

309 **SEXUAL PREDATORS AND OFFENDERS**

I. DISCUSSION: Sexual predators and offenders often rely on secrecy and the ability to blend into the community in order to select victims. These offenders pose a serious threat to our community, thus making it necessary for law enforcement to monitor their whereabouts. The Public Safety Information Act gives law enforcement the responsibility of accessing and sharing critical information about sexual predators and offenders. In the interest of public safety, the Tampa Police Department will make all necessary notifications in regard to sexual predators as defined by Florida Statute.

II. DEFINITIONS:

A. Sexual Predator: An individual who is found by a court to meet the criteria set out in F.S. § 775.21(4) upon issuance of a written court order designating the individual a sexual predator.

B. Sexual Offender: Any person convicted of one or more of the sexual offenses in F.S. § 943.0435(1)(a), but who has not been designated by a Florida Court as a sexual predator.

III. PROCEDURE: The status of sexual predators will be checked through FDLE on a regular basis by the Criminal Tracking Unit. To maintain uniformity and to ensure that information is properly disseminated, the following procedures will apply:

A. Criminal Tracking Unit (CTU):

1. It is the responsibility of the Criminal Tracking Unit to conduct all latent investigations regarding violation of sexual predator or offender registration and/or parole and probation requirements. Because these offenses will often be the result of an additional crime, the CTU will be notified upon the arrest of any sexual predator or offender in order to assist the arresting officer with any additional potential charges.
2. To ensure that accurate records are kept, the assigned Crime Analyst will act as the liaison between the Tampa Police Department, and all other law enforcement agencies.

B. Crime Analyst Assigned to the Criminal Tracking Unit (CTU):

1. Each day, the Crime Analyst will review street checks, e-mails and incoming teletypes to verify the status of predators and offenders that reside within the city.
2. If new information becomes available, the Crime Analyst will verify the information by contacting the Department of Corrections, and/or the

Florida Department of Law Enforcement, if applicable. The information will be added to amend the files that are maintained within this office.

3. When the Tampa Police Department is notified by FDLE that a sexual predator has moved into the city limits, the Crime Analyst will facilitate verification of the listed address and status of the sexual predator. Once verification has been made, the coordinator will initiate a notification to be sent to schools and day care centers within an approximately two-mile radius of the predator's address per Florida State Statute. The primary method of notifications will be sent via Alert Tampa.

C. District Officer:

1. All officers are encouraged to become familiar with the sexual offenders and predators who reside within the city limits, especially those in their assigned zones. A list of all sexual predators' and offenders' names and addresses will be compiled by the Crime Analyst and posted in Street Smart for zone officer review and knowledge. When an officer encounters such an individual, the FCIC/NCIC response will alert the officer to the status of the offender. The officer will complete a Street Check in the manner described in Section III. B. 3., documenting the circumstances of the encounter and routed to the Criminal Tracking Unit.
2. In the event a sexual predator/offender contacts a TPD officer regarding registration, the following procedures will apply:
 - a. The officer will document all applicable information in a Street Check.
 - b. The Street Check will be routed to the Criminal Tracking Unit (CTU).
 - c. The sexual predator/offender will be referred to the Hillsborough County Sheriff's Office, Criminal Registration Unit at 1800 Orient Road, Tampa, Florida or the Sheriff's Office for the area in which the offender will be residing.
3. The Criminal Tracking Unit in conjunction with street officers will conduct the initial verification contact with sexual predators and offenders who live in the officer's assigned district. Additionally, street officers or CTU sworn personnel will conduct a minimum of one (1) check quarterly on sexual predators and one (1) check bi-annually on sexual offenders. Additional checks will be done at the direction of the CTU. This is to ensure that the Department maintains current

information on sexual predators and offenders for public safety, investigative purposes, and FDLE reporting.

4. When assigned a verification contact, the officer will respond to the address of the sexual predator or offender and conduct a thorough interview. The meeting will be recorded via a Street Check/Field Interview, to document the individual's personal information, and any changes that may occur. The officer will select "Sexual Predator/Offender" for the type and the circumstances of the contact (i.e., presence of children). The officer will contact a CTU sworn investigator or supervisor in situations that may require a CTU response.
5. If it is determined that the sexual predator or offender has absconded (house abandoned/officer determines subject no longer lives at registration address) the officer will complete a General Offense report listing the offender's address as "at large." The officer will document the facts of the contact that will support the belief that the predator or offender no longer lives at that address. The officer will attempt to obtain a sworn written statement from all witnesses, and the statement(s) will be submitted to be scanned to the report. Supervisors will refer the report to the Criminal Tracking Unit (HCTRAK) for further investigation.
6. Public information concerning sexual predators/offenders may be obtained by calling FDLE at 1-888-357-7732, or checking the Internet at "<http://offender.fdle.state.fl.us/offender/homepage>". Officers will give this information to citizens upon request.

NOTE: The information contained on this website is electronically gathered and not independently verified by FDLE. No Parole and Probation information is contained on this website and therefore terms and conditions of probation cannot be verified by FDLE. In the event of an after-hours emergency, Parole and Probation maintains a list of on-call supervisors, who can assist in determining the subject's probation status, if needed. If an officer believes that an after-hours contact is needed, it should be done at the discretion of a supervisor. The after-hours contact is one of the CTU sworn investigators or CTU supervisors.

7. Arrest situations: F. S. § 775.21(6)(f) and § 943.0435(3) require that all sexual predators and offenders initially register with the local sheriff's office within forty-eight hours of establishing or maintaining a residence in this state or following release from Florida State Prison and, within forty-eight hours of said initial registration, register in person with DHSMV to obtain a valid and updated identification in the form of a driver's license or identification card. Additionally, F.S. § 322.212

requires an offender to have the designation F.S. § 943.043 and requires a predator to have the wording “sexual predator” imprinted on the front of their driver’s license or identification card. Failure to comply with registration requirements; failure to maintain, acquire, or renew a driver’s license or identification card; or failure to have the appropriate statute number imprinted on their driver’s license or identification card is a third-degree felony or second-degree felony depending on specific circumstances. See F.S. § 322.212, F.S. § 943.0435 (offenders), or F.S. §775.21(6) (predators) for specific charges.

8. Officers encountering individuals whom they believe to be in violation of the sexual predator/offender status will detain the individual in order to confirm their registration status. Both the FCIC/NCIC **and** DHSMV information should reflect the sexual predator/offender flag. If the records do not match, and the officer cannot verify the sexual offender status of the subject, the officer should complete a detailed street check or information report on the subject **only**. The report will then be routed to the Criminal Tracking Unit for investigation.

9. If the sexual offender or predator flag is shown on both FCIC/NCIC and DHSMV, the officer should then determine whether the registered address is the current address where the subject resides. If the officer finds that the offender or predator has moved from the registered address and is in violation of the 48-hour registration requirement, then the officer should arrest the subject for Failure to Register, using F.S. § 775.21 for predators or F.S. § 943.0435 for offenders. Officers will seize the subject’s driver’s license and book it into evidence

NOTE: If the predator/offender verbally indicates that they have moved from the registered address, the officer should make every attempt to obtain additional corroborating evidence to substantiate the fact that the offender has moved. Such evidence would be other documents or identification showing a different address such as a rent receipt or hotel guest log, as well as a signed sworn statement and corresponding eyewitness interview with individuals such as landlords, hotel managers, or neighbors, or possibly another officer or deputy responding to the previous or vacated address for confirmation, if practical.

Supersedes SOP 309, date 12/23.