



# CITY OF DORAL

## Office of the City Manager

### Letter to Council

LTC No.: 115-2017

To: The Honorable Mayor and Members of the City Council

From: Edward A. Rojas, City Manager

Date: October 16<sup>th</sup>, 2017

Subject: **Sexual Offender/Predator Checks**

This Letter to Council (LTC) is to inform the Mayor and City Council-members of the Doral Police Department's actions concerning registered sexual offenders/predators.

The Doral Police Department (DPD) is mindful of the requirements of Florida State Statute 775.215, Residency restrictions for persons convicted of certain sex offenses. Also, the Lauren Book Child Safety Ordinance, formerly known as Miami-Dade County Sexual Predator and Offender Ordinance, which prohibits sexual offenders and sexual predators from establishing temporary or permanent residence in certain areas where children are known to regularly congregate. Finally, the Jessica Lundsford Act, which sets the registration obligations of all sexual offenders and predators, will be required by law to re-register, in person, twice a year. In addition, the City of Doral Ordinance 2005-13 that mirrors the Lauren Book Child Safety Ordinance, is closely monitored by the DPD.

According to Florida statutes, a sexual offender is a person convicted of (or who has pled no contest or guilty to) a sex offense involving a minor and who is released on or after October 1, 1997 from the sanction (e.g., fine, incarceration, probation, etc.) imposed as a result of the offense. Offenses include, but are not limited to, child pornography, sexual performance by a child under 18 and procuring a person under 18 for purposes of prostitution.

A predator designation requires that a person be convicted of a first-degree felony sex crime, or two second-degree felony sex crimes (with offenses, convictions or release from court sanctions occurring within 10 years) and which occurred after October 1, 1993. In addition, the court must issue a written order finding for predator status.

Florida law requires sexual offenders and sexual predators to register their address with the Florida Department of Law Enforcement (FDLE) or the local sheriff's office. Florida State Statute 775.21(8) indicates—the department and the Department of Corrections shall implement a system for verifying the addresses of sexual predators. The system must be consistent with the federal Adam Walsh Child

Protection and Safety Act of 2006 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. The Department of Corrections shall verify the addresses of sexual predators who are not incarcerated but who reside in the community under the supervision of the Department of Corrections and shall report to the department any failure by a sexual predator to comply with registration requirements.

County and local law enforcement agencies, in conjunction with the department, shall verify the addresses of sexual predators who are not under the care, custody, control, or supervision of the Department of Corrections, and may verify the addresses of sexual predators who are under the care, custody, control, or supervision of the Department of Corrections. Local law enforcement agencies shall report to the department any failure by a sexual predator to comply with registration requirements.

As of October 4, 2017, there are five registered sexual offenders and one registered sexual predator, who report residency within the boundaries of the City of Doral. The Miami-Dade Police Department's (MDPD) Special Victims Unit is tasked with registering and monitoring all offenders and predators within Miami-Dade County. The MDPD performs random home address verification checks on an annual basis. The Doral Police Department's General Investigation Unit has taken a proactive approach and exceeds any local law enforcement requirements and conducts home address verification checks every other month. In addition to these home address verification checks, predators are obligated to visit the MDPD every four months, and offenders every six months, to show proof of residency.

The DPD goes beyond with the regular visits to know -- by face and by name -- who these offenders/predators are. The DPD visits each one, and make our presence known to serve as a deterrence against further crimes. If these individuals are aware that the DPD is watching them, maybe they will think twice about committing another crime.

All of these registered offenders are in compliance with our City and Miami-Dade County Ordinance regulations, which require that any offender cannot reside within two thousand five hundred (2,500) feet of any school, designated public school bus stop, day care center, park, playground, or other place where children regularly congregate. At this time only one of these offenders, Mr. Gustavo Adolfo Castillo, Person #32131 resides at 4712 NW 114 Avenue, which is within the prohibited area, (Trails & Tails Dog Park) but was exempted due to establishing residency since March 6, 2000, and therefore in compliance and not in violation. (See Attached)

When a new offender or predator registers with Miami-Dade Police Department (MDPD) Special Victims Unit, the home address is verified via mapping to insure that the offender or predator does not violate the 2,500-foot rule. In addition, the DPD is immediately notified when a transient resident or a temporary residence is established in the City of Doral by the Florida Department of Law Enforcement (FDLE). The DPD in turn is also alerted to any changes or new sexual offender or predator residents. The public registry website is updated on a "real-time," continuous basis as new information is received from FDLE's criminal justice partner agencies and the DPD is contacted immediately via the FDLE Sexual Offenders and Predators online program.

It is the policy of the Department to notify the community and the public of the presence of sexual predators and selected sexual offenders, who either temporarily or permanently reside within the City limits. The DPD web page contains a link to the FDLE Sexual Offenders and Predators web page and the Department publishes this information through our informational kiosks located throughout the City.

If you should have any questions about this matter, please do not hesitate to contact the City Manager's Office or Police Chief, Donald De Lucca.

c:     Albert P. Childress, Deputy City Manager  
       Donald W. De Lucca, Police Chief