

By Senator Bracy

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1 A bill to be entitled  
2 An act relating to data collection on direct filing;  
3 amending s. 985.557, F.S.; requiring the Department of  
4 Juvenile Justice to begin collecting on a certain date  
5 specified information relating to children who qualify  
6 for prosecution as adults and for children who are  
7 transferred to adult court for criminal prosecution;  
8 requiring the department to work with the Office of  
9 Program Policy Analysis and Government Accountability  
10 to generate a report analyzing the data on juveniles  
11 transferred for criminal prosecution as adults during  
12 a certain period; requiring the department to provide  
13 the report to the Governor and the Legislature by a  
14 certain date; requiring the department to work with  
15 the Office of Program Policy Analysis and Government  
16 Accountability to generate an annual report that  
17 includes certain information, and to provide the  
18 report to the Governor and the Legislature by a  
19 specified date; providing an effective date.

20  
21 Be It Enacted by the Legislature of the State of Florida:

22  
23 Section 1. Subsection (5) is added to section 985.557,  
24 Florida Statutes, to read:

25 985.557 Direct filing of an information; discretionary and  
26 mandatory criteria.—

27 (5) DATA COLLECTION RELATING TO DIRECT FILE.—

28 (a) Beginning March 1, 2019, the department shall collect  
29 data relating to children who qualify to be prosecuted as adults

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30 under s. 985.556 and this section regardless of the outcome of  
31 the case, including, but not limited to:

32 1. Age.

33 2. Race and ethnicity.

34 3. Gender.

35 4. Circuit and county of residence.

36 5. Circuit and county of offense.

37 6. Prior adjudications or adjudications withheld.

38 7. Prior periods of probation, including any violations of  
39 probation.

40 8. Previous contacts with law enforcement agencies or the  
41 court which resulted in a civil citation, arrest, or charges  
42 being filed with the state.

43 9. Initial charges.

44 10. Charges at disposition.

45 11. Whether child codefendants were involved who were  
46 transferred to adult court.

47 12. Whether the child was represented by counsel or whether  
48 the child waived counsel.

49 13. Risk assessment instrument score.

50 14. The child's medical, mental health, substance abuse, or  
51 trauma history.

52 15. The child's history of mental impairment or disability-  
53 related accommodations.

54 16. The child's history of abuse or neglect.

55 17. The child's history of foster care placements,  
56 including the number of prior placements.

57 18. Whether the child has below-average intellectual  
58 functioning.

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59 19. Whether the child has received mental health services  
60 or treatment.

61 20. Whether the child has been the subject of a child-in-  
62 need-of-services or families-in-need-of-services petition or a  
63 dependency petition.

64 21. Whether the child was transferred for criminal  
65 prosecution as an adult, and if transferred, the provision of  
66 this section under which the prosecution is proceeding or  
67 proceeded.

68 22. The case resolution in juvenile court.

69 23. The case resolution in adult court.

70 (b) Beginning March 1, 2019, for a child transferred for  
71 criminal prosecution as an adult, the department shall also  
72 collect:

73 1. Disposition data, including, but not limited to, whether  
74 the child received adult sanctions, juvenile sanctions, or  
75 diversion and, if sentenced to prison, the length of the prison  
76 sentence or the enhanced sentence; and

77 2. Whether the child was previously found incompetent to  
78 proceed in juvenile court.

79 (c) For every juvenile case transferred to adult court  
80 between July 1, 2017, and June 30, 2018, the department shall  
81 work with the Office of Program Policy Analysis and Government  
82 Accountability to generate a report analyzing the data in  
83 paragraphs (a) and (b). The department must provide this report  
84 to the Governor, the President of the Senate, and the Speaker of  
85 the House of Representatives by January 31, 2019.

86 (d) The department shall work with the Office of Program  
87 Policy Analysis and Government Accountability to generate a

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88 report analyzing the aggregated data collected under paragraphs  
89 (a) and (b) on an annual basis. The department must provide this  
90 report annually to the Governor, the President of the Senate,  
91 and the Speaker of the House of Representatives no later than  
92 January 31 of the following calendar year.

93 Section 2. This act shall take effect July 1, 2018.