



1                   A bill to be entitled  
2           An act relating to criminal justice data transparency;  
3           creating s. 900.05, F.S.; providing legislative  
4           intent; declaring an important state interest;  
5           providing definitions; requiring specified  
6           entities to collect and transmit to the Department of  
7           Law Enforcement weekly specific data; requiring the  
8           Department of Law Enforcement to compile, maintain,  
9           and make publicly accessible the data; providing  
10          sanctions for noncompliance by an entity required to  
11          collect and transmit data; creating s. 943.687, F.S.;  
12          requiring the Department of Law Enforcement to  
13          collect, compile, maintain, and manage data collected  
14          pursuant to s. 900.05, F.S.; requiring the department  
15          to make data comparable, transferable, and readily  
16          usable; requiring an Internet-based database;  
17          providing requirements for data searchability and  
18          sharing; requiring monitoring of data collection  
19          procedures; providing for data archiving, editing, and  
20          retrieval; amending s. 921.0024, F.S.; requiring  
21          scoresheets prepared for all criminal defendants to be  
22          digitized; requiring the Department of Corrections to  
23          develop and submit revised digitized scoresheets to  
24          the Supreme Court for approval; requiring digitized  
25          scoresheets to include individual data cells for each



26 field on the scoresheet; requiring the clerk of court  
27 to electronically transmit the digitized scoresheet  
28 used in each sentencing proceeding to the department;  
29 amending s. 907.043, F.S.; requiring each pretrial  
30 release program to include in its annual report the  
31 types of criminal charges of defendants accepted into  
32 a pretrial release program, the number of defendants  
33 accepted into a pretrial release program who paid a  
34 bail or bond, the number of defendants accepted into a  
35 pretrial release program with no prior criminal  
36 conviction, and the number of defendants for whom a  
37 pretrial risk assessment tool was used or was not;  
38 creating s. 945.041, F.S.; requiring the Department of  
39 Corrections to publish quarterly on its website inmate  
40 admissions based on offense type and recidivism rate;  
41 amending s. 20.315, F.S.; requiring the Department of  
42 Corrections to include information in its annual  
43 report on inmate admission based on offense type and  
44 recidivism rate; creating a pilot project in a  
45 specified judicial circuit to improve criminal justice  
46 data transparency and ensure data submitted under s.  
47 900.05, F.S., is accurate, valid, reliable, and  
48 structured; permitting a memorandum of understanding  
49 with a national, nonpartisan, not-for-profit  
50 foundation meeting certain criteria for the purpose of



51 embedding a data fellow in the office or agency;  
 52 establishing data fellow duties and responsibilities;  
 53 providing for the expiration of the pilot project;  
 54 providing appropriations; providing an effective date.

55

56 Be It Enacted by the Legislature of the State of Florida:

57

58 Section 1. Section 900.05, Florida Statutes, is created to  
 59 read:

60 900.05 Criminal justice data collection.-

61 (1) LEGISLATIVE FINDINGS AND INTENT.-It is the intent of  
 62 the Legislature to create a model of uniform criminal justice  
 63 data collection by requiring local and state criminal justice  
 64 agencies to report complete, accurate, and timely data, and  
 65 making such data available to the public. The Legislature finds  
 66 that it is an important state interest to implement a uniform  
 67 data collection process and promote criminal justice data  
 68 transparency.

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

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

72 (b) "Admission type" means the underlying reason for which  
 73 defendant is admitted to the Department of Corrections,  
 74 including a new conviction, probation violation, probation  
 75 violation based on a new offense, parole violation, or parole



76 | violation based on a new offense.

77 |       (c) "Annual felony caseload" means the yearly adult  
78 | criminal felony caseload of each full-time state attorney and  
79 | assistant state attorney or public defender and assistant public  
80 | defender, based on the number of felony cases reported to the  
81 | Supreme Court under s. 25.075. The term does not include the  
82 | appellate caseload of a public defender or assistant public  
83 | defender.

84 |       (d) "Annual misdemeanor caseload" means the yearly adult  
85 | criminal misdemeanor caseload of each full-time state attorney  
86 | and assistant state attorney or public defender and assistant  
87 | public defender, based on the number of misdemeanor cases  
88 | reported to the Supreme Court under s. 25.075. The term does not  
89 | include the appellate caseload of a public defender or assistant  
90 | public defender.

91 |       (e) "Arraignment date or initial appearance" means the  
92 | date a defendant first appears before a judge to enter a plea.

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

97 |       (g) "Attorney assignment date" means the date a court-  
98 | appointed attorney is assigned to the case or, if privately  
99 | retained, the date an attorney files a notice of appearance with  
100 | the clerk of court.



101        (h) "Attorney withdrawal date" means the date the court  
102 removes court-appointed counsel from a case or, for a privately  
103 retained attorney, the date a motion to withdraw is granted by  
104 the court.

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

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

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

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

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

116        (n) "Booking date and reason" means the date a defendant  
117 is booked into a jail facility for a new charge, probation  
118 violation, pursuant to a bench warrant for pretrial release  
119 violation, or pursuant to a warrant from another jurisdiction.

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

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

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



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

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

130 (t) "Charge description" means the statement of the charge  
131 matched to the statutory section establishing the conduct as  
132 criminal.

133 (u) "Charge disposition date" means the date of final  
134 judgment, adjudication, adjudication withheld, dismissal, or  
135 nolle prosequi of each charge.

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

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

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

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

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

147 (aa) "Concurrent or consecutive sentence flag" means an  
148 indication that a defendant is serving another sentence  
149 concurrently or consecutively in addition to the current  
150 sentence.



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

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

156 (dd) "Current institution and institution security level"  
157 means the name of the institution where a defendant is currently  
158 incarcerated and the institution's security level.

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

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

165 (gg) "Daily cost per probationer" means the cost per diem  
166 for each individual serving probation with the Department of  
167 Corrections.

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

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

174 (jj) "Daily jail presentence population" means the number  
175 of inmates incarcerated within a jail facility on each day who



176 entered a plea to charges or were found guilty at trial and are  
177 awaiting sentencing.

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

181 (ll) "Daily number of correctional officers" means the  
182 number of full-time, part-time and auxiliary correctional  
183 officers who are actively providing supervision, protection,  
184 care, custody, and control of inmates working in a state  
185 correctional institution or jail facility each day.

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

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

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

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

196 (qq) "Defense attorney type" means whether the attorney is  
197 a public defender, regional conflict counsel, or other counsel  
198 court-appointed for the defendant; the attorney is privately  
199 retained by the defendant; or the defendant is represented pro  
200 se.





201        (rr) "Deferred prosecution or pretrial diversion hearing  
202 date or agreement date" means each date a hearing is held or a  
203 contract is signed by the parties regarding a defendant's  
204 admission into a deferred prosecution or pretrial diversion  
205 program.

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

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

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

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

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

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

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

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

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

224        (bbb) "Fine amount" means the total fines imposed at case  
225 disposition.



226        (ccc) "Fine amount balance or payment to date" means the  
227 amount a defendant paid towards outstanding fines and the  
228 remaining balance owed.

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

232        (eee) "Good conduct credit earned" means time an inmate  
233 earned for good behavior in a jail facility or state  
234 correctional institution and credited toward his or her  
235 sentence.

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

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

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

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

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

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



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

255 (mmm) "Offense date" means the date that the alleged crime  
256 occurred.

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

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

263 (ppp) "Pretrial release decision" means the date the court  
264 decides the issue of defendant's pretrial release from  
265 incarceration.

266 (qqq) "Pretrial release offender flag" means an indication  
267 that the defendant has violated the terms of his or her pretrial  
268 release.

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

272 (sss) "Postsentence jail population at year-end" means the  
273 number of inmates incarcerated within a jail facility, at the  
274 end of the calendar year, who have been sentenced and are either  
275 -serving that sentence in the facility or awaiting transportation



276 | to the Department of Corrections.

277 |       (ttt) "Probation revocation" means any instance where a

278 | defendant's probation was revoked.

279 |       (uuu) "Projected discharge date" means the anticipated

280 | date an inmate will be released from incarceration.

281 |       (vvv) "Race" means a person's identification as American

282 | Indian or Alaskan Native, African-American or Black, Asian,

283 | Hawaiian or other Pacific Islander, White, or Other, which

284 | includes multi-racial individuals.

285 |       (www) "Restitution amount ordered" means the amount of

286 | money imposed by the court to compensate a victim of a

287 | defendant's criminal activity.

288 |       (xxx) "Sentence condition" means any requirement imposed

289 | by a court in addition to incarceration.

290 |       (yyy) "Sentence date" means the date a court enters a

291 | sentence against a defendant.

292 |       (zzz) "Sentence length" means the total duration of jail

293 | time, prison time, and probation a defendant is ordered to

294 | serve.

295 |       (aaaa) "Sentence type" means capital punishment,

296 | incarceration, probation, or a combination thereof.

297 |       (bbbb) "Sentencing scoresheet" means the digitized

298 | worksheet created under s. 921.0024 to compute the defendant's

299 | minimum sentence that may be imposed by the trial court.

300 |       (cccc) "Speedy trial motion date" means the date a



301 defendant files a demand for speedy trial.

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

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

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

309 (gggg) "Total jail population at year-end" means the  
310 number of inmates incarcerated within a jail facility at the end  
311 of the calendar year.

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

314 (3) DATA COLLECTION AND REPORTING—Beginning January 1,  
315 2019, the following entities shall collect and transmit data  
316 weekly to the Department of Law Enforcement:

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

319 1. Case number.

320 2. Offense date.

321 3. County in which the offense was committed.

322 4. Arrest date.

323 5. Filing date.

324 6. Arraignment date or initial appearance.

325 7. Attorney assignment date.



- 326 | 8. Attorney withdrawal date.
- 327 | 9. Case status.
- 328 | 10. Disposition date.
- 329 | 11. For each defendant:
- 330 | a. Name.
- 331 | b. Date of birth.
- 332 | c. Age.
- 333 | d. Zip code of primary residence.
- 334 | e. Primary language.
- 335 | f. Race and ethnicity.
- 336 | g. Gender.
- 337 | h. Citizenship.
- 338 | i. Immigration status, if applicable.
- 339 | j. Whether the defendant is indigent under s. 27.52.
- 340 | 12. Any charge referred to the state attorney by law
- 341 | enforcement.
- 342 | 13. The following information on a formal charge filed
- 343 | against the defendant:
- 344 | a. Charge sequence number.
- 345 | b. Charge description.
- 346 | c. Charge statute.
- 347 | d. Charge type.
- 348 | e. Charge class severity.
- 349 | f. Charge modifier, if any.
- 350 | g. Charge disposition date.



- 351 | h. Drug type for drug charge, if known.
- 352 | i. Domestic violence flag.
- 353 | j. Gang affiliation flag.
- 354 | k. Sexual offender flag.
- 355 | l. Habitual offender flag.
- 356 | 14. Plea date.
- 357 | 15. The following information on bail or bond and pretrial
- 358 | release:
- 359 | a. Pretrial release decision.
- 360 | b. Nonmonetary condition of release.
- 361 | c. Cash bail or bond amount.
- 362 | d. Cash bail or bond payment.
- 363 | e. Booking date and reason.
- 364 | f. Date defendant is released on bail, bond, or pretrial
- 365 | release.
- 366 | g. Bail or bond revocation due to a new offense, a failure
- 367 | to appear, or a violation of the terms of bail or bond.
- 368 | h. Pretrial release offender flag.
- 369 | 16. The following pretrial dates:
- 370 | a. Bail or bond hearing date.
- 371 | b. Bail or bond setting date.
- 372 | c. Bail or bond modification date.
- 373 | d. Bail or bond posting date.
- 374 | e. Deferred prosecution or pretrial diversion hearing date
- 375 | or agreement date.



- 376 |       17. The following court dates and dates of motions and  
377 | appearances:
- 378 |       a. Date of court appearance.
  - 379 |       b. Date of failure to appear in court.
  - 380 |       c. Judicial transfer date.
  - 381 |       d. Trial date.
  - 382 |       e. Bail or bond motion date.
  - 383 |       f. Discovery motion date.
  - 384 |       g. Speedy trial motion date.
  - 385 |       h. Speedy trial motion hearing date.
  - 386 |       i. Dismissal motion date.
  - 387 |       j. Dismissal motion hearing date.
- 388 |       18. Defense attorney type.
- 389 |       19. The following information related to sentencing:
- 390 |       a. Sentence date.
  - 391 |       b. Charge sentenced to, including charge sequence number,  
392 | charge description, statute, type, and charge class severity.
  - 393 |       c. Sentence type.
  - 394 |       d. Sentence length.
  - 395 |       e. Sentence condition.
  - 396 |       f. Time served credit and length.
  - 397 |       g. Court fees amount.
  - 398 |       h. Court fees amount balance or payment to date.
  - 399 |       i. Fine amount.
  - 400 |       j. Fine amount balance or payment to date.





- 401        k. Restitution amount ordered.
- 402        1. If restitution is ordered, the amount collected by the
- 403 court and the amount paid to the victim.
- 404        20. The number of judges, magistrates, court
- 405 commissioners, or their equivalents hearing nonappellant, adult
- 406 criminal cases in the circuit.
- 407        (b) Each state attorney shall collect the following data:
- 408        1. For a human victim of a criminal offense:
- 409        a. Race and ethnicity.
- 410        b. Gender.
- 411        c. Age.
- 412        d. Relationship to the offender.
- 413        2. Number of full-time prosecutors.
- 414        3. Number of part-time prosecutors.
- 415        4. Annual felony caseload.
- 416        5. Annual misdemeanor caseload.
- 417        6. For each defendant:
- 418        a. Each charge referred to the office of the state
- 419 attorney by law enforcement.
- 420        b. Drug type for each drug charge.
- 421        7. Number of cases in which no information was filed.
- 422        (c) Each public defender shall collect the following data
- 423 for each criminal case:
- 424        1. Number of full-time public defenders.
- 425        2. Number of part-time public defenders.



- 426        3. Number of contract attorneys representing indigent  
427 defendants for the office of the public defender.
- 428        4. Annual felony caseload.
- 429        5. Annual misdemeanor caseload.
- 430        (d) The administrator of each county detention facility  
431 shall collect the following data:
- 432            1. Jail capacity.
- 433            2. Weekly admissions to jail for probation revocation.
- 434            3. Daily jail population.
- 435            4. Daily jail pretrial population.
- 436            5. Daily jail presentence population.
- 437            6. Daily jail postsentence population.
- 438            7. Daily number of federal and state inmates held in jail.
- 439            8. Total jail population at year-end.
- 440            9. Pretrial jail population at year-end.
- 441            10. Presentence jail population at year-end.
- 442            11. Postsentence jail population at year-end.
- 443            12. Number of federal and state inmates held in jail at  
444 year-end.
- 445            13. Daily cost of a jail bed.
- 446            14. Daily number of correctional officers.
- 447            15. Annual jail budget.
- 448            16. Revenue generated from the temporary incarceration of  
449 federal defendants or inmates.
- 450            17. For each inmate:



- 451 | a. Booking date and reason.
- 452 | b. Domestic violence flag.
- 453 | c. Gang affiliation flag.
- 454 | d. Habitual offender flag.
- 455 | e. Pretrial release offender flag.
- 456 | f. Sexual offender flag.
- 457 | (e) The Department of Corrections shall collect:
- 458 | 1. For each prisoner:
- 459 | a. The following data:
- 460 | (I) Name.
- 461 | (II) DOC number.
- 462 | (III) Date of birth.
- 463 | (IV) Race and ethnicity.
- 464 | (V) Number of children.
- 465 | (VI) Education level.
- 466 | (VII) Admission date.
- 467 | (VIII) Admission type.
- 468 | (IX) Current institution and institution security level.
- 469 | (X) Sexual offender flag.
- 470 | (XI) Habitual offender flag.
- 471 | (XII) Gang affiliation flag.
- 472 | (XIII) Sentencing scoresheet.
- 473 | (XIV) Committing county.
- 474 | (XV) Whether the reason for admission to the department is
- 475 | for a new conviction or a probation violation. For an admission



476 for a probation violation, the department shall report whether  
477 the violation was technical, based on a new offense, or based on  
478 another term of probation.

479 b. Specific offense codes, including, for an inmate  
480 convicted of drug trafficking under s. 893.135, the offense code  
481 for each specific drug trafficked.

482 c. Concurrent or consecutive sentence flag.

483 d. Length of sentence or concurrent or consecutive  
484 sentences served.

485 e. Projected discharge date.

486 f. Time served, in days.

487 g. Good conduct credit earned.

488 h. Prior incarceration within the state.

489 i. Disciplinary violation and action.

490 j. Participation in rehabilitative or educational  
491 correctional programs.

492 2. The following information about each correctional  
493 facility:

494 a. Budget for each correctional institution.

495 b. Daily prison population.

496 c. Daily number of correctional officers.

497 d. Daily cost of a prison bed.

498 3. For probation and probationary services:

499 a. For each probationer:

500 (I) Name.



501        (II) Date of birth.  
502        (III) Race and ethnicity.  
503        (IV) Sex.  
504        (V) Department-assigned case number.  
505        b. Length of probation sentence imposed and length of  
506 probation sentence served.  
507        c. Probation release date or projected release date.  
508        d. Probation revocation due to a violation.  
509        e. Probation revocation due to a new offense.  
510        f. Daily cost per probationer.  
511        (4) DATA PUBLICLY AVAILABLE—Beginning January 1, 2019, the  
512 department shall publish datasets in its possession in a modern,  
513 open, electronic format that is machine-readable and readily  
514 accessible by the public on the department's website. The  
515 published data shall be searchable, at a minimum, by each data  
516 element, county, circuit, and unique identifier. Beginning March  
517 1, 2019, the department shall begin publishing the data received  
518 under subsection (3) in the same modern, open, electronic format  
519 that is machine-readable and readily accessible to the public on  
520 the department's website. The department shall publish all data  
521 received under subsection (3) no later than July 1, 2019.  
522        (5) NONCOMPLIANCE.—Notwithstanding any other provision of  
523 law, an entity required to collect and transmit data under  
524 subsection (2) (a) or (2) (d) which does not comply with the  
525 requirements of this section is ineligible to receive funding



526 from the General Appropriations Act, any state grant program  
527 administered by the Department of Law Enforcement, or any other  
528 state agency for 5 years after the date of noncompliance.

529 Section 2. Section 943.687, Florida Statutes, is created  
530 to read:

531 943.687 Criminal justice data transparency.—In order to  
532 facilitate the availability of comparable and uniform criminal  
533 justice data, the department shall:

534 (1) Collect, compile, maintain, and manage the data  
535 submitted by local and state entities pursuant to s. 900.05 and  
536 coordinate related activities to collect and submit data. The  
537 department shall create a unique identifier for each criminal  
538 case received from the clerks of court which identifies the  
539 person who is the subject of the criminal case. The unique  
540 identifier must be the same for that person in any court case  
541 and used across local and state entities for all information  
542 related to that person at any time. The unique identifier shall  
543 be randomly created and may not include any portion of the  
544 person's social security number or date of birth.

545 (2) Promote criminal justice data sharing by making such  
546 data received under s. 900.05 comparable, transferable, and  
547 readily usable.

548 (3) Create and maintain an Internet-based database of  
549 criminal justice data received under s. 900.05 in a modern,  
550 open, electronic format that is machine-readable and readily



551 accessible through an application program interface. The  
552 database shall allow the public to search, at a minimum, by each  
553 data element, county, judicial circuit, or unique identifier.  
554 The department may not require a license or charge a fee to  
555 access or receive information from the database.

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

558 (5) Establish by rule:

559 (a) Requirements for the entities subject to the  
560 requirements of s. 900.05 to submit data through an application  
561 program interface.

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

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

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

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

573 (6) Consult with local, state, and federal criminal  
574 justice agencies and other public and private users of the  
575 database under subsection (3) on the data elements collected



576 under s. 900.05, the use of such data, and adding data elements  
577 to be collected.

578 (7) Monitor data collection procedures and test data  
579 quality to facilitate the dissemination of accurate, valid,  
580 reliable, and complete criminal justice data.

581 (8) Develop methods for archiving data, retrieving  
582 archived data, and data editing and verification.

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

585 921.0024 Criminal Punishment Code; worksheet computations;  
586 scoresheets.-

587 (3) A single digitized scoresheet shall be prepared for  
588 each defendant to determine the permissible range for the  
589 sentence that the court may impose, except that if the defendant  
590 is before the court for sentencing for more than one felony and  
591 the felonies were committed under more than one version or  
592 revision of the guidelines or the code, separate digitized  
593 scoresheets must be prepared. The scoresheet or scoresheets must  
594 cover all the defendant's offenses pending before the court for  
595 sentencing. The state attorney shall prepare the digitized  
596 scoresheet or scoresheets, which must be presented to the  
597 defense counsel for review for accuracy in all cases unless the  
598 judge directs otherwise. The defendant's scoresheet or  
599 scoresheets must be approved and signed by the sentencing judge.

600 (4) The Department of Corrections, in consultation with





601 the Office of the State Courts Administrator, state attorneys,  
602 and public defenders, must develop and submit the revised  
603 digitized Criminal Punishment Code scoresheet to the Supreme  
604 Court for approval by June 15 of each year, as necessary. The  
605 digitized scoresheet shall have individual, structured data  
606 cells for each data field on the scoresheet. Upon the Supreme  
607 Court's approval of the revised digitized scoresheet, the  
608 Department of Corrections shall produce and provide ~~sufficient~~  
609 ~~copies of~~ the revised digitized scoresheets by September 30 of  
610 each year, as necessary. Digitized scoresheets must include  
611 individual data cells to indicate ~~item entries for the~~  
612 ~~scoresheet preparer's use in indicating~~ whether any prison  
613 sentence imposed includes a mandatory minimum sentence or the  
614 sentence imposed was a downward departure from the lowest  
615 permissible sentence under the Criminal Punishment Code.

616 (5) The Department of Corrections shall make available  
617 ~~distribute sufficient copies of~~ the digitized Criminal  
618 Punishment Code scoresheets to those persons charged with the  
619 responsibility for preparing scoresheets.

620 (6) The clerk of the circuit court shall transmit a  
621 complete, and accurate digitized, ~~and legible~~ copy of the  
622 Criminal Punishment Code scoresheet used in each sentencing  
623 proceeding to the Department of Corrections. Scoresheets must be  
624 electronically transmitted no less frequently than weekly  
625 ~~monthly,~~ by the first of each month, and may be sent



626 collectively.

627 (7) A digitized sentencing scoresheet must be prepared for  
628 every defendant who is sentenced for a felony offense. ~~A copy of~~  
629 The individual offender's digitized Criminal Punishment Code  
630 scoresheet and any attachments thereto prepared pursuant to Rule  
631 3.701, Rule 3.702, or Rule 3.703, Florida Rules of Criminal  
632 Procedure, or any other rule pertaining to the preparation and  
633 submission of felony sentencing scoresheets, must be included  
634 with ~~attached to the copy of~~ the uniform judgment and sentence  
635 form provided to the Department of Corrections.

636 Section 4. Paragraph (b) of subsection (4) of section  
637 907.043, Florida Statutes, is amended to read:

638 907.043 Pretrial release; citizens' right to know.—

639 (4)

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

642 1. The name, location, and funding sources of the pretrial  
643 release program, including the amount of public funds, if any,  
644 received by the pretrial release program.

645 2. The operating and capital budget of each pretrial  
646 release program receiving public funds.

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

649 b. The percentage of the total budget which is allocated  
650 to assisting defendants obtain release through a nonpublicly



651 funded program.

652 c. The amount of fees paid by defendants to the pretrial  
653 release program.

654 4. The number of persons employed by the pretrial release  
655 program.

656 5. The number of defendants assessed and interviewed for  
657 pretrial release.

658 6. The number of defendants recommended for pretrial  
659 release.

660 7. The number of defendants for whom the pretrial release  
661 program recommended against nonsecured release.

662 8. The number of defendants granted nonsecured release  
663 after the pretrial release program recommended nonsecured  
664 release.

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

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

669 11. The number of defendants for whom a risk assessment  
670 tool was used in determining whether the defendant should be  
671 released pending the disposition of the case and the number of  
672 defendants for whom a risk assessment tool was not used.

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



676        a. Dangerous crimes as defined in s. 907.041.  
677        b. Nonviolent felonies.  
678        c. Misdemeanors only.  
679        13. The number of defendants accepted into a pretrial  
680 release program with no prior criminal conviction.  
681        ~~14.10.~~ The name and case number of each person granted  
682 nonsecured release who:  
683        a. Failed to attend a scheduled court appearance.  
684        b. Was issued a warrant for failing to appear.  
685        c. Was arrested for any offense while on release through  
686 the pretrial release program.  
687        ~~15.11.~~ Any additional information deemed necessary by the  
688 governing body to assess the performance and cost efficiency of  
689 the pretrial release program.  
690        Section 5. Section 945.041, Florida Statutes, is created  
691 to read:  
692        945.041 Department of Corrections reports.—The department  
693 shall publish on its website and make available to the public  
694 the following information, updated on a quarterly basis:  
695        (1) Inmate admissions by offense type. Burglary of  
696 dwelling offenses under s. 810.02(2), (3)(a), and (3)(b) shall  
697 be reported as a separate category from all other property  
698 crimes.  
699        (2) The recidivism rate, defined as rearrest,  
700 reconviction, reincarceration, and probation revocation in the



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701 state within a 3-year time period following release from  
702 incarceration.

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

705 20.315 Department of Corrections.—There is created a  
706 Department of Corrections.

707 (5) ANNUAL REPORTING.—The department shall report annually  
708 to the Governor, the President of the Senate, and the Speaker of  
709 the House of Representatives recounting its activities and  
710 making recommendations for improvements to the performance of  
711 the department. The annual report shall include information  
712 published under s. 945.041.

713 Section 7. A pilot project is established in the Sixth  
714 Judicial Circuit for the purpose of improving criminal justice  
715 data transparency and ensuring data submitted under s. 900.05,  
716 Florida Statutes, is accurate, valid, reliable, and structured.  
717 The clerk of court, the state attorney, the public defender, or  
718 a sheriff in the circuit may enter into a memorandum of  
719 understanding with a national, nonpartisan, not-for-profit  
720 entity which provides data and measurement for county-level  
721 criminal justice systems to establish the duties and  
722 responsibilities of a data fellow, completely funded by the  
723 entity, to be embedded with the office or agency. The data  
724 fellow will assist with data extraction, validation, and quality  
725 and publish such data consistent with the terms of the



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726 memorandum. The data fellow will assist the office or agency in  
727 compiling and reporting data pursuant to s. 900.05, Florida  
728 Statutes, in compliance with rules established by the Department  
729 of Law Enforcement. The pilot project shall expire pursuant to  
730 the terms outlined in the memorandum.

731 Section 8. For the 2018-2019 fiscal year, nine full-time  
732 equivalent positions with an associated total salary rate of  
733 476,163 are authorized and the recurring sum of \$665,884 and the  
734 nonrecurring sum of \$1,084,116 are appropriated from the General  
735 Revenue Fund to the Department of Law Enforcement for the  
736 purposes of implementing ss. 900.05(4) and 943.687, Florida  
737 Statutes, transitioning to incident-based crime reporting, and  
738 collecting and submitting crime statistics that meet the  
739 requirements of the Federal Bureau of Investigation under the  
740 National Incident-Based Reporting System.

741 Section 9. This act shall take effect July 1, 2018.