



Florida Action Committee, Inc.
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Lake Monroe, FL 32747-0932
www.floridaactioncommittee.org

October 18, 2018

Duval County (Jacksonville) Sheriff's Office
Sheriff Mike Williams
1024 Superior Street
Jacksonville, FL 32254

c/o Angie Wilson
VIA EMAIL
PRR@coj.net

RE: PUBLIC RECORDS REQUEST

To the Records Custodian, Duval (Jacksonville) County and Sheriff Williams:

***** This correspondence constitutes a public records request pursuant to chapter 119, section 1 of the Florida Statutes and the Florida Constitution. *****

I am president of the Florida Action Committee (FAC). FAC is a not-for-profit public safety advocacy organization. Our membership is comprised of over Two Thousand (2,000) individuals in Florida and their families, including persons required to register as sex offenders.

We have been informed by persons required to register in Duval, that your Sheriff's office is imposing registration requirements that exceed those required by Florida Statutes §§ 943.0435 and 775.21.

Specifically, you have posted a sign at your registration office that states, in red and all cap font, "ALL SOCIAL MEDIA SITES, APPS AND SCREEN NAMES MUST BE REGISTERED!" A picture of this sign follows this letter, for your reference.

F.S. §775.21(2)(m) specifically exempts from registration: *(1) Communication for which the primary purpose is the facilitation of commercial transactions involving goods or services; (2) Communication on an Internet website for which the primary purpose of the website is the dissemination of news; or (3) Communication with a governmental entity.* (incorporated into § 943.0435 by § 943.0435(1)(e)).

A clarification of precisely which “Internet Identifiers” require registration can be found in a recent Order from *Delgado et al v Swearingen*, (Case No.: 4:16cv501) out of the Northern District of Florida, which states:

“The statute requires registration of a sex offender’s email addresses and any username a sex offender uses in connection with a communication over the internet directly with another user, with the following exceptions. A username need not be registered based only on a communication whose primary purpose is to facilitate a commercial transaction involving goods or services, or a communication over a website whose primary purpose is the dissemination of news, or a communication with a governmental entity. And a username need not be registered based only on its use on a website or application that does not allow users to create web pages or profiles as described in the statute.” “[T]he requirement to register an internet identifier is triggered only by direct user-to-user communications”

It is our opinion that certain of the sites you list as examples, including but not limited to Ebay and Amazon, would be exempted as communication for which the primary purpose is the facilitation of commercial transactions involving goods or services. Other of your examples do not allow users to create web pages or profiles or facilitate direct user-to-user communications and would also be exempted.

Our opinion notwithstanding, your requirement that “ALL” identifiers require registration clearly exceeds Florida Statutes.

The scope of this request is the following:

- **A copy of any statute, ordinance or other legislation that gives the Duval County Sheriff the authority to impose registration requirements that exceed existing Florida Statute.**
- **A copy of any letters, emails, memos or other written communication relating to the preparation or the posting of the sign referenced in this letter, an image of which follows.**

Please limit this request to One Hundred (100) pages such that in the event the information requested would exceed 100 pages, only include the first 100 pages produced.

We agree to pay you a fee as provided by applicable law for the production of these documents.

Please notify me via mail, email (gail@floridaactioncommittee.org), or phone (561) 305-4959, once you have an estimate of the cost, so that I can arrange for payment and receipt of the requested records.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

s/

Gail Colletta, President

Cc: Weitzner & Jonas, P.A.
Florida Justice Institute

SEXUAL PREDATORS AND OFFENDERS

**ALL SOCIAL MEDIA SITES, APPS AND
SCREEN NAMES MUST BE
REGISTERED!**

This includes, but is not limited to:

Facebook	Tumblr	CraigsList	PURE
Snapchat	Flickr	QQ	FriendFinderX
Instagram	Amazon	WeChat	XHamster
Twitter	EBAY	Viber	eHarmony
LinkedIn	Reddit	Line	OkCupid
Google+	WhatsApp	FOURSQUARE	Flirt
Youtube	Quoara	Tagged	Youporn
Pinterest	Vine	Badoo	TnaFlix
Ginder	Tinder	StumbleUpon	RedTube
P.O.F.	Periscope	Classmates	PS4
StumbleUpon	Digg	DeviantArt	PornMD
Meetme	MeetUp	APSense	PornHub
XnXX	Zoosk	Match	XBOX

**PLUS, ANYTHING ELSE YOU LOG INTO THAT
ALLOWS YOU TO COMMUNICATE WITH ANYONE
USING A PHONE, COMPUTER OR GAME CONSOLE!**