

FLORIDA SEXUAL OFFENDER & PREDATOR REGISTRATION LAWS

GUIDELINES

**ENFORCEMENT
& INVESTIGATIVE
SUPPORT**



Florida Department of
Law Enforcement

VERSION GL1

Florida Department of Law Enforcement Enforcement & Investigative Support

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The Florida Sexual Offender & Predator Registration Laws Field Guide is available to law enforcement at <https://www.flcjn.net/FORTS/FORTS-Home/Publications> (restricted to CJNet users).

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INTRODUCTION AND LEGISLATIVE HISTORY

Through the Public Safety Information Act of 1997, Florida became the first state to list sexual predators and sexual offenders on the Internet and to make the same information available through a 24-hour hotline. This Act allows the Florida Department of Law Enforcement (FDLE) to give the public access to information essential to their ability to protect themselves and their families against sexual predators and sexual offenders. Since then, Florida continues to lead the nation in legislating strong registration and related sexual predator and sexual offender laws, and effectively implementing these laws through the dedicated efforts of criminal justice partners across the state.

When the Public Safety Information Act passed, Florida had 471 sexual predators and approximately 8,000 sexual offenders listed. Approximately 26 years later, that number has grown to over 15,500 registered sexual predators and over 67,600 registered sexual offenders. Despite the increased volume of registrants, Florida has responded quickly and favorably to the changing demands of state and federal laws as well as the logistical requirements that come with this significantly larger group of registrants.

In 2005, the passage of the Jessica Lunsford Act (JLA) played a major role in strengthening Florida's laws. The JLA required bi-annual in person registration at the sheriff's office and put stricter penalties in place for violations of registration laws, as well as created penalties for those who choose to assist sexual predators and sexual offenders in violating registration requirements. In addition, the JLA required the Florida Department of Corrections (DOC) to identify high risk sex offenders (HRSOs) under their supervision so that an HRSO's history is immediately made available to Florida's judges should an HRSO be arrested for any violation.

In 2007, Florida's laws were further strengthened with the passage of several bills targeted at compliance with the federal Adam Walsh Child Protection and Safety Act (AWCPSA) requirements. The requirements listed below either strengthened or were added to the JLA requirements of 2005. These are some of the statutory changes passed in 2007 that have since been implemented to begin initial compliance with the AWCPSA:

- Requiring quarterly, in person, electronic registration for sexual predators and certain sexual offenders.
- Registering and tracking of juvenile sexual offenders.
- Capturing and reporting internet identifiers and e-mail addresses.
- Storing of detailed employment information.
- Modifying relief of registration requirements of sexual predators and sexual offenders.

In 2009, one bill passed during Florida's legislative session pertaining to sexual predators and sexual offenders that:

- Encourages public libraries to adopt an internet safety education program to promote prudent online use and broaden awareness of online predators.
- Requires sexual predators and sexual offenders to report their home telephone and any cellular telephone numbers, including any changes, during registration/reregistration.

- Requires that a person convicted of section 847.0135(4), Florida Statute, relating to traveling to meet a minor for the purposes of engaging in unlawful sexual activity, register as a sexual offender pursuant to s. 943.0435, F.S.

In 2010, Florida passed several bills strengthening the registration requirements of sexual predators and sexual offenders:

- Prohibits individuals convicted of certain sexual offenses from loitering or prowling within 300 feet of where children are congregating.
- Requires sexual predators and sexual offenders in Florida to register upon establishing a transient residence in this state.
- Prohibits certain offenders under DOC supervision from participating in holiday events, including distributing candy during Halloween, wearing a Santa Claus or Easter Bunny costume, or any other costumes appealing to children.
- Adds the offense of s. 827.071, F.S., sexual performance by a child, as one that is eligible for registration relief under the “Romeo & Juliet” provision, s. 943.04354, F.S.

In 2012, Florida strengthened its human trafficking laws, sexually violent predator laws, and laws pertaining to video voyeurism:

- Human trafficking laws:
 - Combines involuntary servitude, human trafficking, and sex trafficking statutes into a single statute, s. 787.06, F.S.
 - Provides that human trafficking for the purpose of commercial sexual activity is a predicate offense for sexual predator and sexual offender status.
 - Provides an enhanced penalty to those who traffic minors.
- Requires the Department of Children and Families (DCF) to prioritize written assessments and recommendations of persons convicted of a sexually violent offense who will be released from total confinement within one year.
- Revises the definition of “sexual offender” to include persons convicted of specified video voyeurism provisions and increases the penalty classification of specified video voyeurism offenses involving minors.

In 2014, a number of new laws affected several areas of sexual predator and sexual offender registration processes in Florida:

- Replaces the definition of “instant message name” with the broader term of “Internet identifier.”
- Modifies the definition of “transient residence” from “place or county” to just “county” where a person lives, remains, or is located.
- Requires registrants to report the following information:
 - Any vehicles falling under the definition of “vehicles owned” including personally “owned” by the sexual predator or sexual offender and any of another person residing at the registrant’s address for 5 or more days.
 - Passport information.
 - Professional licenses.
- Transient registrants must report within 48 hours after establishing a transient residence, and complete an in person check-in every 30 days with the sheriff’s office.

- Internationally traveling registrants must report in person to the sheriff's office at least 21 days before the date of departure.

In 2016, two laws were enacted that clarified certain existing provisions and added provisions targeted at further compliance with the AWCPSA requirements:

- Tightens registration requirement timeframes for reporting phone numbers and employment information to within 48 hours of any change.
- Requires registration where the defendant is the parent or guardian of the minor victim (and the offense involves sexual intent or motive) for:
 - s. 787.01, kidnapping;
 - s. 787.02, false imprisonment; and
 - s. 787.025, luring or enticing.
- Expands the information a registrant can report online through the Cyber Communications System (CCS) to include phone numbers and campus information in addition to Internet identifiers, email addresses, and employment information.
- Changes the reregistration frequency for the offense of Lewd or Lascivious Battery upon an elderly or disabled person, s. 825.1025(2)(a), F.S., to a quarterly requirement to register.
- Clarifies which court a sexual offender with an out-of-state conviction may petition for relief from the registry.

In 2017, one bill affected registration laws by updating the requirements related to registration of e-mail addresses and Internet identifiers:

- Updates the definition of "Internet identifier" to include only those online names used for social Internet communication.
- Defines "social Internet communication."
- Specifies that each Internet identifier's corresponding website homepage or application software name must also be registered.
- For registrants not under supervision with DOC or the Department of Juvenile Justice (DJJ), changes the timeframe in which e-mail addresses and Internet identifiers must be registered from "before" use to "within 48 hours after" use.

In 2018, one bill was passed that affected Florida's registration laws:

- Changes the definitions of "permanent residence," "temporary residence," and "transient residence" from 5 days to 3 days.
- Updates the mandatory minimum sentences for a violation of registration laws.

In 2021, one bill passed to clarify existing registration law:

- Clarifies that a person released from "a" sanction for a qualifying conviction, not the entire sanction, is required to register as a sexual offender under s. 943.0435, F.S. If no sanction is imposed, the person is deemed to be released upon conviction.

Florida has benefited from great support and cooperation from all of the State's criminal justice partners at the local, state, and national levels in implementing a system of sexual predator and

sexual offender registration and verification which continues to ensure that important information and updates are available to citizens and criminal justice partners as soon as possible. Indeed, it is the continuing spirit of cooperation among all criminal justice partners and the citizens of Florida that ensures Florida's registry is as up-to-date and as accurate as possible despite the great challenges to the success of this demanding process. Our state enjoys national recognition as a leader and model in the strength of our law and in the successful partnership that makes those laws work.

Most importantly, because of these integrated efforts, Florida's public is advised of sexual predators and sexual offenders in a timely fashion. Ultimately, this information makes Florida's citizens – especially our children – much safer.

The guidelines in this publication can be of great benefit to you and your agency, and you are encouraged to use them to assist your agency in strong support of these important public safety laws.

ABOUT ENFORCEMENT & INVESTIGATIVE SUPPORT

Enforcement & Investigative Support

The Enforcement & Investigative Support (EIS) Bureau provides public assistance, administrative operations, and system and analytical support related to missing and unidentified persons, and registration and enforcement for sexual predators, sexual offenders, and career offenders. EIS is responsible for 3 systems and their ancillary components: The Sexual Offender and Predator System (SOPS), the Career Offender Application for Statewide Tracking (COAST), and the Missing Persons Database.

With a strong focus on protecting Florida's most vulnerable citizens from harm, EIS provides informational, analytical, and investigative support to protect citizens and promote public safety in Florida. EIS provides services, including training, to local, state, federal, and international law enforcement agencies in matters relating to registered sexual predators and offenders, registered career offenders, missing persons, and unidentified deceased persons. EIS operations supply a variety of public safety education and awareness information for related crime prevention and protection.

EIS is comprised of 6 areas: Investigations & Enforcement Unit (IEU), Offender Enforcement & Apprehension (OEA), Offender Registration & Data Management (ORDM), Policy & Case Analysis Team (PCAT), Missing Endangered Person Information Clearinghouse (MEPIC), and Operational Support (OS).

Investigations & Enforcement Unit (IEU)

IEU is comprised of sworn FDLE inspectors strategically located around the state who work in tandem with the other EIS units to facilitate, coordinate, and support a number of critical public safety services and operations. IEU members work closely with local, state and federal agencies to enforce Florida's sexual offender, sexual predator, and career offender registration laws. The collaboration among various operations and initiatives helps ensure registration information is verified and state and federal registration law violators are apprehended and brought to compliance and justice. IEU also assists in missing person issues throughout Florida.

Offender Enforcement & Apprehension (OEA)

OEA provides analytical and investigative support in the enforcement of Florida's sexual predator, sexual offender, and career offender registration laws. OEA conducts analysis on Florida sexual predators, sexual offenders, career offenders, and out of state offenders residing in Florida who may be in violation of Florida's registration laws. OEA aids IEU Inspectors in determining registration violations. OEA members certify registration records (diligent searches) for criminal investigations and prosecutions, and provide court testimony for registration cases throughout the state. Additionally, OEA's analysts and IEU Inspectors work with local law enforcement agencies and the United States Marshal Service on both individual cases and regional and statewide investigative initiatives to apprehend offenders in violation of state and federal registration laws.

Offender Registration & Data Management (ORDM)

ORDM is responsible for the administrative, business development, and maintenance of SOPS and COAST applications. ORDM oversees the collection, processing, and analysis of incoming registration information from numerous sources that are statutorily required to provide and update

registration information to FDLE, facilitates offender and predator notifications to law enforcement and the public, and provides quality control on all data maintained in SOPS and COAST. ORDM also manages the toll-free hotline for registration issues, processes public record requests, and provide court testimony for registration cases throughout the state.

Policy & Case Analysis Team (PCAT)

PCAT researches sexual offender and predator cases in support of legal reviews and inquiries, case law, and the impact of court orders. PCAT members perform in-depth registration case reviews in conjunction with the Office of General Council (OGC). PCAT members provide court testimony for registration cases throughout the state and conduct analysis, monitoring, and implementation of new legislation. PCAT members are responsible for the review of federal standards and developing related recommendations relating to registration laws and requirements. PCAT also supports OGC and the Florida Attorney General's Office in registry litigation matters.

Missing Endangered Persons Information Clearinghouse (MEPIC)

MEPIC provides 24-hour analytical services for law enforcement agencies regarding missing and endangered child and adult cases and works with the public in the search and recovery of missing persons. MEPIC administers and issues Florida's AMBER, Missing Child, Silver, and Purple Alerts which help provide each missing person with the best chance of a safe recovery. The Clearinghouse provides onsite and online training on MEPIC operations and available resources and services including the alert programs. The unit manages the statewide Missing Persons Hotline, the Missing Persons database, and processes investigative leads on missing person cases. MEPIC also contributes to the operations of both the sexual offender/predator and career offender registries through a variety of case updates and integrity support.

MEPIC's Special Agent Supervisor also coordinates FDLE's Child Abduction Response Teams (CART) responsibilities around the state and supervises the Florida Unidentified Deceased Initiative (UDI). CART's mission is to quickly and effectively recover a child that has been abducted or is missing under suspicious circumstances by deploying pre-identified resources and team members trained and experienced in child abduction response. UDI works jointly with the Medical Examiners Commission to gather resources and methods to identify the unidentified deceased persons and bring renewed attention to the growing number of unidentified persons in Florida.

Operational Support (OS)

OS functions as the project management and administrative agent for duties performed outside of the specializations of other EIS units. OS members provide the coordination and administrative support of both the Florida MEPIC Advisory Board and the Florida Missing Children's Day Foundation. They plan and produce the Annual Florida Missing Children's Day Ceremony and multiple community engagement events. The unit coordinates training development, grant development and monitoring, EIS reporting, and continuity of operations planning. The unit is also responsible for the administrative support of EIS and the oversight and coordination of EIS content information, communications, and publications.

Contact EIS

For absconder issues or concerns, contact IEU or OEA at 1-877-335-3767 or email sexpred@fdle.state.fl.us.

To request a diligent search (certified registration records) on a sexual predator or sexual offender, email SORDiligentSearch@fdle.state.fl.us.

For career offender questions or to request a career offender diligent search, call 850-410-8780 or email careeroffender@fdle.state.fl.us.

For questions about SOPS, general registration questions, technical questions, questions about legislative updates and implementation, caselaw, or whether a person qualifies for sexual offender/predator registration, contact EIS at 1-888-357-7332 or sexpred@fdle.state.fl.us.

For MEPIC or OS assistance, please call 1-888-FL Missing (356-4774).

FDLE SERVICES FOR LAW ENFORCEMENT

Secure Sexual Offender/Predator System

SOPS is a secure application that allows for electronic sexual predator and offender registration at the local sheriff's office and the tracking of sexual predator and offender data. All Florida criminal justice agencies with CJNet capabilities may access SOPS.

Law Enforcement agencies may request access by filling out and sending to FDLE the Sexual Offender Database Access Request Form, located on the EIS CJNet page at <http://www.flcjn.net/FORTS/FORTS-Home/Forms>. The user agreement should be carefully read prior to signing.

Key features of SOPS include:

- Daily updates from several sources including DOC, DJJ, and Department of Highway Safety and Motor Vehicles (DHSMV).
- Maintenance of historical records. Users can view and search historical data for specific subjects without the need for special requests/queries.
- Detailed reports allowing users to query the system to obtain detailed information regarding registry data.
- Field Information Reports allowing users to update information contained within the registry without having to complete a full registration form.
- Activity Reports allowing users to log address verifications that have been conducted.
- Electronic registration/reregistration process with the ability to capture registrant signature, initials, and fingerprint.
- Electronic transient check-in process.
- An Agency Administrator role to allow select users the capacity to access certain agency/county level options which are not available to all external users.
- Customized law enforcement agency banner images and content selection for notification flyers.
- Options for patrol zone customization to link to registered residence addresses in SOPS to assist with address verification, community notification efforts, or other community policing activities.
- Messaging options to opt-in for notifications of sexual predators and sexual offenders who are due for verifications, that have recently absconded or missed re-registration, or have changed addresses in the user's county.
- Agencies can access and upload relevant images or documents directly to SOPS, including photos of scars, marks, and tattoos. ***important disclaimers next page**
- Residential Address Geocoding where SOPS users can modify the map location of any residential address. To change the coordinates of a specific address, users may insert new latitude and longitude coordinates in the appropriate fields, OR:
 - locate the appropriate subject record and open the address,
 - click the "Update Geocode" button,
 - move the location marker to the appropriate location on the map, and
 - click the "Update" button to save the new location.

At this time, users cannot modify the geocodes of employment, university, school, or care center addresses. If any of these addresses are incorrectly mapped, please contact EIS.

***CAUTION!** It is very important that only correct and appropriate documents are added to SOPS subject records. First, because decisions are often based on record documentation, and second, due to the requirements of Florida Public Records laws and the requirements of Florida laws regarding document retention. **Once a form, document, or image is added to SOPS, it cannot be deleted except in very limited circumstances.** The rare circumstances that allow for deletion must follow strict guidelines which must be properly documented as part of public record. Documents, forms, and images added in error that cannot be deleted must also be properly documented for record integrity purposes.

***CAUTION!** Unless a specific statutory exemption applies, **all information contained in SOPS is subject to disclosure under Florida Public Records Laws.** Use discretion when adding sensitive or confidential investigative information. Special care must be taken whenever SOPS documents or images are added, accessed, viewed, saved, or distributed.

Please consult your agency policies, protocols, and regulations and/or your agency's:

- Legal Counsel,
- Information Security Officer,
- Local Agency Security Officer (LASO), or
- FCIC Agency Coordinator (FAC)

regarding public records requests, or any intended distribution of information that must be protected that may be:

- sensitive,
- confidential,
- exempt,
- Criminal Justice Information (CJI), or
- Personally Identifiable Information (PII).

Various types of records are considered exempt and/or confidential and therefore, not available through a public records request. Records must be manually reviewed, and redaction may be required to prevent confidential or exempt information from being disclosed.

Particular statutory exemptions are contained throughout Florida Statutes. Specifically, s. 119.07, F.S. defines which records are exempt from inspection or copying and contains some commonly cited exemptions which include active criminal intelligence information, active criminal investigative information, and security system plans. To view these exemptions, please visit <http://www.leg.state.fl.us/statutes/>. Further, the FBI CJIS Security Policy provides guidance for the creation, viewing, modification, transmission, dissemination, storage, and destruction of CJI. Please visit the CJNet CJIS Information Security Resources page (<http://www.flcjin.net/Information-Security.aspx>) for further information regarding the FBI CJIS Security Policy.

***CAUTION!** Exercise careful discretion when adding images to the registry. **Under NO CIRCUMSTANCES should images which reveal intimate areas of a subject's body, including genitalia, breasts, or buttocks, be included as part of registry information or documentation.** In lieu of images, careful text descriptions of scars, marks, and tattoos on or near intimate areas should be documented as described in accordance with Florida statutes.

Agency Administrators

The Agency Administrator role is appointed by the agency head (Sheriff, Chief, etc.). Each office should maintain *at least one* Agency Administrator, and as many as necessary to ensure that the agency has an administrator available to set and maintain SOPS agency options. FDLE strongly recommends *at least two* Agency Administrators per office. Agency Administrators are the primary agency points of contact for users of SOPS within their agencies.

The Agency Administrator has the ability to set agency preferences for:

- registration/reregistration (e.g. capture initials and/or fingerprint images as part of registration forms),
- customized agency banner images on notification flyers,
- content selection for customized notification flyers, and
- patrol zone parameters for their county.

If approved by your agency, you may request an Agency Administrator user role by filling out and sending to FDLE the Agency Administrator User Agreement, located on the EIS CJNet page at <http://www.flcjn.net/FORTS/FORTS-Home/Forms>. The user agreement should be carefully read prior to signing.

FAQs and training specific to Agency Administrator functions and responsibilities can be located on the EIS CJNet page.

FL LEMobile Application

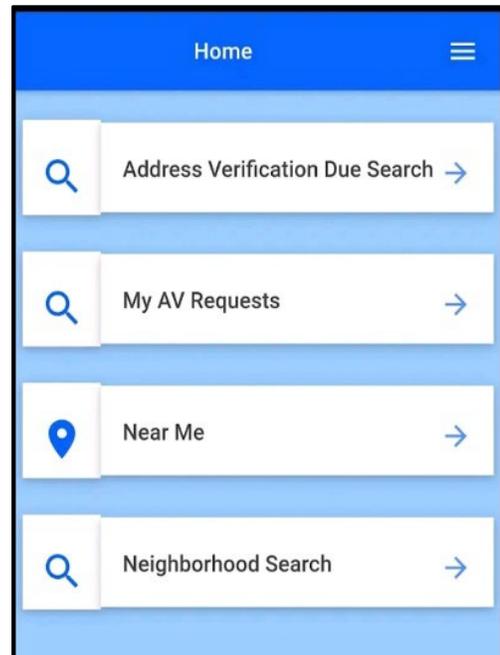


The FL LEMobile app securely allows law enforcement users to complete address verifications (AVs) and make limited updates to registrant data while in the field. Benefits of the app include the ability to identify registrants near your location as well as neighborhood searches. Please contact EIS for access. Scan the QR code on your mobile device to download the app:

Google Play Store



Apple App Store



CJNet Predator/Offender Searches

The three different CJNet Offender/Predator searches provide more information than a search of the public registry. These searches can be accessed at:

<https://offender.flcjn.net/offendercjnet/sops/search.jsf>



Standard CJNet Predator/Offender Search

The basic CJNet Offender/Predator Search allows a flyer search for both public and non-public subjects in the registry. Searches may be conducted using a subject's name, driver license number, and a few other search criteria. This search can be accessed at:

<https://offender.flcjn.net/offendercjnet/sops/offenderSearch.jsf>

A screenshot of the 'Sexual Offenders and Predators Search - CJNet' web application. The page has a blue header with the title and a logo. Below the header is a search form with various input fields and dropdown menus. The form is organized into sections: 'Offender Search' (with a search icon), 'First Name' and 'Last Name' (text inputs), 'License Number', 'Email or Internet Identifier', and 'Region of Residence' (text inputs and a dropdown), 'City', 'County', and 'Zip Code' (text inputs and a dropdown), 'More Options' (a blue button), 'Offender Type', 'Offender Status', and 'State Status' (dropdowns), and 'Include small thumbnail images', 'Include Aliases', and 'Address Verification due for more than a year' (checkboxes). At the bottom right are 'Search' and 'Reset' buttons.

Advanced CJNet Predator/Offender Search

This search allows for an ad-hoc query of the registry using detailed search criteria such as physical descriptions, location information, and vehicle/vessel information. Users can also sort/filter by patrol zone, if set by an Agency Administrator. Results are provided in a variety of formats including HTML, PDF, CSV, and XML. This search can be accessed at:

<https://offender.flcjn.net/offendercjnet/sops/offenderAdvancedSearch.jsf>

NOTE: THE ADVANCED CJNET SEARCH IS USEFUL FOR INCIDENTS INVOLVING MISSING OR ABDUCTED CHILDREN.

The screenshot displays the "Sexual Offenders and Predators Search - CJNet" web application. A modal window titled "Physical Descriptors" is open, allowing users to refine their search. The form includes the following fields and options:

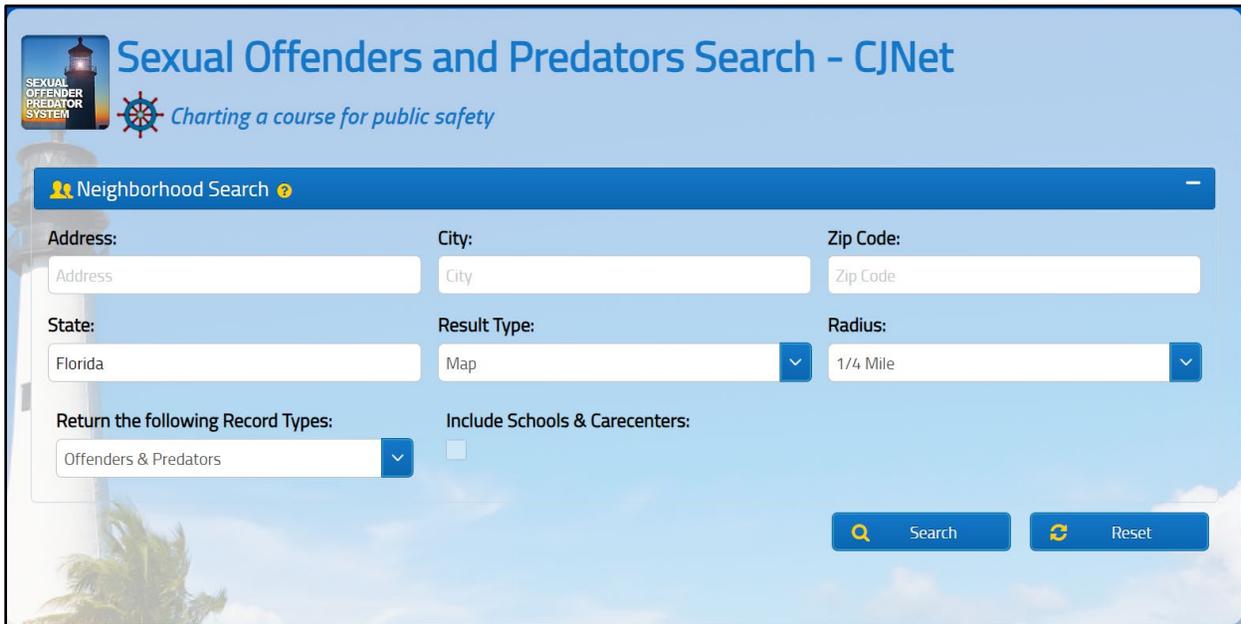
- Height:** Two input boxes separated by "To".
- Weight:** Two input boxes separated by "To".
- Sex:** A dropdown menu currently set to "Select Sex".
- SMT Desc:** A text input field.
- Race:** A checked checkbox for "All Races" and a list of options: "Unknown" and "American Indian Or...".
- Hair Color:** A checked checkbox for "All Hair Colors" and a list of options: "Unknown/bald" and "Black".
- Eye Color:** A checked checkbox for "All Eye Colors" and a list of options: "Unknown" and "Black".

At the bottom of the modal, there are four buttons: "Cancel", "Reset", "Remove From Search Criteria", and "Add/Update to Search Criteria". The background shows the main search interface with various filters and a search button.

CJNet Neighborhood Search

CJNet Neighborhood Search allows a query of all sexual predators and sexual offenders within a 1/4 to 5 mile radius of any Florida address. Results may be viewed in list or map format. This can be accessed at:

<https://offender.flcjin.net/offendercjnet/sops/neighborhoodSearch.jsf>



Sexual Offenders and Predators Search - CJNet
Charting a course for public safety

Neighborhood Search

Address: City: Zip Code:

State: Result Type: Radius:

Return the following Record Types: Include Schools & Carecenters:

Secure Data File

The Secure Data File is available for download on the FDLE Florida Sexual Predators and Offenders CJNet site. This file contains detailed information for all sexual predators and sexual offenders listed in the Florida registry. This file is updated daily and is located here: <https://offender.flcjin.net/offendercjnet/secureDataFile.jsf>

Training for Law Enforcement

EIS offers training on a variety of registration related topics, including registration laws, use of SOPS, and certain legal topics (such as case law and litigation updates). Types of training offered are listed below.

In Person

In conjunction with the Internet Crimes Against Children (ICAC) conference and the Child Abduction Response Team (CART) conference, when funding is available, EIS hosts a state-wide, biennial Offender Registration & Enforcement Conference. This conference is open to criminal justice personnel throughout the state to attend registration-related presentations and demonstrations, interact with other agencies that conduct and enforce registration, and meet with FDLE's registry staff to discuss registration questions, comments, and concerns.

EIS may also offer in person trainings to individual agencies or counties. To request in person training, please contact EIS.

Live Webinars

Live webinars are offered throughout the year and focus on training new users on use of SOPS and on electronic registration. These webinars are advertised through SOPS's "Notifications and Requests" section. You can elect to receive email notifications of these trainings by going to the "My Messaging Options" section in the Admin Menu of SOPS and checking the "Receive an e-mail copy of notifications sent to me" box. Please ensure SOPS has the correct email address for you under the "My Profile" section in the Admin Menu. If a trainee is unable to attend a scheduled webinar, pre-recorded webinars may be viewed any time on the EIS training page on CJNet: <http://www.flcjn.net/FORTS/FORTS-Home/Database-Training>.

Online Modules

Online training modules were created to assist new users with the capabilities and functionality of SOPS. All online modules are on the EIS training page on CJNet (link above).

FDLE SERVICES FOR THE PUBLIC

Sexual Predator and Offender Public Registry Website

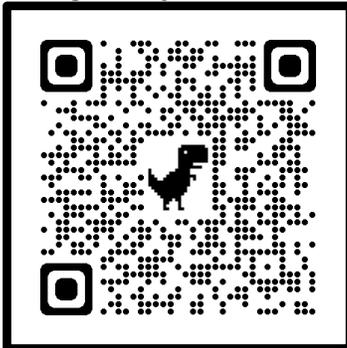
This website allows the public to search for sexual predators and sexual offenders by name or within a certain radius of an address. Detailed information, such as residential addresses, qualifying crime, and current supervision or incarceration status, are provided for each sexual predator and sexual offender. There is also a university/campus search to find sexual predators/offenders enrolled, employed, or volunteering with an institution of higher education, and an Internet identifier search to query an email address or Internet identifier to determine if it is registered to a sexual predator/offender. The public registry website is available at <https://offender.fdle.state.fl.us/offender/sops/home.jsf>.

Public Mobile Application

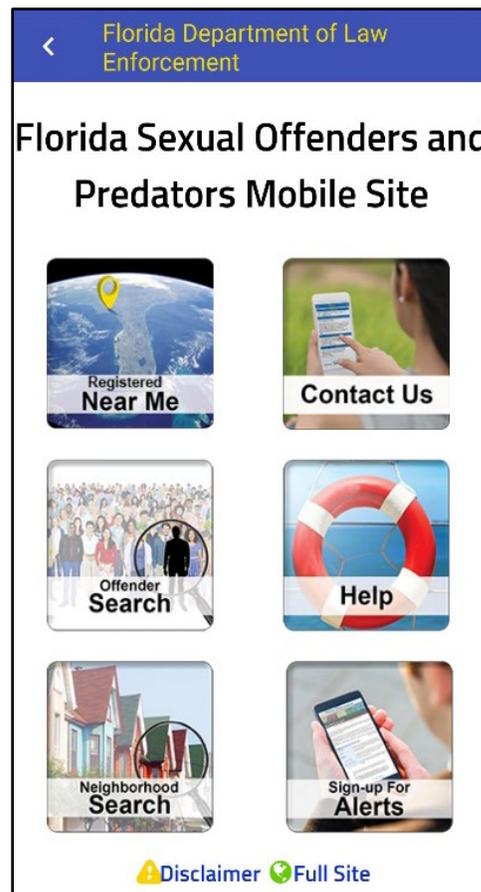


In 2018, the FDLE Mobile app was updated to include a light version of the Sexual Offender and Predator Public Registry website. This application includes several other FDLE resources, such as a Missing Endangered Persons search, an Unsolved Cases search, access to Florida crime information, Suspicious Activity Reporting, and Florida Statutes.

Google Play Store



Apple App Store



Florida Offender Alert System (Email Notifications)



The Florida Offender Alert System allows citizens to sign up to receive email alert notifications when a registered sexual predator or sexual offender moves to a neighborhood in Florida, or within a radius of a designated address. Citizens can also opt to track address changes reported by specific registered sexual predators or sexual offenders and may monitor an unlimited number of addresses or sexual predators/offenders. This free service is provided through a partnership between FDLE, the Florida Sheriffs Association, and the Florida Police Chiefs Association. Citizens can sign up for notifications by going to the registry website at <https://offender.fdle.state.fl.us> then clicking on the "Florida Offender Alert System" option.

Toll-free Hotline

EIS maintains a toll-free telephone line for the public to inquire whether an individual is a sexual predator or sexual offender and to collect reported information regarding sexual predators and sexual offenders. The toll-free telephone number is 1-888-357-7332.

SEXUAL OFFENDER CRITERIA

CAUTION! Under Florida law, not all “sexual offenders” are “sexual predators.” A *Florida* court must make a written finding that a person is a sexual *predator* for the person to be subject to Florida’s sexual *predator* registration and notification requirements.

Please use caution when evaluating a person’s criminal convictions and in determining the appropriate designation, registration, and notification requirements.

NOTE: Unlike the sexual predator criteria which use the law in effect at the time of sentencing, the current law in effect is used to determine if someone meets the criteria for sexual offender registration. **The courts have determined that s. 943.0435, F.S. is civil and regulatory, and therefore is retroactive and does not violate the ex post facto clause (see *Simmons v. State*, 753 So. 2d 762 (Fla. 4th DCA 2000)).**

NOTE: The classification of a person as a sexual offender is not a sentence or a punishment but is the status of the offender which is the result of a conviction for having committed certain crimes.

Definitions

Conviction: For purposes of determining qualifying offenses for sexual offender registration, the term conviction means that there has been a determination of guilt as a result of a trial or the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld, and includes an adjudication of delinquency of a juvenile. Conviction of a similar offense includes, but is not limited to, a conviction by a federal or military tribunal, including courts-martial conducted by the Armed Forces of the United States, and includes a conviction or entry of a plea of guilty or nolo contendere resulting in a sanction in any state of the United States or other jurisdiction.

In the DOC registration statutes, the above definition for the purpose of sexual offender registration is the same, except it does not include a juvenile adjudication.

{F.S. 943.0435(1)(b); 944.606(1)(a); 944.607(1)(b)}

Sanction: For purposes of determining qualifying offenses for sexual offender registration, the term sanction in Florida or in any other jurisdiction means probation, community control, parole, conditional release, control release, or incarceration in a state prison, federal prison, private correctional facility, or local detention facility. If no sanction is imposed the person is deemed to be released upon conviction.

{F.S. 943.0435(1)(h)1.a.(II)}

What is a Sexual Offender?

To qualify as a sexual offender in Florida, an individual must meet the requirements under sections 943.0435, 944.607, or 985.4815, Florida Statutes.

There are several ways a person can qualify to be classified as an adult sexual offender in the state of Florida and required to comply with Florida’s sexual offender registration laws:

1. Be convicted of committing, or attempting, soliciting, or conspiring to commit, any of the crimes specified in Table 1 or a similar offense in another jurisdiction (or any similar offense committed in this state which has been redesignated from a former statute number to the one specified);

AND

Be released on or after October 1, 1997, from a sanction imposed for that offense, or be currently serving sanctions with DOC, DJJ, or a private correctional facility for that offense. If no sanction is imposed, the person is deemed to be released upon conviction.

OR

2. Establish or maintain a residence in this state and have **not** been designated as a sexual predator by a court of this state but **have** been designated as a sexual predator, as a sexually violent predator, or by another sexual offender designation in another state or jurisdiction and, as a result of such designation, be subject to registration or community or public notification, or both, or would be if a resident of that state or jurisdiction.

OR

3. Establish or maintain a residence in this state and be in the custody or control of, or under the supervision of, any other state or jurisdiction as a result of a conviction for committing, or attempting, soliciting, or conspiring to commit, any of the specified criminal offenses listed in Table 1 or a similar offense in another jurisdiction (or any similar offense committed in this state which has been redesignated from a former statute number to the one specified).

Which statute an offender must register under depends on the status of their sanctions for the qualifying offense:

F.S. 943.0435 – The person is released from a sanction or in the custody or control of, or under the supervision of, any other state or jurisdiction for a qualifying offense.

F.S. 944.607 – The person is in the custody or control of, or under the supervision of, DOC or is in the custody of a private correctional facility for a qualifying offense.

{F.S. 943.0435(1)(h); 944.607(1)(f)}

NOTE: Another state's designation does **not** have to be imposed by the other state's court. A person can be designated as a sexual offender in another state by court imposition **OR by operation of law** (by meeting the criteria of the other state's registration statute).

Table 1: Qualifying Adult Convictions for Sexual Offender Classification (2023)

ANY OF THE FOLLOWING VIOLATIONS OR ANY ATTEMPT/SOLICIT/CONSPIRE THEREOF		
393.135(2)	SEXUAL MISCONDUCT WITH A DEVELOPMENTALLY DISABLED PATIENT IN CARE	
394.4593(2)	SEXUAL MISCONDUCT WITH A MENTAL HEALTH PATIENT IN CARE	
787.01	KIDNAPPING	REQUIRES SEXUAL INTENT OR MOTIVE* AND VICTIM MUST BE A MINOR
787.02	FALSE IMPRISONMENT	
787.025(2)(c)	LURING OR ENTICING	
787.06(3)(b), (d), (f), (g) OR FORMER (3)(h)	HUMAN TRAFFICKING	
794.011 EXCLUDING (10)	SEXUAL BATTERY	
794.05	UNLAWFUL SEXUAL ACTIVITY WITH CERTAIN MINORS	
796.03 (FORMER)	PROCURING A MINOR FOR PROSTITUTION	
796.035 (FORMER)	SELLING OR BUYING MINORS FOR PROSTITUTION	
800.04	LEWD & LASCIVIOUS OFFENSE UPON OR IN THE PRESENCE OF A PERSON UNDER 16 YOA	
810.145(8)	VIDEO VOYEURISM	
825.1025	LEWD & LASCIVIOUS OFFENSE UPON OR IN THE PRESENCE OF ELDERLY OR DISABLED	
827.071	SEXUAL PERFORMANCE BY A CHILD	
847.0133	OBSCENITY	
847.0135 EXCLUDING (6)	COMPUTER PORNOGRAPHY; PROHIBITED COMPUTER USE; TRAVEL TO MEET MINOR	
847.0137	TRANSMISSION OF CHILD PORNOGRAPHY	
847.0138	TRANSMISSION OF MATERIAL HARMFUL TO MINORS	
847.0145	SELLING OR BUYING MINORS	
895.03	PROHIBITED ACTIVITIES AND DEFENSE (RACKETEERING) (REQUIRES COURT FINDING OF SEX OFFENSE/INTENT)	
916.1075(2)	SEXUAL MISCONDUCT WITH A MENTALLY ILL OR INTELLECTUALLY DISABLED DEFENDANT	
985.701(1)	SEXUAL MISCONDUCT WITH JUVENILE IN CUSTODY	
OR A VIOLATION OF SIMILAR LAW IN ANOTHER JURISDICTION		
OR ANY SIMILAR OFFENSE COMMITTED IN FLORIDA WHICH HAS BEEN REDESIGNATED FROM A FORMER STATUTE NUMBER TO ONE LISTED IN THIS TABLE		

*The requirement that s. 787.01, s. 787.02, and s. 787.025(2)(c), F.S. require sexual intent or motive to qualify for registration is pursuant to Florida case law (see *Munroe v. State*, 69 So.3d 1044 (Fla. 2nd DCA 2011), *Raines v. State*, 805 So.2d 999 (Fla. 4th DCA 2001), and *State v. Robinson*, 873 So.2d 1205 (Fla. S. Ct. 2004)) and applies to Florida and out-of-state convictions.

SEXUAL PREDATOR CRITERIA

CAUTION! Under Florida law, not all “sexual offenders” are “sexual predators.” A *Florida* court must make a written finding that an offender is a sexual *predator* for the offender to be subject to Florida’s sexual *predator* registration and notification requirements.

Please use caution when evaluating an offender’s criminal convictions and in determining the appropriate designation, registration, and notification requirements.

NOTE: Unlike the sexual offender criteria which use the current law, the sexual predator criteria and qualifying offense(s) is(are) based upon the law in effect at the time of the subject’s sentencing for the most current offense. See *Therrien v. State*, 914 So. 2d 942 (Fla. S. Ct. 2005).

NOTE: If an offender enters Florida with out-of-state convictions that are similar to Florida’s sexual predator criteria offenses, the state attorney in the jurisdiction in which the offender establishes or maintains a permanent, temporary, or transient residence shall initiate a court hearing to review the out-of-state offenses and to determine whether the offender will be classified as a **sexual predator** under Florida law.

{F.S. 775.21(5)(a)3.}

Definitions

Conviction: For purposes of determining qualifying offenses for sexual predator registration, conviction means a determination of guilt which is the result of a trial or the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld. A conviction for a similar offense includes, but is not limited to, a conviction by a federal or military tribunal, including courts-martial conducted by the Armed Forces of the United States, and includes a conviction or entry of a plea of guilty or nolo contendere resulting in a sanction in any state of the United States or other jurisdiction.

{F.S. 775.21(2)(e)}

What is a Sexual Predator?

To qualify as a sexual predator in Florida, an individual must meet the requirements under s. 775.21, F.S.

There are three ways a person can be qualified and designated as a sexual predator in the state of Florida and required to comply with Florida’s sexual predator registration laws:

1. **One is Enough** – Commit one specified Capital, Life, or First degree felony offense on or after October 1, 1993, in Florida or in another jurisdiction, be convicted of such offense, and have a Florida court enter a finding that such person is a sexual predator (see Table 2 for a list of offenses);

OR

2. **Second Strike** – Commit one specified offense on or after October 1, 1993, in Florida or in another jurisdiction (Table 3), **after having previously been convicted** of or found to have committed, or pled nolo contendere or guilty to, regardless of adjudication, one or more of specified sexual offenses (Table 4), and have a Florida court enter a finding that such person is a sexual predator. Neither offense is required to be a Capital, Life, or First degree felony.

To be counted as a **prior felony** for purposes of sexual predator registration, the felony must have resulted in a **conviction sentenced separately**, or an adjudication of delinquency entered separately, prior to the current offense and sentenced or adjudicated separately from any other felony conviction that is to be counted as a prior felony.

OR

3. **Civil Commitment/Sexually Violent Predator Determination (Jimmy Ryce)** – A person who has been determined to be a sexually violent predator on or after July 1, 2004, pursuant to a civil commitment proceeding under Chapter 394, F.S., shall be designated as a sexual predator under s. 775.21, F.S. and is subject to registration and community/public notification. See page 25 for more on information on civil commitment.

{F.S. 775.21(4)(a)-(c), (5)}

CAUTION! In any instance, a written finding designating the qualifying individual as a sexual predator must be issued from a Florida court to establish the designation of sexual predator.

NOTE: An individual meeting these criteria qualifies as a sexual predator provided that:

The predator has not received a full pardon for the qualifying offense(s);

AND

The qualifying offense(s) has not/have not been set aside in any post-conviction proceeding.

{F.S 775.21(4)(a)2.-3.}

NOTE: If FDLE, DOC, or any law enforcement agency obtains information that a person meets the criteria as a sexual predator but has not been designated as one in writing by the court, the state attorney shall be notified. Which circuit to notify is outlined in s. 775.21(5), F.S. If the state attorney determines that the subject qualifies, they will seek a court hearing to obtain the written finding or order.

Florida Statute 775.21 allows a state attorney to secure a court's sexual predator written finding when it appears one should have been obtained, but was not, or for offenders entering Florida from other jurisdictions.

Pursuant to Florida case law, the court can designate a person a sexual predator even after the person has been released from the sanctions for the qualifying offense. See *State v. McKenzie*, 331 So. 3d 666 (Fla. 2021).

{F.S. 775.21(4)(c), (5)(a)2., (5)(c)}

Table 2: Qualifying Adult Convictions for “One is Enough” Sexual Predator Designation (2023)

ANY OF THE FOLLOWING CAPITAL, LIFE, OR FIRST DEGREE FELONY VIOLATIONS OR ANY ATTEMPT THEREOF		
787.01	KIDNAPPING	REQUIRES SEXUAL INTENT OR MOTIVE* AND VICTIM MUST BE A MINOR
787.02	FALSE IMPRISONMENT	
794.011	SEXUAL BATTERY	
800.04	LEWD & LASCIVIOUS OFFENSE UPON OR IN THE PRESENCE OF A PERSON UNDER 16 YOA	
847.0145	SELLING OR BUYING MINORS	
OR A VIOLATION OF A SIMILAR LAW IN ANOTHER JURISDICTION		

*The requirement that s. 787.01 and s. 787.02, F.S. require sexual intent or motive to qualify for registration is pursuant to Florida case law (see *Munroe v. State*, 69 So.3d 1044 (Fla. 2nd DCA 2011), *Raines v. State*, 805 So.2d 999 (Fla. 4th DCA 2001), and *State v. Robinson*, 873 So.2d 1205 (Fla. S. Ct. 2004)) and applies to Florida and out-of-state convictions.

Table 3: Qualifying Current Adult Convictions for “Second Strike” Sexual Predator Designation (2023) (Must be coupled with Table 4)

ANY OF THE FOLLOWING VIOLATIONS OR ANY ATTEMPT THEREOF		
393.135(2)	SEXUAL MISCONDUCT WITH A DEVELOPMENTALLY DISABLED PATIENT IN CARE	
394.4593(2)	SEXUAL MISCONDUCT WITH A MENTAL HEALTH PATIENT IN CARE	
787.01	KIDNAPPING	REQUIRES SEXUAL INTENT OR MOTIVE* AND VICTIM MUST BE A MINOR
787.02	FALSE IMPRISONMENT	
787.025(2)(c)	LURING OR ENTICING	
787.06(3)(b), (d), (f), (g) OR FORMER (3)(h)	HUMAN TRAFFICKING	
794.011 EXCLUDING (10)	SEXUAL BATTERY	
794.05	UNLAWFUL SEXUAL ACTIVITY WITH CERTAIN MINORS	
796.03 (FORMER)	PROCURING A MINOR FOR PROSTITUTION	
796.035 (FORMER)	SELLING OR BUYING MINORS FOR PROSTITUTION	
800.04	LEWD & LASCIVIOUS OFFENSE UPON OR IN THE PRESENCE OF A PERSON UNDER 16 YOA	
810.145(8)(b)	VIDEO VOYEURISM	
825.1025	LEWD & LASCIVIOUS OFFENSE UPON OR IN THE PRESENCE OF ELDERLY OR DISABLED	
827.071	SEXUAL PERFORMANCE BY A CHILD	
847.0135 EXCLUDING (6)	COMPUTER PORNOGRAPHY; PROHIBITED COMPUTER USE; TRAVEL TO MEET MINOR	
847.0145	SELLING OR BUYING MINORS	
895.03	PROHIBITED ACTIVITIES AND DEFENSE (RACKETEERING) (REQUIRES COURT FINDING OF SEX OFFENSE/INTENT)	
916.1075(2)	SEXUAL MISCONDUCT WITH A MENTALLY ILL OR INTELLECTUALLY DISABLED DEFENDANT	
985.701(1)	SEXUAL MISCONDUCT WITH A JUVENILE IN CUSTODY	
OR A VIOLATION OF SIMILAR LAW IN ANOTHER JURISDICTION		

Table 4: Qualifying Prior Adult Convictions or Juvenile Adjudications of Delinquency for “Second Strike” Sexual Predator Designation (2023) (Must be coupled with Table 3)

393.135(2)	SEXUAL MISCONDUCT WITH A DEVELOPMENTALLY DISABLED PATIENT IN CARE	
394.4593(2)	SEXUAL MISCONDUCT WITH A MENTAL HEALTH PATIENT IN CARE	
787.01	KIDNAPPING	REQUIRES SEXUAL INTENT OR MOTIVE* AND VICTIM MUST BE A MINOR
787.02	FALSE IMPRISONMENT	
787.025(2)(c)	LURING OR ENTICING	
787.06(3)(b), (d), (f), (g) OR FORMER (3)(h)	HUMAN TRAFFICKING	
794.011 EXCLUDING (10)	SEXUAL BATTERY	
794.05	UNLAWFUL SEXUAL ACTIVITY WITH CERTAIN MINORS	
796.03 (FORMER)	PROCURING A MINOR FOR PROSTITUTION	
796.035 (FORMER)	SELLING OR BUYING MINORS FOR PROSTITUTION	
800.04	LEWD & LASCIVIOUS OFFENSE UPON OR IN THE PRESENCE OF A PERSON UNDER 16 YEARS OF AGE	
825.1025	LEWD & LASCIVIOUS OFFENSE UPON OR IN THE PRESENCE OF ELDERLY OR DISABLED	
827.071	SEXUAL PERFORMANCE BY A CHILD	
847.0133	OBSCENITY	
847.0135 EXCLUDING (6)	COMPUTER PORNOGRAPHY; PROHIBITED COMPUTER USE; TRAVEL TO MEET MINOR	
847.0145	SELLING OR BUYING MINORS	
895.03	PROHIBITED ACTIVITIES AND DEFENSE (RACKETEERING) (REQUIRES COURT FINDING OF SEX OFFENSE/INTENT)	
916.1075(2)	SEXUAL MISCONDUCT WITH A MENTALLY ILL OR INTELLECTUALLY DISABLED DEFENDANT	
985.701(1)	SEXUAL MISCONDUCT WITH A JUVENILE IN CUSTODY	
OR A VIOLATION OF SIMILAR LAW IN ANOTHER JURISDICTION		

*The requirement that s. 787.01, s. 787.02, and s. 787.025(2)(c), F.S. require sexual intent or motive to qualify for registration is pursuant to Florida case law (see *Munroe v. State*, 69 So.3d 1044 (Fla. 2nd DCA 2011), *Raines v. State*, 805 So.2d 999 (Fla. 4th DCA 2001), and *State v. Robinson*, 873 So.2d 1205 (Fla. S. Ct. 2004)) and applies to Florida and out-of-state convictions.

INVOLUNTARY CIVIL COMMITMENT OF SEXUALLY VIOLENT PREDATORS UNDER THE JIMMY RYCE ACT

Per Chapter 394, a “sexually violent predator” is any person who has been convicted of a sexually violent offense (defined in s. 394.912(9), F.S.) and suffers from a mental abnormality or personality disorder that makes the person likely to engage in acts of sexual violence if not confined in a secure facility for long-term control, care, and treatment. A court or jury will make the determination if someone qualifies as a sexually violent predator. If they do, upon the expiration of the incarceration portion of all criminal sentences and disposition of any detainees, the person shall be committed to the custody of the Department of Children and Families for control, care, and treatment until such time as the person’s mental abnormality or personality disorder has so changed that it is safe for the person to be at large.

{Chapter 394, Part V}

NOTE: A sexual predator under s. 775.21, F.S. and sexually violent predator under Chapter 394 are not the same. However, a person designated a *sexually violent predator* on or after July 1, 2004, meets the criteria for *sexual predator* designation under s. 775.21(4)(d), F.S. For those that meet the criteria under (4)(d), the court shall make a written finding at the time such offender is determined to be a sexually violent predator under Chapter 394 that such person meets the criteria for designation as a sexual predator for purposes of s. 775.21, F.S. The clerk shall transmit a copy of the order containing the written finding to FDLE within 48 hours after the entry of the order.

{F.S. 775.21(5)(a)1.}

For more information, contact the Florida Department of Children and Families at 1-850-300-4323.

JUVENILE SEXUAL OFFENDER CRITERIA

CAUTION! Unlike sexual predators or sexual offenders convicted as adults, a juvenile who was tried as a juvenile and given a withhold of adjudication does not qualify for sexual offender registration. Only those juveniles who are adjudicated delinquent and meet the other criteria qualify for juvenile sexual offender registration.

Please use caution when evaluating an offender's criminal convictions and in determining the appropriate designation, registration, and notification requirements.

NOTE: Unlike the sexual predator criteria which use the law in effect at the time of sentencing, the current law in effect should be used to determine if someone meets the criteria for juvenile sexual offender registration.

Definitions

Conviction: For purposes of determining qualifying offenses for juvenile sexual offender registration, the term conviction means an adjudication of delinquency of a juvenile.

{F.S. 943.0435(1)(b)}

What is a Juvenile Sexual Offender?

To qualify as a juvenile sexual offender in Florida, an individual must meet the requirements under s. 943.0435(1)(h)1.d., F.S.

1. Juvenile Sexual Offenders with Florida Offenses

A person can qualify to be classified as a juvenile sexual offender in the state of Florida and required to comply with Florida's sexual offender registration laws if they were:

- adjudicated delinquent on or after July 1, 2007 for
- committing, or attempting, soliciting, or conspiring to commit any of the offenses specified in Table 5 or a similar offense in another jurisdiction (or any similar offense committed in this state which has been redesignated from a former statute number to the one specified) and
- the adjudicated juvenile was 14 years of age or older at the time of the offense.

NOTE: Most of the qualifying offenses require **written court findings** to qualify for registration.

{F.S. 943.0435(1)(h)1.d.}

2. Juvenile Sexual Offenders with Out-of-State Offenses

Pursuant to Florida case law, **out-of-state juvenile sexual offenders are NOT required to register based on an out-of-state requirement**; they must have a similar offense and meet the other requirements under s. 943.0435(1)(h)1.d., F.S. to qualify for Florida registration (see *State v. Hope Williams*, 75 So.3d 431 (Fla. 1st DCA 2011)). These are

treated on a case-by-case basis and reviewed by PCAT and FDLE legal counsel as appropriate.

To determine if an out-of-state juvenile sexual offender is required to register in Florida, please forward all documentation and known information to EIS for review.

Which statute a juvenile offender must register under depends on the status of their sanctions for the qualifying offense:

F.S. 943.0435 – The person is not in the care or custody of, or under the jurisdiction or supervision of, DJJ or in the custody of a private correctional facility for a qualifying offense.

F.S. 985.4815 – The person is in the care or custody of, or under the jurisdiction or supervision of, DJJ or is in the custody of a private correctional facility for a qualifying offense.

{F.S. 943.0435(1)(h); 985.4815(1)(h)}

What About Juveniles Convicted as Adults?

Juveniles with qualifying Florida offenses who are treated and convicted as adults qualify as sexual predators or adult sexual offenders based on the criteria listed in the sexual predators and sexual offenders sections. They do NOT follow the juvenile criteria under s. 943.0435(1)(h)1.d., F.S.

NOTE: A juvenile who is adjudicated delinquent does NOT meet the criteria for sexual predator designation on the basis of that adjudication **unless**:

- he or she is designated a Sexually Violent Predator under Chapter 394, F.S., or
- he or she has a current adult conviction with a prior juvenile adjudication of delinquency as specified in Table 3 and Table 4. The prior juvenile adjudication does not have to qualify for juvenile sexual offender registration in order to be counted as a prior for predator designation.

{F.S. 775.21(4)(b), (d)}

Table 5: Juvenile Sexual Offender Qualifying Offenses for Adjudications of Delinquency (2023)

ANY OF THE FOLLOWING VIOLATIONS OR ANY ATTEMPT/SOLICIT/CONSPIRE THEREOF		
794.011 EXCLUDING (10)	SEXUAL BATTERY	
800.04(4)(a)2. (WAS 800.04(4)(b) PRIOR TO 2014)	LEWD & LASCIVIOUS OFFENSE UPON A PERSON UNDER 16 YOA	VICTIM MUST BE UNDER 12 YOA OR THERE MUST BE A WRITTEN COURT FINDING OF SEXUAL ACTIVITY BY FORCE OR COERCION
800.04(5)(c)1.		THERE MUST BE A WRITTEN COURT FINDING OF MOLESTATION OF UNCLOTHED GENITALS
800.04(5)(d)		THERE MUST BE A WRITTEN COURT FINDING OF FORCE OR COERCION AND OF MOLESTATION OF UNCLOTHED GENITALS
OR A VIOLATION OF SIMILAR LAW IN ANOTHER JURISDICTION		
OR ANY SIMILAR OFFENSE COMMITTED IN FLORIDA WHICH HAS BEEN REDESIGNATED FROM A FORMER STATUTE NUMBER TO ONE LISTED IN THIS TABLE		

REGISTRATION REQUIREMENTS

Definitions

Change in Status at an Institution of Higher Education: The commencement or termination of enrollment, including, but not limited to, traditional classroom setting or online courses, or employment, whether for compensation or as a volunteer, at an institution of higher education or a change in location of enrollment or employment, whether for compensation or as a volunteer, at an institution of higher education.

{F.S. 775.21(2)(a)}

Institution of Higher Education: A career center, community college, college, state university, or independent postsecondary institution.

{F.S. 775.21(2)(i)}

Internet Identifier:* Any designation, moniker, screen name, username, or other name used for self-identification to send or receive social Internet communication. Internet identifier does not include a date of birth, social security number, personal identification number (PIN), or password. A sexual offender's or sexual predator's use of an Internet identifier that discloses his or her date of birth, social security number, personal identification number (PIN), password, or other information that would reveal the identity of the sexual offender or sexual predator waives the disclosure exemption in this paragraph for such personal information.

{F.S. 775.21(2)(j)}

***CAUTION!** Please refer to the information on the **federal court ruling** on registered email addresses and Internet identifiers (see page 46).

Social Internet Communication: Any communication through a commercial social networking website as defined in s. 943.0437, F.S., or application software. The term does not include:

- communication for which the primary purpose is the facilitation of commercial transactions involving goods or services;
- communication on an Internet website for which the primary purpose of the website is the dissemination of news; or
- communication with a governmental entity.

For purposes of this paragraph, the term "application software" means any computer program designed to run on a mobile device such as a smartphone or tablet computer, that allows users to create web pages or profiles that provide information about themselves and are available publicly or to other users, and that offers a mechanism for communication with other users through a forum, a chatroom, electronic mail, or an instant messenger.

{F.S. 775.21(2)(m)}

Permanent Residence: A place where the person abides, lodges, or resides for 3 or more consecutive days.

{F.S. 775.21(2)(k)}

Professional License: The document of authorization or certification issued by an agency of this state for a regulatory purpose, or by any similar agency in another jurisdiction for a regulatory purpose, to a person to engage in an occupation or to carry out a trade or business.

{F.S. 775.21(2)(l)}

Temporary Residence: A place where the person abides, lodges, or resides, including, but not limited to, vacation, business, or personal travel destinations in or out of this state, for a period of 3 or more days in the aggregate during any calendar year and which is not the person's permanent address or, for a person whose permanent residence is not in this state, a place where the person is employed, practices a vocation, or is enrolled as a student for any period of time in this state.

{F.S. 775.21(2)(n)}

Transient Residence: A county where a person lives, remains, or is located for a period of 3 or more days in the aggregate during a calendar year and which is not the person's permanent or temporary address. The term includes, but is not limited to, a place where the person sleeps or seeks shelter and a location that has no specific street address.

{F.S. 775.21(2)(o)}

Vehicles Owned: Any motor vehicle as defined in s. 320.01, F.S. which is registered, coregistered, leased, titled, or rented by a sexual predator or sexual offender; a rented vehicle that a sexual predator or sexual offender is authorized to drive; or a vehicle for which a sexual predator or sexual offender is insured as a driver. The term also includes any motor vehicle as defined in s. 320.01, which is registered, coregistered, leased, titled, or rented by a person or persons residing at a sexual predator's or sexual offender's permanent residence for 5 or more consecutive days.

{F.S. 775.21(2)(p)}

General Registration Information and Requirements

All qualifying sexual predators and sexual offenders must register. Juvenile sexual offenders have the same requirements as adult sexual offenders.

Failure of a sexual predator or sexual offender to register as required by law is a third degree felony or higher.

{F.S. 775.21(10); 943.0435(9); 944.607(9), (10); 985.4815(9), (10)}

Sexual offenders who are also sexual predators shall only register as sexual predators as required under s. 775.21, F.S.

{F.S. 943.0435(5); 944.607(9); 985.4815(9)}

Criminal Felon Registration

Sexual predators and sexual offenders who have registered as required are exempt from felony criminal registration as outlined in s. 775.13(4)(e)-(f), F.S.

{F.S. 775.13}

Sexual Predator and Sexual Offender Obligations

The following registration requirements are taken directly from the FDLE Notice of Sexual Predator and Sexual Offender Obligations (2023)

NOTICE OF SEXUAL PREDATOR AND SEXUAL OFFENDER OBLIGATIONS

As a sexual predator (F.S. 775.21) or sexual offender (F.S. 943.0435; 944.607; or 985.4815) I understand that I am required by law to abide by the following:

1. Within 48 hours of establishing or maintaining a residence in this state, or release from custody and/or supervision of the Department of Corrections (DOC), the Department of Children and Family Services (DCFS), or the Department of Juvenile Justice (DJJ), I MUST report in person to the local sheriff's office to register my temporary, transient, or permanent address and other information specified in statute. If I am convicted of an offense that requires registration and am not under custody and/or supervision of DOC I must report in person to the sheriff's office in the county of conviction within 48 hours of the conviction. {F.S. 943.0435(2)(a); 775.21(6)(e)}

FAILURE TO REPORT AS REQUIRED IS A THIRD DEGREE FELONY.

2. At registration, I MUST provide the following information to the department: name; date of birth; social security number; race; sex; height; weight; tattoos or other identifying marks; hair and eye color; photograph; all home telephone numbers and cellular telephone numbers; all electronic mail addresses, Internet identifiers, and each Internet identifier's corresponding website homepage or application software name; address of all permanent and legal residences; address of any current temporary residence; any transient residence within the state; address, location, description and dates of any current or known future temporary residence within the state or out of state; occupation and place of employment; make, model, color, vehicle identification number (VIN), and license tag number of all vehicles owned; date and place of each conviction; fingerprints; palm prints; and a brief description of the crime or crimes committed. I must also produce my passport (if I have one). If I am an alien, I must produce or provide information about documents establishing my immigration status.

I must also provide information about all professional licenses I have. {F.S. 943.0435(2)(b); 775.21(6)(a)1.}

FAILURE TO REPORT THIS INFORMATION IS A THIRD DEGREE FELONY.

3. Within 48 hours after the initial registration of information as required in #2 above, I MUST report **in person** to the driver license office of the Department of Highway Safety and Motor Vehicles (DHSMV) and provide proof of initial registration as a sexual offender or predator to secure or renew a valid Florida driver license or identification card displaying one of the following designations: “**SEXUAL PREDATOR**” or “**943.0435, F.S.**” unless a driver license or identification card with such designation was previously secured or updated. I must submit to the taking of a photograph for use by the department in maintaining current records of sexual offenders/predators. {F.S. 943.0435(3); 775.21(6)(f)}

FAILURE TO MAINTAIN, ACQUIRE, OR RENEW A DRIVER LICENSE OR ID CARD AS REQUIRED IS A THIRD DEGREE FELONY.

4. **Within 48 hours after using any electronic mail address or Internet identifier, I MUST report it** using the online system maintained by the Florida Department of Law Enforcement or in person at the sheriff’s office. OR, if I am on supervision with the Florida DOC or DJJ, this information MUST be reported to my probation officer before using such electronic mail addresses or Internet identifiers. {F.S. 943.0435(4)(e)1.; 775.21(6)(g)5.a.}

FAILURE TO REPORT THIS INFORMATION AS REQUIRED IS A THIRD DEGREE FELONY.

5. Each time my driver license or identification card is subject to renewal, or within 48 hours after any change in my permanent, temporary, or transient residence or change in name made by marriage or other legal process, I MUST report **in person** to a driver license office to update my driver license or identification card and ensure that the driver license or identification card displays the designations as identified in #3 above. If I am unable to secure or update a driver license or identification card with DHSMV, I must also report any change of my residence or name within 48 hours after the change to the sheriff’s office in the county where I reside or am located and provide confirmation that I reported the information to DHSMV. These reporting requirements do NOT negate the requirement for me to obtain a Florida driver license or identification card as required by this section. {F.S. 943.0435(4)(a); 775.21(6)(g)1.}

FAILURE TO MAINTAIN, ACQUIRE, OR RENEW A DRIVER LICENSE OR ID CARD AS REQUIRED IS A THIRD DEGREE FELONY.

6. If I am enrolled or employed, whether for compensation or as a volunteer at an institution of higher education in Florida, I MUST provide the name, address and county of each institution including each campus attended, and my enrollment, volunteer, or employment status. Each change in enrollment, volunteer, or employment status, i.e. commencement or termination, MUST be reported using the online system maintained by the Florida Department of Law Enforcement or in person at the sheriff’s office within 48 hours after any change in status. OR, if I am on supervision with the Florida DOC or DJJ, this information MUST be reported to my probation officer within 48 hours after any change in status. {F.S. 943.0435(2)(b)2.; 943.0435(14)(c)2.; 775.21(6)(a)1.c.; 775.21(8)(a)2.}

FAILURE TO REPORT THIS INFORMATION WITHIN 48 HOURS IS A THIRD DEGREE FELONY.

7. **I MUST report all changes to home telephone numbers and cellular telephone numbers, including added and deleted numbers within 48 hours of any change in the information** using the online system maintained by the Florida Department of Law Enforcement or in person at the sheriff’s office. OR, if I am on supervision with the Florida DOC or DJJ, this information MUST be reported to my probation officer within 48 hours of any change. {F.S. 943.0435(4)(e)2.; 775.21(6)(g)5.b.}

FAILURE TO REPORT THIS INFORMATION WITHIN 48 HOURS IS A THIRD DEGREE FELONY.

8. **I MUST report all changes to employment information within 48 hours of any change in the information** using the online system maintained by the Florida Department of Law Enforcement or in person at the sheriff's office. OR, if I am on supervision with the Florida DOC or DJJ, this information MUST be reported to my probation officer within 48 hours of any change. {F.S. 943.0435(4)(e)2.; 775.21(6)(g)5.b.}
FAILURE TO REPORT THIS INFORMATION WITHIN 48 HOURS IS A THIRD DEGREE FELONY.
9. **I MUST report any changes in vehicles owned** within 48 hours in person at the sheriff's office. {F.S. 943.0435(2)(b)3.; 775.21(6)(a)1.d.}
FAILURE TO REPORT THIS INFORMATION WITHIN 48 HOURS IS A THIRD DEGREE FELONY.
10. If I vacate a permanent, temporary, or transient residence, and do not have another permanent, temporary, or transient residence, I MUST report in person to the sheriff's office in the county where I am located within 48 hours. {F.S. 943.0435(4)(b)1.; 775.21(6)(g)2.a.}
FAILURE TO REPORT THIS INFORMATION WITHIN 48 HOURS IS A THIRD DEGREE FELONY.
11. If I report that I have vacated a permanent, temporary, or transient residence and then remain at that residence, I MUST report in person within 48 hours to the sheriff's office where I reported vacating my residence. {F.S. 943.0435(4)(c); 775.21(6)(g)3.}
FAILURE TO REPORT THIS INFORMATION IS A SECOND DEGREE FELONY.
12. I understand that my address may be verified by county, state, or local law enforcement agencies. {F.S. 943.0435(6); 775.21(8)}
13. If I intend on establishing a permanent, temporary, or transient residence in another state, jurisdiction, or country other than the State of Florida, I MUST report in person to the sheriff's office in the county of my current residence within 48 hours before the date that I intend to leave this state to establish residence in another state, or jurisdiction, or at least 21 days before my planned departure date if the intended residence of 5 days or more is outside of the United States. I MUST provide the address, municipality, county, state, and country of intended residence. For international travel I MUST also provide my travel information, including, but not limited to, expected departure and return dates, flight number, airport of departure, cruise port of departure, or any other means of intended travel. If I do not know of my travel outside of the United States 21 days before my departure date, then I MUST report in person to the sheriff's office in the county of my current residence as soon as possible before my departure. {F.S. 943.0435(7); 775.21(6)(i)}
FAILURE TO REPORT THIS INFORMATION IS A THIRD DEGREE FELONY.
14. If I intend to establish a permanent, temporary, or transient residence in another state or jurisdiction other than the State of Florida, or another country, and later decide to remain in this state, I MUST report in person to the sheriff's office to which I reported my intention of leaving the state within 48 hours after the intended departure date. {F.S. 943.0435(8); 775.21(6)(j)}
FAILURE TO REPORT THIS INFORMATION IS A SECOND DEGREE FELONY.
15. I MUST report in person either two times per year (during the month of my birth and during the 6th month following my birth month) or four times per year (once during the month of my birth and every 3rd month thereafter), depending upon my offense/designation, to the sheriff's office in the county in which I reside or am otherwise located to reregister, unless otherwise notified by FDLE. {F.S. 943.0435(14)(a)-(b); 775.21(8)(a)}
FAILURE TO REREGISTER AS REQUIRED IS A THIRD DEGREE FELONY.

All sexual predators, sexual offenders convicted for offenses specified in F.S. 943.0435(14)(b), and juvenile sexual offenders required to register per F.S. 943.0435(1)(h)1.d are required to reregister four times per year. All other sexual offenders are required to reregister two times per year.

I AM REQUIRED TO REREGISTER TWO TIMES PER YEAR; I MUST REREGISTER AS NOTED BELOW. {Pursuant to Sections 943.0435(14)(a), 944.607(13)(a), Florida Statutes}			
Month of Birth	I must reregister in:	Month of Birth	I must reregister in:
Jan	Jan & July	July	Jan & July
Feb	Feb & Aug	Aug	Feb & Aug
Mar	Mar & Sept	Sept	Mar & Sept
April	April & Oct	Oct	April & Oct
May	May & Nov	Nov	May & Nov
June	June & Dec	Dec	June & Dec
I AM REQUIRED TO REREGISTER <u>FOUR</u> TIMES PER YEAR; I MUST REREGISTER AS NOTED BELOW. {Pursuant to Sections 775.21(8)(a), 943.0435(14)(b), 944.607(13)(b), 985.4815(13)(a), Florida Statutes}			
Month of Birth	I must reregister in:	Month of Birth	I must reregister in:
Jan	Jan, April, July, Oct	July	Jan, April, July, Oct
Feb	Feb, May, Aug, Nov	Aug	Feb, May, Aug, Nov
Mar	Mar, June, Sept, Dec	Sept	Mar, June, Sept, Dec
April	April, July, Oct, Jan	Oct	April, July, Oct, Jan
May	May, Aug, Nov, Feb	Nov	May, Aug, Nov, Feb
June	June, Sept, Dec, Mar	Dec	June, Sept, Dec, Mar

16. In addition to the registration months listed above, I MUST report **in person** to the sheriff's office in the county in which I am located within 48 hours of establishing a transient residence and thereafter must report **in person** every 30 days to the sheriff's office in the county in which I am located while I maintain a transient residence. I MUST provide the addresses and locations where I maintain a transient residence. {F.S. 943.0435(4)(b)2.; 775.21(6)(g)2.b.}
FAILURE TO REPORT IS A THIRD DEGREE FELONY.
17. If I live in another state, but work or attend school in Florida, I MUST register my work or school address as a temporary address within 48 hours by reporting **in person** to the local sheriff's office. {F.S. 943.0435(2)(a); 943.0435(2)(b)2.; 943.0435(14)(c)2.; 775.21(6)(a)1.c.; 775.21(6)(e)1.; 775.21(8)(a)2.}
FAILURE TO REPORT THIS INFORMATION IS A THIRD DEGREE FELONY.
18. I MUST respond to any address verification correspondence from FDLE within three weeks of the date of the correspondence. {F.S. 943.0435(14)(c)4.; 775.21(10)(a)}
FAILURE TO RESPOND AS REQUIRED IS A THIRD DEGREE FELONY.
19. If I am employed in, carry on a vocation in, am a student in, or become a resident of another state or jurisdiction, I am on notice that I may have a requirement to register under the laws of that state.
20. If I fail to register after crossing state lines I may be in violation of federal law as well as state statutes.
21. I MUST maintain registration for the duration of my life. {F.S. 943.0435(11); 775.21(6)(l)}
22. **KNOWINGLY PROVIDING FALSE REGISTRATION INFORMATION BY ACT OR OMISSION IS A THIRD DEGREE FELONY.** {F.S. 943.0435(14)(c)4.; 775.21(10)(a)}

Registrants Not Serving Sanctions

Initial Registration

A **sexual offender** shall report in person and register at the sheriff's office in the county where the offender establishes or maintains a permanent, temporary or transient residence within 48 hours after establishing or maintaining a residence in this state or being released from the custody, control, or supervision of DOC or DJJ, or from the custody of a private correctional facility; OR in the county where he or she was convicted within 48 hours after being convicted for a qualifying offense for registration under this section if the offender is not in the custody or control of, or under the supervision of, DOC or DJJ, or is not in the custody of a private correctional facility.

{F.S. 943.0435(2)(a)}

A **sexual predator** shall report in person to and register at the sheriff's office in the county in which the predator establishes or maintains a permanent, temporary or transient residence within 48 hours after establishing or maintaining a residence in this state; AND at the sheriff's office in the county where he or she was designated a sexual predator by the court within 48 hours after such finding is made.

{F.S. 775.21(6)(e)}

Registration for sexual predators and sexual offenders shall include:

- fingerprints,
- palm prints,
- digital photo, and
- completed and signed FDLE Sexual Predator/Sexual Offender Registration Form.

Registration information shall promptly be forwarded to FDLE.

{F.S. 775.21(6)(e); 943.0435(2)}

Table 6: Required Primary Registration Information

Name (including any legal name change)	Date of Birth
Social Security Number	Race
Sex	Height
Weight	Hair and eye color
Tattoos or other identifying marks	Fingerprints
Palm prints	Photograph
Employment information	Address(es)*
Make, model, color, vehicle identification number (VIN), and license tag number of vehicles owned	Internet identifiers and each Internet identifier's corresponding website homepage or application software name
Electronic mail addresses	Home and cell phone numbers
Date and place of each conviction	Description of crime(s)
Passport (if applicable)	Immigration information (if applicable)
Professional license information	Higher education institution information (if enrolled at, employed by, or volunteering at)
Anything else deemed necessary, such as criminal/corrections records, nonprivileged personnel and treatment records, and evidentiary genetic markers (DNA) when available.	

*Any permanent, temporary, or transient address both within and out of state. A post office box shall not be provided in lieu of a physical residential address.

{F.S. 775.21(6)(a)1., (6)(a)2.; 943.0435(2)(b), (2)(c)}

If the residence is a motor vehicle, trailer, mobile home or manufactured home (as defined in Chapter 320), the registrant shall also provide written notice of the:

- vehicle identification number (VIN),
- license tag number,
- registration number, and
- description (including color scheme)

of the motor vehicle, trailer, mobile home or manufactured home.

If the residence is a vessel, live-aboard vessel, or houseboat (as defined in Chapter 327), the registrant shall also provide written notice of the:

- hull identification number (HIN);
- manufacturer's serial number;
- name of vessel, live-aboard vessel, or houseboat;
- registration number; and
- description (including color scheme)

of the vessel, live-aboard vessel or houseboat.

{F.S. 775.21(6)(a)1.b.; 943.0435(2)(b)1.}

If enrolled or employed, whether for compensation or as a volunteer, at an institution of higher education in this state, the registrant shall provide:

- name, address, and county of each institution;
- each campus attended; and
- enrollment, volunteer, or employment status.

The sheriff's office shall promptly notify each institution of the sexual predator's or sexual offender's presence and any change in their enrollment or employment status.

{F.S. 775.21(6)(a)1.c.; 943.0435(2)(b)2.}

Any changes to the following information **must be reported within 48 hours** of the change:

- vehicles owned (must be reported in person),
- home and cellular phone numbers (in person or online),
- employment information (in person or online), and
- changes in status at an institution of higher education (in person or online).

{F.S. 775.21(6)(a)1.d., (6)(g)5.b.; 943.0435(2)(b)3., (4)(e)2.}

All email addresses and Internet identifiers, and each Internet identifier's corresponding website homepage or application software name, must be registered within 48 hours after use (in person or online).

{F.S. 775.21(6)(g)5.a.; 943.0435(4)(e)1.}

Registrants Incarcerated/In Custody

Incarcerated in Prison or Juvenile Commitment (DOC or DJJ)

DOC or DJJ will forward information to FDLE regarding incarcerated sexual predators and sexual offenders.

Additionally, DOC and DJJ will provide the following for those offenders who are being released:

- name of the correctional facility from which the individual is being released;
- address of any planned permanent, temporary, or transient residence;
- digitized photograph taken within 60 days before release; and
- date of release.

DOC and DJJ shall notify FDLE if a sexual predator or sexual offender escapes, absconds, or dies.

{F.S. 775.21(6)(b); 944.606(3)(a)1.; 985.481(3)(a)1.}

If any information provided by DOC or DJJ changes during the time the sexual predator or sexual offender is under DOC's or DJJ's custody, DOC/DJJ shall, in a timely manner, update the information and provide it to FDLE.

{F.S. 775.21(6)(b); 944.607(6)(g); 985.4815(6)(b)}

In Custody of a Local Jail

If the sexual predator or sexual offender is in the custody of a local jail, the custodian of the local jail shall register the sexual predator or sexual offender **within 3 business days after intake** of the sexual predator or sexual offender for any reason **AND upon release**, and shall forward the registration information to FDLE. The custodian of the local jail shall also take a digitized photograph of the sexual predator or sexual offender while the sexual predator or sexual offender remains in custody and shall provide the digitized photograph to FDLE. The custodian shall notify FDLE if the sexual predator or sexual offender escapes from custody or dies.

{F.S. 775.21(6)(c); 944.607(7); 985.4815(7)}

Registrants under Supervision (DOC or DJJ)

(Florida probation, community control, control release, parole, etc.)

Sexual predators and sexual offenders who are not incarcerated but are under the supervision of DOC or DJJ shall register all information listed in Table 6 with DOC or DJJ through their supervising officer who shall forward the information to FDLE.

A supervised sexual predator shall register within 3 business days after the court makes the sexual predator finding.

A sexual offender supervised by DOC shall register within 3 business days after sentencing for a registerable offense. A sexual offender supervised by DJJ shall register within 3 business days after adjudication and disposition for a registerable offense.

{F.S. 775.21(6)(b); 944.607(4); 985.4815(4)}

Additionally, DOC and DJJ will provide to FDLE the following for those sexual offenders who are on supervision:

- legal status of the offender and the scheduled termination date of that legal status,
- location and phone number for any DOC or DJJ office who is supervising the sexual offender (also applies to sexual predators),
- an indication of whether the victim of the offense was a minor,
- qualifying conviction information, and
- digitized photograph taken within 60 days before the offender was released from incarceration or within 60 days after the onset of supervision (if no incarceration preceded the supervision).

{F.S. 775.21(6)(b); 944.607(6); 985.4815(6)(a)}

DOC and DJJ shall notify FDLE if a sexual predator or sexual offender escapes, absconds, or dies.

{F.S. 775.21(6)(b); 944.606(3)(a)1.; 985.481(3)(a)1.}

If any information provided to FDLE by DOC or DJJ changes during the time the sexual predator or sexual offender is under DOC's or DJJ's control or supervision, DOC or DJJ shall, in a timely manner, update the information and provide it to FDLE.

{F.S. 775.21(6)(b); 944.607(6)(g); 985.4815(6)(b)}

Changes to the following information must be reported in person to the registrant's probation/supervising officer:

- email addresses (before use),
- Internet identifiers and each Internet identifier's corresponding website homepage or application software name (before use),
- home and cellular phone numbers (within 48 hours),
- employment information (within 48 hours), and
- changes in status at an institution of higher education (within 48 hours).

{F.S. 775.21(6)(g)5.; 943.0435(4)(e)}

The following is required to be reported in person to the sheriff's office, even if the registrant is under the supervision of DOC or DJJ:

- changes in vehicles owned (within 48 hours), and
- reregistration (bi-annually or quarterly).

{F.S. 944.607(4)(c), (13); 985.4815(4)(c), (13)}

For those sexual predators or sexual offenders who register campus enrollment, volunteer work, or employment, DOC and DJJ will promptly notify each institution of the sexual predator's or offender's presence and any change in such person's enrollment, volunteer, or employment status. DOC and DJJ will also provide the information from the sexual predator or offender to FDLE.

{F.S. 775.21(6)(a)1.c.; 944.607(4)(b); 985.4815(4)(b)}

Registrants under Supervision (Federal)

If the sexual predator or sexual offender is under federal supervision, the federal agency responsible for supervising the sexual predator or sexual offender may forward to FDLE any information regarding the sexual predator or sexual offender which is consistent with the registration information provided by DOC and may indicate whether use of the information is restricted to law enforcement purposes only or may be used by FDLE and law enforcement for purposes of public notification.

{F.S. 775.21(6)(d); 944.607(8); 985.4815(8)}

Inaccurate Registration Information

It is important that registration records be as accurate as possible. Many agencies routinely monitor the sexual predators and sexual offenders in their communities. During the course of agency activity, it may be determined that an address or other information reflected in FDLE's records is inaccurate due to a mistake in the registration information, failure by a sexual predator or sexual offender to promptly update registration records, or by a sexual predator's or sexual offender's intentional attempt to circumvent registration requirements.

Any indications of inaccuracy or needed changes in FDLE's registration files should be reported to FDLE through SOPS. For assistance with this, please contact EIS.

Should you determine that a sexual predator or sexual offender is no longer at the address reflected in FDLE's records, try to determine a new address, but always promptly report this information to FDLE via SOPS, even if a new address for the sexual predator or sexual offender is not known. Law enforcement agencies should **enter address information directly into SOPS in the form of an Activity Report** (for example to report that a subject is no longer at his last known address), **and then a Field Information, if appropriate** (for example, if a new address for the subject has been determined).

If you believe a sexual predator or sexual offender intended to violate his or her registration requirements, you may report this information to the state attorney having jurisdiction for consideration of prosecution.

Driver Licenses

Sexual predators and sexual offenders who are not incarcerated shall report in person to a driver license office of the Florida Department of Highway Safety and Motor Vehicles (DHSMV) within 48 hours of initial registration to:

- report their status as a sexual predator or sexual offender;
- show proof of registration as a sexual predator or sexual offender to DHSMV officials;
- provide permanent, temporary, or transient residence information (for sexual predators) or provide any information provided at registration, if requested (for sexual offenders),
- have a photograph taken; and
- obtain a Florida driver license or identification (ID) card with the designation "**SEXUAL PREDATOR**" for predators and "**943.0435, F.S.**" for offenders, as required, unless a driver license or ID card with such designation was previously secured or updated while under the supervision of DOC, DCF, or DJJ and there have been no changes to the sexual predator's or sexual offender's address, name, or designation.

DHSMV will flag the sexual predator's or sexual offender's driver license or ID card in its computer system and will forward the above information provided to FDLE.

It is unlawful for any sexual predator or sexual offender to have in his or her possession a driver license or ID card upon which the sexual predator or sexual offender markings required are not displayed or have been altered.

{F.S. 322.141(3), (4); 322.212(5)(c); 775.21(6)(f), (g); 943.0435(3), (4)}

Upon verifying a registration requirement, FDLE will flag the registrant's record in the Driver and Vehicle Information Database (DAVID).

Change of Address Process and Other Address Requirements

Change of Address within Florida

- **Notification to DHSMV:** After initial registration, all non-incarcerated sexual predators and sexual offenders must notify DHSMV within 48 hours after any change of permanent, temporary, or transient residence within Florida.
 - **NOTE:** Many offices require appointments for service, which could impact reporting times. For a listing of DHSMV locations and their availability, please visit <https://www.flhsmv.gov/locations/>.
- Should the sexual predator or sexual offender be under supervision, they must also report their change of address, as required by law, to their supervising officer, who will in turn notify FDLE.
- DHSMV will notify FDLE of the change of address information and changes will be posted to the public registry website.
- The sheriff's office and all police departments within the county will be notified via a Florida Crime Information Center (FCIC) administrative message of all new sexual predator and sexual offender addresses added to SOPS within their county.
- Agencies should regularly access the FDLE Sexual Offender/Predator website via CJNet or the Internet at <https://offender.fdle.state.fl.us> to obtain current address listings of all sexual predators and sexual offenders. Agencies may also contact EIS for offender information.
- A sexual predator or sexual offender who is unable to secure or update a driver license or ID card with DHSMV shall also report any change in residence within 48 hours after the change to the sheriff's office in the county where the offender resides or is located and provide confirmation that such information was reported to DHSMV.

NOTE: Sexual predators or sexual offenders must report any change of address **within** Florida directly to DHSMV. FDLE will notify the appropriate authorities of the county where the sexual predator or sexual offender establishes or maintains a permanent, temporary, or transient residence within 48 hours of registration. Notification of these changes will be provided through the FCIC terminal via administrative message, the Internet, and CJNet access.

{F.S. 775.21(6)(g)1.; 943.0435(4)(a); 944.607(9); 985.4815(9)}

Change of Address Outside of Florida

- **Interstate travel** – A sexual predator or sexual offender who intends to establish a **permanent, temporary, or transient** residence in another state or jurisdiction shall report in person to the sheriff of the county of current residence within 48 hours before the date he or she intends to leave this state to establish a **permanent, temporary, or transient** residence in another state or jurisdiction.
- **International travel** – If the intended residence is 5 or more days outside of the United States, the sexual predator or sexual offender must report in person to the sheriff of the county of current residence at least 21 days before the date of departure. Any travel that

is not known by the sexual predator or sexual offender 21 days before the departure date must be reported in person to the sheriff's office as soon as possible before departure.

For both interstate and international travel, the notification must include:

- address,
- municipality,
- county,
- state, and
- country of intended residence.

For **international travel**, the notification must also include applicable travel information such as:

- expected departure and return dates,
- flight number,
- airport of departure,
- cruise port of departure,
- any other means of intended travel, and
- passport, if not previously registered.

The sheriff's office shall *promptly* provide to FDLE the information received from the sexual predator or sexual offender.

FDLE will then notify the statewide or federal law enforcement agency, or a comparable agency, in the intended state or jurisdiction of residence of the sexual predator's or sexual offender's intended residence.

The failure of a sexual predator or sexual offender to provide their intended place of residence is a third degree felony.

{F.S. 775.21(6)(i), (10); 943.0435(7), (9)}

Cancellation of Change of Address Outside of Florida

A sexual predator or sexual offender who indicates his or her intent to **establish a permanent, temporary or transient residence** in another state, jurisdiction, or country and later decides to remain in Florida shall, within 48 hours after the date upon which the sexual predator or sexual offender indicated he or she would leave Florida, report in person to the sheriff's office to which he or she reported the intended change of **permanent, temporary or transient residence** and report the intent to remain in Florida.

The sheriff's office shall *promptly* report this information to FDLE.

A sexual predator or offender who reports his or her intent to reside in another state, jurisdiction, or country, but who remains in Florida without reporting to the sheriff's office in this manner, commits a second degree felony.

{F.S. 775.21(6)(j); 943.0435(8)}

Vacating an Address

A sexual predator or sexual offender who vacates a permanent, temporary, or transient residence and fails to establish or maintain another permanent, temporary, or transient residence shall, within 48 hours after vacating the permanent, temporary, or transient residence, report in person to the sheriff's office of the county in which the registrant is located. The sexual predator or sexual offender shall specify the date upon which he or she intends to or did vacate such residence and must provide an address for the residence or other place that they are or will be located during the time in which they fail to establish or maintain a permanent or temporary residence.

A sexual predator or sexual offender who remains at a permanent, temporary, or transient residence after reporting his or her intent to vacate such residence shall, within 48 hours after the date upon which the registrant indicated he or she would or did vacate such residence, report in person to the agency to which he or she reported vacating the residence.

The sheriff's office shall *promptly* report this information to FDLE.

A sexual predator or sexual offender who reports he or she is vacating a residence but fails to report remaining at such residence commits a second degree felony.

{F.S. 775.21(6)(g)2.a., (6)(g)3.; 943.0435(4)(b)1., (4)(c)}

Transient Address Reporting Requirements

A sexual predator or sexual offender shall report in person at the sheriff's office in the county in which he or she is located within 48 hours after establishing a transient residence and thereafter must report in person every 30 days to the sheriff's office in the county in which he or she is located while maintaining a transient residence. The sexual predator or sexual offender must provide the addresses and locations where he or she maintains a transient residence.

Each sheriff's office shall establish procedures for reporting transient residence information and provide notice to transient registrants to report transient residence information. The sheriff's office shall, within 2 business days, electronically submit and update all information provided by the sexual predator or sexual offender to FDLE.

The failure of a sexual predator or offender who maintains a transient residence to report in person to the sheriff's office every 30 days is a third degree felony.

{F.S. 775.21(6)(g)2.b., (6)(g)4.; 943.0435(4)(b)2., (4)(d)}

NOTE: Electronic transient check-in forms are available in SOPS, and paper transient check-in forms are also available through CJNet at <http://www.flcjin.net/FORTS/FORTS-Home/Forms>. These forms are provided to assist in the transient check-in process, but their use is not required under Florida's registration laws. Each sheriff's office is required to establish their own procedures for reporting transient residence information, which may or may not include use of this form.

Procedures for Submitting a Fingerprint Card on Sexual Predator or Sexual Offender Registrants

Proper identification must be presented and these procedures followed to ensure accurate and complete recording of the sexual predator or sexual offender registration information. Fingerprints should be submitted electronically via a LiveScan device. In the rare instance that fingerprints must be submitted on a paper card, the FBI criminal fingerprint card (Form FD-249) must be used for fingerprinting and recording of all the descriptive information:

1. The words **Sexual Predator Registration 9050** or **Sexual Offender Registration 9060** must be reflected in the **Charge** block.
2. The word **Released/207** must be reflected in the **Disposition** block.
3. The **Date of Arrest** is the date of the registration, not the date of the original charges.
4. The **occupation** and **residence** of the registrant must be indicated in the respective blocks.
5. A **photograph** should be taken of the registrant and an “**X**” in the block provided should indicate the availability of a photo.
6. List name, aliases (if any), social security number, date of birth, race, sex, height, weight, hair and eye color, address of legal physical residence, address of any current temporary residence and date and place of any employment.
7. The date/place of each conviction, a brief description of the crime or crimes committed by the registrant, and whether the victim was a minor or an adult must be indicated in the **Additional Information** block located on the reverse side of the fingerprint card.
8. The date of the offense should be left blank.
9. The signature of the registrant must be noted in the **Signature** block. The person taking the prints must put their “Name or Number” in the appropriate block.
10. The sexual predator or sexual offender registration form (either hard copy or electronic) must be used for recording of all registration information.
11. The **completed fingerprint card, a physical photograph, and a hard copy registration form (if appropriate*)** should be forwarded to the following address for processing into the FCIC Criminal History System and Sexual Offender/Predator Registry:

Florida Department of Law Enforcement
Enforcement & Investigative Support
P.O. Box 1489
Tallahassee, Florida 32302-1489

*If an electronic registration is completed, only the completed fingerprint card should be sent. A physical copy of the electronic registration form should NOT be sent.

Procedures for Registration during a Power Failure

In the event that a sexual predator or sexual offender reports for registration or a transient check-in during a power failure at your agency, hard copy Sexual Predator/ Offender Registration forms, Notice of Responsibilities forms, and Transient Check-in forms are available for download on the CJNET web site: <http://www.flcjin.net/Forts/Forts-Home/Forms.aspx>.

These forms may be printed in advance and securely kept at your registration office for later use. As a best practice, ensure on a regular basis that your printed forms are the most up-to-date version available on CJNet.

Once a paper form is completed, it may be faxed to EIS at 850-410-8599. EIS will enter the information manually until your agency can reconnect with CJNet. If any challenges with faxing arise, an electronic version of the completed and signed forms may be sent via e-mail once power is restored, if the email is encrypted.

Alternatively, if there is a significant change in a registrant's information and your agency cannot communicate via fax or email, call the hotline at 1-888-357-7332 and EIS will work with your agency to make the change manually and catch up with the documentation after the fact.

FEDERAL COURT RULING ON REGISTERED EMAIL ADDRESSES AND INTERNET IDENTIFIERS

In accordance with the order of judgment issued September 21, 2018, by the United States District Court for The Northern District of Florida, Tallahassee division in Case No. 4:16cv501-RH/CAS,

FDLE, its agents, servants, employees, attorneys, and others in active participation with FDLE may **NOT** disclose the identity of a sexual predator/offender registrant associated with any given email address or Internet identifier provided by the registrant, with the exception that sexual predator/offender email addresses or Internet identifiers may be made available to law enforcement agencies and officers for official use only. This ruling does not prohibit disclosing information obtained from independent sources unrelated to a sexual predator's/offender's submission of the information to the registry.

This ruling in NO WAY alters:

- The requirement of sexual predators/offenders to register their Internet identifiers and email addresses as required by Florida law, or the felony violation for failure to so do.
- The electronic registration systems facilitating registration and submission of registration information to the state registry.
- The Florida registry website service facilitating inquiries of Internet identifiers and email addresses by the public. As it has since establishment, this public service offers a positive or negative (yes/no) result to all inquiries and *does not specifically identify a registrant associated with the Internet identifier or email address* searched when a positive (yes) result is returned. Regardless of the result, citizens are advised to contact local law enforcement regarding any suspected criminal activity.

FDLE treats Internet identifiers/email addresses registered by sexual offenders/predators as follows:

- FDLE will not disclose the identity of a registered sexual predator or sexual offender **in association with** any registered email address or Internet identifier, except to law enforcement agencies and officers for official use only.
- FDLE will not disclose the registered email address or Internet identifier of a specifically identified registered sexual predator or sexual offender, except to law enforcement agencies and officers for official use only.
- Should FDLE receive a public inquiry regarding a specifically identified registered sexual predator's or offender's email address or Internet identifier, FDLE will tell the requestor:
 - The information is protected and enjoined from disclosure by a U.S. federal court ruling, AND
 - If they suspect or have information regarding any crime that has occurred or is likely to occur, OR if they have witnessed any suspicious online activity, they should immediately contact local law enforcement to report it.

FDLE cannot provide legal advice. For any questions about this federal judgment, please contact your agency's legal counsel.

RESTRICTIONS

There is a common misconception that prohibited activities, locations, and employment are universally applicable to all registered sexual predators and sexual offenders. This is not the case. An investigation of the individual and the situation may be necessary in assessing possible registration or probation violations.

Prohibited Activities by Certain Sexual Predators

Felony Violation if Certain Sexual Predators Work or Volunteer where Children Congregate

A sexual **predator** who has been convicted of or found to have committed, or has pled nolo contendere or guilty to, regardless of adjudication, any violation, or attempted violation, of:

- s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor;
- s. 794.011, excluding s. 794.011(10);
- s. 794.05;
- former s. 796.03;
- former s. 796.035;
- s. 800.04;
- s. 827.071;
- s. 847.0133;
- s. 847.0135(5);
- s. 847.0145;
- s. 985.701(1); or
- a violation of a similar law of another jurisdiction when the victim of the offense was a minor,

and who works, whether for compensation or as a volunteer, at any business, school, child care facility, park, playground, or other place where children regularly congregate, commits a **felony of the third degree**, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, F.S.

{F.S. 775.21(10)(b)}

Prohibited Activities and Restrictions on Persons Convicted of Certain Sexual Offenses

CAUTION! The following prohibited activities and restrictions are **NOT** part of Florida registration laws, and FDLE does **NOT** determine if a person meets the criteria for these prohibitions or restrictions. Please consult with your agency's legal counsel or your jurisdiction's State Attorney's Office for questions on the following prohibitions and restrictions. **The state laws listed below are separate from sexual predator or sexual offender registration laws and are based on a person's conviction, not on their status as a sexual predator or sexual offender.**

Misdemeanor Violation for Loitering or Prowling by Certain Offenders in Close Proximity to Children

This statute applies to: a person convicted of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes in this state or similar

offenses in another jurisdiction **against a victim who was under 18 years of age** at the time of the offense:

- s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor;
- s. 787.06(3)(g);
- s. 794.011, excluding s. 794.011(10);
- s. 794.05;
- former s. 796.03;
- former s. 796.035;
- s. 800.04;
- s. 825.1025;
- s. 827.071;
- s. 847.0133;
- s. 847.0135, excluding s. 847.0135(6);
- s. 847.0137;
- s. 847.0138;
- s. 847.0145;
- s. 985.701(1); or
- any similar offense committed in this state which has been redesignated from a former statute number to one of those listed above,

if the person has not received a pardon for any felony or similar law of another jurisdiction necessary for the operation of this subsection and a conviction of a felony or similar law of another jurisdiction necessary for the operation of this subsection has not been set aside in any post-conviction proceeding.

This section does not apply to a person who has been removed from the requirement to register as a sexual offender or sexual predator pursuant to Romeo & Juliet relief (s. 943.04354, F.S.).

Loitering and Prowling: A person who meets the criteria above commits loitering and prowling by a person convicted of a sexual offense against a minor if, in committing loitering and prowling, he or she was within 300 feet of a place where children were congregating.

Approaching, Contacting, Communicating with Minors in a Park: It is unlawful for a person described above and whose **offense was committed on or after May 26, 2010**, to knowingly approach, contact, or communicate with a child under 18 years of age in any public park building or on real property comprising any public park or playground with the intent to engage in conduct of a sexual nature or to make a communication of any type with any content of a sexual nature.

Presence in Schools: It is unlawful for a person described above to knowingly be present in any child care facility or school containing any students in prekindergarten through grade 12 or on real property comprising any child care facility or school containing any students in prekindergarten through grade 12 when the child care facility or school is in operation, **if such person fails to:**

- Provide written notification of his or her intent to be present to the school board, superintendent, principal, or child care facility owner;
- Notify the child care facility owner or the school principal's office when he or she arrives and departs the child care facility or school; or

- Remain under direct supervision of a school official or designated chaperone when present in the vicinity of children. As used in this paragraph, the term “school official” means a principal, a school resource officer, a teacher or any other employee of the school, the superintendent of schools, a member of the school board, a child care facility owner, or a child care provider.

A person is not in violation of being in a school if:

- The child care facility or school is a voting location and the person is present for the purpose of voting during the hours designated for voting; or
- The person is only dropping off or picking up his or her own children or grandchildren at the child care facility or school.

Any person who violates this statute commits a **misdemeanor of the first degree**, punishable as provided in s. 775.082 or s. 775.083, F.S.

{F.S. 856.022}

Residency Restrictions for Persons Convicted of Certain Sexual Offenses

State Law – 1,000 Foot Rule

Certain individuals convicted of certain sexual crimes may not reside within 1,000 feet of any school, child care facility, park, or playground:

- Florida offenses
 - Where the person was convicted of (regardless of whether adjudication was withheld):
 - s. 794.011,
 - s. 800.04,
 - s. 827.071,
 - s. 847.0135(5), or
 - s. 847.0145; AND
 - The victim was less than 16 years of age; AND
 - The offense occurred on or after October 1, 2004.
- Non-Florida offenses
 - Where the person was convicted of (regardless of whether adjudication was withheld):
 - An offense in another jurisdiction which is similar to any of the statutes listed above; AND
 - The victim was less than 16 years of age; AND
 - The offense occurred on or after May 26, 2010.

A person who violates this section whose conviction above was classified as a felony of the first degree or higher (or whose conviction in another jurisdiction resulted in a penalty that is substantially similar to a felony of the first degree or higher) commits a **felony of the third degree**. A person who violates this section whose conviction was classified as a felony of the second or third degree (or whose conviction in another jurisdiction resulted in a penalty that is substantially

similar to a felony of the second or third degree) commits a **misdemeanor of the first degree**, punishable as provided in s. 775.082 or s. 775.083, F.S.

However, a person does not violate this subsection and may not be forced to relocate if he or she is living in a residence that meets the requirements of this subsection and a school, child care facility, park, or playground is subsequently established within 1,000 feet of his or her residence.

{F.S. 775.215}

County and Local Ordinances

Each county and municipality may have their own residency restriction ordinances that are more restrictive than the state law. Questions about these local ordinances should be directed to the appropriate sheriff's office or police department.

Probation & Community Control Restrictions

CAUTION! Sex offender probation and sexual offender registration are not the same. A person may be sentenced to sex offender probation but not qualify for sexual predator or sexual offender registration. If your agency has questions on whether a specific person on sex offender probation qualifies for sexual predator or sexual offender registration, please contact EIS.

Terms and Conditions of Probation/Community Control for Certain Sex Offenses

In addition to the regular terms and conditions for all persons on probation or community control (as noted in s. 948.03, F.S.), there are terms and conditions of probation or community control for those serving for certain sex offenses.

See s. 948.30, F.S. for **additional terms and conditions of probation or community control for certain sex offenses**. Conditions imposed pursuant to this section do not require oral pronouncement at the time of sentencing and shall be considered standard conditions of probation or community control for offenders specified in this section.

{F.S. 948.03; 948.30}

Ineligibility for Administrative Probation for Persons Convicted of Certain Sex Offenses

Effective for an offense **committed on or after July 1, 1998, and before October 1, 2017**, a person is ineligible for placement on administrative probation if the person is sentenced to or is serving a term of probation or community control, regardless of the conviction or adjudication, for committing, or attempting, conspiring, or soliciting to commit:

- s. 787.01 or s. 787.02, where the victim is a minor and defendant is not the victim's parent;
- s. 787.025;
- s. 787.06(3)(g);
- chapter 794;
- former s. 796.03;
- s. 800.04;
- s. 825.1025(2)(b);
- s. 827.071;
- s. 847.0133;

- s. 847.0135; or
- s. 847.0145.

Effective for an offense **committed on or after October 1, 2017**, a person is ineligible for placement on administrative probation if the person is sentenced to or is serving a term of probation or community control, regardless of the conviction or adjudication, for committing, or attempting, conspiring, or soliciting to commit, any of the felony offenses described in:

- s. 775.21(4)(a)1.a. or b., or
- s. 943.0435(1)(h)1.a.

DOC may establish procedures for transferring an offender to administrative probation.

{F.S. 948.013}

REGISTRATION VIOLATIONS

Preparing a Criminal Case for Violation of Sexual Predator or Sexual Offender Registration Laws

Location of Prosecution

A sexual predator or sexual offender who commits any act or omission in violation of s. 775.21, s. 943.0435, s. 944.605, s. 944.606, s. 944.607, or former s. 947.177, F.S. may be prosecuted for the act or omission in:

- the county in which the act or omission was committed,
- the county of the last registered address of the sexual predator or sexual offender,
- the county in which the conviction occurred for the offense or offenses that meet the criteria for designating a person as a sexual predator or sexual offender,
- the county where the sexual predator or sexual offender was released from incarceration,
- the county of the intended address of the sexual predator or sexual offender as reported prior to his or her release from incarceration, or
- for a sexual predator, the county in which he or she was designated a sexual predator.

{F.S. 775.25}

Suggestions for Law Enforcement

The following information may assist in supporting a case for prosecution of a sexual predator or sexual offender for an act or omission:

- Information and advice from the State Attorney's Office in your jurisdiction.
- Court case law from your jurisdiction and appellate courts.
- Information gleaned from the following documents:
 - court order for predator/offender;
 - conviction of predator/offender;
 - order of probation regarding requirements and special conditions;
 - signed obligation form from DOC/DJJ;
 - FDLE certified Sexual Predator/Sexual Offender Registration forms and Notice of Responsibilities forms, and documents regarding address and other information (failure to register violations);
 - DHSMV documentation and name of reporting employee;
 - records of sexual predator's or sexual offender's residence regarding move or abandonment, utility bill information, neighbor information, mail forwarding information;
 - employee work documentation, including application, W-4 form, and witness information;
 - enrollment, work, and attendance records maintained by institutions of higher education;
 - registration documentation from FDLE, sheriffs of jurisdictions where the offender obtained/maintained an address, and DOC; and
 - other documentation available from FDLE's secure system, including Field Information and Activity Reports.

- any information from the above documents which may confirm or support proof of residency and/or knowledge of obligations to register as a sexual predator or sexual offender either from Florida or other state registry documents.

Requirements of Law Enforcement Agency upon Arrest of Persons for Certain Sex Offenses

When any state or local law enforcement agency investigates or arrests a person for committing, or attempting, soliciting, or conspiring to commit:

- s. 787.025(2)(c);
- s. 787.06(3)(g);
- chapter 794;
- former s. 796.03;
- s. 800.04;
- s. 827.071;
- s. 847.0133;
- s. 847.0135; or
- s. 847.0145,

the law enforcement agency shall contact DOC to verify whether the person under investigation or under arrest is on probation, community control, parole, conditional release, or control release. If the law enforcement agency finds that the person under investigation or under arrest is on probation, community control, parole, conditional release, or control release, the law enforcement agency shall immediately notify the person's probation officer or release supervisor of the investigation or the arrest.

{F.S. 948.32}

Arrest Statute Table

FDLE's Arrest Statute Table includes information on statutes and subsections for the various sexual predator and sexual offender registration violations and residency restrictions violations. FDLE's Arrest/Clerk Statute Tables in their entirety can be found at: <http://web.fdle.state.fl.us/statutes/about.jsf>.

Table 7: Sexual Predator Violations

F.S.	Subsection	Level/Degree	Description
322.212	5c	F/T	SEX PRED POSS DL/ID ALT OR WO DESIGNATION
775.21	6a	F/T	FAIL TO PROVIDE LOCATION OTHER INFO
775.21	6g1	F/T	FAIL TO REPORT NAME OR RESIDENCE CHANGE
775.21	6g2	F/T	FAIL TO REPORT VACATING PERMANENT RESIDENCE
775.21	6g3	F/S	FAIL TO WITHDRAW VACATE RESIDENCE NOTICE
775.21	6g4	F/T	TRANSIENT FAIL TO REPORT SHERIFF EVRY 30 DAYS
775.21	6i	F/T	FAIL REPORT RESIDENCE CHANGE OTH STATE JURIS
775.21	6j	F/S	FAIL CANCEL OTH STATE JURIS RES CHANGE NOTICE
775.21	10a	F/T	FAIL TO REG AS SEX PRED WI 48 HOURS
775.21	10a	F/T	FAIL CHANGE RENEW INFO ON ID CARD WI 48 HRS
775.21	10a	F/T	FAIL CHANGE RENEW INFO ON DRIV LIC WI 48 HRS
775.21	10a	F/T	FAIL TO GIVE NAME CHANGE OR LOCATION INFO
775.21	10a	F/T	FAIL TO REPORT VACATING PERMANENT RESIDENCE
775.21	10a	F/T	FAIL TO REREGISTER AS REQUIRED
775.21	10a	F/T	FAIL TO RESPOND TO AV LETTER WI 3 WKS
775.21	10a	F/T	FAIL REPORT EMAIL ADD OR INTERNET IDENTIFIERS
775.21	10a	F/T	FAIL TO PROVIDE HOME AND CELL PHONE NUMBERS
775.21	10a	F/T	FAIL TO REGISTER EMPLOYMENT INFORMATION
775.21	10a	F/T	FAIL REG CHNGE IN STATUS AT INSTITUT HIGHER ED
775.21	10a	F/T	FAIL REPORT INTERNET ID WEB PAGE OR APP NAME
775.21	10a	F/T	PROV FALSE REGIST INFO FAIL COMPLY W REQUIRMNT

F.S.	Subsection	Level/Degree	Description
775.21	10b	F/T	WORK WHERE CHILDREN GATHER IF VICTIM OF SEX PRED WAS MINOR
775.21	10d	F/T	MISUSE PUBLIC SEXUAL PREDATOR INFORMATION
775.21	10g1	F/T	WH INFO FAIL NOTIFY LEO OF SEX PRED NON COMPLY
775.21	10g2	F/T	HARBOR ATT HARBOR ASSIST HARBORING SEX PRED
775.21	10g3	F/T	CONCEAL ATT CONCEAL ASSIST CONCEALING SEX PRED
775.21	10g4	F/T	PROVIDE FALSE INFO TO LE ABOUT SEX PRED

Table 8: Sexual Offender Violations

F.S.	Subsection	Level/Degree	Description
322.212	5c	F/T	SEX OFF POSS DL/ID ALT OR WO DESIGNATION
943.0435	2	F/T	FAILURE TO REGISTER REPORT PROVIDE INFO
943.0435	2a1	F/T	FAIL TO REPORT AT COUNTY OF RESIDENCE
943.0435	2a2	F/T	FAIL TO REPORT AT COUNTY OF CONVICTION
943.0435	2b	F/T	FAIL TO PROVIDE PERSONAL INFO AS REQUIRED
943.0435	2b	F/T	FAIL REPORT INTERNET ID WEB PAGE OR APP NAME
943.0435	2b1	F/T	FAIL TO PROV VEH TRAILER MOBILE MANUFACT INFO
943.0435	2b2	F/T	FAIL PROVIDE INFO FOR HIGHER EDUCATION
943.0435	2b3	F/T	FAIL REPORT CHANGE VEHICLE OWNERSHIP
943.0435	2c	F/T	FAIL PROVIDE OTHER INFO AS REQUIRED
943.0435	3	F/T	FAIL TO REPORT TO DRIVER LICENSE OFFICE
943.0435	4a	F/T	FAIL REPORT DRIVER LIC OFFICE CHANGE NAME
943.0435	4a	F/T	FAIL REPORT DRIVER LIC OFFICE CHANGE ADDRESS
943.0435	4b1	F/T	FAIL TO REPORT AFTER VACATING RESIDENCE
943.0435	4b2	F/T	FAIL REPORT ESTABLISH TRANSIENT RESIDENCE
943.0435	4b2	F/T	TRANSIENT RESIDENT FAIL REPORT EVERY 30 DAYS
943.0435	4c	F/S	FAIL WITHDRAW VACATE RESIDENCE NOTICE

F.S.	Subsection	Level/Degree	Description
943.0435	4e1	F/T	FAIL TO REG EMAIL ADDRESS INTERNET IDENTIFIERS
943.0435	4e2	F/T	FAIL TO REG CHANGES TO CELL/TELEPHONE NUMBER
943.0435	4e2	F/T	FAIL TO REPORT CHANGES TO EMPLOYMENT INFO
943.0435	4e2	F/T	FAIL REPORT CHANGE STATUS RELATED TO HIGHER ED
943.0435	7	F/T	FAIL RPT INTENT ESTABLISH RESIDENCE OUT STATE
943.0435	7	F/T	FAIL RPT INTENT ESTABLISH RESIDE OUT COUNTRY
943.0435	8	F/S	FAIL REPORT INTENT MAINTAIN RESIDENCE IN STATE
943.0435	13a	F/T	WH INFO FAIL NOTIFY LE OF SEX OFF NONCOMPLY
943.0435	13b	F/T	HARBOR ATT HARBOR ASSIST HARBORING SEX OFF
943.0435	13c	F/T	CONCEAL ATT CONCEAL ASSIST CONCEALING SEX OFF
943.0435	13d	F/T	PROVIDE FALSE INFO TO LE ABOUT SEX OFF
943.0435	14a	F/T	FAIL TO RE-REGISTER EVERY 6 MONTHS
943.0435	14b	F/T	FAIL TO RE-REGISTER EVERY 3 MONTHS
943.0435	14c1	F/T	FAIL TO PROVIDE RE-REGISTRATION INFO
943.0435	14c4	F/T	FAIL TO RESPOND ADDRESS VERIFICATION LETTER
943.0435	14c4	F/T	FAIL TO REGISTER AS REQUIRED
943.0435	14c4	F/T	PROVIDE FALSE REGISTRATION INFO
944.607	10	F/T	REFUS DIGITL PHOTO GIVE REQ REGIST NOTICE INFO
944.607	12a	F/T	W/H INFO FAIL NOTIFY LE OF SEX OFF NONCOMPLY
944.607	12b	F/T	HARBOR ATT HARBOR ASSIST HARBORING SEX OFF
944.607	12c	F/T	CONCEAL ATT CONCEAL ASSIST CONCEALING SEX OFF
944.607	12d	F/T	PROVIDE FALSE INFO TO LE ABOUT SEX OFF
944.607	13c4	F/T	FAIL TO RESPOND TO AV LETTER WI 3 WKS
944.607	13c4	F/T	FAIL TO REGISTER AS REQUIRED
944.607	13c4	F/T	FAIL REPORT EMAIL ADDRESS INTERNET IDENTIFIERS
944.607	13c4	F/T	PROVIDE FALSE REGISTRATION INFORMATION
985.4815	9	F/T	FAIL TO COMPLY WITH REGISTRATION LAW

F.S.	Subsection	Level/Degree	Description
985.4815	10	F/T	FAIL TO SUBMIT TO DIGITIZED PHOTOGRAPH
985.4815	10	F/T	FAIL TO REGIS AFTER ARREST SERVICE ARRAIGNMENT
985.4815	12a	F/T	WH INFO FAIL NOTIFY LE OF SEX OFF NONCOMPLY
985.4815	12b	F/T	HARBOR ATT HARBOR ASSIST HARBORING SEX OFF
985.4815	12c	F/T	CONCEAL ATT CONCEAL ASSIST CONCEAL SEX OFF
985.4815	12d	F/T	PROVIDE FALSE INFO TO LE ABOUT SEX OFF
985.4815	13b4	F/T	FAIL TO REGISTER AS REQUIRED
985.4815	13b4	F/T	FAIL TO RESPOND TO AV LETTER WI 3 WKS
985.4815	13b4	F/T	PROVIDE FALSE REGISTRATION INFORMATION

Table 9: Residency Restriction Violations (separate from registration laws)

F.S.	Subsection	Level/Degree	Description
775.215	2	F/T	1ST DEG FELON LIVE WI 1K FT SCHOOL ETC
775.215	2	M/F	2ND 3RD DEG FELON LIVE WI 1K FT SCHOOL ETC
775.215	3	F/T	1ST DEG FELON OTHR JURIS LIVE 1K FT SCHOOL ETC
775.215	3	M/F	2D 3D DEG FELON OTHER JURI LIVE 1K FT SCHL ETC

AGENCY RESPONSIBILITIES

FDLE Responsibilities

FDLE shall notify the public of all designated sexual predators through the Internet. The Internet notice shall include the information required in community notifications under s. 775.21(7)(a), F.S.

{F.S. 775.21(7)(c)}

FDLE may notify the public through the Internet of any information regarding sexual predators and sexual offenders which is not confidential and exempt from public disclosure under s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

{F.S. 943.043(1)}

FDLE shall provide, through a toll-free telephone number, public access to registration information regarding sexual predators and sexual offenders and may provide other information reported to the department which is not exempt from public disclosure.

{F.S. 943.043(2)}

FDLE shall provide to any person, upon request and at a reasonable cost determined by the department, a copy of the photograph of any sexual offender or sexual predator which the department maintains in its files and a printed summary of the information that is available to the public.

{F.S. 943.043(3)}

FDLE is responsible for the on-line maintenance of current information regarding each registered sexual predator.

{F.S. 775.21(6)(k)1.}

FDLE must maintain hotline access for state, local, and federal law enforcement agencies to obtain instantaneous locator file and offender characteristics information on all released registered sexual predators for purposes of monitoring, tracking, and prosecution.

{F.S. 775.21(6)(k)1.}

FDLE shall provide an automatic email notification system that allows entities and citizens to sign up to receive email notifications regarding sexual predators or sexual offenders in their area.

{F.S. 943.44353}

FDLE and DOC shall implement a system for verifying the addresses of sexual predators and sexual offenders. The system must be consistent with the provisions of the federal Adam Walsh Child Protection and Safety Act (AWCPSA), and any other federal standards applicable to such verification or required to be met as a condition for the receipt of federal funds by the state. (See the Address Verification section on page 73.)

{F.S. 775.21(8); 943.0435(6)}

County and local law enforcement agencies, in conjunction with FDLE, shall verify the addresses of sexual predators and sexual offenders who are not under the care, custody, control, or supervision of DOC, and may verify the addresses of sexual predators and sexual offenders who are under the care, custody, control, or supervision of DOC.

{F.S. 775.21(8); 943.0435(6)}

FDLE's sexual predator registration list is a public record. When FDLE provides information regarding a registered sexual predator to the public, department personnel must advise the person making the inquiry that positive identification of a person believed to be a sexual predator cannot be established unless a fingerprint comparison is made, and it is illegal to use public information regarding a registered sexual predator to facilitate the commission of a crime.

{F.S. 775.21(6)(k)2.}

FDLE shall remove an offender from classification as a sexual offender for purposes of registration if the offender provides to the department a certified copy of the Florida court's written findings or order, and meets other statutory requirements of s. 943.0435(11), F.S. that indicates that the offender is no longer required to comply with the requirements for registration as a sexual offender.

{F.S. 943.0435(11)(a)4.}

FDLE is authorized to disseminate this public information by any means deemed appropriate, including operating a toll-free telephone number for this purpose. Statewide notification to the public is authorized, as deemed appropriate by local law enforcement personnel and FDLE.

{F.S. 775.21(6)(k)2., (7)(b); 943.043; 944.606(2), (3)(d), (4)}

FDLE shall notify the statewide law enforcement agency, or a comparable agency, in the intended state, jurisdiction, or country of residence of a sexual predator's or sexual offender's intended residence, when it receives information from a sheriff's office regarding the sexual predator's or sexual offender's intention to establish residence in another state, jurisdiction, or country.

{F.S. 775.21(6)(i); 943.0435(7)}

Upon receipt of registration information required by Florida Statutes, including required notices of changes to such information, FDLE promptly provides such information through an automated teletype message to the local law enforcement agencies in the jurisdictions of the institutions listed in the registration information.

DOC, DJJ, and Federal Supervision Office Responsibilities

Supervised Sexual Predators and Offenders

DOC and DJJ shall provide to FDLE registration information for all supervised sexual predators and sexual offenders and the location of, and local telephone number for any office that is responsible for supervising a sexual predator or sexual offender.

{F.S. 775.21(6)(b); 944.607(5), (6); 985.4815(5), (6)}

DOC and DJJ shall notify FDLE if a sexual predator or sexual offender escapes/absconds from custody or supervision, or dies.

{F.S. 775.21(6)(b); 944.606(3)(a)1.; 985.481(3)(a)1.}

If any information provided by DOC or DJJ changes during the time the sexual predator or sexual offender is under DOC/DJJ control, custody, or supervision, including any change in the sexual predator's or sexual offender's name by reason of marriage or other legal process, DOC/DJJ shall, in a timely manner, update the information and provide it to FDLE.

{F.S. 944.606(3)(a)1.; 944.607(6)(g); 985.481(3)(a)1.; 985.4815(6)(b)}

DOC and DJJ shall verify the addresses of sexual predators and sexual offenders who are not incarcerated but who reside in the community under the supervision of DOC/DJJ.

{F.S. 775.21(8); 943.0435(6); 944.607(4)(a); 985.4815(4)(a)}

In addition to notification and transmittal requirements imposed by any other provision of law, DOC and DJJ shall compile information (as defined by s. 944.607 and 985.4815, F.S.) on any sexual predator or sexual offender and provide the information to FDLE. The information shall be made available electronically to FDLE as soon as this information is in DOC's/DJJ's database and must be in a format that is compatible with the requirements of the Florida Crime Information Center. The information provided to FDLE must include:

- the registration information obtained from the sexual predator or sexual offender;
- the sexual predator's or sexual offender's most current address and place of permanent, temporary, or transient residence within the state or out of state, and address, location or description, and dates of any current or known future temporary residence within the state or out of state, including the name of the county or municipality in which he or she permanently or temporarily resides and, if known, the intended place of permanent, temporary, or transient residence upon satisfaction of all sanctions;
- the legal status of the sexual predator or sexual offender and the scheduled termination date of that legal status;
- the location of, and local telephone number for, any DOC or DJJ office that is responsible for supervising the sexual predator or sexual offender;
- an indication of whether the victim of the offense that resulted in the sexual predator's or sexual offender's status as a sexual predator or sexual offender was a minor;
- the offense or offenses at conviction which resulted in the determination of the sexual predator's or sexual offender's status as a sexual predator or sexual offender; and
- a digitized photograph of the sexual predator or sexual offender which must have been taken within 60 days before he or she is released from the custody of DOC or DJJ or a private correctional facility by expiration of sentence under s. 944.275, F.S. or must have been taken by January 1, 1998, or within 60 days after the onset of the supervision of any sexual offender who is on probation, community control, conditional release, parole, provisional release, or control release or who is supervised by DOC or DJJ under the Interstate Compact Agreement for Probationers and Parolees.

{F.S. 775.21(6)(b); 944.607(5), (6); 985.4815(5), (6)}

If the sexual predator or sexual offender is in the custody of a private correctional facility, the facility shall take a digitized photograph of him or her within the time period provided in the above paragraph and shall provide the photograph to FDLE.

{F.S. 944.607(6)(g); 985.4815(6)(a)7.}

Upon receiving the required information from a sexual predator or sexual offender regarding such person's enrollment, volunteer, or employment status at an institution of higher education in Florida, or any change thereto, DOC and DJJ shall promptly notify each institution or school of the sexual predator's or sexual offender's presence and of any change in said person's enrollment, volunteer, or employment status.

{F.S. 775.21(6)(a)1.c.; 944.607(4)(b); 985.4815(4)(b)}

Federal Supervision Offices

If the sexual predator or sexual offender is released from federal prison or sentenced to federal probation, the federal agency responsible for the supervision or incarceration of the sexual predator or sexual offender shall provide notice of his or her release or change of residence to the chief law enforcement officer of the state and to the local jurisdiction in which he or she will reside or is residing. The federal agency may also forward to FDLE any information regarding the sexual predator or sexual offender which is consistent with the information provided by DOC or DJJ and may indicate whether use of the information is restricted to law enforcement purposes only or may be used by FDLE for purposes of public notification.

{F.S. 775.21(6)(d); 944.607(8); 985.4815(8); 18 U.S.C. 4042(c)}

Incarcerated Sexual Predators and Offenders

DOC, DJJ, or a custodian of a local jail must provide registration information regarding any sexual predator or sexual offender who is being released after serving a period of incarceration for any offense.

{F.S. 775.21(6)(c); 944.606(3); 985.481(3)}

If the sexual predator or sexual offender is in the custody of a local jail, the custodian of the local jail shall register him or her within 3 business days after intake for any reason AND upon release, and forward the information to FDLE. The custodian of the local jail shall also take a digitized photograph of the sexual predator or sexual offender while he or she remains in custody and shall provide the digitized photograph to FDLE. The custodian shall notify FDLE if the sexual predator or sexual offender escapes from custody or dies.

{F.S. 775.21(6)(c); 944.606(3)(a)1.; 944.607(7); 985.481(3)(a)1.; 985.4815(7)}

If the sexual predator or sexual offender is in the custody of a private correctional facility, the facility shall take a digitized photograph of the sexual predator or sexual offender within 60 days before his or her release and provide the photograph to DOC or DJJ and also place it in the sexual predator's or sexual offender's file.

{F.S. 944.606(3)(a)1.; 985.481(3)(a)1.}

DOC, DJJ, or the local jail custodian may provide any other information deemed necessary, including criminal and/or corrections records, delinquency records, non-privileged personnel and treatment records, when available. DOC or DJJ must provide the information described either within 6 months

prior to the anticipated release of a sexual predator or sexual offender, or as soon as possible if he or she is released earlier than anticipated to:

- the sheriff of the county from where the sexual predator or sexual offender was sentenced;
- the sheriff of the county and, if applicable, the police chief of the municipality, where the sexual predator or sexual offender plans to reside;
- FDLE; and
- any person who requests such information.

{F.S. 944.606(3)(a)2., (3)(b); 985.481(3)(a)2., (3)(b)}

All such information provided to FDLE must be available electronically as soon as the information is in the agency's database and must be in a format that is compatible with the requirements of the Florida Crime Information Center.

{F.S. 944.606(3)(b); 985.481(3)(b)}

Court, Clerk of Court, and State Attorney Responsibilities

Prosecutions for Acts or Omissions

A sexual predator or sexual offender who commits any act or omission in violation of s. 775.21, s. 943.0435, s. 944.605, s. 944.606, s. 944.607, or former s. 947.177, F.S. may be prosecuted for the act or omission in:

- the county in which the act or omission was committed,
- the county of the last registered address of the sexual predator or sexual offender,
- the county in which the conviction occurred for the offense or offenses that meet the criteria for designating a person as a sexual predator or sexual offender,
- the county where the sexual predator or sexual offender was released from incarceration,
- the county of the intended address of the sexual predator or sexual offender as reported by the predator or offender prior to his or her release from incarceration, or
- for a sexual predator, the county in which he or she was designated a sexual predator.

{F.S. 775.25}

Clerk of Court Document and Fingerprint Responsibilities

The clerk of the court of the court which convicted and sentenced the sexual predator or sexual offender for the qualifying offense or offenses shall forward to DOC and FDLE a certified copy of any order entered by the court imposing any special condition or restriction on the sexual predator or sexual offender which restricts or prohibits access to the victim, if the victim is a minor, or to other minors. FDLE may include on its Internet site such special conditions or restrictions.

{F.S. 944.607(2); 985.4815(2)}

If a sexual offender is not sentenced to a term of imprisonment (or juvenile residential commitment), the clerk of the court shall ensure that the sexual offender's fingerprints are taken and forwarded to FDLE within 48 hours after the court sentences the offender. The fingerprint card shall be clearly marked "**Sexual Offender Registration.**"

{F.S. 944.607(3); 985.4815(3)}

For an offender who meets the sexual predator criteria and is before the court for sentencing for a current (qualifying) offense committed on or after October 1, 1993, the sentencing court must make a written finding at the time of sentencing that the offender is a sexual predator, and the clerk of the court shall transmit a copy of the order containing the written finding to FDLE within 48 hours after the entry of the order.

{F.S. 775.21(5)(a)2.}

When the court makes a written finding that an offender is a sexual predator, the court shall inform the sexual predator of the registration and community and public notification requirements. **Within 48 hours of the court designating an offender as a sexual predator**, the clerk of the circuit court shall transmit a copy of the court's written sexual predator finding to FDLE. If the offender is sentenced to a term of imprisonment or supervision, a copy of the court's written sexual predator finding must be submitted to DOC.

{F.S. 775.21(5)(a)3.}

If a sexual predator is not sentenced to a term of imprisonment, the clerk of the court shall ensure that their fingerprints are taken and forwarded to FDLE within 48 hours after the court renders its written sexual predator finding. The fingerprint card shall be clearly marked, "**Sexual Predator Registration.**"

{F.S. 775.21(5)(b)}

Issuing Sexual Predator Orders

If DOC, FDLE, or any other law enforcement agency obtains information indicating that an offender **who establishes or maintains a permanent, temporary, or transient residence in this state** meets the sexual predator criteria because the offender was civilly committed or committed a similar violation in another jurisdiction on or after October 1, 1993, DOC, FDLE, or the law enforcement agency shall notify the state attorney in the county where the offender establishes or maintains a permanent, temporary, or transient residence of the offender's presence in the community. The state attorney shall file a petition with the criminal division of the circuit court for the purpose of holding a hearing to determine if the offender's criminal record or record of civil commitment from another jurisdiction meets the sexual predator criteria. If the court finds that the offender meets the sexual predator criteria because the offender has violated a similar law or similar laws in another jurisdiction, the court shall make a written finding that the offender is a sexual predator.

{F.S. 775.21(5)(a)3.}

If DOC, FDLE, or any other law enforcement agency obtains information indicating that an offender meets the sexual predator criteria but the court did not make a written finding that the offender is a sexual predator, DOC, FDLE, or the law enforcement agency shall notify the state attorney who prosecuted the offense for in-state offenders, or the state attorney of the county where the offender establishes or maintains a residence upon first entering the state. The state attorney shall bring the matter to the court's attention in order to establish that the offender meets the sexual predator criteria. If the state attorney fails to establish that an offender meets the sexual predator criteria and the court does not make a written finding that an offender is a sexual predator, the offender is not required to register with FDLE as a sexual predator. DOC, FDLE, or any other law enforcement agency shall not administratively designate an offender as a sexual predator without a written finding from the court that the offender is a sexual predator.

{F.S. 775.21(5)(c)}

Duty of Courts to Uphold Laws Governing Sexual Predators and Sexual Offenders

The Legislature finds that, **for the purpose of approving a plea agreement** or for other reasons, certain courts enter orders that effectively limit or nullify requirements imposed upon sexual predators and sexual offenders pursuant to the laws of this state and prevent persons or entities from carrying out the duties imposed, or exercising the authority conferred, by such laws. Unless a court that enters such an order determines that a person or entity is not operating in accordance with the laws governing sexual predators or sexual offenders, or that such laws or any part of such laws are unconstitutional or unconstitutionally applied, the court unlawfully encroaches on the Legislature's exclusive power to make laws and places at risk significant public interests of the state.

{F.S. 775.24(1); 943.0436(1)}

If a person meets the criteria in Chapter 775 for designation as a sexual predator or meets the criteria in s. 943.0435, s. 944.606, s. 944.607, F.S., or any other law for classification as a sexual offender, the court may not enter an order, **for the purpose of approving a plea agreement** or for any other reason, which:

- exempts a person who meets the criteria for designation as a sexual predator or classification as a sexual offender from such designation or classification, or exempts such person from the requirements for registration or community and public notification imposed upon sexual predators and sexual offenders;
- restricts the compiling, reporting, or release of public records information that relates to sexual predators or sexual offenders; or
- prevents any person or entity from performing its duties or operating within its statutorily conferred authority as such duty or authority relates to sexual predators or sexual offenders.

{F.S. 775.24(2); 943.0436(2)}

If the court enters an order that affects an agency's performance of a duty imposed under the laws governing sexual predators or sexual offenders, or that limits the agency's exercise of authority conferred under such laws, the Legislature strongly encourages the affected agency to file a motion in the court that entered such order. **The affected agency may, within 1 year after the receipt of any such order, move to modify or set aside the order or, if such order is in the nature of an injunction, move to dissolve the injunction.** Grounds for granting any such motion include, but need not be limited to:

- The affected agency was not properly noticed.
- The court is not authorized to enjoin the operation of a statute that has been duly adjudged constitutional and operative unless the statute is illegally applied or unless the statute or the challenged part of it is unconstitutional on adjudicated grounds.
- Jurisdiction may not be conferred by consent of the parties.
- To the extent that the order is based upon actions the agency might take, the court's order is premature and, if and when such actions are taken, these actions may be challenged in appropriate proceedings to determine their enforceability.
- The injunction affects the public interest and would cause injury to the public.
- The order creates an unenforceable, perpetual injunction.
- The order seeks to restrict the agency in the performance of its duties outside the court's territorial jurisdiction.

{F.S. 775.24(3); 943.0436(3)}

Immunity

FDLE, DHSMV, DOC, DJJ, any law enforcement agency in this state, and the personnel of those departments; an elected or appointed official, public employee, or school administrator; or an employee, agency, or any individual or entity acting at the request or upon the direction of any law enforcement agency is immune from civil liability for damages for good faith compliance with the requirements of these sections or for the release of information under these sections, and shall be presumed to have acted in good faith in compiling, recording, reporting, or releasing the information. The presumption of good faith is not overcome if a technical or clerical error is made by FDLE, DHSMV, DOC, DJJ, the personnel of those departments, or any individual or entity acting at the request or upon the direction of any of those departments in compiling or providing information, or if information is incomplete or incorrect because a sexual predator or sexual offender fails to report or falsely reports his or her current place of permanent or temporary residence.

{F.S. 775.21(9); 943.043(4); 943.0435(10); 944.606(5); 944.607(11); 985.481(5); 985.4815(11)}

Department of Highway Safety and Motor Vehicles (DHSMV) Responsibilities

DHSMV shall forward to FDLE and DOC all **photographs** and **information** provided by sexual predators and sexual offenders. Notwithstanding the restrictions set forth in s. 322.142, F.S., DHSMV is authorized to release a reproduction of a color photograph or digital-image license to FDLE for purposes of public notification of sexual predators and sexual offenders.

{F.S. 775.21(6)(g)1.; 943.0435(4)(a)}

Indian Tribes

The federal Sexual Offender Registration and Notification Act (SORNA) designates tribes as their own jurisdictions for matters related to sexual offender registration. For substantial implementation of SORNA requirements, a tribe may choose to delegate to the state(s) where the tribal land is located to handle registration matters for its jurisdiction, or it may handle that function itself.

There are two federally-recognized tribes within Florida – the Seminole Tribe of Florida and the Miccosukee Tribe of Indians of Florida. The Seminole Tribe maintains SORNA functions on their lands and has entered into an agreement with the state of Florida to perform its sexual offender registration responsibilities in partnership with FDLE and the local sheriffs' offices. Registrants on Seminole lands are included within the Florida state sexual offender/predator registry. More information is located at <https://spd.semtribe.com/support-bureau/sex-offender>. The Miccosukee Tribe of Indians of Florida operates all of their registration functions and operations. Registrants of the Miccosukee Tribe of Indians of Florida can be found at <http://miccosukeetribe.nsopw.gov/>.

For additional information about Tribal implementation and compliance with SORNA requirements, please visit <http://www.smart.gov/indiancountry.htm>.

Community Notification & Public Records

Community Notification Regarding Sexual Predators

Community notification of registered sexual predators is **mandatory** by the sheriff or chief of police of the jurisdiction where the sexual predator establishes or maintains a permanent or temporary residence, in a manner deemed appropriate by the sheriff or chief.

Within 48 hours after receiving notification of the presence of a **sexual predator**, the sheriff of the county or the chief of police of the municipality where the sexual predator temporarily or permanently resides **shall notify each**:

- licensed child care facility,
- elementary school,
- middle school, and
- high school

within a 1-mile radius of the temporary or permanent residence of the sexual predator of the presence of the sexual predator.

Information provided by law enforcement to the community and the public regarding a **sexual predator must include**:

- the **name** of the sexual predator;
- a **description** of the sexual predator, including a **photograph**;
- the sexual predator's **current** permanent, temporary, and transient **addresses**, and descriptions of registered locations that have no specific street address, including the name of the county or municipality if known;
- the **circumstances of the** sexual predator's **offense** or offenses; and
- whether the **victim** of the offense(s) was, at the time of the offense, **a minor or an adult**.

CAUTION! These requirements **do not** authorize the release of the name of any victim of the sexual predator.

The sheriff or police chief may coordinate notification efforts with FDLE. Statewide notification to the public is authorized, as deemed appropriate by local law enforcement personnel and FDLE.

{F.S. 775.21(7)}

Community Notification Regarding Sexual Offenders

Community notification of a **sexual offender** to the public is **authorized but not required**, as deemed appropriate by local law enforcement personnel and FDLE.

{F.S. 943.043; 944.606(4); 985.481(4)}

Notifications to and by Institutions of Higher Education

Upon receiving the required information from a sexual predator or sexual offender regarding such person's enrollment, employment, or volunteer status at an institution of higher education, or any change thereto, **the sheriff, DOC, or DJJ** (whichever receives the information), shall promptly notify each institution of the sexual predator's or offender's presence and of any change in the predator's or offender's enrollment, employment, or volunteer status.

{F.S. 775.21(6)(a)1.c.; 943.0435(2)(b)2.; 944.607(4)(b); 985.4815(4)(b)}

Institutions of higher education in Florida shall inform students and employees at orientation and on their websites of the existence of the Department of Law Enforcement sexual predator and sexual offender registry website and the toll-free telephone number that gives access to sexual predator and sexual offender public information pursuant to s. 943.043, F.S. These institutions include nonpublic

colleges, universities, and schools; each Florida College System institution as defined in s. 1000.21; state universities as defined in s. 1000.21; and career centers as provided in s. 1001.44, F.S.

{F.S. 1005.10; 1006.695}

Notifications by the Local Jail (see also Incarceration, and DOC and DJJ responsibilities)

If the sexual predator or sexual offender is in the custody of a local jail, the custodian of the local jail shall register the offender within three business days after intake of the sexual predator or sexual offender for any reason and upon release, **and shall notify FDLE of the sexual predator's or sexual offender's release** and provide the information specified and any information specified that FDLE requests.

{F.S. 775.21(6)(c); 944.606(3)(a)1.; 944.607(7); 985.481(3)(a)1.; 985.4815(7)}

Release of Information to the Public

Notification of a sexual predator or sexual offender to the public is authorized, as deemed appropriate by local law enforcement personnel and FDLE.

{F.S. 775.21(6)(k)2., (7)(b); 943.043; 944.606(4); 985.481(4)}

Upon receiving information regarding a sexual predator or sexual offender from DOC or DJJ, FDLE, the sheriff or the chief of police shall provide the information described to any individual who requests such information and may release the information to the public in any manner deemed appropriate, unless the information so received is confidential or exempt from s. 119.07(1) and s. 24(a), Art. I, of the State Constitution. DOC or any law enforcement agency is authorized to notify the community and the public of a sexual offender's presence in the community. However, with respect to a "sexual predator" under Chapter 775, law enforcement agencies must inform the community and the public of the sexual predator's presence in the community, as provided in Chapter 775.

{F.S. 775.21(7); 944.606(3)(d), (4); 985.481(3)(c), (4)}

The Public's Use of Sexual Predator or Sexual Offender Information

A person commits a misdemeanor in the first degree if they:

- **misuse public records information** relating to a sexual predator or a sexual offender to secure a payment from a sexual predator or sexual offender;
- **knowingly distribute or publish false information** relating to a sexual predator or sexual offender which the person misrepresents as being public records information; or
- **materially alter public records information with the intent to misrepresent the information**, including documents, summaries of public records information provided by law enforcement agencies, or public records information displayed by law enforcement agencies on websites or provided through other means of communication.

{F.S. 775.21(10)(d)}

Community Notification Checklist for Information Required to be Released

Sexual Predators

Sheriff or chief of police responsibilities:

Within 48 hours of notice of a sexual predator residing in my community, I must:

- Notify each licensed child care facility within a 1 mile radius of the sexual predator's residence.
- Notify each elementary school within a 1 mile radius of the sexual predator's residence.
- Notify each middle school within a 1 mile radius of the sexual predator's residence.
- Notify each high school within a 1 mile radius of the sexual predator's residence.

The following information must be provided to the community in a manner deemed appropriate by my agency:

- The sexual predator's name.
- The sexual predator's description and photograph.
- The sexual predator's current permanent, temporary, and transient addresses, with a description of locations that have no specific street address, including county or municipality, if known.
- The circumstances of the sexual predator's offense.
- Whether the victim was a minor or an adult at the time of offense.
- I have NOT released the name of the sexual predator's victim to the public.

My agency may coordinate the above notification efforts with FDLE.

Sexual Predators AND Sexual Offenders

Local jail custodian responsibilities:

If a sexual predator or sexual offender is in the custody of a local jail, as the custodian of my local jail, I must:

- Register the sexual predator or sexual offender within three business days after intake for any reason.
- Register the sexual predator or sexual offender upon release.
- Notify FDLE if the sexual predator or sexual offender is released.
- Provide to FDLE a digitized photograph of the sexual predator or sexual offender taken while in custody, the information collected during registration, and any other information deemed necessary by FDLE, including criminal, corrections, and delinquency records, and nonprivileged personnel and treatment records, when available.
- Notify FDLE if the sexual predator or sexual offender escapes from custody or dies.

Sheriff, DOC, or DJJ responsibilities (whoever receives the information):

The following must promptly be provided to an institution of higher education:

- The sexual predator's or sexual offender's enrollment, employment, or volunteer status at that institution.
- Any change to the sexual predator's or sexual offender's status at that institution.

Institutions of Higher Education responsibilities:

As a nonpublic college, university, or school; a Florida College System institution as defined in s. 1000.21; a state university as defined in s. 1000.21; or a career center as provided in s. 1001.44, F.S., my institution must:

- Inform students and employees at orientation, and
- Inform students and employees on our institution's website of:

the existence of the Department of Law Enforcement sexual predator and sexual offender registry website (<https://offender.fdle.state.fl.us/>) and the toll-free telephone number (1-888-357-7332) that gives access to sexual predator and sexual offender public information pursuant to s. 943.043, F.S.

Tips for Community Notification

Establish a Point of Contact with Institutions of Higher Education

Law enforcement can work with institutions of higher education to establish a point of contact (POC) for each institution. This will allow law enforcement and the POC to coordinate a preferred method of information sharing and establish a protocol for regular interaction. To be effective, confirmation of productive communication and information sharing should occur regularly, but at least annually.

Obtain a List of Schools and Care Centers

Law enforcement officials with CJNet access may obtain a list of Florida schools and care centers within a 1/4 to 5-mile radius of a subject's address by using the FDLE Florida Sexual Offenders and Predators CJNet Neighborhood Search feature.

To generate a list of facilities, conduct a CJNet "Neighborhood Search" with the "Include Schools & Carecenters" box checked. Alternatively, users can opt to return schools and day care centers only. Please note that school and day care center addresses can only be returned in list form. A printer-friendly option is available to facilitate the creation of mailing labels.

Important Considerations for Schools

It is good practice for law enforcement to be aware of those sexual predators and sexual offenders who are parents of school-aged children or who are school students themselves, thereby allowing increased access to and contact with the schools and their students.

Community notification efforts by law enforcement or schools that include photographs of sexual predators and sexual offenders should take care to provide a legible image. Early efforts at community notification have demonstrated that failure to provide thorough information, such as address, crime committed, or photograph, may have an overly alarming effect in the community and fail to provide the tools public information laws seek to furnish.

Internet

Local websites in conjunction with the FDLE Sexual Predator/Sexual Offender website have proven to be an effective tool for public notification not only for the state of Florida, but also on a national level. While this is an efficient practice, Internet notification methods are only part of a more comprehensive community notification policy.

Agencies can utilize social media outlets (websites, Facebook, and other commonly used social media) for community notification. Public relations efforts can encourage the community (citizens, schools, day care centers, etc.) to follow the agency's social media accounts for sexual predator (and sexual offender) notifications. Agencies can partner with local media organizations to share social media community notifications on sexual predator changes and registrants who are wanted or of concern.

Local agencies can also encourage the community to utilize the state offender alert email notification system for offender/predator address changes. The Florida Offender Alert System is located at <https://www.floridaoffenderalert.com/>.

Interagency Communication

Communication within agencies can be a key factor in attaining a complete and effective policy regarding implementation and enforcement of sexual predator and sexual offender laws.

Examples of agency units that would benefit from sharing sexual predator and sexual offender information include:

- **Crime Prevention** to allow accurate information to community groups, day care centers, neighborhood watch groups, etc.
- **Community Policing Officers** to aid in ongoing address verification and possible implementation of more comprehensive contact programs with those offenders in the jurisdiction.
- **School Resource and D.A.R.E. Officers** for school boards and administration that will be looking to these officers for information and answers regarding sexual predators and sexual offenders.
- **Public Information/Communications Office** to provide accurate and timely information to the public and media.

Community Civic Government and Crime Prevention Meetings and Events

Community meetings and events present opportunities to distribute information about local sexual predators and sexual offenders and explain public information laws and safe practices. Agencies may hold regular community meetings at which notifications are given to those present of all sexual predators and sexual offenders in the area, or demonstrate where and how to find registration information. Officers can highlight the purpose of notification laws and how they can work effectively to provide a safer community.

Empower the public to protect themselves and create an effective community watch focus. Furnishing community participants with effective safety practices discourages vigilantism and alarmist reactions. Information packages distributed might include flyers with a photograph of each sexual predator and sexual offender in the area, an information brochure on sexual predator and sexual offender laws with the criteria qualifications for sexual predators and sexual offenders, and other safety pamphlets.

Sheriffs' offices and police departments within the county can partner to coordinate community meetings within municipalities.

Neighborhood Notification Strategies

For each registered sexual predator (and sexual offender if allowable) within the jurisdiction, officers may canvas neighborhoods distributing doorknob bags or printed flyers labeled with their agency insignia and contact information. Distributed information might include: a photo flyer of the sexual predator or sexual offender, information regarding his or her residence and qualifying offense(s), an explanation and purpose of the public notification laws, safety tips, and instructions on where to find further information including the FDLE website and toll free number. This strategy is particularly beneficial in rural areas and the most vulnerable communities (elderly, lower income).

In areas that may have a low percent of households with Internet access or a high percent of landline phone usage, reverse 911 may be an effective communication method. Reverse 911 makes automated telephone calls to the community notifying them of a sexual predator's or sexual offender's presence and where further information may be obtained.

Useful Websites and Tools for the Public

- The Florida Sexual Offender/Predator Public Registry Website:
 - <https://offender.fdle.state.fl.us>
- Florida Offender Alert System:

- <https://www.floridaoffenderalert.com/>
- Dru Sjodin National Sex Offender Public Website (NSOPW) and mobile application:
 - <https://www.nsopw.gov/en/>
 - NSOPW Mobile App available on Google Play and the Apple App Store
- Florida Attorney General's Safe Florida Website:
 - <http://www.safeflorida.net/>
- Florida local law enforcement agency links:
 - <http://www.fdle.state.fl.us/CJSTC/Publications/Criminal-Justice-Agency-Links.aspx>

ADDRESS VERIFICATION

General Procedural Information

FDLE and DOC shall implement a system for verifying the addresses of sexual predators and sexual offenders. The system must be consistent with the provisions of the federal Adam Walsh Child Protection and Safety Act of 2006 (AWCPSA), and any other federal standards applicable to such verification or required to be met as a condition for the receipt of federal funds by the state.

{F.S. 775.21(8); 943.0435(6)}

Federal Requirements – The AWCPSA requires in person verification of registration information every year, six months, or three months depending on tier level. However, the AWCPSA does not have any specific requirements for states' address verifications.

DOC and DJJ shall verify the addresses of sexual predators and sexual offenders who are not incarcerated but who reside in the community under the supervision of the DOC or DJJ.

{F.S. 775.21(8); 943.0435(6); 944.607(4); 985.4815(4)}

County and local law enforcement agencies, in conjunction with the department, shall verify the addresses of sexual predators and sexual offenders who are not under the care, custody, control, or supervision of DOC or DJJ.

{F.S. 775.21(8); 943.0435(6)}

Any sexual predator or sexual offender who fails to respond to any address verification correspondence from FDLE within three weeks of the date of correspondence commits a **felony of the third degree**.

{F.S. 775.21(10)(a); 943.0435(14)(c)4.}

NOTE: As of January 8, 2010, address verification letters are no longer distributed by FDLE.

Local law enforcement agencies are encouraged to incorporate address verification procedures for both sexual predators and sexual offenders within their jurisdictions.

- **CAUTION!** It is essential that these procedures include dissemination of gathered information, particularly any address verification results, to the state registry **via SOPS** through CJNet access.
- Law enforcement agencies should contact EIS to request training and permissions to SOPS.

Local procedures may include, but not be limited to:

- Community policing efforts.
- Monitoring and tracking by sex crimes units.
- Cooperation with the local probation, parole and community control offices, particularly in gathering information regarding sexual predators and sexual offenders who remain under sanction for their offenses.

Should you determine that a sexual predator or sexual offender is no longer at the address reflected in FDLE's records, try to determine a new address, but always promptly report this information to FDLE

via SOPS, even if a new address for the sexual predator or sexual offender is not known. Law enforcement agencies should enter address information directly into SOPS in the form of an Activity Report (for example, to report that a subject is no longer at his or her last known address), and then a Field Information, if appropriate (for example, if a new address for the subject has been determined).

The following ideas are offered as examples of various agency address verification efforts throughout Florida which have incorporated policies to further enhance Florida's sexual predator and sexual offender laws:

Field Contact Reports

- May be forwarded to the sex crimes unit for compilation in a log recording sexual predator's or sexual offender's addresses which have been verified or not verified during the course of a year.
- Are given to local community control officers and supervisors to compare with their case rosters (field contact with community controllees during their restricted hours are thereby documented and available for the court's review).

Local Address Verification Sweeps

Working in conjunction with local DOC Probation and Parole Offices:

- Each sexual predator's or sexual offender's specific probation restrictions can be noted prior to an address verification sweep.
- These restrictions should be made available for review by officers participating in the sweep and can aid in rapidly identifying a sexual predator or sexual offender who may be violating his or her sanction provisions at the time of contact.
- Some agencies have reported great success and efficiency through the assignment of a DOC Liaison Officer. These officers have proved invaluable in coordinating these address verification efforts.
- Regular address verification of all sexual predators and sexual offenders through both DOC and DJJ offices regarding probationers, as well as actual on-site contact with predators and offenders no longer serving a sanction, have proved effective. Any changed or conflicting information should then be promptly reported to FDLE **via SOPS**.
- DOC, DJJ, and local law enforcement are required by statute to notify FDLE when a sexual predator or sexual offender absconds or has failed to comply with their registration requirements.

{F.S. 775.21(6)(b), (8); 943.0435(6); 944.607(4)(a); 985.4815(4)(a)}

REGISTRATION RELIEF

Relief of Status as a Sexual Predator

In accordance with the federal AWCPA, the ability for a sexual predator to petition the court for relief of the designation of sexual predator was removed from Florida law via 2007 legislative changes.

Except as provided in s. 943.04354, F.S., (Romeo & Juliet relief), a sexual predator shall maintain registration with the department for the duration of his or her life, unless he or she has received a full pardon or has had his or her qualifying conviction set aside in a post-conviction proceeding.

Relief of Status as a Sexual Offender

Except as provided in s. 943.0435(11) and s. 943.04354, F.S. (Romeo & Juliet relief), a sexual offender shall maintain registration with the department for the duration of their life unless he or she has received a full pardon or has had the qualifying conviction set aside in a post-conviction proceeding.

25 Year Relief

A sexual offender shall be considered for removal of the requirement to register as a sexual offender only if the person has been lawfully **released from confinement, supervision, or sanction, whichever is later, for at least 25 years** and **has not been arrested for any felony or misdemeanor offense since release**, provided that the sexual offender's requirement to register was **NOT** based upon an adult conviction of:

- s. 787.01 or s. 787.02;
- s. 794.011, excluding s. 794.011(10);
- s. 800.04(4)(a)2. where the court finds the offense involved a victim under 12 years of age or sexual activity by the use of force/coercion;
- s. 800.04(5)(b);
- s. 800.04(5)(c)2. where the court finds the offense involved the use of force/coercion and unclothed genitals;
- s. 825.1025(2)(a);
- any attempt or conspiracy to commit any such offense;
- a similar law of another jurisdiction; OR
- a similar offense committed in this state which has been redesignated from a former statute number to one of those listed above.

If a sexual offender meets these criteria, he or she may petition the criminal division of the circuit court of the circuit:

- where the conviction or adjudication occurred, for a conviction in this state;
- where the sexual offender resides, for a conviction of a violation of similar law of another jurisdiction; or
- where the sexual offender last resided, for a sexual offender with a conviction of a violation of similar law of another jurisdiction who no longer resides in this state.

The court may grant or deny such relief. If the court denies relief, the court may set a future date at which the sexual offender may again petition the court for relief, subject to the standards for relief provided above.

Romeo & Juliet (R&J) Relief

Under R&J relief, a sexual predator or sexual offender shall be considered for removal of the requirement to register only if the person:

- is required to register solely on the basis of a conviction, regardless of adjudication, or adjudication of delinquency for a violation of:
 - s. 800.04,
 - s. 827.071,
 - s. 847.0135(5), or
 - a similar offense in another jurisdiction;
- does not have any other conviction, regardless of adjudication, or adjudication of delinquency for a violation of any of the offenses above or s. 794.011;
- for a similar offense in another jurisdiction, no longer meets the criteria for registration as a sexual offender or sexual predator under the laws of the jurisdiction in which the similar offense occurred;
- is not more than 4 years older than the victim of this violation who was 13 years of age or older but younger than 18 years of age at the time the person committed this violation; **AND**
- removal of the registration requirement will not conflict with federal law which requires that the sexual act be consensual, notwithstanding the age of the victim.

If a sexual predator or sexual offender meets these criteria, he or she may move the criminal division of the circuit court of the circuit:

- where the conviction or adjudication for the qualifying offense occurred for a conviction in this state;
- where the sexual offender or sexual predator resides for a conviction for a violation of similar law of another jurisdiction; or
- where the sexual predator or sexual offender last resided for those with a conviction of a violation of a similar law of another jurisdiction who no longer resides in this state.

FDLE and the state attorney must be given notice of the R&J motion at least 21 days before the date of sentencing, disposition of the violation, or hearing on the motion and may present evidence in opposition to the requested relief or may otherwise demonstrate why the motion should be denied.

FLORIDA LAW

Florida Registration Laws

- [775.21](#) [The Florida Sexual Predators Act](#)
- [943.0435](#) [Sexual offenders required to register with the department; penalty](#)
- [944.606](#) [Sexual offenders; notification upon release](#)
- [944.607](#) [Notification to Department of Law Enforcement of information on sexual offenders](#)
- [985.481](#) [Sexual offenders adjudicated delinquent; notification upon release](#)
- [985.4815](#) [Notification to Department of Law Enforcement of information on juvenile sexual offenders](#)

Other Pertinent Florida Law

- [322.141](#) Color or markings of certain licenses or identification cards
- [322.212](#) Unauthorized possession of, and other unlawful acts in relation to, driver license or identification card
- [775.215](#) Residency restriction for persons convicted of certain sex offenses
- [775.24](#) Duty of the court to uphold laws governing sexual predators and sexual offenders
- [775.25](#) Prosecutions for acts or omissions
- [856.022](#) Loitering or prowling by certain offenders in close proximity to children; penalty
- [943.043](#) Toll-free telephone number; Internet notification; sexual predator and sexual offender information
- [943.04351](#) Search of registration information regarding sexual predators and sexual offenders required before appointment or employment
- [943.04352](#) Search of registration information regarding sexual predators and sexual offenders required when placement on misdemeanor probation
- [943.04353](#) Triennial study of sexual predator and sexual offender registration and notification procedures
- [943.04354](#) Removal of the requirement to register as a sexual offender or sexual predator in special circumstances
- [943.0436](#) Duty of the court to uphold laws governing sexual predators and sexual offenders
- [943.0437](#) Commercial social networking websites

- [943.0438](#) Athletic coaches for independent sanctioning authorities
- [943.045](#) Definitions; ss. 943.045-943.08
- [943.046](#) Notification of criminal offender information
- [948.30](#) Additional terms and conditions of probation or community control for certain sex offenses
- [948.32](#) Requirements of law enforcement agency upon arrest of persons for certain sex offenses
- [985.04](#) Oaths; records; confidential information
- [985.475](#) Juvenile sexual offenders
- [985.48](#) Juvenile sexual offender commitment programs; sexual abuse intervention networks
- [1005.10](#) Sexual predator and sexual offender notification; nonpublic colleges, universities, and schools
- [1006.695](#) Sexual predator and sexual offender notification; Florida College System institutions, state universities, and career centers

FEDERAL LAW

The Adam Walsh Child Protection and Safety Act (AWCPSA) of 2006

On July 27, 2006, President Bush signed into law the AWCPSA, with the following purpose: “To protect children from sexual exploitation and violent crime, to prevent child abuse and child pornography, to promote Internet safety, and to honor the memory of Adam Walsh and other child crime victims.” This Act served as the basis for many changes in Florida’s sexual predator and sexual offender registration laws and rewrote the federal standards for sex offender registration and notification. The AWCPSA created the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) within the U.S. Department of Justice.

{<https://smart.ojp.gov/about>; <https://smart.ojp.gov/sorna/current-law/legislative-history>}

Sex Offender Registration and Notification Act (SORNA)

The Sex Offender Registration and Notification Act (SORNA) is Title I of the AWCPSA and provides a comprehensive set of minimum standards for sexual offender registration and notification in the United States. SORNA aims to close potential gaps and loopholes that existed under prior law and generally strengthens the nationwide network of sex offender registration and notification programs. The SMART Office website notes that the AWCPSA and SORNA did the following:

- Created a new baseline of sexual offender registration and notification standards for jurisdictions to implement.
- Expanded the definition of "jurisdiction" to include 212 federally recognized Indian tribes, of whom 199 have opted to establish their own sexual offender registration and notification systems.
- Expanded the number of sex offenses that must be captured by registration jurisdictions to include all state, territory, tribal, federal and military sex offense convictions, as well as certain foreign convictions.
- Created the SMART Office within the Department of Justice, Office of Justice Programs, to administer the standards for sex offender notification and registration, administer the grant programs authorized by the Adam Walsh Act and coordinate related training and technical assistance.
- Directed the Department of Justice to establish the Dru Sjodin National Sex Offender Public Website (<https://www.nsopw.gov/>) that provided for one point of access to search all state, tribal and territory sex offender registry websites.
- Established a Sex Offender Management Assistance program within the Department of Justice.

The SMART office has concluded that Florida has put forth exceptional work and effort in adopting SORNA and enhancing its sex offender registration and notification system, and has found Florida to have substantially implemented SORNA.

{[SORNA Substantial Implementation Review - State of Florida](#); <https://smart.ojp.gov/sorna>; <https://smart.ojp.gov/sorna/current-law/legislative-history>}

Other Relevant Federal Law

The following information comes directly from the SMART Office website:

1994 - Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act

Enacted as part of the Violent Crime Control and Law Enforcement Act of 1994, the Wetterling Act:

- Established baseline standards for states to register sex offenders.
- Established a heightened class of offenders, "Sexually Violent Predators" (SVPs).
- Required address verification every 90 days for SVPs and annually for all other offenders.
- Required SVPs to register for life and all other offenders to register for 10 years.
- Provided for discretionary public notification procedures when necessary to protect the public.

1996 - Megan's Law

By the mid-1990s, some states had implemented the discretionary public notification procedures called for in the Wetterling Act. Congress passed the federal Megan's Law, amending the Wetterling Act, that:

- Mandated public disclosure of information about registered sex offenders when required to protect the public.
- Provided that information collected under state registration programs could be disclosed for any purpose permitted under state law.

1996 - The Pam Lychner Sexual Offender Tracking and Identification Act of 1996

Established a law enforcement-only national database (the National Sex Offender Registry or NSOR) at the FBI to house information about registered sex offenders. The law also:

- Required state registry officials to immediately transmit sex offender registration information to NSOR.
- Allowed for the dissemination of information collected by the FBI necessary to protect the public to federal, state and local officials responsible for law enforcement activities or for background checks pursuant to the National Child Protection Act (34 U.S.C. § 40101, et seq.).

1997 – Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act of 1998

As part of a larger appropriations bill, certain sections amended portions of the laws above as follows:

- Added to the federal standards all state offenses that are comparable to those listed in the Wetterling Act.
- Required registered offenders who change their state of residence to register under the new state's laws.
- Required registered offenders to register in the states where they work or go to school if different from where they live. Directed states to participate in the National Sex Offender Registry.
- Required each state to set up procedures to register federal offenders and offenders sentenced by court-martial.
- Required the Bureau of Prisons to notify state agencies of released or paroled federal offenders.
- Required the Secretary of Defense to track and ensure registration compliance of offenders with certain Uniform Code of Military Justice convictions.

1998 - Protection of Children from Sexual Predators Act

As part of a comprehensive bill to enhance the ability to prosecute and punished child sex offenses, one section:

- Directed the Bureau of Justice Assistance to carry out the Sex Offender Management Assistance program to help eligible states comply with registration requirements.

2000 - Campus Sex Crimes Prevention Act

As part of the Violence Against Women Act of 2000, this act:

- Required registered sex offenders to notify the state of each institution of higher education at which the sex offender worked or was a student and to notify the state if there was any change in their employment or enrollment status.
- Amended the Higher Education Act of 1965 to require institutions obligated to disclose campus security policy and campus crime statistics to also provide notice of how to obtain information about registered sex offenders.

2003 - Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today (PROTECT) Act

The Protect Act of 2003 was a comprehensive bill intended to strengthen law enforcement's ability to investigate and prosecute violent crimes against children. The bill addressed sex offender registration and notification as follows:

- Required states to maintain a website containing registry information, and required the Department of Justice to maintain a website with links to each state website.

2008 - Keeping the Internet Devoid of Predators Act (KIDS Act)

To address the issue of online safety, the KIDS Act made the following changes to SORNA —

- Required jurisdictions to collect sex offenders' internet identifiers in the registration process.
- Barred disclosure of offenders' internet identifiers.

2015 - Military Sex Offender Reporting Act

As part of the Justice for Victims of Trafficking Act of 2015, and as an amendment to SORNA, these sections:

- Required the Department of Defense to submit information on any sex offender convicted via court-martial to NSOR and NSOPW.

2016 - International Megan's Law

This law, which addressed international travel by registered sex offenders, this 2016 law mandated the following:

- Required offenders to provide advance notice of any intended international travel.
- Required jurisdictions to submit international travel information.

<https://smart.ojp.gov/sorna/current-law/legislative-history>

CONTACTS AND IMPORTANT LINKS

Contacts

Table 10: FDLE Headquarters Contacts

FDLE Headquarters	850-410-7000
Mailing Address Florida Department of Law Enforcement P.O. Box 1489 Tallahassee, FL 32302-1489	Physical Location Florida Department of Law Enforcement 2331 Phillips Road Tallahassee, FL 32308
Sexual Offender/Predator Hotline	888-357-7332 850-410-8572 Fax 850-410-8599 sexpred@fdle.state.fl.us
Offender Enforcement and Apprehension (Absconder Unit) Career Offender Hotline	877-335-3767 850-410-8780
Missing Endangered Persons Information Clearinghouse (MEPIC)	888-356-4774 850-410-8585 MEPIC@fdle.state.fl.us

Table 11: FDLE Field Offices and Regional Operation Centers Contacts

Ft. Myers Regional Operations Center (FMROC) 4700 Terminal Drive, Suite 1 Ft. Myers, Florida 33907	800-407-4880 239-278-7170 Fax 239-278-7373
Sarasota Field Office	941-359-5655
Sebring Field Office	863-386-6085
Jacksonville Regional Operations Center (JROC) 921 North Davis Street Building E Jacksonville, Florida 32209	800-226-6481 904-360-7100 Fax 904-360-7111
Gainesville Field Office	386-462-9975
St. Augustine Field Office	904-209-3180
Miami Regional Operations Center (MROC) 1030 NW 111th Avenue Miami, Florida 33172	800-226-3023 305-470-5500 Fax 305-470-5515
Broward Field Office	954-424-6878
Key West Field Office	305-745-2123

West Palm Beach Field Office	561-740-7010
Orlando Regional Operations Center (OROC) 500 West Robinson Street Orlando, Florida 32801	800-226-8521 407-245-0888 Fax 407-540-3806
Brevard Field Office	321-752-3107
Ft. Pierce Field Office	772-302-3975
Pensacola Regional Operations Center (PROC) 5045 Commerce Park Circle Pensacola, FL 32505	800-226-8574 850-595-2100 Fax 850-595-5572
Panama City Field Office	850-595-2100
Tallahassee Regional Operations Center (TROC) 2331 Phillips Road Tallahassee, Florida 32308	800-342-0820 850-410-7640 Fax 850-410-7440
Live Oak Field Office	800-226-5630 386-330-2840
Tampa Bay Regional Operations Center (TBROC) 4211 North Lois Avenue Tampa, FL 33614	800-226-1140 813-878-7300 Fax 813-878-7303
Brooksville Field Office	800-226-1140
Lakeland Field Office	800-226-1140

Table 12: Federal and Out of State Contacts

Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART Office) 810 7th Street, NW Washington, DC 20531	202-514-4689 Fax 202-616-2906 AskSMART@usdoj.gov
Other State, the District of Columbia, U.S. Territories, and Indian Country Registries	https://www.nsopw.gov/ https://offender.fdle.state.fl.us/offender/sops/registries.jsf

Important Links

Sexual Offender/Predator Registration FAQ's (CJNet)

<https://offender.flcjn.net/offendercjnet/sops/faq.isf>

FDLE Sexual Offender/Predator Public Registry

<https://offender.fdle.state.fl.us>

Sexual Offender/Predator CJNet

<http://www.flcjn.net/Forts/Forts.aspx>

FDLE Website

<http://www.fdle.state.fl.us/>

Florida Missing Endangered Persons Information Clearinghouse

<http://www.fdle.state.fl.us/MCICSearch/Index.asp>

FDLE Regional Operation Centers and Field Offices

<http://www.fdle.state.fl.us/Contact-Us/Regional-Contacts.aspx>

United States Marshal Service

<https://www.usmarshals.gov/>

Florida Statutes

<http://www.leg.state.fl.us/Statutes/>

National Sex Offender Public Website

<https://www.nsopw.gov/>

Florida Police Departments and Sheriff's Offices

<https://www.fdle.state.fl.us/CJSTC/Publications/Criminal-Justice-Agency-Links.aspx>

Florida Clerks of Court

<https://www.flclerks.com/>

Florida Department of Corrections

<https://fdc.myflorida.com/>

Florida Department of Juvenile Justice

<https://www.djj.state.fl.us/>

Florida Department of Children and Families

<https://www.myflfamilies.com/>

SMART Office

<https://ojp.gov/smart/index.htm>

Federal Sex Offender Legislative History

<https://smart.ojp.gov/sorna/current-law/legislative-history>