

November 25, 2015

NOTICE OF RULE DEVELOPMENT

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-302.109 Offender Orientation

PURPOSE AND EFFECT: The purpose and effect is to insert a subsection in Rule 33-302.109 that is currently in Rule 33-302.108 (which is being repealed), to modify certain Forms, and to incorporate the Spanish-language version of two Forms that are already incorporated in Rule.

SUBJECT AREA TO BE ADDRESSED: Community corrections, with particular regard to sex offenders.

RULEMAKING AUTHORITY: 944.09, 948.09 FS

LAWS IMPLEMENTED: 20.315, 944.09, 945.31, 948.09 FS

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA

ADMINISTRATIVE REGISTER. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND TO OBTAIN A COPY OF THE PRELIMINARY DRAFT IS: Adam Stallard, 501 South Calhoun Street, Tallahassee, Florida 32399.

33-302.109 Offender Orientation.

(1) through (2) No change

(3) The correctional probation officer shall instruct on and review the information contained in the Notice of Privacy Practices, Form DC3-2006 or Form DC3-2006S (Spanish-language version). Form DC3-2006 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. The effective date of this form is July 30, 2003. Form DC3-2006S is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. The effective date of this form is _____.The correctional probation officer and the offender shall sign and date Form DC3-2006 or Form DC3-

2006S, Notice of Privacy Practices, certifying that the offender has received a copy of the privacy notice. The current telephone number of the department's privacy officer will be inserted at this time. The original executed Form DC3-2006 or Form DC3-2006S shall be placed in the offender file and a copy shall be provided to the offender.

(4) No change

(5) Driving Log for Sex Offenders - If the court or releasing authority imposes a condition of supervision requiring maintenance of a driving log and a prohibition against driving a motor vehicle alone without the prior approval of the supervising officer, the officer shall:

(a) Instruct the sex offender to complete entries on the Driving Log, Form DC3-244, or Form DC3-244S (Spanish-language version), for each travel occurrence when the sex offender is driving, either alone or when accompanied by someone. The sex offender shall choose either Form DC3-244 or Form DC3-244S and use that form to the exclusion of the other form for as long as the sex offender uses a driving log. Form DC3-244 is hereby incorporated by reference. A copy of this form may be obtained from the Forms Control Administrator, Office of Research, Planning and Support Services, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX> The effective date of this form is June, 2002. Form DC3-244S is hereby incorporated by reference. A copy of this form may be obtained from the Forms Control Administrator, Office of Research, Planning and Support Services, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. The effective date of this form is July, 2002.

(b) The sex offender shall submit all completed Driving Logs, Form DC3-244, or Form DC3-244S, to the supervising officer at least once a month. The completed driving logs will be maintained in the offender file. Rulemaking Authority 944.09, 948.09 FS. Law Implemented 20.315, 944.09, 945.31, 948.09 FS., ~~45-CRF Part 160, 164.~~ History—New 7-19-01, Amended 9-15-02, 7-30-03, 1-6-04, 1-11-05, 12-30-12, _____.