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1                   A bill to be entitled  
 2           An act relating to criminal justice data transparency;  
 3           creating s. 900.05, F.S.; providing intent; providing  
 4           definitions; requiring clerks of court, state  
 5           attorneys, public defenders, administrators of county  
 6           detention facilities, and the Department of  
 7           Corrections to collect specific data; requiring each  
 8           clerk, state attorney, public defender, administrator,  
 9           and the Department of Corrections to transmit such  
 10          data to the Department of Law Enforcement weekly;  
 11          requiring the Department of Law Enforcement to  
 12          compile, maintain, and make publicly accessible the  
 13          data; creating s. 943.687, F.S.; requiring the  
 14          Department of Law Enforcement to collect, compile,  
 15          maintain, and manage data collected by agencies under  
 16          s. 900.05, F.S.; requiring the department to make data  
 17          comparable, transferable, and readily usable;  
 18          requiring an Internet-based database; providing  
 19          requirements for data searchability and sharing;  
 20          requiring monitoring of data collection procedures,  
 21          providing for data archiving, editing, and retrieval;  
 22          amending s. 921.0024, F.S.; requiring digitized  
 23          scoresheets to be prepared for all criminal  
 24          defendants; requiring the Department of Corrections to  
 25          develop and submit revised digitized scoresheets to

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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  
 30 used in each sentencing proceeding to the department;  
 31 amending s. 907.043, F.S.; requiring each pretrial  
 32 release program to include in its annual report the  
 33 types of criminal charges of defendants accepted into  
 34 a pretrial release program, the number of defendants  
 35 accepted into a pretrial release program who paid a  
 36 bail or bond, the number of defendants accepted into a  
 37 pretrial release program with no prior criminal  
 38 conviction, and the number of defendants for whom a  
 39 pretrial risk assessment tool was used; creating s.  
 40 945.041, F.S.; requiring the Department of Corrections  
 41 to publish quarterly on its website inmate admissions  
 42 based on offense type and recidivism rate; amending s.  
 43 20.315, F.S.; requiring the Department of Corrections  
 44 to include information in its annual report on inmate  
 45 admission based on offense type and recidivism rate;  
 46 creating a pilot project in a specified judicial  
 47 circuit to improve criminal justice data transparency  
 48 and ensuring data submitted under s. 900.05, F.S., is  
 49 accurate, valid, reliable, and structured; permitting  
 50 a memorandum of understanding with a national,

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51 nonpartisan, not-for-profit foundation meeting certain  
 52 criteria for the purpose of embedding a data fellow in  
 53 the office or agency; establishing data fellow duties  
 54 and responsibilities; providing for the expiration of  
 55 the pilot project; providing an appropriation;  
 56 providing an effective date.

57

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

59

60 Section 1. Section 900.05, Florida Statutes, is created to  
 61 read:

62 900.05 Criminal justice data collection.—It is the intent  
 63 of the Legislature to create a model of uniform criminal justice  
 64 data collection by requiring local and state criminal justice  
 65 agencies to report complete, accurate, and timely data, and  
 66 making such data available to the public.

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

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

70 (b) "Admission type" means the underlying reason for which  
 71 defendant is admitted to the Department of Corrections,  
 72 including a new conviction, probation violation, probation  
 73 violation based on a new offense, parole violation, or parole  
 74 violation based on a new offense.

75 (c) "Annual felony caseload" means the yearly adult

76 criminal felony caseload of each full-time state attorney and  
 77 assistant state attorney or public defender and assistant public  
 78 defender, based on the number of felony cases reported to the  
 79 Supreme Court under s. 25.075. The term does not include the  
 80 appellate caseload of a public defender or assistant public  
 81 defender.

82 (d) "Annual misdemeanor caseload" means the yearly adult  
 83 criminal misdemeanor caseload of each full-time state attorney  
 84 and assistant state attorney or public defender and assistant  
 85 public defender, based on the number of misdemeanor cases  
 86 reported to the Supreme Court under s. 25.075. The term does not  
 87 include the appellate caseload of a public defender or assistant  
 88 public defender.

89 (e) "Arraignment date/initial appearance" means the date a  
 90 defendant first appears before a judge to enter a plea.

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

95 (g) "Attorney assignment date" means the date a court-  
 96 appointed attorney is assigned to the case or, if privately  
 97 retained, the date an attorney files a notice of appearance with  
 98 the clerk of court.

99 (h) "Attorney withdrawal date" means the date the court  
 100 removes court-appointed counsel from a case or, for a privately

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101 retained attorney, the date a motion to withdraw is granted by  
102 the court.

103 (i) "Bail/bond hearing date" means the date a defendant  
104 appears in court for bail/bond determination.

105 (j) "Bail/bond modification date" means the date a hearing  
106 is held to consider a defendant's bail/bond conditions and the  
107 conditions are modified.

108 (k) "Bail/bond posting date" means the date a defendant  
109 posts bail/bond.

110 (l) "Bail/bond revocation" means the date a court revokes a  
111 defendant's bail/bond.

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

114 (n) "Booking date and reason" means the date a defendant is  
115 booked into a jail facility for a new charge; probation  
116 violation; pursuant to a bench warrant for pretrial release  
117 violation; or pursuant to a warrant from another jurisdiction.

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

120 (p) "Case status" means whether a case is open, closed, re-  
121 opened due to a probation violation, or inactive.

122 (q) "Cash bail/bond amount" means the monetary amount of  
123 bail/bond imposed by a court.

124 (r) "Cash bail/bond payment" means whether or not a  
125 defendant posted bail/bond.

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

128       (t) "Charge description" means the statement of the charge  
129 matched to the statutory section establishing the conduct as  
130 criminal.

131       (u) "Charge disposition date" means the date of final  
132 judgment, adjudication, adjudication withheld, dismissal, or  
133 nolle prosequi of each charge.

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

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

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

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

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

145       (aa) "Concurrent/consecutive sentence flag" means an  
146 indication that a defendant is serving another sentence  
147 concurrently or consecutively in addition to the current  
148 sentence.

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

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151 (cc) "Court fees amount balance/payment to date" means the  
 152 amount a defendant paid towards outstanding court fees and the  
 153 remaining balance owed.

154 (dd) "Current institution and institution security level"  
 155 means the name of the institution where a defendant is currently  
 156 incarcerated and the institution's security level.

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

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

163 (gg) "Daily cost per probationer" means the cost per diem  
 164 for each individual serving probation with the Department of  
 165 Corrections.

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

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

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

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

179 (ll) "Daily number of correctional officers" means the  
 180 number of full-time, part-time and auxiliary correctional  
 181 officers who are actively providing supervision, protection,  
 182 care, custody, and control of inmates in a state correctional  
 183 institution or jail facility each day.

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

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

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

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

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

197 (rr) "Deferred prosecution/pretrial diversion hearing date  
 198 or agreement date" means each date a hearing is held or a  
 199 contract is signed by the parties regarding a defendant's  
 200 admission into a deferred prosecution or pretrial diversion



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201 program.

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

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

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

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

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

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

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

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

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

220 (bbb) "Fine amount" means the total fines imposed at case  
 221 disposition.

222 (ccc) "Fine amount balance/payment to date" means the  
 223 amount a defendant paid towards outstanding fines and the  
 224 remaining balance owed.

225 (ddd) "Gang affiliation flag" means an indication that a

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226 defendant is involved in or associated with a criminal gang as  
 227 defined in s. 874.03.

228 (eee) "Good conduct credit earned" means time an inmate  
 229 earned for good behavior in a jail facility or state  
 230 correctional institution and credited toward his or her  
 231 sentence.

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

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

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

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

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

244 (kkk) "Nonmonetary condition of release" means a condition  
 245 of a defendant's pretrial release imposed by the court that is  
 246 not based on payment of bail/bond.

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

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251 (mmm) "Offense date" means the date that the alleged crime  
 252 occurred.

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

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

259 (ppp) "Pretrial release decision" means the date the court  
 260 decides the issue of defendant's pretrial release from  
 261 incarceration.

262 (qqq) "Pretrial release offender flag" means an indication  
 263 that the defendant has violated the terms of his or her pretrial  
 264 release.

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

268 (sss) "Postsentence jail population at year-end" means the  
 269 number of inmates incarcerated within a jail facility, at the  
 270 end of the calendar year, who have been sentenced and are either  
 271 serving that sentence in the facility or awaiting transportation  
 272 to the Department of Corrections.

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

275 (uuu) "Projected discharge date" means the anticipated date

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276 an inmate will be released from incarceration.

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

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

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

286 (yyy) "Sentence date" means the date a court enters a  
 287 sentence against a defendant.

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

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

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

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

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

300 (eeee) "Sexual offender flag" means an indication that a

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301 defendant is a sexual offender as defined in s. 943.0435.

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

305 (gggg) "Total jail population at year-end" means the number  
 306 of inmates incarcerated within a jail facility at the end of the  
 307 calendar year.

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

310 (2) DATA COLLECTION AND REPORTING—Beginning January 1,  
 311 2019, the following agencies shall collect data and transmit it  
 312 weekly to the Department of Law Enforcement.

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

- 315 1. Case number.
- 316 2. Offense date.
- 317 3. The county where the offense was committed.
- 318 4. Arrest date.
- 319 5. Filing date.
- 320 6. Arraignment date/initial appearance.
- 321 7. Attorney assignment date.
- 322 8. Attorney withdrawal date.
- 323 9. Case status.
- 324 10. Disposition date.
- 325 11. Information about the defendant, including:

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- 326        a. Name.
- 327        b. Date of birth.
- 328        c. Age.
- 329        d. Zip code of primary residence.
- 330        e. Primary language.
- 331        f. Race and ethnicity.
- 332        g. Gender.
- 333        h. Citizenship.
- 334        i. Immigration status, if applicable.
- 335        j. Whether the defendant is indigent pursuant to s. 27.52.
- 336        12. Any charge referred to the state attorney by law
- 337 enforcement.
- 338        13. Information on a formal charge filed against the
- 339 defendant, including:
- 340        a. Charge sequence number.
- 341        b. Charge description.
- 342        c. Charge statute.
- 343        d. Charge type.
- 344        e. Charge class severity.
- 345        f. Charge modifier, if any.
- 346        g. Charge disposition.
- 347        h. Charge disposition date.
- 348        i. Drug type for drug charge, if known.
- 349        j. Domestic violence flag.
- 350        k. Gang affiliation flag.

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- 351        l. Sexual offender flag.
- 352        m. Habitual offender flag.
- 353        14. Plea date.
- 354        15. Information on bail/bond and pretrial release,
- 355 including:
  - 356        a. Pretrial release decision.
  - 357        b. Nonmonetary condition of release.
  - 358        c. Cash bail/bond amount.
  - 359        d. Cash bail/bond payment.
  - 360        e. Booking date and reason.
  - 361        f. Date defendant is released on bail/bond or pretrial
  - 362 release.
  - 363        g. Bail/bond revocation due to a new offense, a failure to
  - 364 appear, or a violation of the terms of bail/bond.
  - 365        h. Pretrial release offender flag.
  - 366        16. Pretrial dates, including:
    - 367        a. Bail/bond hearing date.
    - 368        b. Bail/bond setting date.
    - 369        c. Bail/bond modification date.
    - 370        d. Bail/bond posting date.
    - 371        e. Deferred prosecution/pretrial diversion hearing date or
    - 372 agreement date.
  - 373        17. Court dates, and dates of motions and appearances,
  - 374 including:
    - 375        a. Date of court appearance.

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- 376 b. Date of failure to appear in court.
- 377 c. Judicial transfer date.
- 378 d. Trial date.
- 379 e. Bail/bond motion date.
- 380 f. Discovery motion date.
- 381 g. Speedy trial motion date.
- 382 h. Speedy trial motion hearing date.
- 383 i. Dismissal motion date.
- 384 j. Dismissal motion hearing date.
- 385 18. Defense attorney type.
- 386 19. Information related to sentencing, including:
- 387 a. Sentence date.
- 388 b. Sentence type.
- 389 c. Sentence length.
- 390 d. Sentence condition.
- 391 e. Time served credit and length.
- 392 f. Court fees amount.
- 393 g. Court fees amount balance/payment to date.
- 394 h. Fine amount.
- 395 i. Fine amount balance/payment to date.
- 396 j. Restitution amount ordered.
- 397 k. If restitution is ordered, the amount collected by the
- 398 court and the amount paid to victims.
- 399 19. The number of judges, magistrates, court commissioners
- 400 or their equivalents hearing non-appellant, adult criminal cases



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401 in the circuit.

402 (b) Each state attorney shall collect the following data:

403 1. For a criminal offense involving a human victim,

404 information about the victim, including:

405 a. Race and ethnicity.

406 b. Gender.

407 c. Age.

408 d. Relationship to the offender.

409 2. Number of full-time prosecutors.

410 3. Number of part-time prosecutors.

411 4. Annual felony caseload.

412 5. Annual misdemeanor caseload.

413 6. For each defendant:

414 a. Each charge referred to the office by law enforcement.

415 b. Drug type for each drug charge.

416 7. Number of cases in which no information was filed.

417 (c) Each public defender shall collect the following data

418 for each criminal case:

419 1. Number of full-time public defenders.

420 2. Number of part-time public defenders.

421 3. Number of contract attorneys representing indigent

422 defendants for the public defender's office.

423 4. Annual felony caseload.

424 5. Annual misdemeanor caseload.

425 (d) The administrator of each county detention facility

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- 426 shall collect the following data:
- 427     1. Jail capacity.
- 428     2. Weekly admissions to jail for probation revocation.
- 429     3. Daily jail population.
- 430     4. Daily jail pretrial population.
- 431     5. Daily jail presentence population.
- 432     6. Daily jail postsentence population.
- 433     7. Daily federal and state inmates held in jail.
- 434     8. Total jail population at year-end.
- 435     9. Pretrial jail population at year-end.
- 436     10. Presentence jail population at year-end.
- 437     11. Postsentence jail population at year-end.
- 438     12. Number of federal and state inmates held in jail at
- 439 year-end.
- 440     13. Daily cost of a jail bed.
- 441     14. Daily number of correctional officers.
- 442     15. Annual jail budget.
- 443     16. Revenue generated from the temporary incarceration of
- 444 federal defendants or inmates.
- 445     17. For each inmate:
- 446         a. Booking date and reason.
- 447         b. Domestic violence flag.
- 448         c. Gang affiliation flag.
- 449         d. Habitual offender flag.
- 450         e. Pretrial release offender flag.

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451 f. Sexual offender flag.  
 452 (e) The Department of Corrections shall collect:  
 453 1. The following data for each prisoner:  
 454 a. Personal information, including:  
 455 (I) Name.  
 456 (II) DOC number.  
 457 (III) Date of birth.  
 458 (IV) Race and ethnicity.  
 459 (V) Number of children.  
 460 (VI) Education level.  
 461 (VII) Admission date.  
 462 (VIII) Admission type.  
 463 (IX) Current institution and institution security level.  
 464 (X) Sexual offender flag.  
 465 (XI) Habitual offender flag.  
 466 (XII) Gang affiliation flag.  
 467 (XIII) Sentencing scoresheet.  
 468 (XIV) Committing county.  
 469 (XV) If the reason for admission to the department is for a  
 470 new conviction or a probation violation. For a probation  
 471 violation, the department shall report whether the violation was  
 472 technical, based on a new offense, or based on another term of  
 473 probation.  
 474 b. Specific offense codes, including, for a prisoner  
 475 convicted of drug trafficking under s. 835.135, the offense code

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476 for each specific drug trafficked.  
 477 c. Concurrent/consecutive sentence flag.  
 478 d. Length of sentence/concurrent or consecutive sentences  
 479 served.  
 480 e. Projected discharge date.  
 481 f. Time served, in days.  
 482 g. Good conduct credit earned.  
 483 h. Prior incarceration within the state.  
 484 i. Disciplinary violation and action.  
 485 j. Participation in rehabilitative or educational  
 486 correctional programs.  
 487 2. The following information about each correctional  
 488 facility:  
 489 a. Budget for each correctional institution.  
 490 b. Daily prison population.  
 491 c. Daily number of correctional officers.  
 492 d. Daily cost of a prison bed.  
 493 3. The following information about probation and  
 494 probationary services:  
 495 a. Each probationer's information, including:  
 496 (I) Name.  
 497 (II) Date of birth.  
 498 (III) Race and ethnicity.  
 499 (IV) Sex.  
 500 (V) Department-assigned case number.

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501 b. Length of probation imposed and length of probation  
 502 sentence served.

503 c. Probation release date or projected release date.

504 d. Probation revocation due to a violation.

505 e. Probation revocation due to a new offense.

506 f. Daily cost per probationer.

507 (3) DATA PUBLICLY AVAILABLE—Beginning January 1, 2019, the  
 508 department shall publish datasets in its possession in a modern,  
 509 open, electronic format that is machine-readable and readily  
 510 accessible by the public on the department's website. The  
 511 published data shall be searchable, at a minimum, by each data  
 512 element, county, circuit, and unique identifier. Beginning  
 513 March 1, 2019, the department shall begin publishing the data  
 514 received under subsection (2) in the same modern, open,  
 515 electronic format that is machine-readable and readily  
 516 accessible to the public on the department's website. The  
 517 department shall publish all data received under section (2) no  
 518 later than July 1, 2019.

519 Section 2. Section 943.687, Florida Statutes, is created to  
 520 read:

521 943.687 Criminal justice data transparency.—In order to  
 522 facilitate the availability of comparable and uniform criminal  
 523 justice data, the department shall:

524 (1) Collect, compile, maintain, and manage the data  
 525 submitted by local and state entities under s. 900.05 and

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526 coordinate related activities to collect and submit data. The  
527 department shall create a unique identifier for each criminal  
528 case received from the clerks of court which identifies the  
529 person who is the subject of the criminal case. The unique  
530 identifier must be the same for that person in any court case  
531 and used across local and state entities for all information  
532 related to that person at any time. The unique identifier shall  
533 be randomly created and may not include any portion of the  
534 person's social security number or date of birth.

535 (2) Promote criminal justice data sharing by making such  
536 data received under s. 900.05 comparable, transferable, and  
537 readily usable.

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

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

548 (5) Establish by rule:

549 (a) Requirements for the submission of data by the  
550 entities subject to the requirements of s. 900.05 through an

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551 application program interface.

552 (b) A data catalog defining data objects, describing data  
553 fields, and detailing the meaning of and options for each data  
554 element reported under s. 900.05.

555 (c) How data collected under s. 900.05 is compiled,  
556 processed, structured, used, or shared. The rules shall provide  
557 for tagging all information associated with each case number and  
558 unique identifier.

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

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

563 (6) Consult with local, state, and federal criminal  
564 justice agencies and other public and private users of the  
565 database under subsection (3) on the data elements collected  
566 under s. 900.05, the use of such data, and adding data elements  
567 to be collected.

568 (7) Monitor data collection procedures and test data  
569 quality to facilitate the dissemination of accurate, valid,  
570 reliable, and complete criminal justice data.

571 (8) Develop methods for archiving data, retrieving  
572 archived data, and data editing and verification.

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

575 921.0024 Criminal Punishment Code; worksheet computations;

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576 scoresheets.-

577 (3) A single digitized scoresheet shall be prepared for  
578 each defendant to determine the permissible range for the  
579 sentence that the court may impose, except that if the defendant  
580 is before the court for sentencing for more than one felony and  
581 the felonies were committed under more than one version or  
582 revision of the guidelines or the code, separate digitized  
583 scoresheets must be prepared. The scoresheet or scoresheets must  
584 cover all the defendant's offenses pending before the court for  
585 sentencing. The state attorney shall prepare the digitized  
586 scoresheet or scoresheets, which must be presented to the  
587 defense counsel for review for accuracy in all cases unless the  
588 judge directs otherwise. The defendant's scoresheet or  
589 scoresheets must be approved and signed by the sentencing judge.

590 (4) The Department of Corrections, in consultation with  
591 the Office of the State Courts Administrator, state attorneys,  
592 and public defenders, must develop and submit the revised  
593 digitized Criminal Punishment Code scoresheet to the Supreme  
594 Court for approval by June 15 of each year, as necessary. The  
595 digitized scoresheet shall have individual, structured data  
596 cells for each data field on the scoresheet. Upon the Supreme  
597 Court's approval of the revised digitized scoresheet, the  
598 Department of Corrections shall produce and provide ~~sufficient~~  
599 ~~copies of~~ the revised digitized scoresheets by September 30 of  
600 each year, as necessary. Digitized scoresheets must include



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601 individual data cells to indicate ~~item entries for the~~  
 602 ~~scoresheet preparer's use in indicating~~ whether any prison  
 603 sentence imposed includes a mandatory minimum sentence or the  
 604 sentence imposed was a downward departure from the lowest  
 605 permissible sentence under the Criminal Punishment Code.

606 (5) The Department of Corrections shall make available  
 607 ~~distribute sufficient copies of the~~ digitized Criminal  
 608 Punishment Code scoresheets to those persons charged with the  
 609 responsibility for preparing scoresheets.

610 (6) The clerk of the circuit court shall transmit a  
 611 complete, and accurate, ~~and legible~~ digitized copy of the  
 612 Criminal Punishment Code scoresheet used in each sentencing  
 613 proceeding to the Department of Corrections. Scoresheets must be  
 614 electronically transmitted no less frequently than weekly  
 615 ~~monthly,~~ by the first of each month, and may be sent  
 616 collectively.

617 (7) A digitized sentencing scoresheet must be prepared for  
 618 every defendant who is sentenced for a felony offense. ~~A copy of~~  
 619 The individual offender's digitized Criminal Punishment Code  
 620 scoresheet and any attachments thereto prepared pursuant to Rule  
 621 3.701, Rule 3.702, or Rule 3.703, Florida Rules of Criminal  
 622 Procedure, or any other rule pertaining to the preparation and  
 623 submission of felony sentencing scoresheets, must be included  
 624 with ~~attached to the copy of~~ the uniform judgment and sentence  
 625 form provided to the Department of Corrections.

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626 Section 4. Paragraph (b) of subsection (4) of section  
 627 907.043, Florida Statutes, is amended to read:

628 907.043 Pretrial release; citizens' right to know.—

629 (4)

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

632 1. The name, location, and funding sources of the pretrial  
 633 release program, including the amount of public funds, if any,  
 634 received by the pretrial release program.

635 2. The operating and capital budget of each pretrial  
 636 release program receiving public funds.

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

639 b. The percentage of the total budget which is allocated  
 640 to assisting defendants obtain release through a nonpublicly  
 641 funded program.

642 c. The amount of fees paid by defendants to the pretrial  
 643 release program.

644 4. The number of persons employed by the pretrial release  
 645 program.

646 5. The number of defendants assessed and interviewed for  
 647 pretrial release.

648 6. The number of defendants recommended for pretrial  
 649 release.

650 7. The number of defendants for whom the pretrial release

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651 program recommended against nonsecured release.

652 8. The number of defendants granted nonsecured release  
 653 after the pretrial release program recommended nonsecured  
 654 release.

655 9. The number of defendants assessed and interviewed for  
 656 pretrial release who were declared indigent by the court.

657 10. The number of defendants accepted into a pretrial  
 658 release program who paid a surety or cash bail or bond.

659 11. The number of defendants for whom a risk assessment  
 660 tool was used in determining whether the defendant should be  
 661 released pending the disposition of the case and the number of  
 662 defendants for whom a risk assessment tool was not used.

663 12. The type of each criminal charge of a defendant  
 664 accepted into a pretrial release program to include, at a  
 665 minimum, the number of defendants charged with:

666 a. Dangerous crimes as defined in s. 907.041.

667 b. Non-violent felonies.

668 c. Misdemeanors only.

669 13. The number of defendants accepted into a pretrial  
 670 release program with no prior criminal conviction.

671 14. ~~10.~~ The name and case number of each person granted  
 672 nonsecured release who:

673 a. Failed to attend a scheduled court appearance.

674 b. Was issued a warrant for failing to appear.

675 c. Was arrested for any offense while on release through

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676 the pretrial release program.

677 15. ~~11.~~ Any additional information deemed necessary by the  
 678 governing body to assess the performance and cost efficiency of  
 679 the pretrial release program.

680 Section 5. Section 945.041, Florida Statutes, is created  
 681 to read:

682 945.041 Department of Corrections reports.—The Department  
 683 of Corrections shall publish on its website and make available  
 684 to the public the following information, updated on a quarterly  
 685 basis:

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

690 (2) The rate at which offenders recidivate, defined as  
 691 rearrest, reconviction, reincarceration, or probation revocation  
 692 in the state within a three-year time period following release  
 693 from incarceration.

694 Section 6. Subsection (5) of section 20.315, Florida  
 695 Statutes, is amended to read:

696 20.315 Department of Corrections.—There is created a  
 697 Department of Corrections.

698 (5) ANNUAL REPORTING.—The department shall report annually  
 699 to the Governor, the President of the Senate, and the Speaker of  
 700 the House of Representatives recounting its activities and

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701 making recommendations for improvements to the performance of  
 702 the department. The annual report shall include information  
 703 published under s. 945.041.

704 Section 7. CRIMINAL JUSTICE DATA FELLOW PILOT PROJECT.—A  
 705 pilot project is established in the Sixth Judicial Circuit for  
 706 the purpose of improving criminal justice data transparency and  
 707 ensuring data submitted under s. 900.05, Florida Statutes, is  
 708 accurate, valid, reliable, and structured. The clerk of court,  
 709 the state attorney, the public defender, or a sheriff in the  
 710 circuit may enter into a memorandum of understanding with a  
 711 national, nonpartisan, not-for-profit entity which provides data  
 712 and measurement for county-level criminal justice systems to  
 713 establish the duties and responsibilities of a data fellow,  
 714 completely funded by the entity, to be embedded with the office  
 715 or agency. The data fellow will assist with data extraction,  
 716 validation, and quality and publish such data consistent with  
 717 the terms of the memorandum. The data fellow will assist the  
 718 office or agency in compiling and reporting data as required  
 719 under s. 900.05, Florida Statutes, in compliance with the rules  
 720 established by the Department of Law Enforcement. The pilot  
 721 project shall expire pursuant to the terms outlined in the  
 722 memorandum.

723 Section 8. For the 2018-2019 fiscal year, nine full-time  
 724 equivalent positions with an associated total salary rate of  
 725 \$665,884 are authorized, and the sum of \$1,750,000 in

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726 nonrecurring funds from General Revenue is appropriated to the  
727 Department of Law Enforcement for the purposes of implementing  
728 ss. 900.05(3), Florida Statutes, and 943.687, Florida Statutes,  
729 transitioning to incident-based crime reporting, and collecting  
730 and submitting crime statistics that meet the requirements of  
731 the Federal Bureau of Investigation under the National Incident-  
732 Based Reporting System.

733 Section 9. This act shall take effect July 1, 2018.