

**INSTRUCTIONAL ORDER**

August 2017

Immediately

**V.5:23**

Distribution: All Employees

Subject: **SEXUAL PREDATORS AND SEXUAL OFFENDERS**

Index as:	Community Notification, Sex Offenders & Predators	Sexual Predator
	Notification to Community, Sex Offenders & Predators	Sexual Predator and Offender Team (SPOT)
	Registration of Sexual Offenders & Predators	SPOT
	Sexual Offender	

Accreditation Standards:	CFA 15.16, 15.17
Cross Reference:	§775.21 and §943.0435, F.S.S.
Replaces:	Sexual Predators and Sexual Offenders (August 28, 2017)

This Order consists of the following sections:

- I. Introduction
- II. Policy
- III. Definitions
- IV. Community Notification
- V. Referral of Predators or Offenders to Registering Agency
- VI. Address Verification
- VII. Investigation of Registration Violations

**I. INTRODUCTION**

Florida State Statutes mandate that within forty-eight (48) hours of a sexual predator or offender establishing permanent or temporary residence, they must register with the Sheriff's Office in the county in which they establish that residence, or with the Florida Department of Law Enforcement (FDLE).

**II. POLICY**

In the interest of enhancing the safety and quality of life for the citizens of St. Petersburg, the St. Petersburg Police Department (SPPD) shall make appropriate referrals for proper predator/offender registration, use necessary resources to initiate Officer contact with the offender/predator, and keep the public informed regarding the residence of sexual predators and offenders.

**III. DEFINITIONS**

(Refer to the following Florida State Statutes for detailed definitions)

A. Sexual Offender – §943.0435(1)(a), F.S.S. (<http://www.flsenate.gov/Laws/Statutes/2016/943.0435>) – Sexual offender criteria.

B. Sexual Predator – §775.21(4), F.S.S. (<http://www.flsenate.gov/Laws/Statutes/2016/775.21>) – Sexual predator criteria.

#### IV. COMMUNITY NOTIFICATION

A. The Pinellas County Sheriff's Office (PCSO) Sexual Predator and Offender Team (SPOT), with the assistance of the Special Victims Unit (SVU), ISB, is responsible for ensuring community notification when a sexual predator is establishing permanent or temporary residency within the City.

1. The SPOT will coordinate notification of residents, daycare centers and schools within a one (1) mile radius of the predator's registered residence by either mailing FDLE predator flyers or personally contacting citizens.

2. Notification must be completed within forty-eight (48) hours of the PCSO SPOT being notified of the presence of a predator.

3. FDLE predator flyers contain the predator's identifying information along with the FDLE Web site address and toll-free telephone number.

B. The Community Awareness Division shall:

1. Provide a link on the Department website to the FDLE Sexual Predator and Offender Website, FDLE Sexual Offender Alert sign-up, and the PCSO SPOT website.

#### V. REFERRAL OF PREDATORS OR OFFENDERS TO REGISTERING AGENCY

A. The Records and Evidentiary Services Division shall direct any sexual predator or offender who comes to the Department to the Sheriff's Office of the county in which they reside so they may properly register.

#### VI. ADDRESS VERIFICATION

A. Sexual Predators

1. Within forty-eight (48) hours of the time the PCSO SPOT is notified of a sexual predator's temporary or permanent residence within the City, the PCSO SPOT is responsible for verifying the predator's address.

B. Sexual Offenders

1. Quarterly, the PCSO SPOT will receive information from FDLE identifying a group of registered sexual offenders not under the care, custody, control, or supervision of the Department of Corrections, and who have not returned their annual address verification form to FDLE.

2. At the request of the PCSO SPOT, the FDLE information shall be provided to a Police Officer responsible for the geographic area of the offender's residence on a *Sexual Offender/Predator Address Verification Form* from the Special Victims Unit, ISB.

a. Upon receipt, the Officer shall conduct an on-site residential address verification.

b. On contact, the offender's personal information shall be confirmed by means of a Florida ID Card or Florida Driver's License.

c. Upon verification, the Officer will complete the *Sexual Offender/Predator Address Verification Form* and return it to the Special Victims Unit, ISB.

C. If, during the course of the address verification, it is learned that the predator or offender is no longer residing at the address of record, an investigation shall be carried out as defined in this Order.

D. The Special Victims Unit, ISB will assign a person to serve as a liaison with the PCSO SPOT who will serve as the primary point of contact for all information regarding sexual predators and sexual offenders residing within the City.

E. The PCSO SPOT shall update the State's Sexual Offender CJNET Web site in compliance with an agreement between SPPD and PCSO.

## VII. INVESTIGATION OF REGISTRATION VIOLATIONS

A. Florida State Statutes 775.21(6) [the Florida Sexual Predators Act] and 943.0435(4) [Sexual Offenders Required to Register...] require sexual predators and offenders to update their Florida Driver's License or Florida ID Card within 48 hours of establishing a new temporary or permanent residence.

1. Violation of the registration requirement is a third degree felony.

2. Officers will arrest those individuals when probable cause exists to believe the offender is in violation of the cited Statutes.

B. If a predator/offender has absconded and cannot be located at their address of record, the Officer shall conduct a complete criminal investigation which will include:

1. A check of the Department of Highway Safety and Motor Vehicles' files to ascertain whether the subject's Driver's License or Florida ID has been updated with a new address.

2. A check of the *Justice Xchange System* Criminal Justice Network (CJNET), to ascertain if the person is detained in a prison or jail.

3. Statements from cohabitants, neighbors, landlords, relatives or other possible witnesses.

4. A criminal history and warrant check.

5. Setting of a Felony Non-arrest State Attorney Investigation for either §775.21, F.S.S., (predator) or §943.0435, F.S.S., (offender), as applicable.

C. The Investigating Officer shall forward a copy of the offense report entitled "Sexual Offender Violation" to the Special Victims Unit, ISB.

D. The Investigating Officer shall provide the State Attorney with a copy of:

1. The offense report, including witnesses' statements.

2. The offender's/predator's registration form from the Pinellas County Sheriff's Office; if no registration form is available, a copy of the FDLE *Affidavit of Diligent Search* shall be obtained from FDLE with the assistance of the Special Victims Unit, ISB, personnel.

3. A printout of the offender's/predator's Driver's License information.

4. The Department of Corrections' sex offender conditions.

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Chief of Police