cost of a jail bed" means the cost per diem,
105 based on all sources of funding and costs associated with
106 operations, for each inmate in a jail facility.

107 (ff) "Daily cost of a prison bed" means the cost per diem,
108 based on all sources of funding and costs associated with
109 operations, for each inmate in a state correctional institution.

110 (gg) "Daily cost per probationer" means the cost per diem
111 for each individual serving probation with the Department of
112 Corrections.

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113 (hh) "Daily jail population" means the number of inmates
114 incarcerated within a jail facility on each day.

115 (ii) "Daily jail postsentence population" means the number
116 of inmates incarcerated within a jail facility on each day who
117 have been sentenced and are either serving the sentence in jail
118 or awaiting transportation to the Department of Corrections.

119 (jj) "Daily jail presentence population" means the number
120 of inmates incarcerated within a jail facility on each day who
121 entered a plea to charges or were found guilty at trial and are
122 awaiting sentencing.

123 (kk) "Daily jail pretrial population" means the number of
124 inmates incarcerated within a jail facility on each day awaiting
125 case disposition.

126 (ll) "Daily number of correctional officers" means the
127 number of full-time, part-time and auxiliary correctional
128 officers who are actively providing supervision, protection,
129 care, custody, and control of inmates working in a state
130 correctional institution or jail facility each day.

131 (mm) "Daily number of federal and state inmates held in
132 jail" means the number of inmates who are temporarily
133 incarcerated within a jail facility.

134 (nn) "Daily prison population" means the number of inmates
135 incarcerated in a state correctional institution on each day.

136 (oo) "Date of court appearance" means each date a criminal
137 case is considered by a court.

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138 (pp) "Date of failure to appear in court" means each date
139 a criminal case was set to be heard by a court with required
140 appearance by defendant and he or she failed to appear.

141 (qq) "Defense attorney type" means whether the attorney is
142 a public defender, regional conflict counsel, or other counsel
143 court-appointed for the defendant; the attorney is privately
144 retained by the defendant; or the defendant is represented pro
145 se.

146 (rr) "Deferred prosecution or pretrial diversion hearing
147 date or agreement date" means each date a hearing is held or a
148 contract is signed by the parties regarding a defendant's
149 admission into a deferred prosecution or pretrial diversion
150 program.

151 (ss) "Disciplinary violation and action" means any inmate
152 disciplinary conduct and the consequences of such conduct.

153 (tt) "Discovery motion date" means the date a defendant
154 files a notice to participate in discovery.

155 (uu) "Dismissal motion date" means the date a defendant
156 files a motion to dismiss charges.

157 (vv) "Dismissal motion hearing date" means the date a
158 court considers a defendant's motion to dismiss charges.

159 (ww) "Disposition date" means the date on which all case
160 activity is final.

161 (xx) "Domestic violence flag" means an indication that a
162 charge involves domestic violence as defined in s. 741.28.

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163 (yy) "Drug type for drug charge" mean the type of drug
164 specified in each drug charge against a defendant.

165 (zz) "Ethnicity" means a person's identification as
166 Hispanic or Latino or not Hispanic or Latino.

167 (aaa) "Filing date" means the date a formal charge is
168 filed against a defendant.

169 (bbb) "Fine amount" means the total fines imposed at case
170 disposition.

171 (ccc) "Fine amount balance or payment to date" means the
172 amount a defendant paid towards outstanding fines and the
173 remaining balance owed.

174 (ddd) "Gang affiliation flag" means an indication that a
175 defendant is involved in or associated with a criminal gang as
176 defined in s. 874.03.

177 (eee) "Good conduct credit earned" means time an inmate
178 earned for good behavior in a jail facility or state
179 correctional institution and credited toward his or her
180 sentence.

181 (fff) "Habitual offender flag" means an indication that a
182 defendant is a habitual felony offender as defined in s. 775.084
183 or a habitual misdemeanor offender as defined in s. 775.0837.

184 (ggg) "Jail capacity" means the maximum number of inmates
185 who can be incarcerated in a jail facility.

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186 (hhh) "Judicial transfer date" means a date on which a
187 defendant's case is transferred to another court or presiding
188 judge.

189 (iii) "Length of probation sentence imposed" means the
190 duration of probation ordered by a court.

191 (jjj) "Length of probation sentence served" means the
192 amount of time on probation a defendant has served to date.

193 (kkk) "Nonmonetary condition of release" means a condition
194 of a defendant's pretrial release imposed by the court that is
195 not based on payment of bail or bond.

196 (lll) "Number of contract attorneys representing indigent
197 defendants for the public defender's office" means the number of
198 attorneys hired on a temporary basis, by contract, to represent
199 indigent clients who were appointed a public defender.

200 (mmm) "Offense date" means the date that the alleged crime
201 occurred.

202 (nnn) "Plea date" means the date a defendant enters a plea
203 to a pending charge.

204 (ooo) "Presentence jail population at year-end" means the
205 number of inmates incarcerated within a jail facility, at the
206 end of the calendar year, who entered pleas or were found guilty
207 at trial and are awaiting sentencing.

208 (ppp) "Pretrial release decision" means the date the court
209 decides the issue of defendant's pretrial release from
210 incarceration.

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211 (qqq) "Pretrial release offender flag" means an indication
212 that the defendant has violated the terms of his or her pretrial
213 release.

214 (rrr) "Prior incarceration within the state" means any
215 prior history of a defendant being incarcerated in a jail
216 facility or state correctional institution.

217 (sss) "Postsentence jail population at year-end" means the
218 number of inmates incarcerated within a jail facility, at the
219 end of the calendar year, who have been sentenced and are either
220 serving that sentence in the facility or awaiting transportation
221 to the Department of Corrections.

222 (ttt) "Probation revocation" means any instance where a
223 defendant's probation was revoked.

224 (uuu) "Projected discharge date" means the anticipated
225 date an inmate will be released from incarceration.

226 (vvv) "Race" means a person's identification as American
227 Indian or Alaskan Native, African-American or Black, Asian,
228 Hawaiian or other Pacific Islander, White, or Other, which
229 includes multi-racial individuals.

230 (www) "Restitution amount ordered" means the amount of
231 money imposed by the court to compensate a victim of a
232 defendant's criminal activity.

233 (xxx) "Sentence condition" means any requirement imposed
234 by a court in addition to incarceration.

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235 (yyy) "Sentence date" means the date a court enters a
236 sentence against a defendant.

237 (zzz) "Sentence length" means the total duration of jail
238 time, prison time, and probation a defendant is ordered to
239 serve.

240 (aaaa) "Sentence type" means capital punishment,
241 incarceration, probation, or a combination thereof.

242 (bbbb) "Sentencing scoresheet" means the digitized
243 worksheet created under s. 921.0024 to compute the defendant's
244 minimum sentence that may be imposed by the trial court.

245 (cccc) "Speedy trial motion date" means the date a
246 defendant files a demand for speedy trial.

247 (dddd) "Speedy trial motion hearing date" means the date a
248 court hears a defendant's demand for speedy trial.

249 (eeee) "Sexual offender flag" means an indication that a
250 defendant is a sexual offender as defined in s. 943.0435.

251 (ffff) "Time served credit and length" means the amount of
252 prior incarceration credited to an inmate's current sentence to
253 reduce the amount of time remaining in the sentence.

254 (gggg) "Total jail population at year-end" means the
255 number of inmates incarcerated within a jail facility at the end
256 of the calendar year.

257 (hhhh) "Trial date" means the date a defendant's case is
258 set for trial, beginning with jury selection.

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259 (3) DATA COLLECTION AND REPORTING—Beginning January 1,
260 2019, the following entities shall collect and transmit data
261 weekly to the Department of Law Enforcement:

262 (a) Each clerk of court shall collect the following data
263 for each criminal case:

- 264 1. Case number.
- 265 2. Offense date.
- 266 3. County in which the offense was committed.
- 267 4. Arrest date.
- 268 5. Filing date.
- 269 6. Arraignment date or initial appearance.
- 270 7. Attorney assignment date.
- 271 8. Attorney withdrawal date.
- 272 9. Case status.
- 273 10. Disposition date.
- 274 11. For each defendant:
 - 275 a. Name.
 - 276 b. Date of birth.
 - 277 c. Age.
 - 278 d. Zip code of primary residence.
 - 279 e. Primary language.
 - 280 f. Race and ethnicity.
 - 281 g. Gender.
 - 282 h. Citizenship.
 - 283 i. Immigration status, if applicable.

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- 284 j. Whether the defendant is indigent under s. 27.52.
285 12. Any charge referred to the state attorney by law
286 enforcement.
287 13. The following information on a formal charge filed
288 against the defendant:
289 a. Charge sequence number.
290 b. Charge description.
291 c. Charge statute.
292 d. Charge type.
293 e. Charge class severity.
294 f. Charge modifier, if any.
295 g. Charge disposition.
296 h. Charge disposition date.
297 i. Drug type for drug charge, if known.
298 j. Domestic violence flag.
299 k. Gang affiliation flag.
300 l. Sexual offender flag.
301 m. Habitual offender flag.
302 14. Plea date.
303 15. The following information on bail or bond and pretrial
304 release:
305 a. Pretrial release decision.
306 b. Nonmonetary condition of release.
307 c. Cash bail or bond amount.
308 d. Cash bail or bond payment.

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- 309 | e. Booking date and reason.
- 310 | f. Date defendant is released on bail, bond, or pretrial
- 311 | release.
- 312 | g. Bail or bond revocation due to a new offense, a failure
- 313 | to appear, or a violation of the terms of bail or bond.
- 314 | h. Pretrial release offender flag.
- 315 | 16. The following pretrial dates:
- 316 | a. Bail or bond hearing date.
- 317 | b. Bail or bond setting date.
- 318 | c. Bail or bond modification date.
- 319 | d. Bail or bond posting date.
- 320 | e. Deferred prosecution or pretrial diversion hearing date
- 321 | or agreement date.
- 322 | 17. The following court dates and dates of motions and
- 323 | appearances:
- 324 | a. Date of court appearance.
- 325 | b. Date of failure to appear in court.
- 326 | c. Judicial transfer date.
- 327 | d. Trial date.
- 328 | e. Bail or bond motion date.
- 329 | f. Discovery motion date.
- 330 | g. Speedy trial motion date.
- 331 | h. Speedy trial motion hearing date.
- 332 | i. Dismissal motion date.
- 333 | j. Dismissal motion hearing date.

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- 334 18. Defense attorney type.
- 335 19. The following information related to sentencing:
- 336 a. Sentence date.
- 337 b. Sentence type.
- 338 c. Sentence length.
- 339 d. Sentence condition.
- 340 e. Time served credit and length.
- 341 f. Court fees amount.
- 342 g. Court fees amount balance or payment to date.
- 343 h. Fine amount.
- 344 i. Fine amount balance or payment to date.
- 345 j. Restitution amount ordered.
- 346 k. If restitution is ordered, the amount collected by the
- 347 court and the amount paid to the victim.
- 348 19. The number of judges, magistrates, court
- 349 commissioners, or their equivalents hearing nonappellant, adult
- 350 criminal cases in the circuit.
- 351 (b) Each state attorney shall collect the following data:
- 352 1. For a human victim of a criminal offense:
- 353 a. Race and ethnicity.
- 354 b. Gender.
- 355 c. Age.
- 356 d. Relationship to the offender.
- 357 2. Number of full-time prosecutors.
- 358 3. Number of part-time prosecutors.

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- 359 | 4. Annual felony caseload.
- 360 | 5. Annual misdemeanor caseload.
- 361 | 6. For each defendant:
- 362 | a. Each charge referred to the office of the state
- 363 | attorney by law enforcement.
- 364 | b. Drug type for each drug charge.
- 365 | 7. Number of cases in which no information was filed.
- 366 | (c) Each public defender shall collect the following data
- 367 | for each criminal case:
- 368 | 1. Number of full-time public defenders.
- 369 | 2. Number of part-time public defenders.
- 370 | 3. Number of contract attorneys representing indigent
- 371 | defendants for the office of the public defender.
- 372 | 4. Annual felony caseload.
- 373 | 5. Annual misdemeanor caseload.
- 374 | (d) The administrator of each county detention facility
- 375 | shall collect the following data:
- 376 | 1. Jail capacity.
- 377 | 2. Weekly admissions to jail for probation revocation.
- 378 | 3. Daily jail population.
- 379 | 4. Daily jail pretrial population.
- 380 | 5. Daily jail presentence population.
- 381 | 6. Daily jail postsentence population.
- 382 | 7. Daily number of federal and state inmates held in jail.
- 383 | 8. Total jail population at year-end.

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- 384 9. Pretrial jail population at year-end.
- 385 10. Presentence jail population at year-end.
- 386 11. Postsentence jail population at year-end.
- 387 12. Number of federal and state inmates held in jail at
388 year-end.
- 389 13. Daily cost of a jail bed.
- 390 14. Daily number of correctional officers.
- 391 15. Annual jail budget.
- 392 16. Revenue generated from the temporary incarceration of
393 federal defendants or inmates.
- 394 17. For each inmate:
- 395 a. Booking date and reason.
- 396 b. Domestic violence flag.
- 397 c. Gang affiliation flag.
- 398 d. Habitual offender flag.
- 399 e. Pretrial release offender flag.
- 400 f. Sexual offender flag.
- 401 (e) The Department of Corrections shall collect:
- 402 1. For each prisoner:
- 403 a. The following data:
- 404 (I) Name.
- 405 (II) DOC number.
- 406 (III) Date of birth.
- 407 (IV) Race and ethnicity.
- 408 (V) Number of children.

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- 409 (VI) Education level.
- 410 (VII) Admission date.
- 411 (VIII) Admission type.
- 412 (IX) Current institution and institution security level.
- 413 (X) Sexual offender flag.
- 414 (XI) Habitual offender flag.
- 415 (XII) Gang affiliation flag.
- 416 (XIII) Sentencing scoresheet.
- 417 (XIV) Committing county.
- 418 (XV) Whether the reason for admission to the department is
419 for a new conviction or a probation violation. For an admission
420 for a probation violation, the department shall report whether
421 the violation was technical, based on a new offense, or based on
422 another term of probation.
- 423 b. Specific offense codes, including, for an inmate
424 convicted of drug trafficking under s. 893.135, the offense code
425 for each specific drug trafficked.
- 426 c. Concurrent or consecutive sentence flag.
- 427 d. Length of sentence or concurrent or consecutive
428 sentences served.
- 429 e. Projected discharge date.
- 430 f. Time served, in days.
- 431 g. Good conduct credit earned.
- 432 h. Prior incarceration within the state.
- 433 i. Disciplinary violation and action.

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434 j. Participation in rehabilitative or educational
435 correctional programs.

436 2. The following information about each correctional
437 facility:

438 a. Budget for each correctional institution.

439 b. Daily prison population.

440 c. Daily number of correctional officers.

441 d. Daily cost of a prison bed.

442 3. For probation and probationary services:

443 a. For each probationer:

444 (I) Name.

445 (II) Date of birth.

446 (III) Race and ethnicity.

447 (IV) Sex.

448 (V) Department-assigned case number.

449 b. Length of probation sentence imposed and length of
450 probation sentence served.

451 c. Probation release date or projected release date.

452 d. Probation revocation due to a violation.

453 e. Probation revocation due to a new offense.

454 f. Daily cost per probationer.

455 (4) DATA PUBLICLY AVAILABLE—Beginning January 1, 2019, the
456 department shall publish datasets in its possession in a modern,
457 open, electronic format that is machine-readable and readily
458 accessible by the public on the department's website. The

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459 published data shall be searchable, at a minimum, by each data
460 element, county, circuit, and unique identifier. Beginning March
461 1, 2019, the department shall begin publishing the data received
462 under subsection (3) in the same modern, open, electronic format
463 that is machine-readable and readily accessible to the public on
464 the department's website. The department shall publish all data
465 received under subsection (3) no later than July 1, 2019.

466 Section 2. Section 943.687, Florida Statutes, is created
467 to read:

468 943.687 Criminal justice data transparency.—In order to
469 facilitate the availability of comparable and uniform criminal
470 justice data, the department shall:

471 (1) Collect, compile, maintain, and manage the data
472 submitted by local and state entities pursuant to s. 900.05 and
473 coordinate related activities to collect and submit data. The
474 department shall create a unique identifier for each criminal
475 case received from the clerks of court which identifies the
476 person who is the subject of the criminal case. The unique
477 identifier must be the same for that person in any court case
478 and used across local and state entities for all information
479 related to that person at any time. The unique identifier shall
480 be randomly created and may not include any portion of the
481 person's social security number or date of birth.

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482 (2) Promote criminal justice data sharing by making such
483 data received under s. 900.05 comparable, transferable, and
484 readily usable.

485 (3) Create and maintain an Internet-based database of
486 criminal justice data received under s. 900.05 in a modern,
487 open, electronic format that is machine-readable and readily
488 accessible through an application program interface. The
489 database shall allow the public to search, at a minimum, by each
490 data element, county, judicial circuit, or unique identifier.
491 The department may not require a license or charge a fee to
492 access or receive information from the database.

493 (4) Develop written agreements with local, state, and
494 federal agencies to facilitate criminal justice data sharing.

495 (5) Establish by rule:

496 (a) Requirements for the entities subject to the
497 requirements of s. 900.05 to submit data through an application
498 program interface.

499 (b) A data catalog defining data objects, describing data
500 fields, and detailing the meaning of and options for each data
501 element reported pursuant to s. 900.05.

502 (c) How data collected pursuant to s. 900.05 is compiled,
503 processed, structured, used, or shared. The rule shall provide
504 for tagging all information associated with each case number and
505 unique identifier.

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506 (d) Requirements for implementing and monitoring the
507 Internet-based database under subsection (3).

508 (e) How information contained in the Internet-based
509 database under subsection (3) is accessed by the public.

510 (6) Consult with local, state, and federal criminal
511 justice agencies and other public and private users of the
512 database under subsection (3) on the data elements collected
513 under s. 900.05, the use of such data, and adding data elements
514 to be collected.

515 (7) Monitor data collection procedures and test data
516 quality to facilitate the dissemination of accurate, valid,
517 reliable, and complete criminal justice data.

518 (8) Develop methods for archiving data, retrieving
519 archived data, and data editing and verification.

520 Section 3. Subsections (3), (4), (5), (6), and (7) of
521 section 921.0024, Florida Statutes, are amended to read:

522 921.0024 Criminal Punishment Code; worksheet computations;
523 scoresheets.-

524 (3) A single digitized scoresheet shall be prepared for
525 each defendant to determine the permissible range for the
526 sentence that the court may impose, except that if the defendant
527 is before the court for sentencing for more than one felony and
528 the felonies were committed under more than one version or
529 revision of the guidelines or the code, separate digitized
530 scoresheets must be prepared. The scoresheet or scoresheets must

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531 cover all the defendant's offenses pending before the court for
532 sentencing. The state attorney shall prepare the digitized
533 scoresheet or scoresheets, which must be presented to the
534 defense counsel for review for accuracy in all cases unless the
535 judge directs otherwise. The defendant's scoresheet or
536 scoresheets must be approved and signed by the sentencing judge.

537 (4) The Department of Corrections, in consultation with
538 the Office of the State Courts Administrator, state attorneys,
539 and public defenders, must develop and submit the revised
540 digitized Criminal Punishment Code scoresheet to the Supreme
541 Court for approval by June 15 of each year, as necessary. The
542 digitized scoresheet shall have individual, structured data
543 cells for each data field on the scoresheet. Upon the Supreme
544 Court's approval of the revised digitized scoresheet, the
545 Department of Corrections shall produce and provide ~~sufficient~~
546 ~~copies of~~ the revised digitized scoresheets by September 30 of
547 each year, as necessary. Digitized scoresheets must include
548 individual data cells to indicate ~~item entries for the~~
549 ~~scoresheet preparer's use in indicating~~ whether any prison
550 sentence imposed includes a mandatory minimum sentence or the
551 sentence imposed was a downward departure from the lowest
552 permissible sentence under the Criminal Punishment Code.

553 (5) The Department of Corrections shall make available
554 ~~distribute sufficient copies of~~ the digitized Criminal

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555 Punishment Code scoresheets to those persons charged with the
556 responsibility for preparing scoresheets.

557 (6) The clerk of the circuit court shall transmit a
558 complete, and accurate digitized, ~~and legible~~ copy of the
559 Criminal Punishment Code scoresheet used in each sentencing
560 proceeding to the Department of Corrections. Scoresheets must be
561 electronically transmitted no less frequently than weekly
562 ~~monthly~~, by the first of each month, and may be sent
563 collectively.

564 (7) A digitized sentencing scoresheet must be prepared for
565 every defendant who is sentenced for a felony offense. ~~A copy of~~
566 The individual offender's digitized Criminal Punishment Code
567 scoresheet and any attachments thereto prepared pursuant to Rule
568 3.701, Rule 3.702, or Rule 3.703, Florida Rules of Criminal
569 Procedure, or any other rule pertaining to the preparation and
570 submission of felony sentencing scoresheets, must be included
571 with ~~attached to the copy of~~ the uniform judgment and sentence
572 form provided to the Department of Corrections.

573 Section 4. Paragraph (b) of subsection (4) of section
574 907.043, Florida Statutes, is amended to read:

575 907.043 Pretrial release; citizens' right to know.-

576 (4)

577 (b) The annual report must contain, but need not be
578 limited to:

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579 1. The name, location, and funding sources of the pretrial
580 release program, including the amount of public funds, if any,
581 received by the pretrial release program.

582 2. The operating and capital budget of each pretrial
583 release program receiving public funds.

584 3.a. The percentage of the pretrial release program's
585 total budget representing receipt of public funds.

586 b. The percentage of the total budget which is allocated
587 to assisting defendants obtain release through a nonpublicly
588 funded program.

589 c. The amount of fees paid by defendants to the pretrial
590 release program.

591 4. The number of persons employed by the pretrial release
592 program.

593 5. The number of defendants assessed and interviewed for
594 pretrial release.

595 6. The number of defendants recommended for pretrial
596 release.

597 7. The number of defendants for whom the pretrial release
598 program recommended against nonsecured release.

599 8. The number of defendants granted nonsecured release
600 after the pretrial release program recommended nonsecured
601 release.

602 9. The number of defendants assessed and interviewed for
603 pretrial release who were declared indigent by the court.

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604 10. The number of defendants accepted into a pretrial
605 release program who paid a surety or cash bail or bond.

606 11. The number of defendants for whom a risk assessment
607 tool was used in determining whether the defendant should be
608 released pending the disposition of the case and the number of
609 defendants for whom a risk assessment tool was not used.

610 12. The type of each criminal charge of a defendant
611 accepted into a pretrial release program to include, at a
612 minimum, the number of defendants charged with:

613 a. Dangerous crimes as defined in s. 907.041.

614 b. Nonviolent felonies.

615 c. Misdemeanors only.

616 13. The number of defendants accepted into a pretrial
617 release program with no prior criminal conviction.

618 ~~14.10.~~ The name and case number of each person granted
619 nonsecured release who:

620 a. Failed to attend a scheduled court appearance.

621 b. Was issued a warrant for failing to appear.

622 c. Was arrested for any offense while on release through
623 the pretrial release program.

624 ~~15.11.~~ Any additional information deemed necessary by the
625 governing body to assess the performance and cost efficiency of
626 the pretrial release program.

627 Section 5. Section 945.041, Florida Statutes, is created
628 to read:

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629 945.041 Department of Corrections reports.—The department
630 shall publish on its website and make available to the public
631 the following information, updated on a quarterly basis:

632 (1) Inmate admissions by offense type. Burglary of
633 dwelling offenses under s. 810.02(2), (3)(a), and (3)(b) shall
634 be reported as a separate category from all other property
635 crimes.

636 (2) The recidivism rate, defined as rearrest,
637 reconviction, reincarceration, and probation revocation in the
638 state within a 3-year time period following release from
639 incarceration.

640 Section 6. Subsection (5) of section 20.315, Florida
641 Statutes, is amended to read:

642 20.315 Department of Corrections.—There is created a
643 Department of Corrections.

644 (5) ANNUAL REPORTING.—The department shall report annually
645 to the Governor, the President of the Senate, and the Speaker of
646 the House of Representatives recounting its activities and
647 making recommendations for improvements to the performance of
648 the department. The annual report shall include information
649 published under s. 945.041.

650 Section 7. A pilot project is established in the Sixth
651 Judicial Circuit for the purpose of improving criminal justice
652 data transparency and ensuring data submitted under s. 900.05,
653 Florida Statutes, is accurate, valid, reliable, and structured.

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654 The clerk of court, the state attorney, the public defender, or
 655 a sheriff in the circuit may enter into a memorandum of
 656 understanding with a national, nonpartisan, not-for-profit
 657 entity which provides data and measurement for county-level
 658 criminal justice systems to establish the duties and
 659 responsibilities of a data fellow, completely funded by the
 660 entity, to be embedded with the office or agency. The data
 661 fellow will assist with data extraction, validation, and quality
 662 and publish such data consistent with the terms of the
 663 memorandum. The data fellow will assist the office or agency in
 664 compiling and reporting data pursuant to s. 900.05, Florida
 665 Statutes, in compliance with rules established by the Department
 666 of Law Enforcement. The pilot project shall expire pursuant to
 667 the terms outlined in the memorandum.

668 Section 8. For the 2018-2019 fiscal year, nine full-time
 669 equivalent positions with an associated total salary rate of
 670 476,163 are authorized and the recurring sum of \$665,884 and the
 671 nonrecurring sum of \$1,084,116 are appropriated from the General
 672 Revenue Fund to the Department of Law Enforcement for the
 673 purposes of implementing ss. 900.05(4) and 943.687, Florida

674 -----

675
 676 **T I T L E A M E N D M E N T**

677 Remove line 4 and insert:

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678 | intent; declaring an important state interest;
679 | providing definitions; requiring specified

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