



<b>PROGRAMS</b>		<b>1409.00</b>		
		<b>SEXUAL OFFENDER MONITORING PROGRAM</b>		
<b>ISSUED:</b> 04-29-2000	<b>EFFECTIVE:</b> 05-09-2000	<b>REVISED:</b> 04-04-2024	<b>REVIEWED:</b> 04-04-2024	<b>PAGES:</b> 6

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This procedure consists of the following numbered sections:

- I. RESPONSIBILITIES
- II. COMMUNITY NOTIFICATIONS
- III. REGISTERING OF SEXUAL OFFENDERS/PREDATORS

**PURPOSE**

The purpose of this standard operating procedure is to establish guidelines for the appropriate community notification and monitoring of Sexual Predators and Sexual Offenders who are residing in the City of Punta Gorda.

**SCOPE**

This procedure shall apply to all Punta Gorda Police Department personnel.

**DISCUSSION**

It is the policy of the Punta Gorda Police Department to notify the community of the presence of sexual predators and sexual offenders who reside within, or near, the city limits of Punta Gorda, in a manner that is deemed appropriate by the Chief of Police. The intent of the Punta Gorda Police Department is to make contact with the sexual predator and/or sexual offender, determine if they reside in a location allowed by law and explain the aggressive, proactive approach the Punta Gorda Police Department takes to ensure the safety and well-being of the citizens and the youth of this community.

## DEFINITIONS

1. **Community:** For the purpose of this policy, any reference to community shall refer to within or near the city limits of Punta Gorda and/or the neighborhood in which the sexual predator/offender lives or otherwise establishes temporary or permanent residence.
2. **Sexual Offender:** Any person convicted of committing, attempting, conspiring, or soliciting to commit any of the following violations (or any other offense committed in this state which has been re-designated from a former statute number, or analogous offenses in another jurisdiction), and who is released on or after October 1, 1997, from the sanction imposed by reason of conviction of their sexual offender offense.
3. **Sexual Predator:** Any person who has been convicted or is found to have committed regardless of adjudication, or who pleads nolo contendere or guilty to any of the following offenses which occurred after October 1, 1993, and for whom the court has made a written finding of sexual predator status.
4. **Proximity Alert:** For the purposes of this SOP, a proximity alert shall be defined as any one of several forms of notification provided to a pre-determined geographic area within the city limits; based upon a risk assessment conducted on a sexual offender/predator residing in close proximity to at-risk locations within our jurisdiction.
5. **Transient Residence:** A county where a person lives, remains, or is located for the purpose of abiding, lodging, or residing for a period of 3 or more days in the aggregate during a calendar year a, 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.

## PROCEDURE

### I. RESPONSIBILITIES

#### A. Florida Department of Law Enforcement (FDLE)

1. FDLE must notify the Sheriff, the State Attorney, and the Chief of Police of the community in which a predator/offender resides upon their registration as a sexual predator/offender. This notification is available via FDLE's website.
2. FDLE maintains current information regarding each registered sexual predator/offender on-line and operates a sexual predator/offender hotline number ([See Policy Appendix Section XIII\(B\)\(1\)](#)) that can be utilized by law enforcement agencies to obtain information for purposes of monitoring, tracking and prosecution.

3. FDLE will also provide the affected law enforcement agencies with a camera-ready flyer that will include a photograph of the sexual predator/offender, physical description, and a general statement of the crime(s) committed by the offender.

#### B. Punta Gorda Police Department

The Chief of Police shall authorize the release of this information to anyone who requests it and may unilaterally notify the community in any manner they deem appropriate (see Section II) unless the information is confidential or exempted from disclosure under [Florida State Statutes, Chapter 119](#) (Note: By statute, notification of the community is mandatory for sexual predators and optional for sexual offenders). The Punta Gorda Police Department has elected to take a proactive approach to community notification and shall make every effort to keep the community apprised of all offender or predator residence locations and re-locations as well as any other information allowed by law. Offenders shall be monitored and documented a minimum of once each month.

1. Communications: The Punta Gorda Police Department shall review the FDLE website for the purpose of obtaining additions or new information to the current list of sexual offenders and sexual predators residing within or near the city limits of Punta Gorda. Communications section members have a map layer available to them in the CAD system to determine if an offender/predator lives in a potential proximity alert area. This shall be accomplished daily by the public safety dispatchers assigned to the midnight shift. Each night, the on-duty public safety dispatcher shall send an email to the Police Administration distribution list documenting the review of the website. The email will note additions to the list or changes of address or the fact that there were no additions or changes.
2. Criminal Investigations: The Operations Division Commander shall be responsible for the creation of an Offender Profile in OSSI. This will include a criminal history, information obtained from the Department of Corrections Website, criminal court documentation (facts of the case), FDLE Offender Database flyer, and any additional information that may be available locally or through the internet. A community threat assessment also will be completed.
3. Community Services
  - a. The Community Services Section Supervisor or designee will be responsible for coordinating the department's effort in conducting a Neighborhood Assessment. Evaluation of the Neighborhood Assessment shall be the precursor to the extent and scope of the community notification based on the individual offender.
  - b. Aspects of the Neighborhood Assessment shall include the method of notification to be used, the appropriate radius of residential door-to-door notification (minimum of a two (2) block radius), the schools to be notified (within a one (1) mile radius), day care facilities to be notified (within a one (1) mile radius),

notification of the School Bus Coordinator to regulate or modify school bus stops within the vicinity, and the assessment of additional at risk locations.

4. Patrol Section: The Operations Division Commander shall be responsible for the assignment of an officer to each designated offender. Officers may volunteer to supervise a predator/offender. Should the Operations Commander not have any volunteers, they shall assign an officer to the offender.
  - a. Assigned officers shall be responsible for residency verification, community notification, offender monitoring and the completion of a notification summary. This concept will provide a one-on-one monitoring capability with the intent of establishing immediate identity and working knowledge of the offender's residence, work routines, places they frequent, and any habits that may place them in a position or atmosphere where they may have the potential to harm another person.
  - b. Officers are cautioned to not give the impression that the offender is being harassed but to ensure the offender is aware that they are being observed and that any ill intent will be immediately recognized and acted upon. Officers do have the authority to contact the Probation Office for verification of offender status. Any violations of probation, community control or supervision shall require verification of the violation, followed by immediate arrest.

## II. COMMUNITY NOTIFICATIONS

- A. After receiving notification of the presence of a sexual predator/offender, the Punta Gorda Police Department shall notify each licensed day care center, elementary school, middle school and high school within a minimum one mile radius of the temporary or permanent residence of the sexual predator/offender. Information provided to the community and the public regarding a sexual predator/offender must include:
  1. The name of the sexual predator/offender;
  2. A description of the sexual predator/offender;
  3. The sexual predator's current address, including the name of the community/neighborhood;
  4. The circumstances of the sexual predator/offender's offense(s); and
  5. Whether the victim of the sexual predator/offender's offense(s) was, at the time of the offense, a minor or an adult.

- B. Prior to any community notification, verification shall be made that the sexual predator/offender resides at the residence listed on the FDLE internet site.
- C. Once the offender profile has been created, the Criminal Investigations Section Supervisor, or their designee, shall be responsible for the actual retrieval or of related documentation. The Offender Profile packet and any additional relevant information shall be forwarded to the Operations Division Commander.
- D. The Community Services Section Supervisor shall be responsible for preparing the sexual offender flyer.
- E. The Operations Division Commander shall scan the offender packet into the OSSI system along with any notification material (such as flyers) and any necessary briefing. Officer safety is always a concern when making contact with known felons. Officers receiving an offender profile packet should be mindful that it contains a criminal history that is not to be released as a public document for any reason.
- F. Predator/offender information disseminated to the public shall include: name, description, photograph (if any), address, qualifying offense(s), and whether the victim was, at the time of the offense, a minor or an adult. (Note: actual age of the minor victim should not be stated, nor shall any sexual offense or victim's name be revealed.)
- G. The Community Services Section Supervisor will coordinate with the Public Information Officer to utilize the following methods of sexual predator/offender notifications:
  - 1. Paid publication in community newspapers;
  - 2. Flyer distribution in assessed areas;
  - 3. City newsletter;
  - 4. Media release;
  - 5. Posting in Police Department lobby or other public areas within the community;
  - 6. Police Department website;
  - 7. Links to FDLE and Punta Gorda Police Department websites;
  - 8. Alert Punta Gorda Notification; and
  - 9. Facebook and/or other social media.

**III. REGISTERING OF SEXUAL OFFENDERS/PREDATORS:** A field interview will be conducted of all individuals seeking to register as a sexual predator/offender or seeking information concerning the registration of same, prior to being directed to the Charlotte County Sheriff's Office.

- A. Transient Reporting: A sexual offender or predator with a registered transient residence must report to the county in which they are located within 48 hours of establishing a residence in that county AND must report in person every 30 days to the sheriff's office to report addresses and locations while transient. Failure to report every 30 days as required is a 3rd degree felony ([s. 943.0435\(4\)\(b\)2](#) and [s.775.21\(6\)\(g\)\(2\)b](#)).
- B. Address Verifications: Local law enforcement agencies may verify addresses of sexual offenders or predators who are under the care, custody, control, or supervision of the Department of Corrections. [s. 943.0435\(6\)](#), [s.775.21\(8\)](#).

**APPROVED**



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**PAMELA R. SMITH, CHIEF OF POLICE**

**STAFF REVIEW DATES:** 04-21-2000, 07-19-2001, 08-06-2002, 11-25-2003, 04-22-2005, 12-23-2009, 06-19-2012, 08-12-2013, 10-28-2014, 11-09-2017, 07-02-2019, 06-03-2021, 04-04-2024

**REVISION DATES:** 04-21-2000, 07-19-2001, 08-06-2002, 11-25-2003, 04-22-2005, 12-23-2009, 06-19-2012, 08-12-2013, 10-28-2014, 11-09-2017, 07-02-2019, 03-27-2020, 06-03-2021, 04-04-2024