

1 A bill to be entitled
 2 An act relating to judicial accountability; creating
 3 s. 38.24, F.S.; requiring the Office of Program Policy
 4 Analysis and Government Accountability to collect
 5 specified information and prepare a report on the
 6 sentences imposed by each circuit judge and county
 7 judge in criminal cases and juvenile cases; specifying
 8 the information that must be included in each report;
 9 requiring the office to post the report on its
 10 website; requiring disqualification of a judge from
 11 cases involving certain demographic groups under
 12 specified circumstances; requiring the office to
 13 annually provide the report to specified entities;
 14 requiring the office to annually provide an individual
 15 report to each circuit judge and county judge;
 16 providing an effective date.

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

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 20 Section 1. Section 38.24, Florida Statutes, is created to
 21 read:

22 38.24 Judicial accountability.-
 23 (1) Pursuant to s. 11.51, the Office of Program Policy
 24 Analysis and Government Accountability shall collect data and
 25 prepare a report detailing the sentences in criminal cases and

26 juvenile cases imposed by each circuit judge and county judge.
 27 The initial report must provide data for the calendar years from
 28 2013 through 2017. Each subsequent report must include data
 29 collected for the previous calendar year. The data must
 30 identify:
 31 (a) The judge who presided over each trial.
 32 (b) The judge who presided over the sentencing phase.
 33 (c) The circuit in which, and the specific location of the
 34 court at which, each case was heard.
 35 (d) Each offense for which the defendant was convicted or
 36 entered a plea of nolo contendere.
 37 (e) The range of possible sentences for each offense.
 38 (f) The sentence imposed for each offense, including, but
 39 not limited to, any fines or jail, prison, probation, or other
 40 imposed terms.
 41 (g) Demographic information about the defendant,
 42 including, but not limited to:
 43 1. Age.
 44 2. Sex.
 45 3. Race.
 46 4. Income.
 47 5. Prior criminal history.
 48 (2) The Office of Program Policy Analysis and Government
 49 Accountability must post the report by March 1 annually on its
 50 website.

51 (3) Evidence of disparity in sentencing by a judge with
52 regard to any demographic group is grounds for disqualification
53 of that judge from any case involving a member of that
54 demographic group, pursuant to s. 38.10.

55 (4) Beginning February 1, 2018, and each February 1
56 thereafter, the Office of Program Policy Analysis and Government
57 Accountability shall provide the report to the Chief Justice of
58 the Supreme Court, the Governor, the President of the Senate,
59 the Speaker of the House of Representatives, and the majority
60 and minority leaders of the Senate and the House of
61 Representatives. Beginning February 1, 2018, and each February 1
62 thereafter, the office shall also provide a report to each
63 circuit judge and county judge providing his or her individual
64 data.

65 Section 2. This act shall take effect July 1, 2017.