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LEGISLATIVE ACTION

Senate

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House

Senator Brandes moved the following:

1 **Senate Amendment to Senate Amendment (601794) to House**
2 **Amendment (with title amendment)**

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4 Between lines 894 and 895
5 insert:

6 Section 16. From the funds in Specific Appropriation 3141A,
7 the Office of the State Courts Administrator shall develop or
8 competitively procure an electronic criminal justice risk
9 assessment instrument. The instrument shall be used to pilot one
10 or more validated pretrial risk assessment instruments in two or
11 more counties which will objectively analyze the risk that a



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12 criminal defendant will re-offend or fail to appear before trial
13 and provide risk levels that will inform the court's decision as
14 to whether the defendant should be detained pretrial or released
15 with or without conditions. The pilot must begin on or before
16 November 1, 2018, and criminal justice agencies within the pilot
17 counties shall participate. In determining the appropriate
18 pretrial risk assessment instruments for the pilot, the office,
19 in collaboration with the participating criminal justice
20 agencies, shall review existing, validated pretrial risk
21 assessment instruments. Additionally, the office shall review
22 the effectiveness of the use of validated risk assessment
23 instruments to determine a criminal defendant's suitability for
24 problem-solving courts and consider whether such assessments
25 should be included in the criminal justice risk assessment
26 instrument. As part of the review process, the office shall
27 consult with the Department of Juvenile Justice and the
28 Department of Corrections regarding their experiences with
29 developing and using risk assessment instruments. The office
30 shall submit to the President of the Senate and the Speaker of
31 the House of Representatives an interim report by February 1,
32 2019, which addresses the pilot's implementation status and
33 whether risk assessment instruments used in problem-solving
34 courts should be included in the instrument, and a final report
35 by January 3, 2020, to the President of the Senate and the
36 Speaker of the House of Representatives which addresses the
37 success of the pilot and, if warranted by the pilot's findings,
38 makes recommendations to the Legislature as to how to implement
39 pretrial risk assessment instruments statewide.
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41 ===== T I T L E A M E N D M E N T =====

42 And the title is amended as follows:

43 Delete line 4802

44 and insert:

45 rules; requiring the Office of the State Courts
46 Administrator to develop or competitively procure with
47 certain funds an electronic criminal justice risk
48 assessment instrument; specifying uses for the risk
49 assessment instrument; requiring the pilot to begin by
50 a certain date; requiring the office to review
51 existing risk assessment instruments for certain
52 purposes; requiring the office to consult with certain
53 departments regarding their experiences developing and
54 using risk assessment instruments; requiring the
55 office to submit an interim report by a certain date
56 and a final report by a certain date to the
57 Legislature; amending s. 907.043, F.S.; requiring each