

By Senator Crist

20-897-98

1 A bill to be entitled
2 An act relating to pretrial release; creating
3 the "Citizen's Right-to-Know Act"; requiring
4 each chief county judge and chief circuit judge
5 to prepare a register that contains information
6 regarding the cases and criminal defendants who
7 are released on pretrial release; requiring
8 that the register be available to the public;
9 providing requirements for updating the
10 register; specifying information to be
11 contained in the register; requiring each chief
12 county judge and chief circuit judge to file an
13 annual report with the Office of the State
14 Courts Administrator; requiring that such
15 report be available to the public; specifying
16 information to be contained in the report
17 regarding the number of defendants who are
18 released on pretrial release under specified
19 circumstances; providing an effective date.

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

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23 Section 1. Citizen's Right-to-Know Act.--

24 (1) This section may be cited as the "Citizen's
25 Right-to-Know Act."

26 (2)(a) Each chief county judge and chief circuit judge
27 shall prepare a register that contains information regarding
28 the cases and criminal defendants that are released on
29 pretrial release. The register must be located in the office
30 of the clerk of the court in the county and must be readily
31 available to the public.

1 (b) The register must be updated each week and must
2 display accurately the following information for each
3 defendant who is released on pretrial release:

4 1. The charge against the defendant.

5 2. The nature of any prior relevant criminal
6 convictions against the defendant.

7 3. The court appearances required of the defendant.

8 4. The date of any scheduled court appearance in which
9 the defendant did not appear.

10 5. Whether a warrant has been issued for the
11 defendant's arrest for failure to appear, in accordance with
12 the terms and conditions of the defendant's pretrial release.

13 6. Any instance of noncompliance with the terms and
14 conditions of pretrial release.

15 7. The current status of the case.

16 8. The final disposition of the case.

17 (3)(a) Before the end of the first quarter of each
18 calendar year, each chief county judge and chief circuit judge
19 shall submit a report to the Office of the State Courts
20 Administrator for the prior year. The report must be readily
21 available to the public through the Office of the State Courts
22 Administrator.

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

25 1. The complete operating and capital budget of the
26 court's pretrial release program.

27 2. The number of personnel employed by the court in
28 its pretrial release program.

29 3. The number of defendants who were recommended for
30 pretrial release.

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1 4. The number of defendants whose cases were reviewed
2 for pretrial release.

3 5. The number of defendants for which the court denied
4 a request for pretrial release.

5 6. The number of defendants who, after review by the
6 court, were released by the court on pretrial release, listed
7 by the number released on a surety bond and the number
8 released on their own recognizance.

9 7. The number of defendants who were determined to be
10 indigent by the court.

11 8. The number of defendants released by the court on
12 pretrial release:

13 a. Who were convicted of the same offense during the 6
14 years preceding the date the defendant was charged in the
15 matter pending before the court.

16 b. Who failed to attend a scheduled court appearance.

17 c. For whom a warrant was issued for the defendant's
18 arrest for failure to appear as required under the terms of
19 the pretrial release.

20 d. Who were arrested for any offense while on pretrial
21 release.

22 Section 2. This act shall take effect July 1, 1998.

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SENATE SUMMARY

Creates the "Citizen's Right-to-Know Act." Requires that each chief county judge and each chief circuit judge prepare a register, and update it weekly, which contains information about the cases and criminal defendants who are released by the court on pretrial release. Requires that the information be available to the public in the office of the clerk of the court. Requires that each chief county judge and chief circuit judge prepare an annual report for submittal to the Office of the State Courts Administrator. Requires that the annual report contain information about the operating expenses of the court's pretrial release program and information about the number of defendants that the court released on pretrial release during the prior year. Requires that the annual report be readily available to the public. (See bill for details.)