

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; providing definitions; requiring specified  
5           entities to collect and transmit to the Department of  
6           Law Enforcement weekly specific data; requiring the  
7           Department of Law Enforcement to compile, maintain,  
8           and make publicly accessible the data; creating s.  
9           943.687, F.S.; requiring the Department of Law  
10          Enforcement to collect, compile, maintain, and manage  
11          data collected pursuant to s. 900.05, F.S.; requiring  
12          the department to make data comparable, transferable,  
13          and readily usable; requiring an Internet-based  
14          database; providing requirements for data  
15          searchability and sharing; requiring monitoring of  
16          data collection procedures; providing for data  
17          archiving, editing, and retrieval; amending s.  
18          921.0024, F.S.; requiring scoresheets prepared for all  
19          criminal defendants to be digitized; requiring the  
20          Department of Corrections to develop and submit  
21          revised digitized scoresheets to the Supreme Court for  
22          approval; requiring digitized scoresheets to include  
23          individual data cells for each field on the  
24          scoresheet; requiring the clerk of court to  
25          electronically transmit the digitized scoresheet used

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

51 providing for the expiration of the pilot project;  
 52 providing appropriations; providing an effective date.

53

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

55

56 Section 1. Section 900.05, Florida Statutes, is created to  
 57 read:

58 900.05 Criminal justice data collection.—It is the intent  
 59 of the Legislature to create a model of uniform criminal justice  
 60 data collection by requiring local and state criminal justice  
 61 agencies to report complete, accurate, and timely data, and  
 62 making such data available to the public.

63 (1) DEFINITIONS.—As used in this section, the term:

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

66 (b) "Admission type" means the underlying reason for which  
 67 defendant is admitted to the Department of Corrections,  
 68 including a new conviction, probation violation, probation  
 69 violation based on a new offense, parole violation, or parole  
 70 violation based on a new offense.

71 (c) "Annual felony caseload" means the yearly adult  
 72 criminal felony caseload of each full-time state attorney and  
 73 assistant state attorney or public defender and assistant public  
 74 defender, based on the number of felony cases reported to the  
 75 Supreme Court under s. 25.075. The term does not include the

76 appellate caseload of a public defender or assistant public  
77 defender.

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

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

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

91 (g) "Attorney assignment date" means the date a court-  
92 appointed attorney is assigned to the case or, if privately  
93 retained, the date an attorney files a notice of appearance with  
94 the clerk of court.

95 (h) "Attorney withdrawal date" means the date the court  
96 removes court-appointed counsel from a case or, for a privately  
97 retained attorney, the date a motion to withdraw is granted by  
98 the court.

99 (i) "Bail or bond hearing date" means the date a defendant  
100 appears in court for bailor bond determination.

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

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

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

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

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

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

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

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

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

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

124        (t) "Charge description" means the statement of the charge  
125 matched to the statutory section establishing the conduct as

126 criminal.

127 (u) "Charge disposition date" means the date of final  
128 judgment, adjudication, adjudication withheld, dismissal, or  
129 nolle prosequi of each charge.

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

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

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

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

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

141 (aa) "Concurrent or consecutive sentence flag" means an  
142 indication that a defendant is serving another sentence  
143 concurrently or consecutively in addition to the current  
144 sentence.

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

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

150 (dd) "Current institution and institution security level"

151 means the name of the institution where a defendant is currently  
152 incarcerated and the institution's security level.

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

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

159 (gg) "Daily cost per probationer" means the cost per diem  
160 for each individual serving probation with the Department of  
161 Corrections.

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

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

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

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

175 (ll) "Daily number of correctional officers" means the

176 number of full-time, part-time and auxiliary correctional  
177 officers who are actively providing supervision, protection,  
178 care, custody, and control of inmates in a state correctional  
179 institution or jail facility each day.

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

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

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

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

190 (qq) "Defense attorney type" means whether the attorney is  
191 court-appointed to or privately retained by a defendant, or the  
192 defendant is represented pro se.

193 (rr) "Deferred prosecution or pretrial diversion hearing  
194 date or agreement date" means each date a hearing is held or a  
195 contract is signed by the parties regarding a defendant's  
196 admission into a deferred prosecution or pretrial diversion  
197 program.

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

200 (tt) "Discovery motion date" means the date a defendant

201 files a notice to participate in discovery.

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

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

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

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

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

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

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

216 (bbb) "Fine amount" means the total fines imposed at case  
 217 disposition.

218 (ccc) "Fine amount balance or payment to date" means the  
 219 amount a defendant paid towards outstanding fines and the  
 220 remaining balance owed.

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

224 (eee) "Good conduct credit earned" means time an inmate  
 225 earned for good behavior in a jail facility or state

226 correctional institution and credited toward his or her  
227 sentence.

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

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

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

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

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

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

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

247 (mmm) "Offense date" means the date that the alleged crime  
248 occurred.

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

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

255 (ppp) "Pretrial release decision" means the date the court  
256 decides the issue of defendant's pretrial release from  
257 incarceration.

258 (qqq) "Pretrial release offender flag" means an indication  
259 that the defendant has violated the terms of his or her pretrial  
260 release.

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

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

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

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

273 (vvv) "Race" means a person's identification as American  
274 Indian or Alaskan Native, African-American or Black, Asian,  
275 Hawaiian or other Pacific Islander, White, or Other, which

276 includes multi-racial individuals.

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

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

282 (yyy) "Sentence date" means the date a court enters a  
283 sentence against a defendant.

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

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

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

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

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

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

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

301        (gggg) "Total jail population at year-end" means the  
 302 number of inmates incarcerated within a jail facility at the end  
 303 of the calendar year.

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

306        (2) DATA COLLECTION AND REPORTING—Beginning January 1,  
 307 2019, the following entities shall collect and transmit data  
 308 weekly to the Department of Law Enforcement:

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

- 311            1. Case number.
- 312            2. Offense date.
- 313            3. County in which the offense was committed.
- 314            4. Arrest date.
- 315            5. Filing date.
- 316            6. Arraignment date or initial appearance.
- 317            7. Attorney assignment date.
- 318            8. Attorney withdrawal date.
- 319            9. Case status.
- 320            10. Disposition date.
- 321            11. For each defendant:
  - 322                a. Name.
  - 323                b. Date of birth.
  - 324                c. Age.
  - 325                d. Zip code of primary residence.

- 326 |       e. Primary language.
- 327 |       f. Race and ethnicity.
- 328 |       g. Gender.
- 329 |       h. Citizenship.
- 330 |       i. Immigration status, if applicable.
- 331 |       j. Whether the defendant is indigent under s. 27.52.
- 332 |       12. Any charge referred to the state attorney by law
- 333 | enforcement.
- 334 |       13. The following information on a formal charge filed
- 335 | against the defendant:
- 336 |       a. Charge sequence number.
- 337 |       b. Charge description.
- 338 |       c. Charge statute.
- 339 |       d. Charge type.
- 340 |       e. Charge class severity.
- 341 |       f. Charge modifier, if any.
- 342 |       g. Charge disposition.
- 343 |       h. Charge disposition date.
- 344 |       i. Drug type for drug charge, if known.
- 345 |       j. Domestic violence flag.
- 346 |       k. Gang affiliation flag.
- 347 |       l. Sexual offender flag.
- 348 |       m. Habitual offender flag.
- 349 |       14. Plea date.
- 350 |       15. The following information on bail or bond and pretrial

- 351 release:
- 352     a. Pretrial release decision.
- 353     b. Nonmonetary condition of release.
- 354     c. Cash bail or bond amount.
- 355     d. Cash bail or bond payment.
- 356     e. Booking date and reason.
- 357     f. Date defendant is released on bail, bond, or pretrial
- 358 release.
- 359     g. Bail or bond revocation due to a new offense, a failure
- 360 to appear, or a violation of the terms of bail or bond.
- 361     h. Pretrial release offender flag.
- 362     16. The following pretrial dates:
- 363         a. Bail or bond hearing date.
- 364         b. Bail or bond setting date.
- 365         c. Bail or bond modification date.
- 366         d. Bail or bond posting date.
- 367         e. Deferred prosecution or pretrial diversion hearing date
- 368 or agreement date.
- 369     17. The following court dates and dates of motions and
- 370 appearances:
- 371         a. Date of court appearance.
- 372         b. Date of failure to appear in court.
- 373         c. Judicial transfer date.
- 374         d. Trial date.
- 375         e. Bail or bond motion date.

- 376 |       f. Discovery motion date.
- 377 |       g. Speedy trial motion date.
- 378 |       h. Speedy trial motion hearing date.
- 379 |       i. Dismissal motion date.
- 380 |       j. Dismissal motion hearing date.
- 381 |       18. Defense attorney type.
- 382 |       19. The following information related to sentencing:
- 383 |           a. Sentence date.
- 384 |           b. Sentence type.
- 385 |           c. Sentence length.
- 386 |           d. Sentence condition.
- 387 |           e. Time served credit and length.
- 388 |           f. Court fees amount.
- 389 |           g. Court fees amount balance or payment to date.
- 390 |           h. Fine amount.
- 391 |           i. Fine amount balance or payment to date.
- 392 |           j. Restitution amount ordered.
- 393 |           k. If restitution is ordered, the amount collected by the
- 394 | court and the amount paid to the victim.
- 395 |       19. The number of judges, magistrates, court
- 396 | commissioners, or their equivalents hearing nonappellant, adult
- 397 | criminal cases in the circuit.
- 398 |       (b) Each state attorney shall collect the following data:
- 399 |           1. For a human victim of a criminal offense:
- 400 |           a. Race and ethnicity.

- 401        b. Gender.
- 402        c. Age.
- 403        d. Relationship to the offender.
- 404        2. Number of full-time prosecutors.
- 405        3. Number of part-time prosecutors.
- 406        4. Annual felony caseload.
- 407        5. Annual misdemeanor caseload.
- 408        6. For each defendant:
- 409            a. Each charge referred to the office of the state
- 410 attorney by law enforcement.
- 411            b. Drug type for each drug charge.
- 412        7. Number of cases in which no information was filed.
- 413        (c) Each public defender shall collect the following data
- 414 for each criminal case:
- 415            1. Number of full-time public defenders.
- 416            2. Number of part-time public defenders.
- 417            3. Number of contract attorneys representing indigent
- 418 defendants for the office of the public defender.
- 419            4. Annual felony caseload.
- 420            5. Annual misdemeanor caseload.
- 421        (d) The administrator of each county detention facility
- 422 shall collect the following data:
- 423            1. Jail capacity.
- 424            2. Weekly admissions to jail for probation revocation.
- 425            3. Daily jail population.

- 426 |       4. Daily jail pretrial population.
- 427 |       5. Daily jail presentence population.
- 428 |       6. Daily jail postsentence population.
- 429 |       7. Daily number of federal and state inmates held in jail.
- 430 |       8. Total jail population at year-end.
- 431 |       9. Pretrial jail population at year-end.
- 432 |       10. Presentence jail population at year-end.
- 433 |       11. Postsentence jail population at year-end.
- 434 |       12. Number of federal and state inmates held in jail at
- 435 | year-end.
- 436 |       13. Daily cost of a jail bed.
- 437 |       14. Daily number of correctional officers.
- 438 |       15. Annual jail budget.
- 439 |       16. Revenue generated from the temporary incarceration of
- 440 | federal defendants or inmates.
- 441 |       17. For each inmate:
- 442 |       a. Booking date and reason.
- 443 |       b. Domestic violence flag.
- 444 |       c. Gang affiliation flag.
- 445 |       d. Habitual offender flag.
- 446 |       e. Pretrial release offender flag.
- 447 |       f. Sexual offender flag.
- 448 |       (e) The Department of Corrections shall collect:
- 449 |       1. For each prisoner:
- 450 |       a. The following data:

- 451        (I) Name.
- 452        (II) DOC number.
- 453        (III) Date of birth.
- 454        (IV) Race and ethnicity.
- 455        (V) Number of children.
- 456        (VI) Education level.
- 457        (VII) Admission date.
- 458        (VIII) Admission type.
- 459        (IX) Current institution and institution security level.
- 460        (X) Sexual offender flag.
- 461        (XI) Habitual offender flag.
- 462        (XII) Gang affiliation flag.
- 463        (XIII) Sentencing scoresheet.
- 464        (XIV) Committing county.
- 465        (XV) Whether the reason for admission to the department is  
466 for a new conviction or a probation violation. For an admission  
467 for a probation violation, the department shall report whether  
468 the violation was technical, based on a new offense, or based on  
469 another term of probation.
- 470        b. Specific offense codes, including, for an inmate  
471 convicted of drug trafficking under s. 893.135, the offense code  
472 for each specific drug trafficked.
- 473        c. Concurrent or consecutive sentence flag.
- 474        d. Length of sentence or concurrent or consecutive  
475 sentences served.

- 476        e. Projected discharge date.
- 477        f. Time served, in days.
- 478        g. Good conduct credit earned.
- 479        h. Prior incarceration within the state.
- 480        i. Disciplinary violation and action.
- 481        j. Participation in rehabilitative or educational
- 482 correctional programs.
- 483        2. The following information about each correctional
- 484 facility:
- 485        a. Budget for each correctional institution.
- 486        b. Daily prison population.
- 487        c. Daily number of correctional officers.
- 488        d. Daily cost of a prison bed.
- 489        3. For probation and probationary services:
- 490        a. For each probationer:
- 491            (I) Name.
- 492            (II) Date of birth.
- 493            (III) Race and ethnicity.
- 494            (IV) Sex.
- 495            (V) Department-assigned case number.
- 496        b. Length of probation sentence imposed and length of
- 497 probation sentence served.
- 498        c. Probation release date or projected release date.
- 499        d. Probation revocation due to a violation.
- 500        e. Probation revocation due to a new offense.

501 f. Daily cost per probationer.  
 502 (3) DATA PUBLICLY AVAILABLE—Beginning January 1, 2019, the  
 503 department shall publish datasets in its possession in a modern,  
 504 open, electronic format that is machine-readable and readily  
 505 accessible by the public on the department's website. The  
 506 published data shall be searchable, at a minimum, by each data  
 507 element, county, circuit, and unique identifier. Beginning March  
 508 1, 2019, the department shall begin publishing the data received  
 509 under subsection (2) in the same modern, open, electronic format  
 510 that is machine-readable and readily accessible to the public on  
 511 the department's website. The department shall publish all data  
 512 received under section (2) no later than July 1, 2019.

513 Section 2. Section 943.687, Florida Statutes, is created  
 514 to read:

515 943.687 Criminal justice data transparency.—In order to  
 516 facilitate the availability of comparable and uniform criminal  
 517 justice data, the department shall:

518 (1) Collect, compile, maintain, and manage the data  
 519 submitted by local and state entities pursuant to s. 900.05 and  
 520 coordinate related activities to collect and submit data. The  
 521 department shall create a unique identifier for each criminal  
 522 case received from the clerks of court which identifies the  
 523 person who is the subject of the criminal case. The unique  
 524 identifier must be the same for that person in any court case  
 525 and used across local and state entities for all information

526 related to that person at any time. The unique identifier shall  
527 be randomly created and may not include any portion of the  
528 person's social security number or date of birth.

529 (2) Promote criminal justice data sharing by making such  
530 data received under s. 900.05 comparable, transferable, and  
531 readily usable.

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

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

542 (5) Establish by rule:

543 (a) Requirements for the entities subject to the  
544 requirements of s. 900.05 to submit data through an application  
545 program interface.

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

549 (c) How data collected pursuant to s. 900.05 is compiled,  
550 processed, structured, used, or shared. The rule shall provide

551 for tagging all information associated with each case number and  
552 unique identifier.

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

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

557 (6) Consult with local, state, and federal criminal  
558 justice agencies and other public and private users of the  
559 database under subsection (3) on the data elements collected  
560 under s. 900.05, the use of such data, and adding data elements  
561 to be collected.

562 (7) Monitor data collection procedures and test data  
563 quality to facilitate the dissemination of accurate, valid,  
564 reliable, and complete criminal justice data.

565 (8) Develop methods for archiving data, retrieving  
566 archived data, and data editing and verification.

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

569 921.0024 Criminal Punishment Code; worksheet computations;  
570 scoresheets.—

571 (3) A single digitized scoresheet shall be prepared for  
572 each defendant to determine the permissible range for the  
573 sentence that the court may impose, except that if the defendant  
574 is before the court for sentencing for more than one felony and  
575 the felonies were committed under more than one version or

576 revision of the guidelines or the code, separate digitized  
577 scoresheets must be prepared. The scoresheet or scoresheets must  
578 cover all the defendant's offenses pending before the court for  
579 sentencing. The state attorney shall prepare the digitized  
580 scoresheet or scoresheets, which must be presented to the  
581 defense counsel for review for accuracy in all cases unless the  
582 judge directs otherwise. The defendant's scoresheet or  
583 scoresheets must be approved and signed by the sentencing judge.

584 (4) The Department of Corrections, in consultation with  
585 the Office of the State Courts Administrator, state attorneys,  
586 and public defenders, must develop and submit the revised  
587 digitized Criminal Punishment Code scoresheet to the Supreme  
588 Court for approval by June 15 of each year, as necessary. The  
589 digitized scoresheet shall have individual, structured data  
590 cells for each data field on the scoresheet. Upon the Supreme  
591 Court's approval of the revised digitized scoresheet, the  
592 Department of Corrections shall produce and provide ~~sufficient~~  
593 ~~copies of~~ the revised digitized scoresheets by September 30 of  
594 each year, as necessary. Digitized scoresheets must include  
595 individual data cells to indicate ~~item entries for the~~  
596 ~~scoresheet preparer's use in indicating~~ whether any prison  
597 sentence imposed includes a mandatory minimum sentence or the  
598 sentence imposed was a downward departure from the lowest  
599 permissible sentence under the Criminal Punishment Code.

600 (5) The Department of Corrections shall make available

601 ~~distribute sufficient copies of the~~ digitized Criminal  
602 Punishment Code scoresheets to those persons charged with the  
603 responsibility for preparing scoresheets.

604 (6) The clerk of the circuit court shall transmit a  
605 complete, and accurate digitized, ~~and legible~~ copy of the  
606 Criminal Punishment Code scoresheet used in each sentencing  
607 proceeding to the Department of Corrections. Scoresheets must be  
608 electronically transmitted no less frequently than weekly  
609 ~~monthly~~, by the first of each month, and may be sent  
610 collectively.

611 (7) A digitized sentencing scoresheet must be prepared for  
612 every defendant who is sentenced for a felony offense. ~~A copy of~~  
613 The individual offender's digitized Criminal Punishment Code  
614 scoresheet and any attachments thereto prepared pursuant to Rule  
615 3.701, Rule 3.702, or Rule 3.703, Florida Rules of Criminal  
616 Procedure, or any other rule pertaining to the preparation and  
617 submission of felony sentencing scoresheets, must be included  
618 with attached to the copy of the uniform judgment and sentence  
619 form provided to the Department of Corrections.

620 Section 4. Paragraph (b) of subsection (4) of section  
621 907.043, Florida Statutes, is amended to read:

622 907.043 Pretrial release; citizens' right to know.—

623 (4)

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

- 626           1. The name, location, and funding sources of the pretrial  
627 release program, including the amount of public funds, if any,  
628 received by the pretrial release program.
- 629           2. The operating and capital budget of each pretrial  
630 release program receiving public funds.
- 631           3.a. The percentage of the pretrial release program's  
632 total budget representing receipt of public funds.
- 633           b. The percentage of the total budget which is allocated  
634 to assisting defendants obtain release through a nonpublicly  
635 funded program.
- 636           c. The amount of fees paid by defendants to the pretrial  
637 release program.
- 638           4. The number of persons employed by the pretrial release  
639 program.
- 640           5. The number of defendants assessed and interviewed for  
641 pretrial release.
- 642           6. The number of defendants recommended for pretrial  
643 release.
- 644           7. The number of defendants for whom the pretrial release  
645 program recommended against nonsecured release.
- 646           8. The number of defendants granted nonsecured release  
647 after the pretrial release program recommended nonsecured  
648 release.
- 649           9. The number of defendants assessed and interviewed for  
650 pretrial release who were declared indigent by the court.

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

653        11. The number of defendants for whom a risk assessment  
654 tool was used in determining whether the defendant should be  
655 released pending the disposition of the case and the number of  
656 defendants for whom a risk assessment tool was not used.

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

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

661            b. Nonviolent felonies.

662            c. Misdemeanors only.

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

665        ~~14.10.~~ The name and case number of each person granted  
666 nonsecured release who:

667            a. Failed to attend a scheduled court appearance.

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

669            c. Was arrested for any offense while on release through  
670 the pretrial release program.

671        ~~15.11.~~ Any additional information deemed necessary by the  
672 governing body to assess the performance and cost efficiency of  
673 the pretrial release program.

674        Section 5. Section 945.041, Florida Statutes, is created  
675 to read:

676 945.041 Department of Corrections reports.—The department  
677 shall publish on its website and make available to the public  
678 the following information, updated on a quarterly basis:

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

683 (2) The recidivism rate, defined as rearrest,  
684 reconviction, reincarceration, and probation revocation in the  
685 state within a 3-year time period following release from  
686 incarceration.

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

689 20.315 Department of Corrections.—There is created a  
690 Department of Corrections.

691 (5) ANNUAL REPORTING.—The department shall report annually  
692 to the Governor, the President of the Senate, and the Speaker of  
693 the House of Representatives recounting its activities and  
694 making recommendations for improvements to the performance of  
695 the department. The annual report shall include information  
696 published under s. 945.041.

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

701 The clerk of court, the state attorney, the public defender, or  
702 a sheriff in the circuit may enter into a memorandum of  
703 understanding with a national, nonpartisan, not-for-profit  
704 entity which provides data and measurement for county-level  
705 criminal justice systems to establish the duties and  
706 responsibilities of a data fellow, completely funded by the  
707 entity, to be embedded with the office or agency. The data  
708 fellow will assist with data extraction, validation, and quality  
709 and publish such data consistent with the terms of the  
710 memorandum. The data fellow will assist the office or agency in  
711 compiling and reporting data pursuant to s. 900.05, Florida  
712 Statutes, in compliance with rules established by the Department  
713 of Law Enforcement. The pilot project shall expire pursuant to  
714 the terms outlined in the memorandum.

715 Section 8. For the 2018-2019 fiscal year, nine full-time  
716 equivalent positions with an associated total salary rate of  
717 476,163 are authorized and the recurring sum of \$665,884 and the  
718 nonrecurring sum of \$1,084,116 are appropriated from the General  
719 Revenue Fund to the Department of Law Enforcement for the  
720 purposes of implementing ss. 900.05(3) and 943.687, Florida  
721 Statutes, transitioning to incident-based crime reporting, and  
722 collecting and submitting crime statistics that meet the  
723 requirements of the Federal Bureau of Investigation under the  
724 National Incident-Based Reporting System.

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