



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 1975, Version: 1

Subject:

Amendments to Ch. 74, Art. VI of the Brevard County Code entitled Sexual Offenders and Sexual Predators; updating the definition of park in Sec. 74-101 of the Brevard County Code; implementing voluntary registry in new Sec. 74-102.5 of the Brevard County Code for businesses that qualify as a park under the new definition.

Fiscal Impact:

Cost of running online registry

Dept/Office:

County Attorney per District 3 Commission Office agenda item

Requested Action:

It is requested that the Board of County Commissioners approve the proposed ordinance amendments to Ch. 74, Art. VI of the Brevard County Code of Ordinances regarding an update to the definition of "park" and adoption of a voluntary registry for businesses that qualify as a park under the new definition.

Summary Explanation and Background:

Chapter 74, Article VI of the Brevard County Code deals with sexual offenders and sexual predators. Section 74-101 of the Code currently defines "park" as "a publicly owned or operated area used or available for the public's use as a recreational facility, including, by way of example and not limitation, linear parks and the state, county and municipal recreational trails systems." With this amendment, the County's definition of park will mirror the State's definition found in Section 775.215, F.S., which provides that a park shall mean "all public and private property specifically designated as being used for recreational purposes and where children regularly congregate."

As a result of this update, the regulations outlined in Chapter 74, Article VI of the Brevard County Code will now make certain private properties eligible to qualify as a "park" if they are used for recreational purposes and a property where children regularly congregate. This change will expand the restrictions on areas where sex offenders and sexual predators are permitted to conduct certain activities. In order to help assist with the identification of these locations, a voluntary registry is being proposed to allow businesses that qualify as a park to register online. By doing so, it will assist law enforcement personnel with determining whether certain individuals may be permitted in certain areas.

Various questions have been received regarding this ordinance. Two questions are answered below:

1. Currently, there is no map or list of prohibited areas, nor is any map or list proposed by this amendment.

2. The current ordinance has a number of exceptions to the restrictions on certain activities conducted by sexual offenders and sexual predators. For example, pursuant to Section 74-102(b)(5), sexual offenders and sexual predators are permitted to go to pharmacies and meet with their doctors. Furthermore, pursuant to Section 74-102(b)(13), an offender that resides within 1,000 feet of a park may enter into or remain within that buffer zone in order to conduct bona fide activity arising from the ordinary maintenance and activities associated with such residence.

Clerk to the Board Instructions:

Donna Scott

From: Bentley, Eden <Eden.Bentley@brevardfl.gov>
Sent: Monday, August 24, 2020 4:20 PM
To: Kimberly Powell; Donna Scott
Subject: Sex offender ordinance amendment.

If it goes through as drafted, I have a clean copy for you to use tomorrow.

Eden Bentley
County Attorney
2725 Judge Fran Jamieson Way
Viera, FL 32940

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FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

August 26, 2020

Honorable Scott Ellis
Clerk
Board of County Commissioners
Brevard County
Post Office Box 999
Titusville, Florida 32781-0999

Attention: Deborah Thomas

Dear Mr. Ellis:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Brevard County Ordinance No. 2020-13, which was filed in this office on August 26, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

August 26, 2020

M E M O R A N D U M

TO: Eden Bentley, County Attorney

RE: Item H.5., Amendments to Chapter 74, Article VI of the Brevard County Code Entitled Sexual Offenders and Sexual Predators; Updating the Definition of Park in Section 74-101 of the Brevard County Code; Implementing Voluntary Registry in New Section 74-102.5 of the Brevard County Code for Businesses that Qualify as a Park Under the New Definition

The Board of County Commissioners, in regular session on August 25, 2020, adopted Ordinance No. 20-13, Amending Chapter 74, Article VI of the Brevard County Code of Ordinances regarding an update to the definition of "Park" and adoption of a voluntary registry for businesses that qualify as a Park under the new definition. Enclosed is the fully-executed Ordinance.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Kimberly Powell
Kimberly Powell, Clerk to the Board

Encl. (1)

cc: Commissioner Tobia

ORDINANCE NO. 2020-131

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA AMENDING CHAPTER 74, ARTICLE VI OF THE BREVARD COUNTY CODE OF ORDINANCES, "SEXUAL OFFENDERS AND SEXUAL PREDATORS"; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; AMENDING THE DEFINITION OF "PARK" IN SECTION 74-101 OF THE CODE OF ORDINANCES; CREATING A NEW SECTION, "SECTION 74-102.5 – BUSINESS SELF-CERTIFICATION REGISTRY", ESTABLISHING A VOLUNTARY REGISTRY OF BUSINESSES WHICH HAVE AS A PRIMARY PURPOSE OF RECREATION AND WHERE CHILDREN REGULARLY CONGREGATE, TO WHICH A 1,000 FOOT BUFFER ZONE RESTRICTION WILL BE APPLIED TO CONVICTED SEXUAL OFFENDERS AND SEXUAL PREDATORS; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR AN AREA ENCOMPASSED.

WHEREAS, the Board of County Commissioners understands that there have been numerous occurrences within the State of Florida and the United States as a whole where convicted sexual offenders and sexual predators are released from custody and thereafter commit similar crimes; and

WHEREAS, the Legislature has determined with the adoption of The Florida Sexual Predators Act that repeat sexual offenders, sexual offenders who use physical violence, and sexual offenders who prey on children are sexual predators who present an extreme threat to public safety [Section 775.21(3)(a), Florida Statutes]; and

WHEREAS, sexual offenders are extremely likely to use physical violence and to repeat their offenses, and most sexual offenders commit many offenses, have many more victims than are ever reported, and are prosecuted for only a fraction of their crimes [Section 775.21(3)(a), Florida Statutes]; and

WHEREAS, sexual predators pose such a high threat level to public safety and cause significant long-term effects on their victims that the Board of County Commissioners finds that a voluntary Business Self-Certification Registry Regarding Sexual Offenders and Sexual Predators, also known as the "Business Self-Certification Registry," should be established to better ensure public health, safety, and welfare is protected from those who commit certain sexual offenses; and

WHEREAS, pursuant to Section 944.606(2), Florida Statutes, the Legislature found that "sexual offenders, especially those who have committed their offenses against minors, often pose a high risk of engage in sexual offenses even after being

released from incarceration or commitment and that protection of the public from sexual offenders is a paramount governmental interest"; and

WHEREAS, the Legislature has found that the government has a "compelling interest in protecting the public from sexual predators and in protecting children from predatory sexual activity" [Section 775.21(3)(c), Florida Statutes]; and

WHEREAS, the court's order ultimately dictates what crimes the offender has been found to have committed and, therefore, what designation and resultant restrictions apply; and

WHEREAS, the Florida Legislature has in place residency restrictions for persons convicted of certain sex offenses prohibiting such individuals from residing within 1,000 feet of any school, day care facility, park, or playground, with limited exceptions [Section 775.215(2)(a); 948.30(1)]; and

WHEREAS, the purpose of this ordinance is neither to sentence nor punish any individual who is subject to it, but simply a status resulting from the conviction of certain crimes and allowing certain businesses in the County to identify themselves as ; and

WHEREAS, Brevard County has a substantial and compelling interest in maintaining the quality of life and protecting the health, safety, and welfare of citizens at schools, day care facilities, parks, and playgrounds to engage in positive educational, economic, and social activities; and

WHEREAS, Brevard County has a substantial and compelling interest in allowing the citizens to gainfully and productively use and enjoy the facilities in these areas and communities without victimization at the hands of a sexual predator or a sexual offender; and

WHEREAS, individuals have a significant interest in being able to travel and associate freely in all areas of Brevard County, except during times of a public safety emergency, such as natural or manmade disasters; and

WHEREAS, it is in the public interest to exclude certain sexual offenders and sexual predators from certain areas surrounding schools, daycare centers, parks, and playgrounds; and

WHEREAS, in order to mirror State law, the County's definition of parks is being updated; and

WHEREAS, Brevard County desires to ensure that the citizens of the County are protected from criminal activity of all kinds to the maximum extent afforded by controlling law in order to advance the public health, safety, and welfare; and

WHEREAS, the County is not prohibited from acting on the subject matter of this Ordinance as the provisions of this Ordinance are not preempted by State law and do not conflict with provisions of State law; and

WHEREAS, this Ordinance is enacted under the general home rule and law enforcement powers of Brevard County pursuant to Chapter 125, Florida Statutes, and is not a zoning ordinance or a land development regulation.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Brevard County, Florida as follows:

Section 1. Legislative Findings. The above recitals represent the legislative findings of the Board supporting the need for this Ordinance.

Section 2. Definition of Park. The term "Park" found in Section 74-101 is hereby amended to read as follows:

Park means all publicly owned or operated property and private property specifically designated as being used for recreational purposes and where children regularly congregate. ~~a publicly owned or operated area used or available for the public's use as a recreational facility, including, by way of example and not limitation, linear parks and the state, county and municipal recreational trails systems.~~

Section 3. Creation of Section 74-102.5 of the Brevard County Code of Ordinances. Section 74-102.5 entitled Business Self-Certification Registry is hereby created as follows:

Section 74-102.5. Business Self-Certification Registry.

(a) The Brevard County Business Self-Certification Registry Regarding Sexual Offenders and Sexual Predators, also known as the "Business Self-Certification Registry", is hereby created. The Board of County Commissioners finds that such a registry is necessary and proper to ensure the public health, safety, and welfare is protected from those who commit certain sex-related offenses. A private business that is:

1. used for recreational purposes; and
2. an area where children regularly congregate

may voluntarily self-certify that they fall within the County's definition of "park" for purposes of this Article.

- (b) The Business Self-Certification Registry shall contain the address of the business, the purpose of the business, and a summary of what activities take place on the event which allow it to qualify as a park.
- (c) The Business Self-Certification Registry shall be maintained by the County; shall be listed on the County's official website, which may include, but is not limited to, reference to the Brevard County Sheriff's Office Sex Offender Registration & Tracking Unit; and may contain links to other sex offender and/or sexual predator registries to be used as informational resources by the general public.
- (d) The County will attempt to ensure that the information in the registry is accurate and complete. However, the County relies on other sources for the information. As a result, the County makes no express or implied guarantee concerning the accuracy or completeness of any information or data in the registry.
- (e) Businesses that register do so voluntarily in order to assist law enforcement, but it shall ultimately be law enforcement's responsibility to determine whether a private business meets the definition of "park."

Section 4. Inclusion in Code. It is the intention of the Board that the provisions of this Ordinance shall become and be made part of the Brevard County Code of Ordinances, and that the sections of this Ordinance may be renumbered or re-lettered and that the word "Ordinance" may be changed to "Chapter," "Section," "Article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 5. Conflict. In the case of a direct conflict between any provision of this Ordinance and a provision of County law, rule, or regulation, the more restrictive shall apply.

Section 6. Severability. If any provision of this Ordinance or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 7. Effective Date. A certified copy of this ordinance shall be filed with the Office of the Secretary of State, State of Florida within ten (10) days of enactment. Unless specified otherwise, this Ordinance shall take effect upon adoption and filing as required by law.

Section 8. Area Encompassed. In accordance with Section 74-104, this Ordinance shall apply in both the incorporated and unincorporated areas of the County;

provided that any provision of this Ordinance in conflict with a municipal ordinance shall not be effective within that municipality to the extent of such conflict.

DONE, ORDERED, AND ADOPTED in Regular Session, this 25 day of
AUGUST, 2020.

ATTEST:
COMMISSIONERS

By: _____

Scott Ellis, Clerk of Court

BOARD OF COUNTY

OF BREVARD COUNTY, FLORIDA

By: _____

Bryan Andrew Lober, Chair
(as approved by the Board on 8 / 25 / 20)

H.5

FROM THE DESK OF

Joan Terry Brittain

August 23, 2020

Brevard County Commissioners
Brevard County Government Complex
2725 Judge Fran Jamieson Way
Viera, FL 32940

Dear Commissioners,

My name is Joan Terry Brittain and I am a resident of Brevard County and I am a registered voter. I am here today on behalf of my husband, Edward Brittain, who has been on the Brevard County sex offender registry for 6 1/2 years. He is not present today to state for himself how Ordinance 2006-31 has affected his life and how the proposed amendment will affect him. I am also here today to speak as a wife and mother, relating to you how this ordinance has impacted myself, our sons and our daughters, our daughter-in-law, our son-in-laws and our grandchildren.

For example, our married daughter was living in a house where we were told there was an in-home daycare within a 1000 feet of her home. Even though the place looked boarded up, my husband, Ed, could not go to her home. Then three years ago, our daughter had our first grandchild and even though my husband had the great joy of being the first family member to hold our grandchild in the hospital, he was not allowed to visit our daughter's family in their home.

Similarly, Ed faces the same situation with our son, daughter-in-law and their five month old daughter. Again, there is a park within 1000 feet of their home. My husband cannot go to our son's home to visit his family and our granddaughter.

I ask, why are my daughter's and my son's first amendment rights being violated? This ordinance dictates to them who is barred from their homes? Why can they not have the right as to who they will grant permission to enter their homes?

When our soon to be daughter-in-law wished to fulfill her childhood dream of having her wedding in her parents' backyard, (The home previously had been her grandparents) we were crushed to find that there was again, a park within 1000 feet of the home. We took up the financial burden to hire a lawyer to help us navigate this situation.

After my husband's arrest, I, as a mother and a wife, was determined to keep our family together even though at that moment I had no idea what lay ahead. A big factor in helping our family to fight to stay together we're the friends who came alongside us, walking with us through Ed's arrest, incarceration, release, and probation. Having a support system is so crucial in helping those on the registry to reenter society and to build their lives and their families back together again. Friends and family who encourage you, who support you, who keep you accountable have been proven to have a very positive affect on recidivism rates. Unfortunately this ordinance makes this very difficult.

We have had friends invite us to their homes, but this ordinance restricts us from visiting them. If they invite us out to eat, many times we have to decline as the restaurant is within a 1000 feet of some school, park, or daycare.

We have a very dear friend who lives by herself. She has no family in the area to assist her in many of the repairs and maintenance issues that she can do not afford to do, yet my husband can not go to her home to help her as there is a school within a 1000 feet of her home.

So I ask, why do we heap more restrictions on those who already have been negatively impacted by this ordinance and will be further crushed in this amendment is passed?

Ed and I do live on a very tight budget. Because I work full time, my husband does most of the weekly shopping for us. I do send him with a very detailed list and for the most part he does fairly well if he keeps to my list. We have several stores in the area where we live. But the only one my husband can shop at is the high end grocery store. The other two more economical stores, which are just a short ways further down the road, are off limits because of the 1000 foot ordinance. May not seem like a big deal to you, but it is to us.

My husband and I have a Cottage Industry which we have been slowly building up the past four years. Just recently Ed has begun to do this full time. It makes it very difficult for him to purchase supplies and to sell our products because of this restrictive ordinance. Many venues where we would like to sell our products are in parks or near schools. If more restrictions are added with the proposed Amendments this would definitely hinder our Cottage Industry and our income.

And yet, we have a vehicle and my husband can travel 20 or 30 miles to shop. But how do those on the registry, who are homeless and fragile financial situations, navigate around this ordinance?

I have touched on a few ways that the present Ordinance has affected my husband, and our family and our friends. I once had a mind-set against those on the registry of disgust, fear and distrust which this ordinance has created and continues to prom. But my situation drastically changed and I was forced to to study, read, educate and speak with others who had walked this path before me.

The proposed amendments that you are considering are not going to help those on the registry. In fact they will do more harm and bring

more hardships. Please, before you make a decision on this matter, I would urge you to inform yourselves of the many factors involved with Ordinance 2006-31 and the proposed amendments. We deserve an informed decision.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joan Terry Brittain".

Joan Terry Brittain

(321) 501-9735

2943 Colchester Road

Cocoa, FL 32926

August 24, 2020

Brevard County Commissioners
Brevard County Government Complex
2725 Judge Jamieson Way

Dear Commissioners,

My name is Edward Brittain and I could not attend this meeting today because of Ordinance 2006-31 which prohibits me from attending.

So I am writing concerning ordinance 2006-31, and the proposed amendments and how it has affected my life.

My wife and I, along with our family and friends have much to be grateful for even after the hardships I have caused. You see the blessings outweigh the circumstances of the previous self-centered, authoritarian life I once lead.

Since my release from prison, my family has been restored, so much so, that last fall I was blessed to walk our oldest daughter down the aisle.

My wife and I have become Grandparents three times with one on the way. What a blessing!

Two very dear friends, who stood with our family through the ups and downs, blessed me with a job where I was faithful for six 1/2 years. Presently, my wife and I find ourselves starting our own cottage industry business despite all the restrictions we must circumnavigate.

I have been blessed with four great Probation officers who have encouraged me. They desire to see me become a productive member of the community while giving me good advise and direction to help me to be successful.

I mention all of this to perhaps help you understand that those of us who have made grievous mistakes in the past, greatly desire to contribute to our families, our friends and neighbors, and our churches.

I understand the fears you might harbor, maybe even the hatred you may have towards me or other sex offenders. But why wouldn't you? Because, unless you have read the studies and examined the information that is available how would you really know? Have you taken the time to look at the actual studies done on the recidivism rates? Have you looked

at who is on the registry and seen the spectrum of charges? Have you considered talking to those who are on the registry and to hear the many success stories of those who have broken the bonds of their slavery from their past heinous sins and have gone on to be productive, law-abiding citizens?

While the Florida Department of Corrections' motto is "Inspiring success by transforming one life at a time", many misinformed civil magistrates believe they are protecting their citizens by heaping more and more restrictions upon their fellow citizens who only desire only to lead a semi normal life.

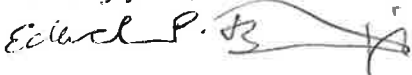
Yes, this ordinance affects me, my wife, our children and their children, as it keeps me from visiting their homes that are 1000 feet of a park. It limits where I can shop. It limits where I can go to promote and sell our cottage industry products.

By passing this new amendment to further restrict sex offenders, I believe it would open up a Pandora's box of untold consequences that would not benefit anyone. If one business joins this list, let's say in a strip mall, then every store there would be off limits. Before too long businesses of all kinds would also join in as the fear-mongering is spread. Please do not pass this amendment which is based on fear rather than truth. How can we continue the D.O.C.'s motto, "Inspiring success by transforming one life at a time"? Do not continue to alienate a segment of society that, once given the chance, proves over and over again that they have lives that have been transformed, with the help of those who have come alongside them.

My relationship to Jesus Christ, my families' love, my church families' unconditional love, my many friends, my Probation Officers have all been a part of changing my life - a life that now invests in the lives of others.

My advice? Destroy this ordinance and concentrate on building up those who need the same kind of love and trust I was afforded rather than making it even harder to be a respected member within our communities.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Edward P. Brittain Jr.", with a stylized flourish at the end.

Edward P. Brittain Jr.

2943 Colchester Rd.

Cocoa, FL 32926

To all who are listening:

I am a 42 year old registered sex offender. I have been greatly affected by the statutes put in place for the offenders. The 1000 foot rule made it very hard to find a place to live and almost put me and my family on the streets. The wife and myself cannot enjoy a nice dinner out if given the time to do so, because we are not sure what place is safe. I learned in treatment and in my psychology meeting that the less stress factors/ idle time the less likely you are to get the wrong thoughts in your head and begin working towards reoffending. A rule put in place that is actually working is a good thing. A rule put in place that serves no purpose but to send people away is pointless. I worry all the time that in an emergency I will make a "right decision" but end up in jail. If my dog gets hit by a car, I rush him to the first available vet, and get arrested for it. Not all officers are open minded, not all probation officers are understanding. It is just wrong when you can be arrested for just doing what people do...grocery shop, eat dinner, go to a parts store or home improvement store because you have to have a door that locks. My wife cannot drive due to anxiety, my step daughter is autistic. How do I survive and provide for my family? Or do we just stay alone and in the house all the time. You will always have people doing the wrong thing, but give the ones trying a chance.

Just trying to live,



Robert Madden

8/24/20
Date

**Sheila G. Desrosiers
2243 Great Belt Circle
Melbourne, Fl 32940**

August 23, 2020

To Whom It May Concern in Addition to the Following
Individuals Specifically:

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

RE: Proposed changes to Ordinance 2006-31 (also known as the
1,000-foot rule)

I am a former business manger and human resource department
manager of a local Brevard business. I feel an obligation to write
this letter on behalf of most individuals this ordinance will be
impacting.

Due to the nature of their charges, I believe ther are not able to
attend in person and speak up for themselves at any official
county hearing due to the location of the meeting chambers and
the 1,000' rule (Ordinance 2006-31).

As an employer of the individual group this proposal is
targeting, let me state that I have hired such individuals and they
have turned out to be some of my best, dependable, trustworthy,
ethical and reliable employees any employer could ever ask for
as well as faithful friends. They have done the time for their
crime, completed any and all requirements that were asked of
them, served their probation, while remaining gainfully
employed and putting their family and personal lives back
together and integrating themselves back into society.

In particular, I am thinking of and writing on behalf of a past
employee, but more particular, a friend I have come to know

over the past ten plus years, Mr. Edward P. Brittain, Jr.

I hired Ed upon his release from prison with no hesitation. You see, I visited him in prison with my husband. I learned to believe he was sincerely remorseful of his charges from the times we spent visiting him. He has shown since his release, with great resolve to move forward from his past and become the best husband, father, grandfather, member of his community and bible teaching church which he is a part of. He regularly attends Sunday services at a local house of worship. I know his family personally and I know his family has moved well beyond the incident which caused his incarceration. He has proven himself to be a productive member of society as well.

I could speak of the same qualities and characteristics of other individuals I personally know and have had the privilege of hiring and calling a friend, just as I have with Ed, whom are subject to the existing Ordinance 2006-31 and would be subject to the proposed amendment/changes to this ordinance as it relates to the proximity of registered business owners and the related 1,00 foot rule. I chose to give you personal information on Ed as I wanted to let you know that this letter is real, about real people, with names and families and friends, that others know and have invested in; individuals who have succeeded to move forward and turn their lives around; they are friends and family, not just someone on the "list".

It is my opinion and sincere belief, that it is already difficult for individuals that have to register as a sex offender to find decent and affordable housing, find gainful employment and get reacquainted to family, friends and society. Yes, there are consequences, I am fully aware of that, for one's behavior. But these individuals have done their time and are having to live with a "label" attached to their names probably the rest of their lives. I do not see this proposal to the Ordinance as beneficial or as added protection (from whom or what I am not sure of) if that is what is trying to be accomplished.

How can one believe that this will help any registered sex offender move on in life, find employment and become gainfully employed and remain gainfully employed, have access to decent and affordable housing, and move about their city to do personal business? For me, the idea that anyone has even come up with this proposal seems insane and ludicrous to say the least. It is hard for me to believe that this proposal would even be allowed to become legal. There is too much hard evidence showing that

you are targeting a group of individuals (those listed on the "registry") whom would be the least likely to be committing sexual assaults in our local community businesses. It just doesn't normally happen those type places. Big government seems to be attempting to set up this targeted group for failure and not success.

Therefore, I respectfully request that this proposal dealing with the business proximity amendment to Ordinance 2006-31 "NOT" be passed. In fact, it is my desire for the entire Ordinance to be abolished.

The foregoing information is true, accurate and complete to the best of my knowledge.

Sincerely,

A handwritten signature in black ink, appearing to be 'S. Desrosiers', with a long horizontal stroke extending to the right.

Sheila G. Desrosiers

Ricardo Vega

5000 Jean Street

Cocoa, Florida 32927

18 August 2020

To the Brevard County Commissioner's, My name is Ricardo Vega and I am A registered sex Offender here in Brevard county. I have followed all the rules and laws that affect me and my status(And I accept the responsibility for what I did), This new proposal is just another way to harass and punish sex offenders by providing a way for bussiness to reject or ban me from any bussinesses that may have a children. But what you forget that some of us are parents with our own kids and all it will do is punish my children for something that I did in my past. How can you discriminate and keep our children from places like skating ring or children themed bussinesses. This will just provide another means to exclude and punish the innocent who had nothing to do with there fathers past sins. How do you explain to that child that they can not go to an event in a bussiness where there friends may go but that they were excluded from? I understand that you are just trying to protect your own children but using this new ordinance to harass those of us who just want to be a better and constructed citizen is truly unfair. I just hope that you all reconsider passing this ordinance. Thank you for your time!

Ricardo Vega

**Maurice R. Desrosiers
2243 Great Belt Circle
Melbourne, FL 32940**

August 23, 2020

To Whom It May Concern:

Re: 2006-31 Ordinance (the 1000' foot rule) and Proposed Changes

I am writing on behalf of all the individuals that are negatively affected by the 2006-31 ordinance (the 1000' rule) and will be further impacted by the proposed changes to this ordinance. Most individuals that this ordinance is impacting are now law abiding citizens. These are individuals that have served their prison sentences. Some of these individuals are on probation, and others have successfully completed probations. Most of these individuals have participated in and successfully completed a sex offender treatment program with therapists specifically trained to treat sex offenders, at the probationer's own expense. Most of these individuals are trying to return their life to normal. Trying to maintain a job. Reuniting with their family or beginning a new life with a new family.

I am writing on behalf of Mr. Edward Peter Brittain Jr. From here forward, I will refer to Mr. Edward Peter Brittain Jr. as Ed. I have known Ed for over sixteen years as a brother in Christ, a personal friend and an employee of a local small business for which I was the owner and manager.

I first met Ed at a Weekend Men's Christian Retreat. At that time, Ed was awaiting trial. Ed told us about what he had done, that he had been arrested for what he had done, that he was awaiting trial, that he was relying on God to lead him through this situation. He was completely honest, he was sympathetic, he was apologetic and he was willing to accept the results of his trial whatever that might be.

I began my friendship with Ed at that weekend. After that weekend, Ed and I continued to meet on a weekly basis in a men's accountability group. This continued until Ed was sentenced to prison. My wife and I visited Ed throughout his prison sentence. We brought Ed's wife, Joan Terry Brittain with us whenever we visited Ed and we came to know Terry during that period of time. As I mentioned earlier, Ed worked for me in my business since he was released from prison. I also have come to know Ed's family as well. In addition to Ed, his wife Terry, and his son Thomas and his son Edward worked for me. His daughter Dianna has also worked for my wife at our home. I mention all of this so you can understand how well I know Ed and how well I know his family and how well I understand their family relationship.

I have found Ed to have a "responsible character with a great work ethic and love for his family and others. He has proven himself to be trustworthy, timely, reliable and valuable to the company, its owners, staff and administrative personnel. He is a devout Christian who takes his faith and walk with the Lord very seriously".

I give you this lengthy background so that you might understand that Ed is one of many similar individuals that are impacted by the 1000' rule and the proposed extensions to this ordinance. These are people that need help returning to normal. They do not need further restrictions. Most are good people like Ed. Currently, because of the existing ordinance, these individuals can't go to watch their children or grandchildren at school events or sporting events. Because of the 1000' rule many other places like restaurants and homes (like my own last home, for instance) are restricted because they are within 1000 feet of a school, daycare center, park or playground. Often times, these individuals can't attend family events because the event happens to be taking

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place in or within 1000 feet of a restricted area. This problem will be compounded by the new proposal because more businesses will be able to deem themselves to be protected by the 1000' rule. How will these individuals even know which business is protected and which isn't?

For me, Ed's former employer, I couldn't send Ed out on service calls or deliveries or even to run errands like picking up supplies. He couldn't attend many work functions that happened to be occurring in or within 1000 feet of restricted areas. Ed is currently attempting to start his own business which requires him to sell his products at markets or shows. How can he be expected to be successful if he's restricted from selling in most areas of Brevard County?

This rule is likely to stop **less than 1%** of the convicted sex offenders that would **recidivate** in the manner protected by the 1000' foot rule while severely impacting **more than 99%** of the individuals trying to return their life to normal. My friend, Ed is just one of the many individuals that get impacted by this rule and he/they do not deserve this additional restriction.

Please do not pass this proposal. If anything get rid of the 1000' rule entirely.

Sincerely,

A handwritten signature in cursive script, appearing to read "Maurice R. Desrosiers".

Maurice R. Desrosiers