

By the Committee on Criminal Justice; and Senator Stargel

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1                   A bill to be entitled  
2           An act relating to criminal justice; amending s.  
3           20.315, F.S.; requiring the Department of Corrections  
4           to include information in its annual report on inmate  
5           admission based on offense type and recidivism rate;  
6           creating s. 900.05, F.S.; providing legislative  
7           intent; providing definitions; requiring specified  
8           entities to collect and transmit specific data weekly  
9           beginning on a certain date to the Department of Law  
10          Enforcement; requiring the Department of Law  
11          Enforcement to compile, maintain, and make publicly  
12          accessible such data beginning on a certain date;  
13          amending s. 907.043, F.S.; requiring each pretrial  
14          release program to include in its annual report the  
15          types of criminal charges of defendants accepted into  
16          a pretrial release program, the number of defendants  
17          accepted into a pretrial release program who paid a  
18          bail or bond, the number of defendants accepted into a  
19          pretrial release program with no prior criminal  
20          conviction, and the number of defendants for whom a  
21          pretrial risk assessment tool was used or was not  
22          used; amending s. 921.0024, F.S.; requiring  
23          scoresheets prepared for all criminal defendants to be  
24          digitized; requiring the Department of Corrections to  
25          develop and submit revised digitized scoresheets to  
26          the Supreme Court for approval; requiring digitized  
27          scoresheets to include individual data cells for each  
28          field on the scoresheet; requiring the clerk of court  
29          to electronically transmit the digitized scoresheet

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30 used in each sentencing proceeding to the Department  
31 of Corrections; amending s. 932.7061, F.S.; revising  
32 the deadline for submitting an annual report by law  
33 enforcement agencies concerning property seized or  
34 forfeited under the Florida Contraband Forfeiture Act;  
35 creating s. 943.687, F.S.; requiring the Department of  
36 Law Enforcement to collect, compile, maintain, and  
37 manage data collected pursuant to s. 900.05, F.S.;  
38 requiring the Department of Law Enforcement to make  
39 data comparable, transferable, and readily usable;  
40 requiring the department to create a unique identifier  
41 for each criminal case received from the clerks of  
42 court; requiring the department to create and maintain  
43 a certain Internet-based database; providing  
44 requirements for data searchability and sharing;  
45 requiring the department to establish certain rules;  
46 requiring the department to monitor data collection  
47 procedures and test data quality; providing for data  
48 archiving, editing, retrieval, and verification;  
49 creating s. 945.041, F.S.; requiring the Department of  
50 Corrections to publish quarterly on its website inmate  
51 admissions based on offense type and the recidivism  
52 rate and rate of probation revocation within a  
53 specified period after release from incarceration;  
54 reenacting s. 932.7062, F.S., relating to a penalty  
55 for noncompliance with reporting requirements, to  
56 incorporate the amendment made to s. 932.7061, F.S.,  
57 in a reference thereto; creating a pilot project in a  
58 specified judicial circuit to improve criminal justice

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59 data transparency and ensure data submitted under s.  
60 900.05, F.S., is accurate, valid, reliable, and  
61 structured; authorizing certain persons to enter into  
62 a memorandum of understanding with a national,  
63 nonpartisan, not-for-profit entity meeting certain  
64 criteria for the purpose of embedding a data fellow in  
65 the office or agency; establishing data fellow duties  
66 and responsibilities; providing for the expiration of  
67 the pilot project; providing an appropriation;  
68 providing an effective date.

69  
70 Be It Enacted by the Legislature of the State of Florida:

71  
72 Section 1. Subsection (5) of section 20.315, Florida  
73 Statutes, is amended to read:

74 20.315 Department of Corrections.—There is created a  
75 Department of Corrections.

76 (5) ANNUAL REPORTING.—The department shall report annually  
77 to the Governor, the President of the Senate, and the Speaker of  
78 the House of Representatives recounting its activities and  
79 making recommendations for improvements to the performance of  
80 the department. The annual report must include information  
81 published under s. 945.041.

82 Section 2. Section 900.05, Florida Statutes, is created to  
83 read:

84 900.05 Criminal justice data collection.—It is the intent  
85 of the Legislature to create a model of uniform criminal justice  
86 data collection by requiring local and state criminal justice  
87 agencies to report complete, accurate, and timely data, and to

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88 make such data available to the public.

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

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

92 (b) "Admission type" means the underlying reason for which  
93 a defendant is admitted to the Department of Corrections,  
94 including a new conviction, probation violation, probation  
95 violation based on a new offense, parole violation, or parole  
96 violation based on a new offense.

97 (c) "Annual felony caseload" means the yearly adult  
98 criminal felony caseload of each full-time state attorney and  
99 assistant state attorney or public defender and assistant public  
100 defender, based on the number of felony cases reported to the  
101 Supreme Court under s. 25.075. The term does not include the  
102 appellate caseload of a public defender or assistant public  
103 defender.

104 (d) "Annual misdemeanor caseload" means the yearly adult  
105 criminal misdemeanor caseload of each full-time state attorney  
106 and assistant state attorney or public defender and assistant  
107 public defender, based on the number of misdemeanor cases  
108 reported to the Supreme Court under s. 25.075. The term does not  
109 include the appellate caseload of a public defender or assistant  
110 public defender.

111 (e) "Arrest date or initial appearance" means the date  
112 a defendant first appears before a judge to enter a plea.

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

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117 (g) "Attorney assignment date" means the date a court-  
118 appointed attorney is assigned to the case or, if privately  
119 retained, the date an attorney files a notice of appearance with  
120 the clerk of court.

121 (h) "Attorney withdrawal date" means the date the court  
122 removes court-appointed counsel from a case or, for a privately  
123 retained attorney, the date a motion to withdraw is granted by  
124 the court.

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

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

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

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

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

136 (n) "Booking date and reason" means the date that a  
137 defendant is booked into a jail facility on a new charge or for  
138 a probation violation pursuant to a bench warrant for a pretrial  
139 release violation or pursuant to a warrant from another  
140 jurisdiction.

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

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

145 (q) "Cash bail or bond amount" means the monetary amount of

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146 bail or bond imposed by a court.

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

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

151 (t) "Charge description" means the statement of the charge  
152 matched to the statutory section establishing the conduct as  
153 criminal.

154 (u) "Charge disposition date" means the date of final  
155 judgment, adjudication, adjudication withheld, dismissal, or  
156 nolle prosequi of each charge.

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

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

162 (x) "Charge statute" means the statute for each charge  
163 which establishes the conduct as criminal.

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

166 (z) "Committing county" means the county from which a  
167 defendant was transported to the Department of Corrections.

168 (aa) "Concurrent or consecutive sentence flag" means an  
169 indication that a defendant is serving another sentence  
170 concurrently or consecutively in addition to the current  
171 sentence.

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

174 (cc) "Court fees amount balance or payment to date" means

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175 the amount a defendant paid toward outstanding court fees and  
176 the remaining balance owed.

177 (dd) "Current institution and institution security level"  
178 means the name of the institution where a defendant is currently  
179 incarcerated and the institution's security level.

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

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

186 (gg) "Daily cost per probationer" means the per diem cost  
187 for each individual serving probation with the Department of  
188 Corrections.

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

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

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

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

202 (ll) "Daily number of correctional officers" means the  
203 number of full-time, part-time, and auxiliary correctional

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204 officers who are actively providing supervision, protection,  
205 care, custody, and control of inmates in a state correctional  
206 institution or jail facility each day.

207 (mm) "Daily number of federal and state inmates held in  
208 jail" means the number of inmates who are temporarily  
209 incarcerated within a jail facility each day.

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

212 (oo) "Date of court appearance" means each date that a  
213 criminal case is considered by a court.

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

218 (qq) "Defense attorney type" means whether the attorney is  
219 court-appointed to or privately retained by a defendant, or that  
220 the defendant is represented pro se.

221 (rr) "Deferred prosecution or pretrial diversion hearing  
222 date or agreement date" means each date that a hearing is held  
223 or a contract is signed by the parties regarding a defendant's  
224 admission into a deferred prosecution or pretrial diversion  
225 program.

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

228 (tt) "Discovery motion date" means the date that a  
229 defendant files a notice to participate in discovery.

230 (uu) "Dismissal motion date" means the date that a  
231 defendant files a motion to dismiss charges.

232 (vv) "Dismissal motion hearing date" means the date a court



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233 considers a defendant's motion to dismiss charges.

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

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

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

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

242 (aaa) "Filing date" means the date that a formal charge is  
243 filed against a defendant.

244 (bbb) "Fine amount" means the total amount of fines imposed  
245 at case disposition.

246 (ccc) "Fine amount balance or payment to date" means the  
247 amount a defendant paid toward outstanding fines and the  
248 remaining balance owed.

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

252 (eee) "Good conduct credit earned" means the time that an  
253 inmate earned for good behavior in a jail facility or state  
254 correctional institution and had credited toward his or her  
255 sentence.

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

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

261 (hhh) "Judicial transfer date" means a date on which a

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262 defendant's case is transferred to another court or presiding  
263 judge.

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

266 (jjj) "Length of probation sentence served" means the  
267 amount of time on probation which a defendant has served to  
268 date.

269 (kkk) "Nonmonetary condition of release" means a condition  
270 of a defendant's pretrial release imposed by the court which is  
271 not based on payment of bail or bond.

272 (lll) "Number of contract attorneys representing indigent  
273 defendants for the office of the public defender" means the  
274 number of attorneys hired on a temporary basis, by contract, to  
275 represent indigent clients who were appointed a public defender.

276 (mmm) "Offense date" means the date that the alleged crime  
277 occurred.

278 (nnn) "Plea date" means the date that a defendant enters a  
279 plea to a pending charge.

280 (ooo) "Presentence jail population at year-end" means the  
281 number of inmates incarcerated within a jail facility at the end  
282 of a calendar year who entered pleas or who were found guilty at  
283 trial and are awaiting sentencing.

284 (ppp) "Pretrial release decision" means the date that the  
285 court decides the issue of a defendant's pretrial release from  
286 incarceration.

287 (qqq) "Pretrial release offender flag" means an indication  
288 that the defendant has violated the terms of his or her pretrial  
289 release.

290 (rrr) "Prior incarceration within the state" means any

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291 prior history of a defendant being incarcerated in a jail  
292 facility or state correctional institution.

293 (sss) "Postsentence jail population at year-end" means the  
294 number of inmates incarcerated within a jail facility at the end  
295 of a calendar year who have been sentenced and are either  
296 serving that sentence in the facility or awaiting transportation  
297 to the Department of Corrections.

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

300 (uuu) "Projected discharge date" means the anticipated date  
301 that an inmate will be released from incarceration.

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

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

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

311 (yyy) "Sentence date" means the date that a court enters a  
312 sentence against a defendant.

313 (zzz) "Sentence length" means the total duration of jail  
314 time, prison time, and probation that a defendant is ordered to  
315 serve.

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

318 (bbbb) "Sentencing scoresheet" means the digitized  
319 worksheet created under s. 921.0024 to compute the defendant's

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320 minimum sentence that may be imposed by the trial court.

321 (cccc) "Speedy trial motion date" means the date that a  
322 defendant files a demand for speedy trial.

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

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

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

330 (gggg) "Total jail population at year-end" means the number  
331 of inmates incarcerated within a jail facility at the end of a  
332 calendar year.

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

335 (2) DATA COLLECTION AND REPORTING.—Beginning January 1,  
336 2019, the following entities shall collect and transmit data  
337 weekly to the Department of Law Enforcement:

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

340 1. Case number.

341 2. Offense date.

342 3. County in which the offense was committed.

343 4. Arrest date.

344 5. Filing date.

345 6. Arraignment date or initial appearance.

346 7. Attorney assignment date.

347 8. Attorney withdrawal date.

348 9. Case status.

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- 349       10. Disposition date.
- 350       11. For each defendant:
- 351       a. Name.
- 352       b. Date of birth.
- 353       c. Age.
- 354       d. Zip code of primary residence.
- 355       e. Primary language.
- 356       f. Race and ethnicity.
- 357       g. Gender.
- 358       h. Citizenship.
- 359       i. Immigration status, if applicable.
- 360       j. Whether the defendant is indigent under s. 27.52.
- 361       12. Any charge referred to the state attorney by law
- 362 enforcement.
- 363       13. The following information on a formal charge filed
- 364 against the defendant:
- 365       a. Charge sequence number.
- 366       b. Charge description.
- 367       c. Charge statute.
- 368       d. Charge type.
- 369       e. Charge class severity.
- 370       f. Charge modifier, if any.
- 371       g. Charge disposition.
- 372       h. Charge disposition date.
- 373       i. Drug type for drug charge, if known.
- 374       j. Domestic violence flag.
- 375       k. Gang affiliation flag.
- 376       l. Sexual offender flag.
- 377       m. Habitual offender flag.

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- 378       14. Plea date.
- 379       15. The following information on bail or bond and pretrial  
380 release:
- 381       a. Pretrial release decision.
- 382       b. Nonmonetary condition of release.
- 383       c. Cash bail or bond amount.
- 384       d. Cash bail or bond payment.
- 385       e. Booking date and reason.
- 386       f. Date defendant is released on bail, bond, or pretrial  
387 release.
- 388       g. Bail or bond revocation due to a new offense, a failure  
389 to appear, or a violation of the terms of bail or bond.
- 390       h. Pretrial release offender flag.
- 391       16. The following pretrial dates:
- 392       a. Bail or bond hearing date.
- 393       b. Bail or bond setting date.
- 394       c. Bail or bond modification date.
- 395       d. Bail or bond posting date.
- 396       e. Deferred prosecution or pretrial diversion hearing date  
397 or agreement date.
- 398       17. The following court dates and dates of motions and  
399 appearances:
- 400       a. Date of court appearance.
- 401       b. Date of failure to appear in court.
- 402       c. Judicial transfer date.
- 403       d. Trial date.
- 404       e. Bail or bond motion date.
- 405       f. Discovery motion date.
- 406       g. Speedy trial motion date.

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- 407 h. Speedy trial motion hearing date.
- 408 i. Dismissal motion date.
- 409 j. Dismissal motion hearing date.
- 410 18. Defense attorney type.
- 411 19. The following information related to sentencing:
- 412 a. Sentence date.
- 413 b. Sentence type.
- 414 c. Sentence length.
- 415 d. Sentence condition.
- 416 e. Time served credit and length.
- 417 f. Court fees amount.
- 418 g. Court fees amount balance or payment to date.
- 419 h. Fine amount.
- 420 i. Fine amount balance or payment to date.
- 421 j. Restitution amount ordered.
- 422 k. If restitution is ordered, the amount collected by the
- 423 court and the amount paid to the victim.
- 424 20. The number of judges, magistrates, court commissioners,
- 425 or their equivalents hearing nonappellant, adult criminal cases
- 426 in the circuit.
- 427 (b) Each state attorney shall collect the following data:
- 428 1. For a human victim of a criminal offense:
- 429 a. Race and ethnicity.
- 430 b. Gender.
- 431 c. Age.
- 432 d. Relationship to the offender.
- 433 2. Number of full-time prosecutors.
- 434 3. Number of part-time prosecutors.
- 435 4. Annual felony caseload.

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- 436       5. Annual misdemeanor caseload.
- 437       6. For each defendant:
- 438       a. Each charge referred to the office of the state attorney  
439 by law enforcement.
- 440       b. Drug type for each drug charge.
- 441       7. Number of cases in which no information was filed.
- 442       (c) Each public defender shall collect the following data  
443 for each criminal case:
- 444       1. Number of full-time public defenders.
- 445       2. Number of part-time public defenders.
- 446       3. Number of contract attorneys representing indigent  
447 defendants for the office of the public defender.
- 448       4. Annual felony caseload.
- 449       5. Annual misdemeanor caseload.
- 450       (d) The administrator of each county detention facility  
451 shall collect the following data:
- 452       1. Jail capacity.
- 453       2. Weekly admissions to jail for probation revocation.
- 454       3. Daily jail population.
- 455       4. Daily jail pretrial population.
- 456       5. Daily jail presentence population.
- 457       6. Daily jail postsentence population.
- 458       7. Daily number of federal and state inmates held in jail.
- 459       8. Total jail population at year-end.
- 460       9. Pretrial jail population at year-end.
- 461       10. Presentence jail population at year-end.
- 462       11. Postsentence jail population at year-end.
- 463       12. Number of federal and state inmates held in jail at  
464 year-end.



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- 465       13. Daily cost of a jail bed.
- 466       14. Daily number of correctional officers.
- 467       15. Annual jail budget.
- 468       16. Revenue generated from the temporary incarceration of  
469 federal defendants or inmates.
- 470       17. For each inmate:
- 471       a. Booking date and reason.
- 472       b. Domestic violence flag.
- 473       c. Gang affiliation flag.
- 474       d. Habitual offender flag.
- 475       e. Pretrial release offender flag.
- 476       f. Sexual offender flag.
- 477       (e) The Department of Corrections shall collect:
- 478       1. For each prisoner:
- 479       a. The following data:
- 480       (I) Name.
- 481       (II) DOC number.
- 482       (III) Date of birth.
- 483       (IV) Race and ethnicity.
- 484       (V) Number of children.
- 485       (VI) Education level.
- 486       (VII) Admission date.
- 487       (VIII) Admission type.
- 488       (IX) Current institution and institution security level.
- 489       (X) Sexual offender flag.
- 490       (XI) Habitual offender flag.
- 491       (XII) Gang affiliation flag.
- 492       (XIII) Sentencing scoresheet.
- 493       (XIV) Committing county.

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494 (XV) Whether the reason for admission to the department is  
495 for a new conviction or a probation violation. For an admission  
496 for a probation violation, the department shall report whether  
497 the violation was technical, based on a new offense, or based on  
498 another term of probation.

499 b. Specific offense codes, including, for an inmate  
500 convicted of drug trafficking under s. 893.135, the offense code  
501 for each specific drug trafficked.

502 c. Concurrent or consecutive sentence flag.

503 d. Length of sentence or concurrent or consecutive  
504 sentences served.

505 e. Projected discharge date.

506 f. Time served, in days.

507 g. Good conduct credit earned.

508 h. Prior incarceration within the state.

509 i. Disciplinary violation and action.

510 j. Participation in rehabilitative or educational  
511 correctional programs.

512 2. The following information about each correctional  
513 facility:

514 a. Budget for each correctional institution.

515 b. Daily prison population.

516 c. Daily number of correctional officers.

517 d. Daily cost of a prison bed.

518 3. For probation and probationary services:

519 a. For each probationer:

520 (I) Name.

521 (II) Date of birth.

522 (III) Race and ethnicity.

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523 (IV) Sex.

524 (V) Department-assigned case number.

525 b. Length of probation sentence imposed and length of  
526 probation sentence served.

527 c. Probation release date or projected release date.

528 d. Probation revocation due to a violation.

529 e. Probation revocation due to a new offense.

530 f. Daily cost per probationer.

531 (3) DATA PUBLICLY AVAILABLE.—Beginning January 1, 2019, the  
532 Department of Law Enforcement shall publish datasets in its  
533 possession in a modern, open, electronic format that is machine-  
534 readable and readily accessible by the public on the  
535 department's website. The published data must be searchable, at  
536 a minimum, by each data element, county, circuit, and unique  
537 identifier. Beginning March 1, 2019, the department shall begin  
538 publishing the data received under subsection (2) in the same  
539 modern, open, electronic format that is machine-readable and  
540 readily accessible to the public on the department's website.  
541 The department shall publish all data received under subsection  
542 (2) no later than July 1, 2019.

543 Section 3. Paragraph (b) of subsection (4) of section  
544 907.043, Florida Statutes, is amended to read:

545 907.043 Pretrial release; citizens' right to know.—

546 (4)

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

549 1. The name, location, and funding sources of the pretrial  
550 release program, including the amount of public funds, if any,  
551 received by the pretrial release program.

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- 552           2. The operating and capital budget of each pretrial  
553 release program receiving public funds.
- 554           3.a. The percentage of the pretrial release program's total  
555 budget representing receipt of public funds.
- 556           b. The percentage of the total budget which is allocated to  
557 assisting defendants obtain release through a nonpublicly funded  
558 program.
- 559           c. The amount of fees paid by defendants to the pretrial  
560 release program.
- 561           4. The number of persons employed by the pretrial release  
562 program.
- 563           5. The number of defendants assessed and interviewed for  
564 pretrial release.
- 565           6. The number of defendants recommended for pretrial  
566 release.
- 567           7. The number of defendants for whom the pretrial release  
568 program recommended against nonsecured release.
- 569           8. The number of defendants granted nonsecured release  
570 after the pretrial release program recommended nonsecured  
571 release.
- 572           9. The number of defendants assessed and interviewed for  
573 pretrial release who were declared indigent by the court.
- 574           10. The number of defendants accepted into a pretrial  
575 release program who paid a surety or cash bail or bond.
- 576           11. The number of defendants for whom a risk assessment  
577 tool was used in determining whether the defendant should be  
578 released pending the disposition of the case and the number of  
579 defendants for whom a risk assessment tool was not used.
- 580           12. The type of each criminal charge of a defendant

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581 accepted into a pretrial release program, including, at a  
582 minimum, the number of defendants charged with:  
583 a. Dangerous crimes as defined in s. 907.041.  
584 b. Nonviolent felonies.  
585 c. Misdemeanors only.  
586 13. The number of defendants accepted into a pretrial  
587 release program with no prior criminal conviction.  
588 ~~14.10.~~ The name and case number of each person granted  
589 nonsecured release who:  
590 a. Failed to attend a scheduled court appearance.  
591 b. Was issued a warrant for failing to appear.  
592 c. Was arrested for any offense while on release through  
593 the pretrial release program.  
594 ~~15.11.~~ Any additional information deemed necessary by the  
595 governing body to assess the performance and cost efficiency of  
596 the pretrial release program.  
597 Section 4. Subsections (3) through (7) of section 921.0024,  
598 Florida Statutes, are amended to read:  
599 921.0024 Criminal Punishment Code; worksheet computations;  
600 scoresheets.-  
601 (3) A single digitized scoresheet shall be prepared for  
602 each defendant to determine the permissible range for the  
603 sentence that the court may impose, except that if the defendant  
604 is before the court for sentencing for more than one felony and  
605 the felonies were committed under more than one version or  
606 revision of the guidelines or the code, separate digitized  
607 scoresheets must be prepared. The scoresheet or scoresheets must  
608 cover all the defendant's offenses pending before the court for  
609 sentencing. The state attorney shall prepare the digitized

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610 scoresheet or scoresheets, which must be presented to the  
611 defense counsel for review for accuracy in all cases unless the  
612 judge directs otherwise. The defendant's scoresheet or  
613 scoresheets must be approved and signed by the sentencing judge.

614 (4) The Department of Corrections, in consultation with the  
615 Office of the State Courts Administrator, state attorneys, and  
616 public defenders, must develop and submit the revised digitized  
617 Criminal Punishment Code scoresheet to the Supreme Court for  
618 approval by June 15 of each year, as necessary. The digitized  
619 scoresheet shall have individual, structured data cells for each  
620 data field on the scoresheet. Upon the Supreme Court's approval  
621 of the revised digitized scoresheet, the Department of  
622 Corrections shall produce and provide ~~sufficient copies of the~~  
623 revised digitized scoresheets by September 30 of each year, as  
624 necessary. Digitized scoresheets must include individual data  
625 cells to indicate ~~item entries for the scoresheet preparer's use~~  
626 ~~in indicating~~ whether any prison sentence imposed includes a  
627 mandatory minimum sentence or the sentence imposed was a  
628 downward departure from the lowest permissible sentence under  
629 the Criminal Punishment Code.

630 (5) The Department of Corrections shall make available  
631 ~~distribute sufficient copies of the~~ digitized Criminal  
632 Punishment Code scoresheets to those persons charged with the  
633 responsibility for preparing scoresheets.

634 (6) The clerk of the circuit court shall transmit a  
635 complete, and accurate digitized, ~~and legible~~ copy of the  
636 Criminal Punishment Code scoresheet used in each sentencing  
637 proceeding to the Department of Corrections. Scoresheets must be  
638 electronically transmitted no less frequently than weekly

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639 ~~monthly~~, by the first of each month, and may be sent  
640 collectively.

641 (7) A digitized sentencing scoresheet must be prepared for  
642 every defendant who is sentenced for a felony offense. ~~A copy of~~  
643 The individual offender's digitized Criminal Punishment Code  
644 scoresheet and any attachments thereto prepared pursuant to Rule  
645 3.701, Rule 3.702, or Rule 3.703, Florida Rules of Criminal  
646 Procedure, or any other rule pertaining to the preparation and  
647 submission of felony sentencing scoresheets, must be included  
648 ~~with attached to the copy of~~ the uniform judgment and sentence  
649 form provided to the Department of Corrections.

650 Section 5. Subsection (1) of section 932.7061, Florida  
651 Statutes, is amended to read:

652 932.7061 Reporting seized property for forfeiture.—

653 (1) Every law enforcement agency shall submit an annual  
654 report to the Department of Law Enforcement indicating whether  
655 the agency has seized or forfeited property under the Florida  
656 Contraband Forfeiture Act. A law enforcement agency receiving or  
657 expending forfeited property or proceeds from the sale of  
658 forfeited property in accordance with the Florida Contraband  
659 Forfeiture Act shall submit a completed annual report by  
660 December 1 ~~October 10~~ documenting the receipts and expenditures.  
661 The report shall be submitted in an electronic form, maintained  
662 by the Department of Law Enforcement in consultation with the  
663 Office of Program Policy Analysis and Government Accountability,  
664 to the entity that has budgetary authority over such agency and  
665 to the Department of Law Enforcement. The annual report must, at  
666 a minimum, specify the type, approximate value, court case  
667 number, type of offense, disposition of property received, and

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668 amount of any proceeds received or expended.

669 Section 6. Section 943.687, Florida Statutes, is created to  
670 read:

671 943.687 Criminal justice data transparency.—In order to  
672 facilitate the availability of comparable and uniform criminal  
673 justice data, the department shall:

674 (1) Collect, compile, maintain, and manage the data  
675 submitted by local and state entities pursuant to s. 900.05 and  
676 coordinate related activities to collect and submit data. The  
677 department shall create a unique identifier for each criminal  
678 case received from the clerks of court which identifies the  
679 person who is the subject of the criminal case. The unique  
680 identifier must be the same for that person in any court case  
681 and used across local and state entities for all information  
682 related to that person at any time. The unique identifier shall  
683 be randomly created and may not include any portion of the  
684 person's social security number or date of birth.

685 (2) Promote criminal justice data sharing by making such  
686 data received under s. 900.05 comparable, transferable, and  
687 readily usable.

688 (3) Create and maintain an Internet-based database of  
689 criminal justice data received under s. 900.05 in a modern,  
690 open, electronic format that is machine-readable and readily  
691 accessible through an application program interface. The  
692 database must allow the public to search, at a minimum, by each  
693 data element, county, judicial circuit, or unique identifier.  
694 The department may not require a license or charge a fee to  
695 access or receive information from the database.

696 (4) Develop written agreements with local, state, and



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697 federal agencies to facilitate criminal justice data sharing.

698 (5) Establish by rule:

699 (a) Requirements for the entities subject to the  
700 requirements of s. 900.05 to submit data through an application  
701 program interface.

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

705 (c) How data collected pursuant to s. 900.05 is compiled,  
706 processed, structured, used, or shared. The rule shall provide  
707 for the tagging of all information associated with each case  
708 number and unique identifier.

709 (d) Requirements for implementing and monitoring the  
710 Internet-based database established under subsection (3).

711 (e) How information contained in the Internet-based  
712 database established under subsection (3) is accessed by the  
713 public.

714 (6) Consult with local, state, and federal criminal justice  
715 agencies and other public and private users of the database  
716 established under subsection (3) on the data elements collected  
717 under s. 900.05, the use of such data, and adding data elements  
718 to be collected.

719 (7) Monitor data collection procedures and test data  
720 quality to facilitate the dissemination of accurate, valid,  
721 reliable, and complete criminal justice data.

722 (8) Develop methods for archiving data, retrieving archived  
723 data, and data editing and verification.

724 Section 7. Section 945.041, Florida Statutes, is created to  
725 read:

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726 945.041 Department of Corrections reports.—The department  
727 shall publish on its website and make available to the public  
728 the following information, updated on a quarterly basis:

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

732 (2) The recidivism rate, defined as rearrest, reconviction,  
733 reincarceration, and probation revocation in the state within a  
734 3-year time period following release from incarceration.

735 Section 8. For the purpose of incorporating the amendment  
736 made by this act to section 932.7061, Florida Statutes, in a  
737 reference thereto, section 932.7062, Florida Statutes, is  
738 reenacted to read:

739 932.7062 Penalty for noncompliance with reporting  
740 requirements.—A seizing agency that fails to comply with the  
741 reporting requirements in s. 932.7061 is subject to a civil fine  
742 of \$5,000, to be determined by the Chief Financial Officer and  
743 payable to the General Revenue Fund. However, such agency is not  
744 subject to the fine if, within 60 days after receipt of written  
745 notification from the Department of Law Enforcement of  
746 noncompliance with the reporting requirements of the Florida  
747 Contraband Forfeiture Act, the agency substantially complies  
748 with those requirements. The Department of Law Enforcement shall  
749 submit any substantial noncompliance to the office of Chief  
750 Financial Officer, which shall be responsible for the  
751 enforcement of this section.

752 Section 9. A pilot project is established in the Sixth  
753 Judicial Circuit for the purpose of improving criminal justice  
754 data transparency and ensuring that data submitted under s.

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755 900.05, Florida Statutes, is accurate, valid, reliable, and  
756 structured. The clerk of court, the state attorney, the public  
757 defender, or a sheriff in the circuit may enter into a  
758 memorandum of understanding with a national, nonpartisan, not-  
759 for-profit entity which provides data and measurement for  
760 county-level criminal justice systems to establish the duties  
761 and responsibilities of a data fellow, completely funded by the  
762 entity, to be embedded with the office or agency. The data  
763 fellow shall assist with data extraction, validation, and  
764 quality and shall publish such data consistent with the terms of  
765 the memorandum. The data fellow shall assist the office or  
766 agency in compiling and reporting data pursuant to s. 900.05,  
767 Florida Statutes, in compliance with rules established by the  
768 Department of Law Enforcement. The pilot project shall expire as  
769 provided in the memorandum.

770 Section 10. For the 2018-2019 fiscal year, nine full-time  
771 equivalent positions with an associated total salary rate of  
772 \$665,884 are authorized, and the sum of \$1,750,000 in  
773 nonrecurring funds from General Revenue is appropriated to the  
774 Department of Law Enforcement for the purposes of implementing  
775 ss. 900.05(3) and 943.687, Florida Statutes, transitioning to  
776 incident-based crime reporting, and collecting and submitting  
777 crime statistics that meet the requirements of the Federal  
778 Bureau of Investigation under the National Incident-Based  
779 Reporting System.

780 Section 11. This act shall take effect July 1, 2018.