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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/12/2018	.	
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The Committee on Criminal Justice (Brandes) recommended the following:

Senate Amendment (with title amendment)

Between lines 50 and 51

insert:

Section 3. Section 900.05, Florida Statutes, is created to read:

900.05 Criminal justice data collection.—It is the intent of the Legislature to create a model of uniform criminal justice data collection by requiring local and state criminal justice agencies to report complete, accurate, and timely data, and



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11 making such data available to the public.

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

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

15 (b) "Admission type" means the underlying reason for which
16 defendant is admitted to the Department of Corrections,
17 including a new conviction, probation violation, probation
18 violation based on a new offense, parole violation, or parole
19 violation based on a new offense.

20 (c) "Annual felony caseload" means the yearly adult
21 criminal felony caseload of each full-time state attorney and
22 assistant state attorney or public defender and assistant public
23 defender, based on the number of felony cases reported to the
24 Supreme Court under s. 25.075. The term does not include the
25 appellate caseload of a public defender or assistant public
26 defender.

27 (d) "Annual misdemeanor caseload" means the yearly adult
28 criminal misdemeanor caseload of each full-time state attorney
29 and assistant state attorney or public defender and assistant
30 public defender, based on the number of misdemeanor cases
31 reported to the Supreme Court under s. 25.075. The term does not
32 include the appellate caseload of a public defender or assistant
33 public defender.

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

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



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40 (g) "Attorney assignment date" means the date a court-
41 appointed attorney is assigned to the case or, if privately
42 retained, the date an attorney files a notice of appearance with
43 the clerk of court.

44 (h) "Attorney withdrawal date" means the date the court
45 removes court-appointed counsel from a case or, for a privately
46 retained attorney, the date a motion to withdraw is granted by
47 the court.

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

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

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

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

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

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

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

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

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



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

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

73 (t) "Charge description" means the statement of the charge
74 matched to the statutory section establishing the conduct as
75 criminal.

76 (u) "Charge disposition date" means the date of final
77 judgment, adjudication, adjudication withheld, dismissal, or
78 nolle prosequi of each charge.

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

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

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

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

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

90 (aa) "Concurrent or consecutive sentence flag" means an
91 indication that a defendant is serving another sentence
92 concurrently or consecutively in addition to the current
93 sentence.

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

96 (cc) "Court fees amount balance or payment to date" means
97 the amount a defendant paid towards outstanding court fees and



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98 the remaining balance owed.

99 (dd) "Current institution and institution security level"
100 means the name of the institution where a defendant is currently
101 incarcerated and the institution's security level.

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

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

108 (gg) "Daily cost per probationer" means the cost per diem
109 for each individual serving probation with the Department of
110 Corrections.

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

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

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

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

124 (ll) "Daily number of correctional officers" means the
125 number of full-time, part-time and auxiliary correctional
126 officers who are actively providing supervision, protection,



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127 care, custody, and control of inmates in a state correctional
128 institution or jail facility each day.

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

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

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

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

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

142 (rr) "Deferred prosecution or pretrial diversion hearing
143 date or agreement date" means each date a hearing is held or a
144 contract is signed by the parties regarding a defendant's
145 admission into a deferred prosecution or pretrial diversion
146 program.

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

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

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

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

155 (ww) "Disposition date" means the date on which all case



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156 activity is final.

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

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

161 (zz) "Ethnicity" means a person's identification as
162 Hispanic or Latino, not Hispanic or Latino, or Haitian.

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

165 (bbb) "Fine amount" means the total fines imposed at case
166 disposition.

167 (ccc) "Fine amount balance or payment to date" means the
168 amount a defendant paid towards outstanding fines and the
169 remaining balance owed.

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

173 (eee) "Good conduct credit earned" means time an inmate
174 earned for good behavior in a jail facility or state
175 correctional institution and credited toward his or her
176 sentence.

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

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

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



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

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

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

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

196 (mmm) "Offense date" means the date that the alleged crime
197 occurred.

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

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

204 (ppp) "Pretrial release decision" means the date the court
205 decides the issue of defendant's pretrial release from
206 incarceration.

207 (qqq) "Pretrial release offender flag" means an indication
208 that the defendant has violated the terms of his or her pretrial
209 release.

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

213 (sss) "Postsentence jail population at year-end" means the



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214 number of inmates incarcerated within a jail facility, at the
215 end of the calendar year, who have been sentenced and are either
216 serving that sentence in the facility or awaiting transportation
217 to the Department of Corrections.

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

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

222 (vvv) "Race" means a person's identification as American
223 Indian or Alaskan Native, African-American or Black, Asian,
224 Hawaiian or other Pacific Islander, White, or Other, which
225 includes multi-racial individuals.

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

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

231 (yyy) "Sentence date" means the date a court enters a
232 sentence against a defendant.

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

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

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

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



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

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

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

250 (gggg) "Total jail population at year-end" means the number
251 of inmates incarcerated within a jail facility at the end of the
252 calendar year.

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

255 (2) DATA COLLECTION AND REPORTING—Beginning January 1,
256 2019, the following entities shall collect and transmit data
257 weekly to the Department of Law Enforcement:

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

260 1. Case number.

261 2. Offense date.

262 3. County in which the offense was committed.

263 4. Arrest date.

264 5. Filing date.

265 6. Arraignment date or initial appearance.

266 7. Attorney assignment date.

267 8. Attorney withdrawal date.

268 9. Case status.

269 10. Disposition date.

270 11. For each defendant:

271 a. Name.



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- 272 b. Date of birth.
- 273 c. Age.
- 274 d. Zip code of primary residence.
- 275 e. Primary language.
- 276 f. Race and ethnicity.
- 277 g. Gender.
- 278 h. Citizenship.
- 279 i. Immigration status, if applicable.
- 280 j. Whether the defendant is indigent under s. 27.52.
- 281 12. Any charge referred to the state attorney by law
- 282 enforcement.
- 283 13. The following information on a formal charge filed
- 284 against the defendant:
- 285 a. Charge sequence number.
- 286 b. Charge description.
- 287 c. Charge statute.
- 288 d. Charge type.
- 289 e. Charge class severity.
- 290 f. Charge modifier, if any.
- 291 g. Charge disposition.
- 292 h. Charge disposition date.
- 293 i. Drug type for drug charge, if known.
- 294 j. Domestic violence flag.
- 295 k. Gang affiliation flag.
- 296 l. Sexual offender flag.
- 297 m. Habitual offender flag.
- 298 14. Plea date.
- 299 15. The following information on bail or bond and pretrial
- 300 release:



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- 301 a. Pretrial release decision.
- 302 b. Nonmonetary condition of release.
- 303 c. Cash bail or bond amount.
- 304 d. Cash bail or bond payment.
- 305 e. Booking date and reason.
- 306 f. Date defendant is released on bail, bond, or pretrial
- 307 release.
- 308 g. Bail or bond revocation due to a new offense, a failure
- 309 to appear, or a violation of the terms of bail or bond.
- 310 h. Pretrial release offender flag.
- 311 16. The following pretrial dates:
- 312 a. Bail or bond hearing date.
- 313 b. Bail or bond setting date.
- 314 c. Bail or bond modification date.
- 315 d. Bail or bond posting date.
- 316 e. Deferred prosecution or pretrial diversion hearing date
- 317 or agreement date.
- 318 17. The following court dates and dates of motions and
- 319 appearances:
- 320 a. Date of court appearance.
- 321 b. Date of failure to appear in court.
- 322 c. Judicial transfer date.
- 323 d. Trial date.
- 324 e. Bail or bond motion date.
- 325 f. Discovery motion date.
- 326 g. Speedy trial motion date.
- 327 h. Speedy trial motion hearing date.
- 328 i. Dismissal motion date.
- 329 j. Dismissal motion hearing date.



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- 330 18. Defense attorney type.
- 331 19. The following information related to sentencing:
- 332 a. Sentence date.
- 333 b. Sentence type.
- 334 c. Sentence length.
- 335 d. Sentence condition.
- 336 e. Time served credit and length.
- 337 f. Court fees amount.
- 338 g. Court fees amount balance or payment to date.
- 339 h. Fine amount.
- 340 i. Fine amount balance or payment to date.
- 341 j. Restitution amount ordered.
- 342 k. If restitution is ordered, the amount collected by the
- 343 court and the amount paid to the victim.
- 344 19. The number of judges, magistrates, court commissioners,
- 345 or their equivalents hearing nonappellant, adult criminal cases
- 346 in the circuit.
- 347 (b) Each state attorney shall collect the following data:
- 348 1. For a human victim of a criminal offense:
- 349 a. Race and ethnicity.
- 350 b. Gender.
- 351 c. Age.
- 352 d. Relationship to the offender.
- 353 2. Number of full-time prosecutors.
- 354 3. Number of part-time prosecutors.
- 355 4. Annual felony caseload.
- 356 5. Annual misdemeanor caseload.
- 357 6. For each defendant:
- 358 a. Each charge referred to the office of the state attorney



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359 by law enforcement.
360 b. Drug type for each drug charge.
361 7. Number of cases in which no information was filed.
362 (c) Each public defender shall collect the following data
363 for each criminal case:
364 1. Number of full-time public defenders.
365 2. Number of part-time public defenders.
366 3. Number of contract attorneys representing indigent
367 defendants for the office of the public defender.
368 4. Annual felony caseload.
369 5. Annual misdemeanor caseload.
370 (d) The administrator of each county detention facility
371 shall collect the following data:
372 1. Jail capacity.
373 2. Weekly admissions to jail for probation revocation.
374 3. Daily jail population.
375 4. Daily jail pretrial population.
376 5. Daily jail presentence population.
377 6. Daily jail postsentence population.
378 7. Daily number of federal and state inmates held in jail.
379 8. Total jail population at year-end.
380 9. Pretrial jail population at year-end.
381 10. Presentence jail population at year-end.
382 11. Postsentence jail population at year-end.
383 12. Number of federal and state inmates held in jail at
384 year-end.
385 13. Daily cost of a jail bed.
386 14. Daily number of correctional officers.
387 15. Annual jail budget.



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388 16. Revenue generated from the temporary incarceration of
389 federal defendants or inmates.

390 17. For each inmate:

391 a. Booking date and reason.

392 b. Domestic violence flag.

393 c. Gang affiliation flag.

394 d. Habitual offender flag.

395 e. Pretrial release offender flag.

396 f. Sexual offender flag.

397 (e) The Department of Corrections shall collect:

398 1. For each prisoner:

399 a. The following data:

400 (I) Name.

401 (II) DOC number.

402 (III) Date of birth.

403 (IV) Race and ethnicity.

404 (V) Number of children.

405 (VI) Education level.

406 (VII) Admission date.

407 (VIII) Admission type.

408 (IX) Current institution and institution security level.

409 (X) Sexual offender flag.

410 (XI) Habitual offender flag.

411 (XII) Gang affiliation flag.

412 (XIII) Sentencing scoresheet.

413 (XIV) Committing county.

414 (XV) Whether the reason for admission to the department is

415 for a new conviction or a probation violation. For an admission

416 for a probation violation, the department shall report whether



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417 the violation was technical, based on a new offense, or based on
418 another term of probation.

419 b. Specific offense codes, including, for an inmate
420 convicted of drug trafficking under s. 893.135, the offense code
421 for each specific drug trafficked.

422 c. Concurrent or consecutive sentence flag.

423 d. Length of sentence or concurrent or consecutive
424 sentences served.

425 e. Projected discharge date.

426 f. Time served, in days.

427 g. Good conduct credit earned.

428 h. Prior incarceration within the state.

429 i. Disciplinary violation and action.

430 j. Participation in rehabilitative or educational
431 correctional programs.

432 2. The following information about each correctional
433 facility:

434 a. Budget for each correctional institution.

435 b. Daily prison population.

436 c. Daily number of correctional officers.

437 d. Daily cost of a prison bed.

438 3. For probation and probationary services:

439 a. For each probationer:

440 (I) Name.

441 (II) Date of birth.

442 (III) Race and ethnicity.

443 (IV) Sex.

444 (V) Department-assigned case number.

445 b. Length of probation sentence imposed and length of



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446 probation sentence served.

447 c. Probation release date or projected release date.

448 d. Probation revocation due to a violation.

449 e. Probation revocation due to a new offense.

450 f. Daily cost per probationer.

451 (3) DATA PUBLICLY AVAILABLE—Beginning January 1, 2019, the
452 department shall publish datasets in its possession in a modern,
453 open, electronic format that is machine-readable and readily
454 accessible by the public on the department’s website. The
455 published data shall be searchable, at a minimum, by each data
456 element, county, circuit, and unique identifier. Beginning March
457 1, 2019, the department shall begin publishing the data received
458 under subsection (2) in the same modern, open, electronic format
459 that is machine-readable and readily accessible to the public on
460 the department’s website. The department shall publish all data
461 received under section (2) no later than July 1, 2019.

462 Section 4. Section 943.687, Florida Statutes, is created to
463 read:

464 943.687 Criminal justice data transparency.—In order to
465 facilitate the availability of comparable and uniform criminal
466 justice data, the department shall:

467 (1) Collect, compile, maintain, and manage the data
468 submitted by local and state entities pursuant to s. 900.05 and
469 coordinate related activities to collect and submit data. The
470 department shall create a unique identifier for each criminal
471 case received from the clerks of court which identifies the
472 person who is the subject of the criminal case. The unique
473 identifier must be the same for that person in any court case
474 and used across local and state entities for all information



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

478 (2) Promote criminal justice data sharing by making such
479 data received under s. 900.05 comparable, transferable, and
480 readily usable.

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

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

491 (5) Establish by rule:

492 (a) Requirements for the entities subject to the
493 requirements of s. 900.05 to submit data through an application
494 program interface.

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

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

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



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

506 (6) Consult with local, state, and federal criminal justice
507 agencies and other public and private users of the database
508 under subsection (3) on the data elements collected under s.
509 900.05, the use of such data, and adding data elements to be
510 collected.

511 (7) Monitor data collection procedures and test data
512 quality to facilitate the dissemination of accurate, valid,
513 reliable, and complete criminal justice data.

514 (8) Develop methods for archiving data, retrieving archived
515 data, and data editing and verification.

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

518 921.0024 Criminal Punishment Code; worksheet computations;
519 scoresheets.—

520 (3) A single digitized scoresheet shall be prepared for
521 each defendant to determine the permissible range for the
522 sentence that the court may impose, except that if the defendant
523 is before the court for sentencing for more than one felony and
524 the felonies were committed under more than one version or
525 revision of the guidelines or the code, separate digitized
526 scoresheets must be prepared. The scoresheet or scoresheets must
527 cover all the defendant's offenses pending before the court for
528 sentencing. The state attorney shall prepare the digitized
529 scoresheet or scoresheets, which must be presented to the
530 defense counsel for review for accuracy in all cases unless the
531 judge directs otherwise. The defendant's scoresheet or
532 scoresheets must be approved and signed by the sentencing judge.



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533 (4) The Department of Corrections, in consultation with the
534 Office of the State Courts Administrator, state attorneys, and
535 public defenders, must develop and submit the revised digitized
536 Criminal Punishment Code scoresheet to the Supreme Court for
537 approval by June 15 of each year, as necessary. The digitized
538 scoresheet shall have individual, structured data cells for each
539 data field on the scoresheet. Upon the Supreme Court's approval
540 of the revised digitized scoresheet, the Department of
541 Corrections shall produce and provide ~~sufficient copies~~ of the
542 revised digitized scoresheets by September 30 of each year, as
543 necessary. Digitized scoresheets must include individual data
544 cells to indicate ~~item entries for the scoresheet preparer's use~~
545 ~~in indicating~~ whether any prison sentence imposed includes a
546 mandatory minimum sentence or the sentence imposed was a
547 downward departure from the lowest permissible sentence under
548 the Criminal Punishment Code.

549 (5) The Department of Corrections shall make available
550 ~~distribute sufficient copies~~ of the digitized Criminal
551 Punishment Code scoresheets to those persons charged with the
552 responsibility for preparing scoresheets.

553 (6) The clerk of the circuit court shall transmit a
554 complete, and accurate digitized, ~~and legible~~ copy of the
555 Criminal Punishment Code scoresheet used in each sentencing
556 proceeding to the Department of Corrections. Scoresheets must be
557 electronically transmitted no less frequently than weekly
558 ~~monthly~~, by the first of each month, and may be sent
559 collectively.

560 (7) A digitized sentencing scoresheet must be prepared for
561 every defendant who is sentenced for a felony offense. ~~A copy of~~



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562 The individual offender's digitized Criminal Punishment Code
563 scoresheet and any attachments thereto prepared pursuant to Rule
564 3.701, Rule 3.702, or Rule 3.703, Florida Rules of Criminal
565 Procedure, or any other rule pertaining to the preparation and
566 submission of felony sentencing scoresheets, must be included
567 with ~~attached to the copy of~~ the uniform judgment and sentence
568 form provided to the Department of Corrections.

569 Section 6. Paragraph (b) of subsection (4) of section
570 907.043, Florida Statutes, is amended to read:

571 907.043 Pretrial release; citizens' right to know.—

572 (4)

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

575 1. The name, location, and funding sources of the pretrial
576 release program, including the amount of public funds, if any,
577 received by the pretrial release program.

578 2. The operating and capital budget of each pretrial
579 release program receiving public funds.

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

582 b. The percentage of the total budget which is allocated to
583 assisting defendants obtain release through a nonpublicly funded
584 program.

585 c. The amount of fees paid by defendants to the pretrial
586 release program.

587 4. The number of persons employed by the pretrial release
588 program.

589 5. The number of defendants assessed and interviewed for
590 pretrial release.



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- 591 6. The number of defendants recommended for pretrial
592 release.
- 593 7. The number of defendants for whom the pretrial release
594 program recommended against nonsecured release.
- 595 8. The number of defendants granted nonsecured release
596 after the pretrial release program recommended nonsecured
597 release.
- 598 9. The number of defendants assessed and interviewed for
599 pretrial release who were declared indigent by the court.
- 600 10. The number of defendants accepted into a pretrial
601 release program who paid a surety or cash bail or bond.
- 602 11. The number of defendants for whom a risk assessment
603 tool was used in determining whether the defendant should be
604 released pending the disposition of the case and the number of
605 defendants for whom a risk assessment tool was not used.
- 606 12. The type of each criminal charge of a defendant
607 accepted into a pretrial release program to include, at a
608 minimum, the number of defendants charged with:
- 609 a. Dangerous crimes as defined in s. 907.041.
610 b. Nonviolent felonies.
611 c. Misdemeanors only.
- 612 13. The number of defendants accepted into a pretrial
613 release program with no prior criminal conviction.
- 614 ~~14.10.~~ The name and case number of each person granted
615 nonsecured release who:
- 616 a. Failed to attend a scheduled court appearance.
617 b. Was issued a warrant for failing to appear.
618 c. Was arrested for any offense while on release through
619 the pretrial release program.



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620 15.11. Any additional information deemed necessary by the
621 governing body to assess the performance and cost efficiency of
622 the pretrial release program.

623 Section 7. Section 945.041, Florida Statutes, is created to
624 read:

625 945.041 Department of Corrections reports.—The department
626 shall publish on its website and make available to the public
627 the following information, updated on a quarterly basis:

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

631 (2) The recidivism rate, defined as rearrest, reconviction,
632 reincarceration, and probation revocation in the state within a
633 3-year time period following release from incarceration.

634 Section 8. Subsection (5) of section 20.315, Florida
635 Statutes, is amended to read:

636 20.315 Department of Corrections.—There is created a
637 Department of Corrections.

638 (5) ANNUAL REPORTING.—The department shall report annually
639 to the Governor, the President of the Senate, and the Speaker of
640 the House of Representatives recounting its activities and
641 making recommendations for improvements to the performance of
642 the department. The annual report shall include information
643 published under s. 945.041.

644 Section 9. A pilot project is established in the Sixth
645 Judicial Circuit for the purpose of improving criminal justice
646 data transparency and ensuring data submitted under s. 900.05,
647 Florida Statutes, is accurate, valid, reliable, and structured.
648 The clerk of court, the state attorney, the public defender, or



649 a sheriff in the circuit may enter into a memorandum of
650 understanding with a national, nonpartisan, not-for-profit
651 entity which provides data and measurement for county-level
652 criminal justice systems to establish the duties and
653 responsibilities of a data fellow, completely funded by the
654 entity, to be embedded with the office or agency. The data
655 fellow will assist with data extraction, validation, and quality
656 and publish such data consistent with the terms of the
657 memorandum. The data fellow will assist the office or agency in
658 compiling and reporting data pursuant to s. 900.05, Florida
659 Statutes, in compliance with rules established by the Department
660 of Law Enforcement. The pilot project shall expire pursuant to
661 the terms outlined in the memorandum.

662 Section 10. For the 2018-2019 fiscal year, nine full-time
663 equivalent positions with an associated total salary rate of
664 \$665,884 are authorized, and the sum of \$1,750,000 in
665 nonrecurring funds from General Revenue is appropriated to the
666 Department of Law Enforcement for the purposes of implementing
667 ss. 900.05(3) and 943.687, Florida Statutes, transitioning to
668 incident-based crime reporting, and collecting and submitting
669 crime statistics that meet the requirements of the Federal
670 Bureau of Investigation under the National Incident-Based
671 Reporting System.

672
673 ===== T I T L E A M E N D M E N T =====

674 And the title is amended as follows:

675 Delete lines 2 - 10

676 and insert:

677 An act relating to criminal justice; amending s.



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678 932.7061, F.S.; revising the deadline for submitting
679 an annual report by law enforcement agencies
680 concerning property seized or forfeited under the
681 Florida Contraband Forfeiture Act; reenacting s.
682 932.7062, F.S., relating to a penalty for
683 noncompliance with reporting requirements, to
684 incorporate the amendment made to s. 932.7061, F.S.,
685 in a reference thereto; creating s. 900.05, F.S.;
686 providing legislative intent; providing definitions;
687 requiring specified entities to collect and transmit
688 to the Department of Law Enforcement weekly specific
689 data; requiring the Department of Law Enforcement to
690 compile, maintain, and make publicly accessible the
691 data; creating s. 943.687, F.S.; requiring the
692 Department of Law Enforcement to collect, compile,
693 maintain, and manage data collected pursuant to s.
694 900.05, F.S.; requiring the department to make data
695 comparable, transferable, and readily usable;
696 requiring an Internet-based database; providing
697 requirements for data searchability and sharing;
698 requiring monitoring of data collection procedures;
699 providing for data archiving, editing, and retrieval;
700 amending s. 921.0024, F.S.; requiring scoresheets
701 prepared for all criminal defendants to be digitized;
702 requiring the Department of Corrections to develop and
703 submit revised digitized scoresheets to the Supreme
704 Court for approval; requiring digitized scoresheets to
705 include individual data cells for each field on the
706 scoresheet; requiring the clerk of court to



707 electronically transmit the digitized scoresheet used
708 in each sentencing proceeding to the department;
709 amending s. 907.043, F.S.; requiring each pretrial
710 release program to include in its annual report the
711 types of criminal charges of defendants accepted into
712 a pretrial release program, the number of defendants
713 accepted into a pretrial release program who paid a
714 bail or bond, the number of defendants accepted into a
715 pretrial release program with no prior criminal
716 conviction, and the number of defendants for whom a
717 pretrial risk assessment tool was used or was not;
718 creating s. 945.041, F.S.; requiring the Department of
719 Corrections to publish quarterly on its website inmate
720 admissions based on offense type and recidivism rate;
721 amending s. 20.315, F.S.; requiring the Department of
722 Corrections to include information in its annual
723 report on inmate admission based on offense type and
724 recidivism rate; creating a pilot project in a
725 specified judicial circuit to improve criminal justice
726 data transparency and ensure data submitted under s.
727 900.05, F.S., is accurate, valid, reliable, and
728 structured; permitting a memorandum of understanding
729 with a national, nonpartisan, not-for-profit
730 foundation meeting certain criteria for the purpose of
731 embedding a data fellow in the office or agency;
732 establishing data fellow duties and responsibilities;
733 providing for the expiration of the pilot project;
734 providing an appropriation; providing an effective