



Florida Action Committee, Inc.
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July 25, 2022

Brevard County Board of County Commissioners
Commissioner Rita Pritchett
Commissioner John Tobia
Commissioner Curt Smith
Commissioner Kristine Zonka
2725 Judge Fran Jamieson Way
Viera, FL 32940

**RE: YOUR PROXIMITY ORDINANCE IMPACTING PERSONS
REQUIRED TO REGISTER AS SEX OFFENDERS**

Dear Commissioners:

I am President of the Florida Action Committee (FAC), a 2500+ member non-profit organization that advocates for public safety and laws based on empirical research. Our focus is on the Florida Sex Offender Registry. Many of our members are on the registry.

I previously contacted you two years ago, as you were considering an ordinance that would allow businesses to self-certify as “places where children congregate”, thereby excluding any person on the registry from coming within 1,000 feet of that business. Using the illustration of the Chuck E Cheese in West Melbourne, I explained that an impacted person would not only be prevented from going to Chuck E. Cheese but would longer be able to get their car serviced at the dealership next door or shop at the Goodwill down the block. Essentially, it would ban them from going to any business within 1,000 feet of the “the outermost property line of the parcel”.

Impacted persons came before you to speak out against the already over-restrictive proximity ordinance. We provided you with numerous studies showing that proximity ordinances are ineffective at increasing public safety. And finally, a lawsuit had to be filed on behalf of several registrants to preserve their right to appear at the Commission meetings to speak out against the ordinance.

It is our understanding that because of that lawsuit, the ordinance passed in 2020 that we previously pleaded with you not to enact, will soon be reconsidered. As we did previously, we strongly encourage you to not to pass it.

In previous letters we asked you to consider the infringement on the constitutional rights of those impacted by your ordinance. That appears to not have resonated. We also wrote about the lack of any empirical evidence showing these proximity ordinances work and asked you to consider whether this ordinance was necessary despite it being ineffective. You were unconcerned about the science either. Finally, registrants and their family members, including some who are suffering from physical impairments, came before you to let you know how the ordinance has impeded their successful reentry into the community or even access to necessities such as healthcare. Some of you chose to berate and humiliate them.

Therefore, in this letter I take a different approach. I ask you to consider the impact on the taxpayers of Brevard who may have to foot the legal fees in the lawsuit you are defending to keep this draconian, ineffective ordinance on the books. I also ask you to consider the businesses which are located within a buffer zone who will no longer be able to cater to a potential consumer and whether one or more may bring their own lawsuit.

I understand that this ordinance might have earned you political points, but at what expense to the citizens of Brevard will you continue to dig your heels in the sand when you don't even have a clue if it works before you vote on it? As I wrote to you two years ago, I encourage you to consider the research on the effectiveness of these banishment zones. Look at the facts and maps and solicit the input of social scientists who have studied these laws.

Two years ago, I also cautioned you that as public officials you should all have a better understanding of the impact of what you are considering. I caution you of the same today.

Sincerely,
/s/ Gail Colletta
Gail Colletta, President
Florida Action Committee, Inc.

Cc: Christine Schverak, Interim County Attorney