

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

NO. 08-80736-CIV-MARRA/JOHNSON

IN RE: JANE DOES 1 AND 2,

Petitioners.  
\_\_\_\_\_ /

**ORDER TO COMPEL PRODUCTION AND PROTECTIVE ORDER**

THIS CAUSE comes before the Court on the Petitioners' *ore tenus* motion seeking the production of the Non-Prosecution Agreement between the United States Attorney's Office for the Southern District of Florida ("USAO") and Jeffrey Epstein ("Epstein"). After consideration of the Motion, the arguments of the parties, and the record, it is **ORDERED AND ADJUDGED** that the Petitioners' Motion is **GRANTED**. The USAO shall produce the Non-Prosecution Agreement, including any modifications and addenda thereto, in accordance with the following procedures:

(a) The USAO shall produce a copy of the Non-Prosecution Agreement, including any modifications and addenda thereto (collectively referred to as the "Agreement"), to the attorneys for Petitioners.

(b) Petitioners and their attorneys shall not disclose the Agreement or its terms to any third party, absent further court order, following notice to and an opportunity for Epstein's counsel to be heard.

(c) Before counsel for petitioners show the Agreement to their clients or discuss the specific terms with them, they must provide a copy of this Order to petitioners, who must review and acknowledge their receipt of, and agreement to abide by, the terms of the Order. Counsel for petitioners must promptly provide a copy of that acknowledgment to the USAO.

(d) If any individuals who have been identified by the USAO as victims of

Epstein and/or any attorney(s) for those individuals request the opportunity to review the Agreement, then the USAO shall produce the Agreement to those individuals, so long as those individuals also agree that they shall not disclose the Agreement or its terms to any third party absent further court order, following notice to and an opportunity for Epstein's counsel to be heard

(e) Prior to producing the documents to any other individuals who have been identified by the USAO as victims of Epstein and/or any attorney(s) for those individuals, a copy of this Order must be provided to said individuals, who must review and acknowledge their receipt of, and agreement to abide by, the terms of this Order. Counsel for petitioners must promptly provide a copy of that acknowledgment to the USAO.

**DONE and ORDERED** in Chambers, in West Palm Beach, Palm Beach County, Florida, this 21<sup>st</sup> day of August, 2008.



KENNETH A. MARRA  
UNITED STATES DISTRICT JUDGE

Copies furnished to: all counsel of record

By signing below, I certify that I have reviewed and agree to be bound by the terms of this Order.

Dated: 8/3/09

Signed by: BBace  
Printed Name:

STATE COURT CRIMINAL PLEADINGS

AUSA



**Report Selection Criteria**

**Case ID:** 502006CF009454AXXXMB  
**Docket Start Date:**  
**Docket Ending Date:**

**Case Description**

**Case ID:** 502006CF009454AXXXMB  
**Case Caption:** EPSTEIN, JEFFREY  
**Division:** W - COLBATH  
**Filing Date:** Wednesday, July 19th, 2006  
**Court:** CF - FELONY  
**Location:** MB - MAIN BRANCH  
**Jury:** N-Non Jury  
**Type:** CF - FELONY  
**Status:** CLSD - CLOSED CASE

**Related Cases**

*No related cases were found.*

**Case Event Schedule**

Event	Date/Time	Room	Location	Judge/Commissioner
CASE DISPOSITION		MAIN BRANCH	COURTROOM 11F	COLBATH, JUDGE JEFFREY
CASE DISPOSITION		MAIN BRANCH	COURTROOM 11F	COLBATH, JUDGE JEFFREY

**Case Parties**

Seq #	Assoc	Expn Date	Type	ID	Name	Aliases:	
1			DEFENDANT	Z4167391	EPSTEIN, JEFFREY E	Aliases:	none
3	1	22-AUG-2006	ATTORNEY	ATTY	MALINSKI, NORMAN	Aliases:	none

4			JUDGE	W	COLBATH, JUDGE JEFFREY	Aliases: none
5	1	30-JUN-2008	ATTORNEY	0262013	GOLDBERGER , ESQ, JACK A	Aliases: none

**Docket Entries**

Docket Number	Docket Type	Book and Page No.	Attached To:
	ZCAPS - CONVERSION 1ST CAPIAS ISS DATE		
<b>Filing Date:</b>	17-JUL-2006		
<b>Filing Party:</b>	EPSTEIN, JEFFREY E		
<b>Disposition Amount:</b>			
<b>Docket Text:</b>	PerSchedule Tracking# 324329		
	ZINFO - CONVERSION INFO FILING DATE		
<b>Filing Date:</b>	19-JUL-2006		
<b>Filing Party:</b>	EPSTEIN, JEFFREY E		
<b>Disposition Amount:</b>			
<b>Docket Text:</b>			
1	JIDV - DOCKET HISTORY		
<b>Filing Date:</b>	19-JUL-2006		
<b>Filing Party:</b>			
<b>Disposition Amount:</b>			
<b>Docket Text:</b>	ARREST WARRANT DIVISION W ORDERED BY JUDGE KROLL ON 071706. ISSUED ON 071706. BOND SET PER SCHEDULE.		
2	JIDV - DOCKET HISTORY		
<b>Filing Date:</b>	19-JUL-2006		
<b>Filing Party:</b>			
<b>Disposition Amount:</b>			
<b>Docket Text:</b>	INDICTMENT.		
2 A	JIDV - DOCKET HISTORY		

<b>Filing Date:</b>	23-JUL-2006
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	ARREST RECORD.
3	JIDV - DOCKET HISTORY
<b>Filing Date:</b>	25-JUL-2006
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	CASH BOND. BOND POSTED ON 072306 RECEIPT: 00073142 BOND AMT \$3000
4	JIDV - DOCKET HISTORY
<b>Filing Date:</b>	27-JUL-2006
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	NOTICE OF ARRAIGNMENT.
5	JIDV - DOCKET HISTORY
<b>Filing Date:</b>	16-AUG-2006
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	NOTICE OF UNAVAILABILITY FILED BY L. BELOHLAVEK,ASA.BH
6	JIDV - DOCKET HISTORY
<b>Filing Date:</b>	22-AUG-2006
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	PRAECIPE FOR APPEARANCE, WAIVER OF ARRAIGNMENT, PLEA OF NOT GUILTY AND REQUEST FOR JURY TRIAL FILED BY JACK GOLDBERGER. BH
	JIFM - MISD/FELONY RECORD HISTORY
<b>Filing Date:</b>	06-OCT-2006
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	JIFM JUDICIAL INFORMATION FELONY RECORD WRITTEN NG PLEA: 08/22/06 CONFLICT Case: N DOWN-FILED To: FEE Case: N PTI Date: REOPEN: N PTI Reject: N Date: COMMENTS: None

FAHIS - FELONY/MISD ARRAIGN HISTORY	
<b>Filing Date:</b>	06-OCT-2006
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	X/JIFA FELONY-MISDEMEANOR ARRAIGNMENT RECORD DEF IS EPSTEIN JEFFREY E LEGACY CASE NUMBER: 41673917332767 PRAECIPE AND WAIVER FILED BY: DATE: 082206 DATE: JUDGE: COURT: DEFENSE ATTY: PD APPT: DEFENDANT PRESENT: PLEA: ADVISED OF RIGHTS: ARRAIGNMENT PASSED TO: DATE: TIME: COURT: DEFENDANT RELEASED, FAILURE OF STATE TO FILE DATE: PTI DATE: COMMENTS: None
CALHS - CALENDAR HISTORY	
<b>Filing Date:</b>	06-OCT-2006
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	08/25/06 0845 CLDR= F DIV= AW ARRAIGNMENT DELETED- ON 082506 RESET TO 0000 DIV: REMARKS: (CR-DAMES)-, PRAECIPE FOR APPEARANCE & WAIVER FILED ON 02206-SEND FILE TO JUDGE FOR DATE (D/ARS)
7	JDN - JUDICIAL NOTES
<b>Filing Date:</b>	16-NOV-2006
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	SETTING CASE FOR CASE DISPOSITION ON 12/8/06 @ 8:30 A.M.
EVSCH - HEARING EVENT SCHEDULED	
<b>Filing Date:</b>	30-NOV-2006
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
8	NOH - NOTICE OF HEARING
<b>Filing Date:</b>	04-DEC-2006
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	Docket entry for the letter produced from CSAEOUT on 04-DEC-2006 by LPRATTS.

EVSCH - HEARING EVENT SCHEDULED	
<b>Filing Date:</b>	07-DEC-2006
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
EVCON - EVENT CONTINUED	
<b>Filing Date:</b>	07-DEC-2006
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	AGREED ORDER CONTINUING CASE DISPO.
9	WST - WAIVER OF SPEEDY TRIAL
<b>Filing Date:</b>	07-DEC-2006
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	FILED BY JACK GOLDBERGER (D/ARS)
10	AGOR - AGREED ORDER
<b>Filing Date:</b>	07-DEC-2006
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	(JUDGE MCSORLEY) CONTINUING CASE DISPO PRESENTLY SCHEDULED 08-DEC AT 0830AM TO 08-MARCH-2007 AT 0830AM.
11	RMAL - RETURNED MAIL
<b>Filing Date:</b>	11-DEC-2006
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	UNABLE TO FORWARD
12	NOUN - NOTICE OF UNAVAILABILITY
<b>Filing Date:</b>	21-FEB-2007
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	07-18 THRU 7-20 FILED BY ASA
EVSCH - HEARING EVENT SCHEDULED	

<b>Filing Date:</b>	05-MAR-2007
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
	EVRST - EVENT RESET
<b>Filing Date:</b>	05-MAR-2007
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	AGREED ORDER CONTINUING CASE DISPO
13	AGOR - AGREED ORDER
<b>Filing Date:</b>	05-MAR-2007
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	(JUDGE MCSORLEY) CONTINUING CASE DISPO PREVIOUSLY SET FOR 08-MAR-2007 AND RESETTING FOR CASE DISPO ON 16-MAY-2007 AT 0830AM.
14	NOH - NOTICE OF HEARING
<b>Filing Date:</b>	07-MAR-2007
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	Docket entry for the letter produced from CSAEOUT on 07-MAR-2007 by DFELDER.
15	NOUN - NOTICE OF UNAVAILABILITY
<b>Filing Date:</b>	12-APR-2007
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	FILED BY ASA 4-30 THRU 05-04
	EVCON - EVENT CONTINUED
<b>Filing Date:</b>	11-MAY-2007
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	AGREED ORDER CONTINUING
16	AGOR - AGREED ORDER
<b>Filing Date:</b>	11-MAY-2007

<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	(JUDGE MCSORLEY) CONTINUING CASE DISPO FROM 16-MAY-2007 TO 16-NOV-2007 AT 0830AM.
	EVSCH - HEARING EVENT SCHEDULED
<b>Filing Date:</b>	14-MAY-2007
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
	EVSCH - HEARING EVENT SCHEDULED
<b>Filing Date:</b>	15-MAY-2007
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
	EVCAN - EVENT CANCELLED/SETTLED
<b>Filing Date:</b>	15-MAY-2007
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	CANCEL 051607/ADD TO CALENDAR 111607-PER J.A NOTE FILED 051507 (D/ARS)
17	JDN - JUDICIAL NOTES
<b>Filing Date:</b>	15-MAY-2007
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	FROM J.A.CANCEL FROM 051607/ADD TO CALENDAR 111607, 0830AM FOR CASE DISPOSITION FILED (D/ARS)
18	NOH - NOTICE OF HEARING
<b>Filing Date:</b>	16-MAY-2007
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	Docket entry for the letter produced from CSAEOUT on 16-MAY-2007 by DFELDER.
19	NOUN - NOTICE OF UNAVAILABILITY

<b>Filing Date:</b>	25-JUL-2007
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	8-22 THRU 24 FILED BY ASA
20	NOUN - NOTICE OF UNAVAILABILITY
<b>Filing Date:</b>	08-AUG-2007
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	FILED BY ASA
21	NOUN - NOTICE OF UNAVAILABILITY
<b>Filing Date:</b>	12-SEP-2007
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	9-18 THRU 20 FILED BY ASA
22	NOUN - NOTICE OF UNAVAILABILITY
<b>Filing Date:</b>	01-OCT-2007
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	10-09 THRU 12 FILED BY ASA
	EVCAN - EVENT CANCELLED/SETTLED
<b>Filing Date:</b>	30-OCT-2007
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
	EVSCH - HEARING EVENT SCHEDULED
<b>Filing Date:</b>	30-OCT-2007
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
23	AGOR - AGREED ORDER
<b>Filing Date:</b>	30-OCT-2007
<b>Filing Party:</b>	EPSTEIN, JEFFREY E

<b>Disposition Amount:</b>	
<b>Docket Text:</b>	(JUDGE MCSORLEY) SCHEDULING CASE FOR TRIAL - CANCELLING CASE FOR 11/16/07 @ 8:30 AM FOR CASE DISPOSITION AND SETTING FOR 1/07/08 @ 9:00 AM FOR JURY TRIAL
24	JDN - JUDICIAL NOTES
<b>Filing Date:</b>	30-OCT-2007
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	CASE CANCELLED FOR 11/16/07 @ 8:30 AM FOR CASE DISPO AND 11/20/07 @ 8:30 AM FOR PLEA CONFERENCE ( NOT SCHEDULED)
25	NOH - NOTICE OF HEARING
<b>Filing Date:</b>	06-NOV-2007
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	Docket entry for the letter produced from CSAEOUT on 06-NOV-2007 by DFELDER.
26	NOH - NOTICE OF HEARING
<b>Filing Date:</b>	10-DEC-2007
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	SETTING CASE FOR 1/04/08 FOR PLEA CONFERENCE - FILED BY J. GOLBERGER
	EVSCH - HEARING EVENT SCHEDULED
<b>Filing Date:</b>	11-DEC-2007
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
27	MOT - MOTION
<b>Filing Date:</b>	02-JAN-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	AGREED MOTION TO CONTINUE TRIAL - FILED BY J. GOLDBERGER

	EVSCH - HEARING EVENT SCHEDULED
<b>Filing Date:</b>	03-JAN-2008
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
	EVCAN - EVENT CANCELLED/SETTLED
<b>Filing Date:</b>	03-JAN-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
	EVCAN - EVENT CANCELLED/SETTLED
<b>Filing Date:</b>	03-JAN-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
28	LTR - LETTER
<b>Filing Date:</b>	03-JAN-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	TO JUDGE MCSORLEY FROM JACK A. GOLDBERGER RE: AGREED MOTION TO CONTINUE.
29	MOT - MOTION
<b>Filing Date:</b>	03-JAN-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	AGREED MOTION TO CONTINUE TRIAL FILED BY JACK A. GOLDBERGER.
30	AGOR - AGREED ORDER
<b>Filing Date:</b>	03-JAN-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
	(JUDGE MCSORLEY) CONTINUING TRIAL FROM 07-JAN-2008,

<b>Docket Text:</b>	CANCELLING PLEA CONFERENCE ON 04-JAN-2008 AND SETTING CASE FOR A STATUS CHECK ON 10-MAR-2008 AT 08:30AM.	
31	NOH - NOTICE OF HEARING	
<b>Filing Date:</b>	28-JAN-2008	
<b>Filing Party:</b>		
<b>Disposition Amount:</b>		
<b>Docket Text:</b>	Docket entry for the letter produced from CSAEOUT on 28-JAN-2008 by VBUCKLEY.	
32	DEPO - DEPOSITION	
<b>Filing Date:</b>	31-JAN-2008	
<b>Filing Party:</b>	EPSTEIN, JEFFREY E	
<b>Disposition Amount:</b>		
<b>Docket Text:</b>	(NOTICE OF) FILED BY J. GOLDBERGER	
32 A	MFPO - MOTION FOR PROTECTIVE ORDER	
<b>Filing Date:</b>	06-FEB-2008	
<b>Filing Party:</b>	EPSTEIN, JEFFREY E	
<b>Disposition Amount:</b>		
<b>Docket Text:</b>	FILED BY THEODORE LEOPOLD	
33	MFPO - MOTION FOR PROTECTIVE ORDER	
<b>Filing Date:</b>	07-FEB-2008	
<b>Filing Party:</b>	EPSTEIN, JEFFREY E	
<b>Disposition Amount:</b>		
<b>Docket Text:</b>	FILED BY THEODORE LEOPOLD, ESQ.	
34	ORD - ORDER	
<b>Filing Date:</b>	07-FEB-2008	
<b>Filing Party:</b>	EPSTEIN, JEFFREY E	
<b>Disposition Amount:</b>		
<b>Docket Text:</b>	(JUDGE MCSORLEY) ATTORNEY FOR DEFT SHALL RESPOND IN WRITING TO SAID MOTION W/IN 5 DAYS FROM DATE OF THIS ORDER, COURTESY COPY OF SAME SHALL BE SUBMITTED TO UNDERSIGNED'S CHAMBERS.	
34 A	RESP - RESPONSE TO:	
<b>Filing Date:</b>	08-FEB-2008	

<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	MOTION FOR PROTECTIVE ORDER FILED BY JACK GOLDBERGER
34 B	NOTD - NOTICE OF TAKING DEPOSITION
<b>Filing Date:</b>	08-FEB-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	FILED BY JACK GOLDBERGER
34 C	NOTD - NOTICE OF TAKING DEPOSITION
<b>Filing Date:</b>	11-FEB-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	FILED BY JACK GOLDBERGER.
35	RESP - RESPONSE TO:
<b>Filing Date:</b>	12-FEB-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	MOTION FOR PROTECTIVE ORDER - FILED BY J. GOLDBERGER
36	ORDD - ORDER DENYING
<b>Filing Date:</b>	12-FEB-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	(JUDGE MCSORLEY) "MOTION FOR PROTECTIVE ORDER"
37	NOUN - NOTICE OF UNAVAILABILITY
<b>Filing Date:</b>	19-FEB-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	4-07 THRU 10 FILED BY ASA
	EVRST - EVENT RESET
<b>Filing Date:</b>	06-MAR-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E

<b>Disposition Amount:</b>		
<b>Docket Text:</b>	<i>none.</i>	
38	AGOR - AGREED ORDER	
<b>Filing Date:</b>	06-MAR-2008	
<b>Filing Party:</b>	EPSTEIN, JEFFREY E	
<b>Disposition Amount:</b>		
<b>Docket Text:</b>	(JUDGE MCSORLEY) CASE IS SET FOR FINAL TRIAL ON 7/8/2008 AT 8:30 AM. PARTIES ARE FREE TO SCHEDULE MATTER FOR PLEA CONFERENCE PRIOR TO THAT DATE IF AN AGREEMENT IS REACHED IN THIS MATTER	
	EVSCH - HEARING EVENT SCHEDULED	
<b>Filing Date:</b>	07-MAR-2008	
<b>Filing Party:</b>		
<b>Disposition Amount:</b>		
<b>Docket Text:</b>	<i>none.</i>	
39	NOH - NOTICE OF HEARING	
<b>Filing Date:</b>	10-MAR-2008	
<b>Filing Party:</b>		
<b>Disposition Amount:</b>		
<b>Docket Text:</b>	Docket entry for the letter produced from CSAEOUT on 10-MAR-2008 by VBUCKLEY.	
40	NOTD - NOTICE OF TAKING DEPOSITION	
<b>Filing Date:</b>	24-MAR-2008	
<b>Filing Party:</b>	EPSTEIN, JEFFREY E	
<b>Disposition Amount:</b>		
<b>Docket Text:</b>	FILED BY J. GOLDBERGER.	
41	NOTD - NOTICE OF TAKING DEPOSITION	
<b>Filing Date:</b>	24-MAR-2008	
<b>Filing Party:</b>	EPSTEIN, JEFFREY E	
<b>Disposition Amount:</b>		
<b>Docket Text:</b>	FILED BY J. GOLDBERGER.	
41 A	NOTD - NOTICE OF TAKING DEPOSITION	

<b>Filing Date:</b>	26-MAR-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	FILED BY JACK A. GOLDBERGER,ESQ.
42	SRSV - SUBPOENA RETURNED / SERVED
<b>Filing Date:</b>	28-MAR-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
43	SRNS - SUBPOENA RETURNED / NOT SERVED
<b>Filing Date:</b>	28-MAR-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
44	SRSV - SUBPOENA RETURNED / SERVED
<b>Filing Date:</b>	28-MAR-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
45	MOT - MOTION
<b>Filing Date:</b>	01-APR-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	FOR PROTECTIVE ORDER - FILED BY J. HERMAN
46	LTR - LETTER
<b>Filing Date:</b>	03-APR-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	FROM ATTY TO JDG MCSORLEY RE: MOT FOR PROTECTIVE ORDER MCSORLEY
47	NOT - NOTICE
<b>Filing Date:</b>	04-APR-2008

<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	OF WITHDRAWAL OF MOTION FOR PROTECTIVE ORDER FILED BY J. HERMAN.
48	SRSV - SUBPOENA RETURNED / SERVED
<b>Filing Date:</b>	10-APR-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
49	SRSV - SUBPOENA RETURNED / SERVED
<b>Filing Date:</b>	10-APR-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
50	SRSV - SUBPOENA RETURNED / SERVED
<b>Filing Date:</b>	10-APR-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
	EVSCH - HEARING EVENT SCHEDULED
<b>Filing Date:</b>	27-JUN-2008
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
51	JDN - JUDICIAL NOTES
<b>Filing Date:</b>	27-JUN-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	SET CASE FOR 6/30/08 @ 8:30 AM FOR STATUS CHECK
	EVCAN - EVENT CANCELLED/SETTLED

<b>Filing Date:</b>	30-JUN-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	PLED 063008. MER
	EVHLD - EVENT HELD
<b>Filing Date:</b>	30-JUN-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	CR-DAMES. PLEAD & ADJ GUILTY AS CHARGED. PBCJ 12 MOS, W/CD FOR 1 DAY. BOND DISCH. DNA SWAB. MER
51 A	GUIL - JUDGMENT OF GUILTY
<b>Filing Date:</b>	30-JUN-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
51 B	FNGR - FINGERPRINTS
<b>Filing Date:</b>	30-JUN-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
51 C	SORD - SENTENCE ORDER
<b>Filing Date:</b>	30-JUN-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
51 D	RITE - WAIVER OF RIGHTS
<b>Filing Date:</b>	30-JUN-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
51 E	PLS - PLEA SHEET
<b>Filing Date:</b>	30-JUN-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	

<b>Docket Text:</b>		<i>none.</i>
51 F	GLSS - GUIDELINE SCORESHEET	
<b>Filing Date:</b>	30-JUN-2008	
<b>Filing Party:</b>	EPSTEIN, JEFFREY E	
<b>Disposition Amount:</b>		
<b>Docket Text:</b>		<i>none.</i>
51 G	O AFC - ORDER ASSESSING FEES/COST	
<b>Filing Date:</b>	30-JUN-2008	
<b>Filing Party:</b>	EPSTEIN, JEFFREY E	
<b>Disposition Amount:</b>		
<b>Docket Text:</b>	(JUDGE MCSORLEY) IN THE AMOUNT OF \$473.00 AS CONDS OF PROB. MER	
52	AREC - ARREST RECORD	
<b>Filing Date:</b>	01-JUL-2008	
<b>Filing Party:</b>	EPSTEIN, JEFFREY E	
<b>Disposition Amount:</b>		
<b>Docket Text:</b>	RECOMMIT	
	RCMIT - RECOMMITMENT	
<b>Filing Date:</b>	01-JUL-2008	
<b>Filing Party:</b>		
<b>Disposition Amount:</b>		
<b>Docket Text:</b>	<i>none.</i>	
53	SEAL - SEALED	
<b>Filing Date:</b>	02-JUL-2008	
<b>Filing Party:</b>	EPSTEIN, JEFFREY E	
<b>Disposition Amount:</b>		
<b>Docket Text:</b>	NON-PROSECUTION AGREEMENT	
54	AGOR - AGREED ORDER	
<b>Filing Date:</b>	02-JUL-2008	
<b>Filing Party:</b>	EPSTEIN, JEFFREY E	
<b>Disposition Amount:</b>		
<b>Docket Text:</b>	(JUDGE PUCILLO) SEALING DOCUMENT IN COURT FILE	
	CLSD - CLOSED CASE	

<b>Filing Date:</b>	08-JUL-2008
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
RCPT - RECEIPT FOR PAYMENT	
<b>Filing Date:</b>	14-JUL-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	A Payment of -\$473.00 was made on receipt CFMB30200. From Bond ID: 00073142
CHECK - CHECK PRINTED	
<b>Filing Date:</b>	14-JUL-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	A Disbursement of \$2,054.00 on Check Number 69429 to JACK GOLDBERGER
56	PROC - CRT REPORTER TRANSCRIPT OF
<b>Filing Date:</b>	22-JUL-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	PLEA CONFERENCE, TAKEN 6/30/08
55	MOT - MOTION
<b>Filing Date:</b>	23-JUL-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	FOR RETURN OF PROPERTY FILED BY JACK GOLDSTEIN, ESQ.
57	SEAL - SEALED
<b>Filing Date:</b>	25-AUG-2008
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	ADDENDUM TO THE NON-PROSECUTION AGREEMENT
58	MOT - MOTION
<b>Filing Date:</b>	12-MAY-2009

<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	(NONPARTY E.W'S) TO VACATE ORDER SEALING RECORDS AND UNSEAL RECORDS.
59	ORSH - ORDER SETTING HEARING
<b>Filing Date:</b>	15-MAY-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	SET FOR 5/29/09 MTN TO VACATE ORDER SEALING RECORDS AND UNSEALING
	EVSCH - HEARING EVENT SCHEDULED
<b>Filing Date:</b>	19-MAY-2009
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
60	NOH - NOTICE OF HEARING
<b>Filing Date:</b>	26-MAY-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	SET FOR 5/29/09 10:30
62	CEF - COURT EVENT FORM
<b>Filing Date:</b>	29-MAY-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
	EVSCH - HEARING EVENT SCHEDULED
<b>Filing Date:</b>	01-JUN-2009
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	NON PARTY E.W.'S MOTION TO VACATE ORDER SEALING RECORDS AND UNSEAL RECORDS
	EVCAN - EVENT CANCELLED/SETTLED

<b>Filing Date:</b>	01-JUN-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
61	RNOH - RE-NOTICE OF HEARING
<b>Filing Date:</b>	01-JUN-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	SETTING CASE FOR OTHER HEARING ON 6/10/2009 AT 10:30 AM FILED BY BRADLEY EDWARDS, ESQ. RE:NON PARTY E.W.'S MOTION TO VACATE ORDER SEALING AND UNSEAL RECORDS, HEARING SET FOR 5/29/2009 IS CANCELLED
63	MOT - MOTION
<b>Filing Date:</b>	03-JUN-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	TO VACATE ORDER SEALING RECORDS AND UNSEAL RECORDS FILED BY BRADLEY EDWARDS, ESQ
64	MOT - MOTION
<b>Filing Date:</b>	03-JUN-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	PALM BEACH POST'S MOTION TO INTERVENE AND PETITION FOR ACESS FILED BY DEANNA SHULLMAN, ESQ.
	EVRST - EVENT RESET
<b>Filing Date:</b>	10-JUN-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	CR-BELTRAN. MOTION TO INTERVENE-GRANTED. NO ACTION TAKEN ON MOTION TO UNSEAL. RESET FOR MOTION HRG ON 6/25/09. BLE
65	CEF - COURT EVENT FORM
<b>Filing Date:</b>	10-JUN-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>

EVSCH - HEARING EVENT SCHEDULED	
<b>Filing Date:</b>	11-JUN-2009
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
66	NOH - NOTICE OF HEARING
<b>Filing Date:</b>	11-JUN-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	SET FOR MOTION TO INTERVENE AND PETITION FOR ACCESS ON 6/10/09 AT 10:40. FILED BY D. SHULLMAN, ATTY
67	NOH - NOTICE OF HEARING
<b>Filing Date:</b>	11-JUN-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	SET FOR MOTION TO INTERVENE AND PETITION FOR ACCESS ON 6/10/09 AT 10:40. FILED BY D. SCHULLMAN, ATTY
68	MOT - MOTION
<b>Filing Date:</b>	15-JUN-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	TO INTERVENE AND SUPPORTING MEMORANDUM OF LAW. FILED BY S. KUBIN, ESQ
EVHLD - EVENT HELD	
<b>Filing Date:</b>	25-JUN-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	CR-WIGGINS (COLBATH) DEFT PRES W/JGOLDBERG, GRANTED, CASE RESET FOR MOTION TO STAY DISCLOSURE
EVSCH - HEARING EVENT SCHEDULED	
<b>Filing Date:</b>	25-JUN-2009
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	

<b>Docket Text:</b>	TO STAY DISCLOSURE
	EVSCH - HEARING EVENT SCHEDULED
<b>Filing Date:</b>	25-JUN-2009
<b>Filing Party:</b>	
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	TO STAY DISCLOSURE
69	CEF - COURT EVENT FORM
<b>Filing Date:</b>	25-JUN-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
70	CEF - COURT EVENT FORM
<b>Filing Date:</b>	25-JUN-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>
	EVHLD - EVENT HELD
<b>Filing Date:</b>	26-JUN-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	CR-WIGGINS. MOTION TO STAY, DENIED. WRITTEN ORDER TO FOLLOW. DOCUMENTS IN QUESTION ARE DELAYED UNTIL NOON ON THURSDAY 02-JUL-2009. MOTION TO COMPEL THE DEFT TO POST BOND - DENIED.
73	MOT - MOTION
<b>Filing Date:</b>	26-JUN-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	FOR ATTY'S FEES AND COSTS. FILED BY D. SHULLMAN, ATTY
78	CEF - COURT EVENT FORM
<b>Filing Date:</b>	26-JUN-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	<i>none.</i>

79	ORD - ORDER
<b>Filing Date:</b>	26-JUN-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	(JUDGE COLBATH) THAT THE MOTIONS TO SEAL THE COURT RECORDS ARE DENIED. THE MOTIONS TO INTERVENE ARE GRANTED. THE MOTION TO UNSEAL THE DOCUMENTS IS GRANTED.
71	RESP - RESPONSE TO:
<b>Filing Date:</b>	29-JUN-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	MOTION TO STAY AND SUPPORTING MEMORANDUM OF LAW. FILED BY S. KUVIN, ESQ
72	ODMO - ORDER DENYING MOTION
<b>Filing Date:</b>	29-JUN-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	(COLBATH) TO STAY DISCLOSURE AGREEMENT
74	MOT - MOTION
<b>Filing Date:</b>	06-JUL-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	NONPARTY E.W.'S MOTION FOR ATTORNEY'S FEES AND COSTS FILED BY W. BERGER
75	RESP - RESPONSE TO:
<b>Filing Date:</b>	06-JUL-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	(NTERVENER'S) MOTION TO STAY AND SUPPORTING MEMORANDUM OF LAW. FILED BY S. KUVIN, ESQ
76	EXLT - EXHIBIT LIST
<b>Filing Date:</b>	08-JUL-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	

<b>Docket Text:</b>	<i>none.</i>
77	RESP - RESPONSE TO:
<b>Filing Date:</b>	15-JUL-2009
<b>Filing Party:</b>	EPSTEIN, JEFFREY E
<b>Disposition Amount:</b>	
<b>Docket Text:</b>	TO EMERGENCY PETITION FOR WRIT OF CERTIORARI (PALM BEACH POST) FILED BY DEANNA K. SHULLMAN

**PLEA IN THE CIRCUIT COURT**  
THE FOLLOWING IS TO REFLECT ALL TERMS OF THE NEGOTIATED SETTLEMENT

Name: Jeffrey E. Epstein

Plea: Guilty X

<u>Case No.</u>	<u>Charge</u>	<u>Count</u>	<u>Lesser</u>	<u>Degree</u>
06CF009454AMB	Felony Solicitation of Prostitution	1	No	3 FEL
08CF009381AMB	Procuring Person Under 18 for Prostitution	1	No	2 FEL

PSI: Waived/Not Required X Required/Requested \_\_\_\_\_

**ADJUDICATION:** Adjudicate [x ]

**SENTENCE:**

On 06CF009454AMB, the Defendant is sentenced to 12 months in the Palm Beach County Detention Facility, with credit for 1 (one) day time served.

On 08CF009381AMB, the Defendant is sentenced to 18 months Community Control 1 (one). As a special condition of this Community Control, the Defendant must serve the first 6 months in the Palm Beach County Detention Facility, with credit for 1 (one) day time served. This sentence is to be served consecutive to the 12 month sentence in 06CF009454AMB. The conditions of community control are attached hereto and incorporated herein.

**OTHER COMMENTS OR CONDITIONS:**

Court Costs: \$474.00 Cost of Prosecution: \$50.00 Drug Trust Fund: \$50.00

As a special condition of his community control, the Defendant is to have no unsupervised contact with minors, and the supervising adult must be approved by the Department of Corrections.

The Defendant is designated as a Sexual Offender pursuant to Florida Statute 943.0435 and must abide by all the corresponding requirements of the statute, a copy of which is attached hereto and incorporated herein.

The Defendant must provide a DNA sample in court at the time of this plea.

\_\_\_\_\_  
Assistant State Attorney

\_\_\_\_\_  
Attorney for the Defendant

\_\_\_\_\_  
Date of Plea

\_\_\_\_\_  
Defendant

**948.101 Terms and conditions of community control and criminal quarantine community control..**

(1) The court shall determine the terms and conditions of community control. Conditions specified in this subsection do not require oral pronouncement at the time of sentencing and may be considered standard conditions of community control.

(a) The court shall require intensive supervision and surveillance for an offender placed into community control, which may include but is not limited to:

1. Specified contact with the parole and probation officer.
2. Confinement to an agreed-upon residence during hours away from employment and public service activities.
3. Mandatory public service.
4. Supervision by the Department of Corrections by means of an electronic monitoring device or system.
5. The standard conditions of probation set forth in s. 948.03.

(b) For an offender placed on criminal quarantine community control, the court shall require:

1. Electronic monitoring 24 hours per day.
2. Confinement to a designated residence during designated hours.

(2) The enumeration of specific kinds of terms and conditions does not prevent the court from adding thereto any other terms or conditions that the court considers proper. However, the sentencing court may only impose a condition of supervision allowing an offender convicted of s. 794.011, s. 800.04, s. 827.071, or s. 847.0145 to reside in another state if the order stipulates that it is contingent upon the approval of the receiving state interstate compact authority. The court may rescind or modify at any time the terms and conditions theretofore imposed by it upon the offender in community control. However, if the court withholds adjudication of guilt or imposes a period of incarceration as a condition of community control, the period may not exceed 364 days, and incarceration shall be restricted to a county facility, a probation and restitution center under the jurisdiction of the Department of Corrections, a probation program drug punishment phase I secure residential treatment institution, or a community residential facility owned or operated by any entity providing such services.

(3) The court may place a defendant who is being sentenced for criminal transmission of HIV in violation of s. 775.0877 on criminal quarantine community control. The Department of Corrections shall develop and administer a criminal quarantine community control program emphasizing intensive supervision with 24-hour-per-day electronic monitoring. Criminal quarantine community control status must include surveillance and may include other measures normally associated with community control, except that specific conditions necessary to monitor this population may be ordered.

**794.0435 Sexual offenders required to register with the department; penalty.--**

(1) As used in this section, the term:

(a)1. "Sexual offender" means a person who meets the criteria in sub-subparagraph a., sub-subparagraph b., sub-subparagraph c., or sub-subparagraph d., as follows:

a.(i) Has been convicted of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes in this state or similar offenses in another jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor and the defendant is not the victim's parent or guardian; s. 794.011, excluding s. 794.011(10); s. 794.08; s. 796.03; s. 796.035; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(4); s. 847.0137; s. 847.0138; s. 847.0145; or s. 985.701(1); or any similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this sub-sub-subparagraph; and

(ii) Has been released on or after October 1, 1997, from the sanction imposed for any conviction of an offense described in sub-sub-subparagraph (i). For purposes of sub-sub-subparagraph (i), a sanction imposed in this state or in any other jurisdiction includes, but is not limited to, a fine, probation, community control, parole, conditional release, control release, or incarceration in a state prison, federal prison, private correctional facility, or local detention facility;

b. Establishes or maintains a residence in this state and who has not been designated as a sexual predator by a court of this state but who has been designated as a sexual predator, or a sexually violent predator, or by another sexual offender designation in another state or jurisdiction and was, as a result of such designation, subjected to registration or community or public notification, or both, or would be if the person were a resident of that state or jurisdiction, without regard to whether the person otherwise meets the criteria for registration as a sexual offender;

c. Establishes or maintains a residence in this state who is in the custody or control of, or under the supervision of, any other state or jurisdiction as a result of a conviction for committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes or similar offense in another jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor and the defendant is not the victim's parent or guardian; s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(4); s. 847.0137; s. 847.0138; s. 847.0145; or s. 985.701(1); or any similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this sub-sub-subparagraph; or

d. On or after July 1, 2007, has been adjudicated delinquent for committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes in this state or similar offenses in another jurisdiction when the juvenile was 14 years of age or older at the time of the offense:

(i) Section 794.011, excluding s. 794.011(10);

(ii) Section 800.04(4)(b) where the victim is under 12 years of age or where the court finds sexual activity by the use of force or coercion;

(iii) Section 800.04(5)(c)1. where the court finds molestation involving unclothed genitals; or

(IV) Section 800.04(5)(d) where the court finds the use of force or coercion and unclothed genitals.

2. For all qualifying offenses listed in sub-subparagraph (1)(a)1.d., the court shall make a written finding of the age of the offender at the time of the offense.

For each violation of a qualifying offense listed in this subsection, the court shall make a written finding of the age of the victim at the time of the offense. For a violation of s. 800.04(4), the court shall additionally make a written finding indicating that the offense did or did not involve sexual activity and indicating that the offense did or did not involve force or coercion. For a violation of s. 800.04(5), the court shall additionally make a written finding that the offense did or did not involve unclothed genitals or genital area and that the offense did or did not involve the use of force or coercion.

(b) "Convicted" means that there has been a determination of guilt as a result of a trial or the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld, and includes an adjudication of delinquency of a juvenile as specified in this section. Conviction of a similar offense includes, but is not limited to, a conviction by a federal or military tribunal, including courts-martial conducted by the Armed Forces of the United States, and includes a conviction or entry of a plea of guilty or nolo contendere resulting in a sanction in any state of the United States or other jurisdiction. A sanction includes, but is not limited to, a fine, probation, community control, parole, conditional release, control release, or incarceration in a state prison, federal prison, private correctional facility, or local detention facility.

(c) "Permanent residence" and "temporary residence" have the same meaning ascribed in s. 775.21.

(d) "Institution of higher education" means a career center, community college, college, state university, or independent postsecondary institution.

(e) "Change in enrollment or employment status" means the commencement or termination of enrollment or employment or a change in location of enrollment or employment.

(f) "Electronic mail address" has the same meaning as provided in s. 668.607.

(g) "Instant message name" means an identifier that allows a person to communicate in real time with another person using the Internet.

(2) A sexual offender shall:

(a) Report in person at the sheriff's office:

1. In the county in which the offender establishes or maintains a permanent or temporary residence within 48 hours after:

a. Establishing permanent or temporary residence in this state; or

b. Being released from the custody, control, or supervision of the Department of Corrections or from the custody of a private correctional facility; or

2. In the county where he or she was convicted within 48 hours after being convicted for a qualifying offense for registration under this section if the offender is not in the custody or

control of, or under the supervision of, the Department of Corrections, or is not in the custody of a private correctional facility.

Any change in the sexual offender's permanent or temporary residence, name, any electronic mail address and any instant message name required to be provided pursuant to paragraph (4)(d), after the sexual offender reports in person at the sheriff's office, shall be accomplished in the manner provided in subsections (4), (7), and (8).

(b) Provide his or her name, date of birth, social security number, race, sex, height, weight, hair and eye color, tattoos or other identifying marks, occupation and place of employment, address of permanent or legal residence or address of any current temporary residence, within the state and out of state, including a rural route address and a post office box, any electronic mail address and any instant message name required to be provided pursuant to paragraph (4)(d), date and place of each conviction, and a brief description of the crime or crimes committed by the offender. A post office box shall not be provided in lieu of a physical residential address.

1. If the sexual offender's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual offender shall also provide to the department through the sheriff's office written notice of the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If the sexual offender's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual offender shall also provide to the department written notice of the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel, or houseboat.

2. If the sexual offender is enrolled, employed, or carrying on a vocation at an institution of higher education in this state, the sexual offender shall also provide to the department through the sheriff's office the name, address, and county of each institution, including each campus attended, and the sexual offender's enrollment or employment status. Each change in enrollment or employment status shall be reported in person at the sheriff's office, within 48 hours after any change in status. The sheriff shall promptly notify each institution of the sexual offender's presence and any change in the sexual offender's enrollment or employment status.

When a sexual offender reports at the sheriff's office, the sheriff shall take a photograph and a set of fingerprints of the offender and forward the photographs and fingerprints to the department, along with the information provided by the sexual offender. The sheriff shall promptly provide to the department the information received from the sexual offender.

(3) Within 48 hours after the report required under subsection (2), a sexual offender shall report in person at a driver's license office of the Department of Highway Safety and Motor Vehicles, unless a driver's license or identification card that complies with the requirements of s. 322.141(3) was previously secured or updated under s. 944.607. At the driver's license office the sexual offender shall:

(a) If otherwise qualified, secure a Florida driver's license, renew a Florida driver's license, or secure an identification card. The sexual offender shall identify himself or herself as a sexual offender who is required to comply with this section and shall provide proof that the sexual offender reported as required in subsection (2). The sexual offender shall provide any of the information specified in subsection (2), if requested. The sexual offender shall submit to the taking of a photograph for use in issuing a driver's license, renewed license, or identification card, and for use by the department in maintaining current records of sexual offenders.

(b) Pay the costs assessed by the Department of Highway Safety and Motor Vehicles for issuing or renewing a driver's license or identification card as required by this section. The driver's license or identification card issued must be in compliance with s. 322.141(3).

(c) Provide, upon request, any additional information necessary to confirm the identity of the sexual offender, including a set of fingerprints.

(4)(a) Each time a sexual offender's driver's license or identification card is subject to renewal, and, without regard to the status of the offender's driver's license or identification card, within 48 hours after any change in the offender's permanent or temporary residence or change in the offender's name by reason of marriage or other legal process, the offender shall report in person to a driver's license office, and shall be subject to the requirements specified in subsection (3). The Department of Highway Safety and Motor Vehicles shall forward to the department all photographs and information provided by sexual offenders. Notwithstanding the restrictions set forth in s. 322.142, the Department of Highway Safety and Motor Vehicles is authorized to release a reproduction of a color-photograph or digital-image license to the Department of Law Enforcement for purposes of public notification of sexual offenders as provided in this section and ss. 943.043 and 944.606.

(b) A sexual offender who vacates a permanent residence and fails to establish or maintain another permanent or temporary residence shall, within 48 hours after vacating the permanent residence, report in person to the sheriff's office of the county in which he or she is located. The sexual offender shall specify the date upon which he or she intends to or did vacate such residence. The sexual offender must provide or update all of the registration information required under paragraph (2)(b). The sexual offender must provide an address for the residence or other location that he or she is or will be occupying during the time in which he or she fails to establish or maintain a permanent or temporary residence.

(c) A sexual offender who remains at a permanent residence after reporting his or her intent to vacate such residence shall, within 48 hours after the date upon which the offender indicated he or she would or did vacate such residence, report in person to the agency to which he or she reported pursuant to paragraph (b) for the purpose of reporting his or her address at such residence. When the sheriff receives the report, the sheriff shall promptly convey the information to the department. An offender who makes a report as required under paragraph (b) but fails to make a report as required under this paragraph commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) A sexual offender must register any electronic mail address or instant message name with the department prior to using such electronic mail address or instant message name on or after October 1, 2007. The department shall establish an online system through which sexual offenders may securely access and update all electronic mail address and instant message name information.

(5) This section does not apply to a sexual offender who is also a sexual predator, as defined in s. 775.21. A sexual predator must register as required under s. 775.21.

(6) County and local law enforcement agencies, in conjunction with the department, shall verify the addresses of sexual offenders who are not under the care, custody, control, or supervision of the Department of Corrections in a manner that is consistent with the provisions of 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. Local law enforcement agencies shall report to the department any failure by a sexual offender to comply with registration requirements.

(7) A sexual offender who intends to establish residence in another state or jurisdiction other than the State of Florida shall report in person to the sheriff of the county of current residence within 48 hours before the date he or she intends to leave this state to establish residence in another state or jurisdiction. The notification must include the address, municipality, county, and state of intended residence. The sheriff shall promptly provide to the department the information received from the sexual offender. The department shall notify the statewide law enforcement agency, or a comparable agency, in the intended state or jurisdiction of residence of the sexual offender's intended residence. The failure of a sexual offender to provide his or her intended place of residence is punishable as provided in subsection (9).

(8) A sexual offender who indicates his or her intent to reside in another state or jurisdiction other than the State of Florida and later decides to remain in this state shall, within 48 hours after the date upon which the sexual offender indicated he or she would leave this state, report in person to the sheriff to which the sexual offender reported the intended change of residence, and report his or her intent to remain in this state. The sheriff shall promptly report this information to the department. A sexual offender who reports his or her intent to reside in another state or jurisdiction but who remains in this state without reporting to the sheriff in the manner required by this subsection commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(9)(a) A sexual offender who does not comply with the requirements of this section commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) A sexual offender who commits any act or omission in violation of this section may be prosecuted for the act or omission in the county in which the act or omission was committed, the county of the last registered address of the sexual offender, or the county in which the conviction occurred for the offense or offenses that meet the criteria for designating a person as a sexual offender.

(c) An arrest on charges of failure to register when the offender has been provided and advised of his or her statutory obligations to register under subsection (2), the service of an information or a complaint for a violation of this section, or an arraignment on charges for a violation of this section constitutes actual notice of the duty to register. A sexual offender's failure to immediately register as required by this section following such arrest, service, or arraignment constitutes grounds for a subsequent charge of failure to register. A sexual offender charged with the crime of failure to register who asserts, or intends to assert, a lack of notice of the duty to register as a defense to a charge of failure to register shall immediately register as required by this section. A sexual offender who is charged with a subsequent failure to register may not assert the defense of a lack of notice of the duty to register.

(d) Registration following such arrest, service, or arraignment is not a defense and does not relieve the sexual offender of criminal liability for the failure to register.

(10) The department, the Department of Highway Safety and Motor Vehicles, the Department of Corrections, the Department of Juvenile Justice, any law enforcement agency in this state, and the personnel of those departments; an elected or appointed official, public employee, or school administrator; or an employee, agency, or any individual or entity acting at the request or upon the direction of any law enforcement agency is immune from civil liability for damages for good faith compliance with the requirements of this section or for the release of information under this section, and shall be presumed to have acted in good faith in compiling, recording, reporting, or releasing the information. The presumption of good faith is not overcome if a technical or clerical error is made by the department, the Department of Highway Safety and Motor Vehicles, the Department of Corrections, the Department of Juvenile

Justice, the personnel of those departments, or any individual or entity acting at the request or upon the direction of any of those departments in compiling or providing information, or if information is incomplete or incorrect because a sexual offender fails to report or falsely reports his or her current place of permanent or temporary residence.

(11) Except as provided in s. 943.04354, a sexual offender must maintain registration with the department for the duration of his or her life, unless the sexual offender has received a full pardon or has had a conviction set aside in a postconviction proceeding for any offense that meets the criteria for classifying the person as a sexual offender for purposes of registration. However, a sexual offender:

(a)1. Who has been lawfully released from confinement, supervision, or sanction, whichever is later, for at least 25 years and has not been arrested for any felony or misdemeanor offense since release, provided that the sexual offender's requirement to register was not based upon an adult conviction:

a. For a violation of s. 787.01 or s. 787.02;

b. For a violation of s. 794.011, excluding s. 794.011(10);

c. For a violation of s. 800.04(4)(b) where the court finds the offense involved a victim under 12 years of age or sexual activity by the use of force or coercion;

d. For a violation of s. 800.04(5)(b);

e. For a violation of s. 800.04(5)c.2. where the court finds the offense involved unclothed genitals or genital area;

f. For any attempt or conspiracy to commit any such offense; or

g. For a violation of similar law of another jurisdiction,

may petition the criminal division of the circuit court of the circuit in which the sexual offender resides for the purpose of removing the requirement for registration as a sexual offender.

2. The court may grant or deny relief if the offender demonstrates to the court that he or she has not been arrested for any crime since release; the requested relief complies with the provisions of the federal Adam Walsh Child Protection and Safety Act of 2006 and any other federal standards applicable to the removal of registration requirements for a sexual offender or required to be met as a condition for the receipt of federal funds by the state; and the court is otherwise satisfied that the offender is not a current or potential threat to public safety. The state attorney in the circuit in which the petition is filed must be given notice of the petition at least 3 weeks before the hearing on the matter. The state attorney may present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. If the court denies the petition, the court may set a future date at which the sexual offender may again petition the court for relief, subject to the standards for relief provided in this subsection.

3. The department shall remove an offender from classification as a sexual offender for purposes of registration if the offender provides to the department a certified copy of the court's written findings or order that indicates that the offender is no longer required to comply with the requirements for registration as a sexual offender.

(b) As defined in sub-subparagraph (1)(a)1.b. must maintain registration with the department for the duration of his or her life until the person provides the department with an order issued by the court that designated the person as a sexual predator, as a sexually violent predator, or by another sexual offender designation in the state or jurisdiction in which the order was issued which states that such designation has been removed or demonstrates to the department that such designation, if not imposed by a court, has been removed by operation of law or court order in the state or jurisdiction in which the designation was made, and provided such person no longer meets the criteria for registration as a sexual offender under the laws of this state.

(12) The Legislature finds that sexual offenders, especially those who have committed offenses against minors, often pose a high risk of engaging in sexual offenses even after being released from incarceration or commitment and that protection of the public from sexual offenders is a paramount government interest. Sexual offenders have a reduced expectation of privacy because of the public's interest in public safety and in the effective operation of government. Releasing information concerning sexual offenders to law enforcement agencies and to persons who request such information, and the release of such information to the public by a law enforcement agency or public agency, will further the governmental interests of public safety. The designation of a person as a sexual offender is not a sentence or a punishment but is simply the status of the offender which is the result of a conviction for having committed certain crimes.

(13) Any person who has reason to believe that a sexual offender is not complying, or has not complied, with the requirements of this section and who, with the intent to assist the sexual offender in eluding a law enforcement agency that is seeking to find the sexual offender to question the sexual offender about, or to arrest the sexual offender for, his or her noncompliance with the requirements of this section:

(a) Withholds information from, or does not notify, the law enforcement agency about the sexual offender's noncompliance with the requirements of this section, and, if known, the whereabouts of the sexual offender;

(b) Harbors, or attempts to harbor, or assists another person in harboring or attempting to harbor, the sexual offender; or

(c) Conceals or attempts to conceal, or assists another person in concealing or attempting to conceal, the sexual offender; or

(d) Provides information to the law enforcement agency regarding the sexual offender that the person knows to be false information,

commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(14)(a) A sexual offender must report in person each year during the month of the sexual offender's birthday and during the sixth month following the sexual offender's birth month to the sheriff's office in the county in which he or she resides or is otherwise located to re-register.

(b) However, a sexual offender who is required to register as a result of a conviction for:

1. Section 787.01 or s. 787.02 where the victim is a minor and the offender is not the victim's parent or guardian;

2. Section 794.011, excluding s. 794.011(10);
3. Section 800.04(4)(b) where the court finds the offense involved a victim under 12 years of age or sexual activity by the use of force or coercion;
4. Section 800.04(5)(b);
5. Section 800.04(5)(c)1. where the court finds molestation involving unclothed genitals or genital area;
6. Section 800.04(5)(c)2. where the court finds molestation involving unclothed genitals or genital area;
7. Section 800.04(5)(d) where the court finds the use of force or coercion and unclothed genitals or genital area;
8. Any attempt or conspiracy to commit such offense; or
9. A violation of a similar law of another jurisdiction,

must reregister each year during the month of the sexual offender's birthday and every third month thereafter.

(c) The sheriff's office may determine the appropriate times and days for reporting by the sexual offender, which shall be consistent with the reporting requirements of this subsection. Reregistration shall include any changes to the following information:

1. Name; social security number; age; race; sex; date of birth; height; weight; hair and eye color; address of any permanent residence and address of any current temporary residence, within the state or out of state, including a rural route address and a post office box; any electronic mail address and any instant message name required to be provided pursuant to paragraph (4)(d); date and place of any employment; vehicle make, model, color, and license tag number; fingerprints; and photograph. A post office box shall not be provided in lieu of a physical residential address.
2. If the sexual offender is enrolled, employed, or carrying on a vocation at an institution of higher education in this state, the sexual offender shall also provide to the department the name, address, and county of each institution, including each campus attended, and the sexual offender's enrollment or employment status.
3. If the sexual offender's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual offender shall also provide the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If the sexual offender's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual offender shall also provide the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel or houseboat.
4. Any sexual offender who fails to report in person as required at the sheriff's office, or who fails to respond to any address verification correspondence from the department within 3 weeks of the date of the correspondence or who fails to report electronic mail addresses or

instant message names, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) The sheriff's office shall, within 2 working days, electronically submit and update all information provided by the sexual offender to the department in a manner proscribed by the department.

**948.30 Additional terms and conditions of probation or community control for certain sex offenses.**--Conditions imposed pursuant to this section do not require oral pronouncement at the time of sentencing and shall be considered standard conditions of probation or community control for offenders specified in this section.

- (1) Effective for probationers or community controllees whose crime was committed on or after October 1, 1995, and who are placed under supervision for violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145, the court must impose the following conditions in addition to all other standard and special conditions imposed:
- (a) A mandatory curfew from 10 p.m. to 6 a.m. The court may designate another 8-hour period if the offender's employment precludes the above specified time, and the alternative is recommended by the Department of Corrections. If the court determines that imposing a curfew would endanger the victim, the court may consider alternative sanctions.
- (b) If the victim was under the age of 18, a prohibition on living within 1,000 feet of a school, day care center, park, playground, or other place where children regularly congregate, as prescribed by the court. The 1,000-foot distance shall be measured in a straight line from the offender's place of residence to the nearest boundary line of the school, day care center, park, playground, or other place where children congregate. The distance may not be measured by a pedestrian route or automobile route.
- (c) Active participation in and successful completion of a sex offender treatment program with qualified practitioners specifically trained to treat sex offenders, at the probationer's or community controllee's own expense. If a qualified practitioner is not available within a 50-mile radius of the probationer's or community controllee's residence, the offender shall participate in other appropriate therapy.
- (d) A prohibition on any contact with the victim, directly or indirectly, including through a third person, unless approved by the victim, the offender's therapist, and the sentencing court.
- (e) If the victim was under the age of 18, a prohibition on contact with a child under the age of 18 except as provided in this paragraph. The court may approve supervised contact with a child under the age of 18 if the approval is based upon a recommendation for contact issued by a qualified practitioner who is basing the recommendation on a risk assessment. Further, the sex offender must be currently enrolled in or have successfully completed a sex offender therapy program. The court may not grant supervised contact with a child if the contact is not recommended by a qualified practitioner and may deny supervised contact with a child at any time. When considering whether to approve supervised contact with a child, the court must review and consider the following:
1. A risk assessment completed by a qualified practitioner. The qualified practitioner must prepare a written report that must include the findings of the assessment and address each of the following components:
    - a. The sex offender's current legal status;
    - b. The sex offender's history of adult charges with apparent sexual motivation;
    - c. The sex offender's history of adult charges without apparent sexual motivation;

- d. The sex offender's history of juvenile charges, whenever available;
- e. The sex offender's offender treatment history, including consultations with the sex offender's treating, or most recent treating, therapist;
- f. The sex offender's current mental status;
- g. The sex offender's mental health and substance abuse treatment history as provided by the Department of Corrections;
- h. The sex offender's personal, social, educational, and work history;
- i. The results of current psychological testing of the sex offender if determined necessary by the qualified practitioner;
- j. A description of the proposed contact, including the location, frequency, duration, and supervisory arrangement;
- k. The child's preference and relative comfort level with the proposed contact, when age appropriate;
- l. The parent's or legal guardian's preference regarding the proposed contact; and
- m. The qualified practitioner's opinion, along with the basis for that opinion, as to whether the proposed contact would likely pose significant risk of emotional or physical harm to the child.

The written report of the assessment must be given to the court;

2. A recommendation made as a part of the risk assessment report as to whether supervised contact with the child should be approved;
3. A written consent signed by the child's parent or legal guardian, if the parent or legal guardian is not the sex offender, agreeing to the sex offender having supervised contact with the child after receiving full disclosure of the sex offender's present legal status, past criminal history, and the results of the risk assessment. The court may not approve contact with the child if the parent or legal guardian refuses to give written consent for supervised contact;
4. A safety plan prepared by the qualified practitioner, who provides treatment to the offender, in collaboration with the sex offender, the child's parent or legal guardian, if the parent or legal guardian is not the sex offender, and the child, when age appropriate, which details the acceptable conditions of contact between the sex offender and the child. The safety plan must be reviewed and approved by the court; and
5. Evidence that the child's parent or legal guardian understands the need for and agrees to the safety plan and has agreed to provide, or to designate another adult to provide, constant supervision any time the child is in contact with the offender.

The court may not appoint a person to conduct a risk assessment and may not accept a risk assessment from a person who has not demonstrated to the court that he or she has met the requirements of a qualified practitioner as defined in this section.

(f) If the victim was under age 18, a prohibition on working for pay or as a volunteer at any place where children regularly congregate, including, but not limited to, schools, day care centers, parks, playgrounds, pet stores, libraries, zoos, theme parks, and malls.

(g) Unless otherwise indicated in the treatment plan provided by the sexual offender treatment program, a prohibition on viewing, accessing, owning, or possessing any obscene, pornographic, or sexually stimulating visual or auditory material, including telephone, electronic media, computer programs, or computer services that are relevant to the offender's deviant behavior pattern.

(h) Effective for probationers and community controllees whose crime is committed on or after July 1, 2005, a prohibition on accessing the internet or other computer services until the offender's sex offender treatment program, after a risk assessment is completed, approves and implements a safety plan for the offender's accessing or using the Internet or other computer services.

(i) A requirement that the probationer or community controllee must submit a specimen of blood or other approved biological specimen to the Department of Law Enforcement to be registered with the DNA data bank.

(j) A requirement that the probationer or community controllee make restitution to the victim, as ordered by the court under s. 775.089, for all necessary medical and related professional services relating to physical, psychiatric, and psychological care.

(k) Submission to a warrantless search by the community control or probation officer of the probationer's or community controllee's person, residence, or vehicle.

(2) Effective for a probationer or community controllee whose crime was committed on or after October 1, 1997, and who is placed on community control or sex offender probation for a violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145, in addition to any other provision of this section, the court must impose the following conditions of probation or community control:

(a) As part of a treatment program, participation at least annually in polygraph examinations to obtain information necessary for risk management and treatment and to reduce the sex offender's denial mechanisms. A polygraph examination must be conducted by a polygrapher trained specifically in the use of the polygraph for the monitoring of sex offenders, where available, and shall be paid for by the sex offender. The results of the polygraph examination shall not be used as evidence in court to prove that a violation of community supervision has occurred.

(b) Maintenance of a driving log and a prohibition against driving a motor vehicle alone without the prior approval of the supervising officer.

(c) A prohibition against obtaining or using a post office box without the prior approval of the supervising officer.

(d) If there was sexual contact, a submission to, at the probationer's or community controllee's expense, an HIV test with the results to be released to the victim or the victim's parent or guardian.

(e) Electronic monitoring when deemed necessary by the community control or probation officer and his or her supervisor, and ordered by the court at the recommendation of the Department of Corrections.

(3) Effective for a probationer or community controllee whose crime was committed on or after September 1, 2005, and who:

(a) Is placed on probation or community control for a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older;

(b) Is designated a sexual predator pursuant to s. 775.21; or

(c) Has previously been convicted of a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older,

the court must order, in addition to any other provision of this section, mandatory electronic monitoring as a condition of the probation or community control supervision.

IN THE CIRCUIT COURT OF THE FIFTEENTH  
JUDICIAL CIRCUIT, IN AND FOR PALM BEACH  
COUNTY, FLORIDA

CASE NO. 2008CF009381A

STATE OF FLORIDA

vs.

JEFFREY EPSTEIN,

Defendant.

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FILED  
2008 DEC -4 PM 4:29  
CLERK OF COURT  
PALM BEACH COUNTY  
FLORIDA

**MOTION TO CLARIFY SENTENCE TO CORRECT SCRIVENER'S ERROR**

COMES NOW the Defendant, JEFFREY EPSTEIN, by and through his undersigned attorney and moves this Honorable Court to enter an Order clarifying the sentence to correct a scrivener's error contained in the sentencing documents in the Defendant's case. In support thereof the Defendant would state as follows:

1. The Defendant was charged by Information in the above referenced case and the case was assigned to Criminal Division "W".
2. The case was resolved by a guilty plea after plea negotiations between the parties. It was a condition of the plea negotiations that the case be resolved on June 30, 2008.
3. The case was scheduled for a plea conference on June 30, 2008 in Criminal Division "W", the division that this case and the companion case had always been assigned to. On that date, retired Judge Deborah Pucillo was substituting for the assigned Division "W" judge, Sandra McSorley, because Judge McSorley would not be sitting on that day.
4. Judge Pucillo handled all cases assigned to Division "W" on June 30, 2008 including that of the Defendant.

**SCANNED**

DEC 08 2008

5. The Defendant, Jeffrey Epstein, entered his guilty pleas on June 30, 2008 in Division "W" before Judge Pucillo. All plea documents and court commitments from court on June 30, 2008 reflect that this was a Division "W" case and was being resolved in Division "W", the division the case had always been assigned to.

6. As part of the negotiated settlement of the case, the Defendant was sentenced to a twelve month sentence in Case No. 2006CF009454AXX, followed by a six month sentence on this case, consecutive with the first twelve month sentence in the in Case No. 2006CF009454AXX. The Defendant is sentenced to twelve months of community control consecutive to the two above referenced jail sentences. The community control sentence begins only after the two jail sentences have been served.

7. On July 18, 2008 Judge Sandra McSorley, the permanent judge assigned to Division "W", signed an Order of Community Control, without notice to the parties, nunc pro tunc to June 30, 2008. The reason for this is that the substitute judge had neglected to sign an Order of Community Control in this case at the time of the plea. See the Order of Community Control attached as Exhibit "A".

8. The Order of Community Control signed by Division "W" Judge McSorley on July 18, 2008, contains a minor scrivener's error that needs to be corrected. The Order of Community Control could be misinterpreted to suggest that the Defendant was placed on community control on June 30, 2008 based on the box that the clerk checked in error when preparing the Order of Community Control.

9. The parties agree that the Defendant's twelve month sentence on Case No. 2006CF009454AXX is followed by a six month sentence in the instant case. The parties agree that the one year period of community control is to only begin after the Defendant

has completed his jail sentences.

10 Assistant State Attorney Lanna Belohlavek does not to object to Motion to Clarify Sentence to Correct Scrivener's Error.

WHEREFORE the Defendant moves this Honorable Court to enter an Order correcting the scrivener's error in the original Order of Community Control clarifying the intent to the parties that the Defendant's community control sentence begins only after his jail sentence terminates.

I HEREBY CERTIFY that a copy of the foregoing has been furnished by mail to Lanna Belohlavek, State Attorney's Office, 401 North Dixie Highway, West Palm Beach, Florida 33401, this 4<sup>th</sup> day of December, 2008.

ATTERBURY, GOLDBERGER & WEISS, P.A.  
250 Australian Avenue South, Suite 1400  
West Palm Beach, Florida 33401  
(561)659-8300



JACK A. GOLDBERGER, ESQ.  
Florida Bar No.: 262013



STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 5 DAY OF Aug 2009  
SHARON R. BOCK  
CLERK & COMPTROLLER

By \_\_\_\_\_  
DEPUTY CLERK

STATE OF FLORIDA  
Plaintiff

IN THE FIFTEENTH JUDICIAL  
CIRCUIT COURT, IN AND FOR  
PALM BEACH COUNTY

-VS-

JEFFREY E. EPSTEIN  
Defendant

CASE NUMBER 502008CF009381AXXXMB  
DIVISION MCSORLEY "W"  
DC NUMBER W35755  
CIRCUIT NUMBER: 15-4/JAIL SPLIT

**ORDER OF COMMUNITY CONTROL I**

This cause coming before the Court to be heard, and you, the defendant, being now present before the court, and you having

- entered a plea of guilty to  been found guilty by jury verdict of
- entered a plea of nolo contendere to  been found guilty by the court trying the case without a jury of

Count 1: PROCURE PERSON UNDER AGE OF 18 FOR PROSTITUTION

**SECTION 1: JUDGMENT OF GUILT**

- The court hereby adjudges you to be guilty of the above offense(s).

Now, therefore, it is ordered and adjudged that the imposition of sentence is hereby withheld and that you be placed on Probation I for a period of \_\_\_\_\_ under the supervision of the Department of Corrections, subject to Florida law.

**SECTION 2: ORDER WITHHOLDING ADJUDICATION**

- Now, therefore, it is ordered and adjudged that the adjudication of guilt is hereby withheld and that you be placed on Probation for a period of \_\_\_ under the supervision of the Department of Corrections, subject to Florida law.

**SECTION 3: INCARCERATION DURING PORTION OF SUPERVISION SENTENCE**

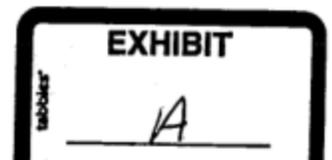
It is hereby ordered and adjudged that you be:

- committed to the Department of Corrections or confined in the County Jail for a term of \_\_\_\_\_ with credit for \_\_\_\_\_ jail time. After you have served \_\_\_\_\_ of the term, you shall be placed on Probation for a period of \_\_\_\_\_ under the supervision of the Department of Corrections, subject to Florida law.
- confined in the County Jail for a term of SIX (6) MONTHS AS TO COUNT 1 FOLLOWED BY TWELVE (12) MONTHS COMMUNITY CONTROL I CONSECUTIVE TO THE (12) MONTH SENTENCE IN CASE# 2008CF00945AAMB with credit for ONE (1) DAY jail time, as a special condition of supervision.

SHARON R. BOCK, CLERK  
PALM BEACH COUNTY, FL  
CIRCUIT CRIMINAL

2008 JUL 21 PM 4:55

FILED



JEFFREY EPSTEIN  
CASE#502008CF009381AXXXMB

IT IS FURTHER ORDERED that you shall comply with the following standard conditions of supervision as provided by Florida law:

- (1) You will report to the probation office as directed. Not later than the fifth day of each month, unless otherwise directed, you will make a full and truthful report to your officer on the form provided for that purpose.
- (2) You will pay the State of Florida the amount of \$50.00 per month, as well as 4% surcharge, toward the cost of your supervision in accordance with s. 948.09, F.S., unless otherwise exempted in compliance with Florida Statutes.
- (3) You will remain in a specified place. You will not change your residence or employment or leave the county of your residence without first procuring the consent of your officer.
- (4) You will not possess, carry or own any firearm or weapon, unless authorized by the court.
- (5) You will live without violating the law. A conviction in a court of law shall not be necessary for such a violation to constitute a violation of your probation/community control.
- (6) You will not associate with any person engaged in any criminal activity.
- (7) You will not use intoxicants to excess or possess any drugs or narcotics unless prescribed by a physician. Nor will you visit places where intoxicants, drugs or other dangerous substances are unlawfully sold, dispensed or used.
- (8) You will work diligently at a lawful occupation, advise your employer of your probation status, and support any dependents to the best of your ability, as directed by your officer.
- (9) You will promptly and truthfully answer all inquiries directed to you by the court or the officer, and allow your officer to visit in your home, at your employment site or elsewhere, and you will comply with all instructions your officer may give you.
- (10) You will pay restitution, court costs, and/or fees in accordance with special conditions imposed or in accordance with the attached orders.
- (11) You will submit to random testing as directed by your officer or the professional staff of the treatment center where he/she is receiving treatment to determine the presence of alcohol or illegal drugs. You will be required to pay for the tests unless exempt by the court.
- (12) You will submit two biological specimens, as directed by your officer, for DNA analysis as prescribed in ss. 943.325 and 948.014, F.S.
- (13) You will report in person within 72 hours of your release from incarceration to the probation office in PALM BEACH County, Florida, unless otherwise instructed by the court or department. (This condition applies only if section 3 on the previous page is checked.) Otherwise, you must report immediately to the probation office located at 3444 SOUTH CONGRESS AVENUE, LAKE WORTH, FL 33461.

JEFFREY EPSTEIN  
CASE#S02008CF009381AXXXMB

SPECIAL CONDITIONS

- 1. You must undergo a Drug and Alcohol evaluation and, if treatment is deemed necessary, you must successfully complete the treatment, and be responsible for the payment of any costs incurred while receiving said evaluation and treatment, unless waived by the court.  
Additional instructions ordered: \_\_\_\_\_
- 2. You will make restitution to the following victim(s), as directed by the court, until the obligation is paid in full:  
NAME: \_\_\_\_\_  
TOTAL AMOUNT: \$ \_\_\_\_\_  
Additional instructions ordered, including specific monthly amount, begin date, due date, or joint & several: \_\_\_\_\_  
  
NAME: \_\_\_\_\_  
TOTAL AMOUNT: \$ \_\_\_\_\_  
Additional instructions ordered, including specific monthly amount, begin date, due date, or joint & several: \_\_\_\_\_

SPECIAL CONDITIONS -- CONTINUED

- 3. You will enter the Department of Corrections Non-Secure Drug Treatment Program or other residential treatment program/Probation and Restitution Center for a period of successful completion as approved by your officer. You are to remain until you successfully complete said Program and Aftercare. You are to comply with all Rules and Regulations of the Program. You shall be confined in the county jail until placement in said program, and if you are confined in the jail, the Sheriff will transport you to said program.
- 4. You will abstain entirely from the use of alcohol and/or illegal drugs, and you will not associate with anyone who is illegally using drugs or consuming alcohol.
- 5. You will submit to urinalysis testing on a monthly basis to determine the presence of alcohol or illegal drugs. You will be required to pay for the tests unless exempt by the court.
- 6. You will not visit any establishment where the primary business is the sale and dispensing of alcoholic beverages.
- 7. You will successfully complete \_\_\_\_\_ hours of community service at a rate of \_\_\_\_\_, at a work site approved by your officer.  
Additional instructions ordered: \_\_\_\_\_
- 8. You will remain at your residence between 10 p.m. and 6 a.m. due to a curfew imposed, unless otherwise directed by the court.
- 9. You will submit to electronic monitoring, follow the rules of electronic monitoring, and pay \$ \_\_\_\_\_ per month for the cost of the monitoring service, unless otherwise directed by the court.
- 10. You will not associate with \_\_\_\_\_ during the period of supervision.
- 11. You will have no contact (direct or indirect) with the victim or the victim's family during the period of supervision.
- 12. You will have no contact (direct or indirect) with \_\_\_\_\_ during the period of supervision.
- 13. You will maintain full time employment or attend school/vocational school full time or a combination of school/work during the term of your supervision.
- 14. You will make a good faith effort toward completing basic or functional literacy skills or a high school equivalency diploma.
- 15. You will successfully complete the Probation & Restitution Program, abiding by all rules and regulations.

JEFFREY EPSTEIN  
CASE#502008CF009381AXXMB

- 16. You will attend Alcoholics Anonymous or Narcotics Anonymous meetings at least monthly, unless otherwise directed by the court.
- 17. You must successfully complete Anger Management, and be responsible for the payment of any costs incurred while receiving said treatment, unless waived. If convicted of a Domestic Violence offense, as defined in s. 741.28, F.S., you must attend and successfully complete a batterer's intervention program, unless otherwise directed by the court.  
Additional instructions ordered: \_\_\_\_\_
- 18. You will attend an HIV/AIDS Awareness Program consisting of a class of not less than two (2) hours or more than four (4) hours in length, the cost for which will be paid by you.
- 19. You shall submit your person, property, place of residence, vehicle or personal effects to a warrantless search at any time, by any probation or community control officer or any law enforcement officer.
- 20. DEFENDANT MUST REGISTER AS A SEXUAL OFFENDER WITHIN 48 HOURS OF RELEASE
- 21. AS A SPECIAL CONDITION OF HIS COMMUNITY CONTROL, THE DEFENDANT IS TO HAVE NO UNSUPERVISED CONTACT WITH MINORS, AND THE SUPERVISING ADULT MUST BE APPROVED BY THE DEPARTMENT OF CORRECTIONS
- 22. THE DEFENDANT IS DESIGNATED AS A SEXUAL OFFENDER PURSUANT TO FLORIDA STATUTE 943.05 AND MUST ABIDE BY ALL THE CORRESPONDING REQUIREMENTS OF THE STATUTE, A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN
- 23. DEFENDANT MUST PROVIDE A DNA SAMPLE IN COURT AT THE TIME OF THIS PLEA.
- 24. SPECIFIED CONTACT WITH THE PAROLE AND PROBATION OFFICER
- 25. CONFINEMENT TO AN AGREED-UPON RESIDENCE DURING HOURS AWAY FROM EMPLOYMENT AND PUBLIC SERVICE ACTIVITIES
- 25. MANDATORY PUBLIC SERVICE
- 26. SUPERVISION, BY THE DEPARTMENT OF CORRECTIONS BY MEANS OF AN ELECTRONIC MONITORING DEVICE OR SYSTEM
- 27. ELECTRONIC MONITORING 24 HOURS PER DAY
- 28. CONFINEMENT TO A DESIGNATED RESIDENCE DURING DESIGNATED HOURS

AND, IF PLACED ON DRUG OFFENDER PROBATION, YOU WILL COMPLY WITH THE FOLLOWING CONDITION OF SUPERVISION IN ADDITION TO THE STANDARD CONDITIONS LISTED ABOVE AND ANY OTHER SPECIAL CONDITIONS ORDERED BY THE COURT:

- (14) You will participate in a specialized drug treatment program, either as an in-patient or out patient, as recommended by the treatment provider. You will attend all counseling sessions, submit to random urinalysis and, if an in-patient, you will comply with all operating rules, regulations and procedures of the treatment facility. You will pay for all costs associated with treatment and testing unless otherwise directed.  
Additional instructions ordered: \_\_\_\_\_
- (15) You will remain at your residence between \_\_\_\_\_ p.m. and \_\_\_\_\_ a.m. due to a curfew imposed, unless otherwise directed by the court.

AND, IF PLACED ON COMMUNITY CONTROL, YOU WILL COMPLY WITH THE FOLLOWING CONDITIONS, IN ADDITION TO THE STANDARD CONDITIONS LISTED ABOVE AND ANY OTHER SPECIAL CONDITIONS ORDERED BY THE COURT:

JEFFREY EPSTEIN  
CASE#502008CF009381AXXXMB

- (14) You will report to your officer as directed, at least one time a week, unless you have written consent otherwise.
- (15) You will remain confined to your approved residence except for one half hour before and after your approved employment, public service work, or any other special activities approved by your officer.
- (16) You will maintain an hourly accounting of all your activities on a daily log, which you will submit to your officer on request.
- (17) You will successfully complete \_\_\_\_\_ hours of community service at a rate of \_\_\_\_\_, at a work site approved by your officer.  
Additional instructions ordered: \_\_\_\_\_
- (18) You will submit to electronic monitoring, follow the rules of electronic monitoring, and pay \$ \_\_\_\_\_ per month for the cost of the monitoring service, unless otherwise directed by the court.

**AND, IF PLACED ON PROBATION OR COMMUNITY CONTROL FOR A SEX OFFENSE PROVIDED IN CHAPTER 794, s. 800.04, s. 827.071, or s. 847.0145, COMMITTED ON OR AFTER OCTOBER 1, 1995 YOU WILL COMPLY WITH THE FOLLOWING STANDARD SEX OFFENDER CONDITIONS, IN ADDITION TO THE STANDARD CONDITIONS LISTED ABOVE AND ANY OTHER SPECIAL CONDITIONS ORDERED BY THE COURT:**

- (14) A mandatory curfew from 10 p.m. to 6 a.m. The court may designate another 8-hour period if the offender's employment precludes the above specified time, and the alternative is recommended by the Department of Corrections. If the court determines that imposing a curfew would endanger the victim, the court may consider alternative sanctions.
- (15) If the victim was under the age of 18, a prohibition on living within 1,000 feet of a school, day care center, park, playground, or other place where children regularly congregate, as prescribed by the court. The 1,000-foot distance shall be measured in a straight line from the offender's place of residence to the nearest boundary line of the school, day care center, park, playground, or other place where children congregate. The distance may not be measured by a pedestrian route or automobile route.
- (16) Active participation in and successful completion of a sex offender treatment program with qualified practitioners specifically trained to treat sex offenders, at the offender's own expense. If a qualified practitioner is not available within a 50-mile radius of the offender's residence, the offender shall participate in other appropriate therapy.
- (17) A prohibition on any contact with the victim, directly or indirectly, including through a third person, unless approved by the victim, the offender's therapist, and the sentencing court.
- (18) If the victim was under the age of 18, a prohibition on contact with a child under the age of 18 except as provided in this paragraph. The court may approve supervised contact with a child under the age of 18 if the approval is based upon a recommendation for contact issued by a qualified practitioner who is basing the recommendation on a risk assessment. Further, the sex offender must be currently enrolled in or have successfully completed a sex offender therapy program. The court may not grant supervised contact with a child if the contact is not recommended by a qualified practitioner and may deny supervised contact with a child at any time.
- (19) If the victim was under age 18, a prohibition on working for pay or as a volunteer at any place where children regularly congregate, including, but not limited to any school, day care center, park, playground, pet store, library, zoo, theme park, or mall.
- (20) Unless otherwise indicated in the treatment plan provided by the sexual offender treatment program, a prohibition on viewing, accessing, owning, or possessing any obscene, pornographic, or sexually stimulating visual or auditory material, including telephone, electronic media, computer programs, or computer services that are relevant to the offender's deviant behavior pattern.
- (21) A requirement that the offender submit two specimens of blood or other approved biological specimens to the Florida Department of Law Enforcement to be registered with the DNA data bank.
- (22) A requirement that the offender make restitution to the victim, as ordered by the court under s. 775.089, for all necessary medical and related professional services relating to physical, psychiatric, and psychological care.
- (23) Submission to a warrantless search by the community control or probation officer of the offender's person, residence, or vehicle.

JEFFREY EPSTEIN  
CASE#502008CF009381AXXXMB

**EFFECTIVE FOR PROBATIONER OR COMMUNITY CONTROLLEE WHOSE CRIME WAS COMMITTED ON OR AFTER OCTOBER 1, 1997, AND WHO IS PLACED ON COMMUNITY CONTROL OR SEX OFFENDER PROBATION FOR A VIOLATION OF CHAPTER 794, s. 800.04, s. 827.071, or s. 847.0145, IN ADDITION TO ANY OTHER PROVISION OF THIS SECTION, YOU MUST COMPLY WITH THE FOLLOWING CONDITIONS OF SUPERVISION:**

- (24) As part of a treatment program, participation at least annually in polygraph examinations to obtain information necessary for risk management and treatment and to reduce the sex offender's denial mechanisms. A polygraph examination must be conducted by a polygrapher trained specifically in the use of the polygraph for the monitoring of sex offenders, where available, and shall be paid by the sex offender.
- (25) Maintenance of a driving log and a prohibition against driving a motor vehicle alone without the prior approval of the supervising officer.
- (26) A prohibition against obtaining or using a post office box without the prior approval of the supervising officer.
- (27) If there was sexual contact, a submission to, at the offender's expense, an HIV test with the results to be released to the victim and/or the victim's parent or guardian.
- (28) Electronic monitoring when deemed necessary by the probation officer and supervisor, and ordered by the court at the recommendation of the Department of Corrections.
- (29) Effective for an offender whose crime was committed on or after July 1, 2005, and who are placed on supervision for violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145, a prohibition on accessing the Internet or other computer services until the offender's sex offender treatment program, after a risk assessment is completed, approves and implements a safety plan for the offender's accessing or using the Internet or other computer services.
- (30) Effective for offenders whose crime was committed on or after September 1, 2005, there is hereby imposed, in addition to any other provision in this section, mandatory electronic monitoring as a condition of supervision for those who:
- Are placed on supervision for a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older; or
  - Are designated as a sexual predator pursuant to s. 775.21; or
  - Has previously been convicted of a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older.

You are hereby placed on notice that should you violate your probation or community control, and the conditions set forth in s. 948.063(1) or (2) are satisfied, whether your probation or community control is revoked or not revoked, you shall be placed on electronic monitoring in accordance with F.S. 948.063.

**YOU ARE HEREBY PLACED ON NOTICE** that the court may at any time rescind or modify any of the conditions of your probation, or may extend the period of probation as authorized by law, or may discharge you from further supervision. If you violate any of the conditions of your probation, you may be arrested and the court may revoke your probation, adjudicate you guilty if adjudication of guilt was withheld, and impose any sentence that it might have imposed before placing you on probation or require you to serve the balance of the sentence.

JEFFREY EPSTEIN  
CASE#502008CF009381AXXXMB

IT IS FURTHER ORDERED that when you have been instructed as to the conditions of probation, you shall be released from custody if you are in custody; and if you are at liberty on bond, the sureties thereon shall stand discharged from liability. (This paragraph applies only if section 1 or section 2 is checked.)

IT IS FURTHER ORDERED that the clerk of this court file this order in the clerk's office and provide certified copies of same to the officer for use in compliance with the requirements of law.

DONE AND ORDERED, on

*July 18, 2008*

NUNC PRO TUNC 06-30-2008

*Sandra K. McSorley*  
Sandra K. McSorley, Circuit Judge

I acknowledge receipt of a copy of this order and that the conditions have been explained to me and I agree to abide by them.

Date: \_\_\_\_\_

Defendant \_\_\_\_\_

Instructed by: \_\_\_\_\_  
Supervising Officer

ep/07-02-08

JEFFREY EPSTEIN  
CASE#502008CF009381AXXXMB

### COURT ORDERED PAYMENTS

CHECK ALL THAT ARE ORDERED:

#### FINES

- \$ \_\_\_\_\_ Total of fines assessed in sentence, pursuant to s. 775.083 (1)(a) through (g) or Chapter 316, F.S.
- \$ \_\_\_\_\_ Statutorily mandated 5% surcharge/cost if fine assessed (on first line) pursuant to s. 938.04, F.S.
- \$ 20.00 Crime Stoppers Trust Fund pursuant to s. 938.06(1), F.S. Statutorily mandated if a fine is imposed

#### MANDATORY COSTS IN ALL CASES

- \$ 200.00 Additional court cost for felony offense, pursuant to s. 938.05(1)(a), F.S.
- \$ 50.00 Additional court cost for misdemeanor or criminal traffic offense, pursuant to s. 938.05(1)(b) or (c), F.S.
- \$ 50.00 Crimes Compensation Trust Fund pursuant to s. 938.03(1), F.S.
- \$ 50.00 County Crime Prevention Fund pursuant to s. 775.083(2), F.S.
- \$ 3.00 Additional Court Costs Clearing Trust Fund pursuant to s. 938.01(1), F.S.
- \$ 2.00 Per month for each month of supervision for Training Trust Fund Surcharge, pursuant to s. 948.09, F.S.

#### MANDATORY COSTS IN SPECIFIC TYPES OF CASES

- \$ 151.00 Rape Crisis Program Trust Fund, pursuant to s. 938.085, F.S. for any violations of ss. 784.011, 784.021, 784.03, 784.041, 784.045, 784.048, 784.07, 784.08, 784.081, 784.082, 784.083, 784.085, or 794.011, F.S.
- \$ 221.00 Domestic Violence Trust Fund, pursuant to s. 938.08, F.S. for any violations of ss. 784.011, 784.021, 784.03, 784.041, 784.045, 784.048, 784.07, 784.08, 784.081, 784.082, 784.083, 784.085, 794.011, or any offense of Domestic Violence described in s. 741.28, F.S.
- \$ 101.00 Certain Crimes Against Minors, pursuant to s. 938.10(1), F.S. for any violations of s. 784.085, chapter 787, chapter 794, s. 796.03, s. 800.04, chapter 827, s. 847.0145, or s. 985.701, F.S.
- \$ 135.00 DUI Court Costs, pursuant to s. 938.07, F.S. for any violations of ss. 316.193 or 327.35, F.S.
- \$ 3.00 State Agency Law Enforcement Radio System Trust Fund, pursuant to s. 318.18(17), F.S. for any violations of offenses listed in s. 318.17 including ss. 316.1935, 316.027, 316.061, 877.111, chapter 893, ss. 316.193, 316.192, 316.067, 316.072(3), 316.545(1), or any other offense in chapter 316 which is classified as a criminal violation.

#### MANDATORY COURT COSTS AUTHORIZED BY LOCAL GOVERNMENTAL ENTITIES

- \$ 2.00 Criminal Justice Education by Municipalities and Counties, pursuant to s. 938.15, F.S.
- \$ 65.00 Additional court costs for local requirements and other county funded programs pursuant to s. 939.185(1)(a), F.S.
- \$ 3.00 Teen Court pursuant to s. 938.19(2), F.S.

#### DISCRETIONARY

- \$ 1.00 Per month during the term of supervision to the following nonprofit organization established for the sole purpose of supplementing the rehabilitative efforts of the Department of Corrections, pursuant to s. 948.039(2), F.S.
- \$ 40.00 Public Defender Application Fee, if not previously collected or waived, pursuant to s. 27.52 and s. 938.29, F.S.
- \$ \_\_\_\_\_ Public Defender Fees and Costs, pursuant to s. 938.29, F.S. as determined locally.
- \$ 50.00 Prosecution/Investigative Costs, pursuant to s. 938.27, F.S.
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_

#### DISCRETIONARY COSTS FOR SPECIFIC TYPES OF CASES

- \$ 80.00 County Alcohol and Other Drug Abuse Trust Fund, pursuant to s. 938.21 and s. 938.23, F.S. for violations of s. 316.193, s. 856.011, s. 856.015, or chapter 562, chapter 567, or chapter 568, F.S.
- \$ 100.00 Operating Trust Fund of the FDLE, pursuant to s. 938.25, F.S. for violations of s. 893.13 offenses

\* TOTAL \$ 473.00

PAYMENT IS TO BE MADE THROUGH AND PAYABLE TO:  Department of Corrections or  Clerk of Court

(If collected by the Department of Corrections, a surcharge of 4% will be added to all payments ordered by the court, pursuant to s. 945.31, F.S.)

- Court Costs/Fines Waived
- Court Costs/Fines in the amount of \_\_\_\_\_ converted to \_\_\_\_\_ community service hours
- Court Costs/Fines in the amount of \_\_\_\_\_ reduced to civil judgment.

SPECIFIC INSTRUCTIONS FOR PAYMENT: \_\_\_\_\_

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,  
IN AND FOR PALM BEACH COUNTY, FLORIDA

STATE OF FLORIDA

CASE NO.: 08CF009381AXXXMB

DIVISION "W"

vs.  
JEFFREY E. EPSTEIN,

Defendant.

FILED  
MAY 4 3 52 PM '09  
MARTIN A. BOCK, CLERK  
PALM BEACH COUNTY, FL  
CIRCUIT CRIMINAL

**AGREED ORDER CORRECTING SCRIVENER'S ERROR**

THIS MATTER came before the Court upon the agreement of Jack A. Goldberger, Esq., attorney for the Defendant, and Barbara Burns, Esq., Assistant State Attorney, and the Court being otherwise fully apprised of the facts and circumstances therein, it is hereby

ORDERED AND ADJUDGED that the Order of Community Control is corrected to delete special condition #26 (Supervision by DOC by means of an electronic monitoring device or system) and special condition #27 (Electronic monitoring 24 hours per day). The plea agreement and plea colloquy clearly reflect that the Defendant was not to be placed on the electronic monitor.

DONE AND ORDERED in chambers, West Palm Beach, Palm Beach County, Florida this 4 day of May, 2009.

  
\_\_\_\_\_  
JEFFREY COLBATH  
Circuit Court Judge

Copies Furnished:

Jack A. Goldberger, Esq., Attorney for Defendant  
Barbara Burns, Esq., Assistant State Attorney  
Department of Corrections – Probation and Parole

SCANNED MAY 05 2009



STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 5 DAY OF May, 2009

SHARON R. BOCK  
CLERK & COMPTROLLER

Rv \_\_\_\_\_  
DEPUTY CLERK



FAXED  
5/4/09

**PLEA IN THE CIRCUIT COURT**  
**THE FOLLOWING IS TO REFLECT ALL TERMS OF THE NEGOTIATED SETTLEMENT**

Name: Jeffrey E. Epstein

Plea: Guilty X

Case No.	Charge	Count	Lesser	Degree
08CF009454AMB	Felony Solicitation of Prostitution	1	No	3 FEL
<u>20</u> 08CF009381AMB	Procuring Person Under 18 for Prostitution	1	No	2 FEL

PSI: Waived/Not Required X Required/Requested \_\_\_\_\_

**ADJUDICATION:** Adjudicate [x ]

**SENTENCE:**

On 08CF009454AMB, the Defendant is sentenced to 12 months in the Palm Beach County Detention Facility, with credit for 1 (one) day time served.

On 08CF009381AMB, the Defendant is sentenced to 6 months in the Palm Beach County Detention Facility, with credit for 1 (one) day time served. <sup>imprison jail sentence</sup> This 6 month sentence is to be served consecutive to the 12 month sentence in 08CF009454AMB. Following this 6 month sentence, the Defendant will be placed on 12 months Community Control 1 (one). The conditions of community control are attached hereto and incorporated herein.

**OTHER COMMENTS OR CONDITIONS:**

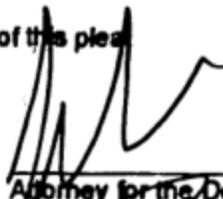
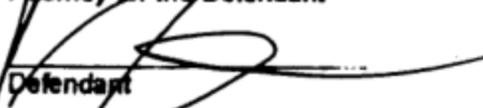
As a special condition of his community control, the Defendant is to have no unsupervised contact with minors, and the supervising adult must be approved by the Department of Corrections.

The Defendant is designated as a Sexual Offender pursuant to Florida Statute 943.0435 and must abide by all the corresponding requirements of the statute, a copy of which is attached hereto and incorporated herein.

The Defendant must provide a DNA sample in court at the time of this plea.

  
 Assistant State Attorney

6/30/08  
 Date of Plea

  
 Attorney for the Defendant  
  
 Defendant

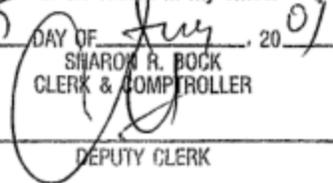


STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 5 DAY OF July, 2007

SHARON R. BOCK  
 CLERK & COMPTROLLER

By   
 DEPUTY CLERK

FURTHER ORDERED THAT YOU SHALL COMPLY WITH THE FOLLOWING CONDITIONS OF SUPERVISION:

I. COMMUNITY CONTROL BOARD CONDITIONS:

- (a) You will remain confined to your residence except one half hour before and after your approved employment, community service work, or any other activities approved by your probation officer.
- (b) You will maintain an hourly accounting of all your activities on a daily log which you will submit to your supervising officer upon request.
- (c) The Department of Corrections, may at its discretion, places you on Electronic Monitoring during the term of your Community Control. If placed on Electronic Monitoring, you will wear a monitor at all times. You will maintain a private phone line, be financially responsible for any lost or damaged equipment and follow all rules and regulations as instructed. The telephone will be available within five working days of being placed on Electronic Monitoring Program. While on electronic monitoring you will remain confined to your residence and are prohibited from being outside the residential walls.
- (d) If while being monitored and the monitor is found to have been tampered with you shall be taken into custody immediately, if the officer determines that your were not at your schedules place of work or school while allowed to be outside the residence then in that event you shall be taken into custody immediately. If taken into custody, you shall be held without bond and shall, on the next working day, brought before a Judge presiding over his or her case for further disposition at the discretion of the presiding Judge.
- (e) If placed on Electronic Monitoring you will pay to the State of Florida, for the cost of Electronic Monitoring \$1.00 per day, per F.S. 948.09.

(f) Defendant will be residing at 358 El Brillio Way, Palm Beach, Florida, 33480

II. DRUG OFFENDER PROBATION STANDARD CONDITIONS

- (a) You will submit to and, unless otherwise waived, be financially responsible for drug testing, urinalysis at least on a monthly basis, and counseling if deemed appropriate by your supervising officer.
- (b) You will enter and successfully complete a non-secure or inpatient drug treatment program if deemed appropriate by your officer.
- (c) You will comply with any curfew restrictions, confinement approved residence or travel restrictions as instructed by your officer and approved by the Officer's Supervisor.

III. SEX OFFENDER STANDARD CONDITIONS:

- (a) you shall submit to a mandatory curfew from 10:00 PM to 6:00 AM
- (b) (if the victim was under the age of 18 years) you shall not live within 1000 feet of a school, day care center, park, playground, or other place where children regularly congregate.
- (c) you shall enter, actively participate in, and successfully complete a sex offender treatment program with a therapist particularly trained to treat sex offender, at probationer's or community control's expense.
- (d) you shall not have any contact with the victim, directly or indirectly, including through a third person, unless approved by the victim, the therapist and sentencing court.
- (e) (if the victim was under the age of 18 years) you shall not, until you successfully attend and complete the sex offender program, have any unsupervised contact with a child under the age of 18 years, unless authorized by the sentencing court, without an adult present who is responsible for the child's welfare and which adult has been advised of the crime and is approved by the sentencing court.
- (f) (if the victim was under the age of 18 years) you shall not work for pay or as a volunteer in any school, day care center, park, playground, or other place where children regularly congregate.
- (g) ~~Unless otherwise indicated in the treatment plan provided by the sexual offender treatment program,~~ you shall not view, own, or possess any obscene, pornographic or sexually stimulating visual or auditory material, including telephone, electronic media, computer programs or computer services that are relevant to your deviant behavior pattern.
- (h) You shall submit two specimens of blood to the Florida Department of Law Enforcement to be registered with the DNA Data Bank.
- (i) You shall make restitution to the victim as ordered by this court pursuant to F.S. 775.089 for all necessary medical and related professional services relating to the physical, psychiatric and psychological care of the victim.
- (j) You shall submit to a warrantless search by your probation officer or community control officer of your person, residence, or vehicle.

(g) Defendant to have contact with his <sup>community control</sup> ~~probation~~ officer at a minimum one time a week.

(h) Defendant to work @ Florida Science Foundation, 250 Australian Ave. N/A FL.

IV. ~~SEX OFFENDER PROBATION/COMMUNITY CONTROL STANDARD CONDITIONS:~~

- (a) you shall submit to a mandatory curfew from 10:00 PM to 6:00 AM (if the victim was under the age of 18 years) you shall not live within 1000 feet of a school, day care center, park, playground, or other place where children regularly congregate.
- (c) you shall enter, actively participate in, and successfully complete a sex offender treatment program with a therapist particularly trained to treat sex offender, at probationer's or community controllee's expense.
- (d) you shall not have any contact with the victim, directly or indirectly, including through a third person, unless approved by the victim, the therapist and sentencing court.
- (e) (if the victim was under the age of 18 years) you shall not, until you successfully attend and complete the sex offender program, have any unsupervised contact with a child under the age of 18 years, unless authorized by the sentencing court, without an adult present who is responsible for the child's welfare and which adult has been advised of the crime and is approved by the sentencing court.
- (f) (if the victim was under the age of 18 years) you shall not work for pay or as a volunteer in any school, day care center, park, playground, or other place where children regularly congregate.
- (g) Unless otherwise indicated in the treatment plan provided by the sexual offender treatment program, you shall not view, own, or possess any obscene, pornographic or sexually stimulating visual or auditory material, including telephone, electronic media, computer programs or computer services that are relevant to your deviant behavior pattern.
- (h) You shall submit two specimens of blood to the Florida Department of Law Enforcement to be registered with the DNA Data Bank.
- (i) You shall make restitution to the victim as ordered by this court pursuant to F.S. 775.089 for all necessary medical and related professional services relating to the physical, psychiatric and psychological care of the victim.
- (j) You shall submit to a warrantless search by your probation officer or community control officer of your person, residence, or vehicle.
- (k) you shall, as part of a treatment program, participate once/twice annually in polygraph examination to obtain information necessary for risk management and treatment and to reduce your denial mechanisms. Your polygraph examinations must be conducted by a polygrapher trained specifically in the use of polygraph for monitoring sex offenders and it shall be paid by you. The results of the polygraph examinations shall not be used as evidenced in court to prove that a violation of community supervision occurred.
- (l) You shall maintain a driving log, you shall not drive a motor vehicle while alone without prior approval of your supervising officer.
- (m) (if there was sexual contact) you shall submit to, at probationer's or community controllee's expense, an HIV test with the results to be released to the victim, or the victim's parents or guardian.
- (n) You will not obtain or use a Post Office Box without the prior approval of the supervising officer.
- (o) You will submit to electronic monitoring when deemed necessary by the community control or probation officer and his or her supervisor, and ordered by the court at the recommendation of the Department of Corrections.

(duplicate)

Other: \_\_\_\_\_

THE COURT RESERVES THE RIGHT TO RESCIND, MODIFY, OR REVOKE SUPERVISION TO THE EXTENT PROVIDED BY LAW AND ORDERED AT West Palm Beach, Palm Beach County, Florida, this 30 day of June 2005.  
Junc Pro Tunc: 10/5/2005.

Honorable Sandra K. McSorley  
Judge, Circuit Court

I have received a copy of the terms and conditions of my supervision. I have read and understand these conditions and agree to report to the Department of Corrections Probation Office for further instructions. Also, I hereby consent to the disclosure of my alcohol and drug abuse patient records, the confidentiality of which is federally regulated under 42CFR, Part II, for the duration of my supervision.

DEFENDANT  
P 10/11/2005

5/30/05



STATE OF FLORIDA - PALM BEACH COUNTY  
I hereby certify that the foregoing is a true copy of the record in my office.  
THIS DAY OF July 2007  
SHARON R. BOCK  
CLERK & COMPTROLLER  
By \_\_\_\_\_  
DEPUTY CLERK

LB

948.101 Terms and conditions of community control and criminal quarantine community control.--

(1) The court shall determine the terms and conditions of community control. Conditions specified in this subsection do not require oral pronouncement at the time of sentencing and may be considered standard conditions of community control.

(a) The court shall require intensive supervision and surveillance for an offender placed into community control, which may include but is not limited to:

1. Specified contact with the parole and probation officer.
2. Confinement to an agreed-upon residence during hours away from employment and public service activities.
3. Mandatory public service.
4. Supervision by the Department of Corrections by means of an electronic monitoring device or system.
5. The standard conditions of probation set forth in s. 948.03.

(b) For an offender placed on criminal quarantine community control, the court shall require:

1. Electronic monitoring 24 hours per day.
2. Confinement to a designated residence during designated hours.

(2) The enumeration of specific kinds of terms and conditions does not prevent the court from adding thereto any other terms or conditions that the court considers proper. However, the sentencing court may only impose a condition of supervision allowing an offender convicted of s. 794.011, s. 800.04, s. 827.071, or s. 847.0145 to reside in another state if the order stipulates that it is contingent upon the approval of the receiving state interstate compact authority. The court may rescind or modify at any time the terms and conditions theretofore imposed by it upon the offender in community control. However, if the court withholds adjudication of guilt or imposes a period of incarceration as a condition of community control, the period may not exceed 364 days, and incarceration shall be restricted to a county facility, a probation and restitution center under the jurisdiction of the Department of Corrections, a probation program drug punishment phase I secure residential treatment institution, or a community residential facility owned or operated by any entity providing such services.

(3) The court may place a defendant who is being sentenced for criminal transmission of HIV in violation of s. 775.0877 on criminal quarantine community control. The Department of Corrections shall develop and administer a criminal quarantine community control program emphasizing intensive supervision with 24-hour-per-day electronic monitoring. Criminal quarantine community control status must include surveillance and may include other measures normally associated with community control, except that specific conditions necessary to monitor this population may be ordered.



'943.0435 Sexual offenders required to register with the department; penalty.--

(1) As used in this section, the term:

(a)1. "Sexual offender" means a person who meets the criteria in sub-subparagraph a., sub-subparagraph b., sub-subparagraph c., or sub-subparagraph d., as follows:

a. (I) Has been convicted of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes in this state or similar offenses in another jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor and the defendant is not the victim's parent or guardian; s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(4); s. 847.0137; s. 847.0138; s. 847.0145; or s. 985.701(1); or any similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this sub-sub-subparagraph; and

(II) Has been released on or after October 1, 1997, from the sanction imposed for any conviction of an offense described in sub-sub-subparagraph (I). For purposes of sub-sub-subparagraph (I), a sanction imposed in this state or in any other jurisdiction includes, but is not limited to, a fine, probation, community control, parole, conditional release, control release, or incarceration in a state prison, federal prison, private correctional facility, or local detention facility;

b. Establishes or maintains a residence in this state and who has not been designated as a sexual predator by a court of this state but who has been designated as a sexual predator, as a sexually violent predator, or by another sexual offender designation in another state or jurisdiction and was, as a result of such designation, subjected to registration or community or public notification, or both, or would be if the person were a resident of that state or jurisdiction, without regard to whether the person otherwise meets the criteria for registration as a sexual offender;

c. Establishes or maintains a residence in this state who is in the custody or control of, or under the supervision of, any other state or jurisdiction as a result of a conviction for committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes or similar offense in another jurisdiction: s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor and the defendant is not the victim's parent or guardian; s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(4); s. 847.0137; s. 847.0138; s. 847.0145; or s. 985.701(1); or any similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this sub-sub-subparagraph; or

d. On or after July 1, 2007, has been adjudicated delinquent for committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes in this state or similar offenses in another jurisdiction when the juvenile was 14 years of age or older at the time of the offense:

(I) Section 794.011, excluding s. 794.011(10);

(II) Section 800.04(4)(b) where the victim is under 12 years of age or where the court finds sexual activity by the use of force or coercion;

(III) Section 800.04(5)(c)1. where the court finds molestation involving unclothed genitals; or

(IV) Section 800.04(5)(d) where the court finds the use of force or coercion and unclothed genitals.

2. For all qualifying offenses listed in sub-subparagraph (1)(a)1.d., the court shall make a written finding of the age of the offender at the time of the offense.

For each violation of a qualifying offense listed in this subsection, the court shall make a written finding of the age of the victim at the time of the offense. For a violation of s. 800.04(4), the court shall additionally make a written finding indicating that the offense did or did not involve sexual activity and indicating that the offense did or did not involve force or coercion. For a violation of s. 800.04(5), the court shall additionally make a written finding that the offense did or did not involve unclothed genitals or genital area and that the offense did or did not involve the use of force or coercion.

(b) "Convicted" means that there has been a determination of guilt as a result of a trial or the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld, and includes an adjudication of delinquency of a juvenile as specified in this section. Conviction of a similar offense includes, but is not limited to, a conviction by a federal or military tribunal, including courts-martial conducted by the Armed Forces of the United States, and includes a conviction or entry of a plea of guilty or nolo contendere resulting in a sanction in any state of the United States or other jurisdiction. A sanction includes, but is not limited to, a fine, probation, community control, parole, conditional release, control release, or incarceration in a state prison, federal prison, private correctional facility, or local detention facility.

(c) "Permanent residence" and "temporary residence" have the same meaning ascribed in s. 775.21.

(d) "Institution of higher education" means a career center, community college, college, state university, or independent postsecondary institution.

(e) "Change in enrollment or employment status" means the commencement or termination of enrollment or employment or a change in location of enrollment or employment.

(f) "Electronic mail address" has the same meaning as provided in s. 668.602.

(g) "Instant message name" means an identifier that allows a person to communicate in real time with another person using the Internet.

(2) A sexual offender shall:

(a) Report in person at the sheriff's office:

1. In the county in which the offender establishes or maintains a permanent or temporary residence within 48 hours after:

a. Establishing permanent or temporary residence in this state; or

b. Being released from the custody, control, or supervision of the Department of Corrections or from the custody of a private correctional facility; or

2. In the county where he or she was convicted within 48 hours after being convicted for a qualifying offense for registration under this section if the offender is not in the custody or

control of, or under the supervision of, the Department of Corrections, or is not in the custody of a private correctional facility.

Any change in the sexual offender's permanent or temporary residence, name, any electronic mail address and any instant message name required to be provided pursuant to paragraph (4)(d), after the sexual offender reports in person at the sheriff's office, shall be accomplished in the manner provided in subsections (4), (7), and (8).

(b) Provide his or her name, date of birth, social security number, race, sex, height, weight, hair and eye color, tattoos or other identifying marks, occupation and place of employment, address of permanent or legal residence or address of any current temporary residence, within the state and out of state, including a rural route address and a post office box, any electronic mail address and any instant message name required to be provided pursuant to paragraph (4)(d), date and place of each conviction, and a brief description of the crime or crimes committed by the offender. A post office box shall not be provided in lieu of a physical residential address.

1. If the sexual offender's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual offender shall also provide to the department through the sheriff's office written notice of the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If the sexual offender's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual offender shall also provide to the department written notice of the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel, or houseboat.

2. If the sexual offender is enrolled, employed, or carrying on a vocation at an institution of higher education in this state, the sexual offender shall also provide to the department through the sheriff's office the name, address, and county of each institution, including each campus attended, and the sexual offender's enrollment or employment status. Each change in enrollment or employment status shall be reported in person at the sheriff's office, within 48 hours after any change in status. The sheriff shall promptly notify each institution of the sexual offender's presence and any change in the sexual offender's enrollment or employment status.

When a sexual offender reports at the sheriff's office, the sheriff shall take a photograph and a set of fingerprints of the offender and forward the photographs and fingerprints to the department, along with the information provided by the sexual offender. The sheriff shall promptly provide to the department the information received from the sexual offender.

(3) Within 48 hours after the report required under subsection (2), a sexual offender shall report in person at a driver's license office of the Department of Highway Safety and Motor Vehicles, unless a driver's license or identification card that complies with the requirements of s. 322.141(3) was previously secured or updated under s. 944.607. At the driver's license office the sexual offender shall:

(a) If otherwise qualified, secure a Florida driver's license, renew a Florida driver's license, or secure an identification card. The sexual offender shall identify himself or herself as a sexual offender who is required to comply with this section and shall provide proof that the sexual offender reported as required in subsection (2). The sexual offender shall provide any of the information specified in subsection (2), if requested. The sexual offender shall submit to the taking of a photograph for use in issuing a driver's license, renewed license, or identification card, and for use by the department in maintaining current records of sexual offenders.

(b) Pay the costs assessed by the Department of Highway Safety and Motor Vehicles for issuing or renewing a driver's license or identification card as required by this section. The driver's license or identification card issued must be in compliance with s. 322.141(3).

(c) Provide, upon request, any additional information necessary to confirm the identity of the sexual offender, including a set of fingerprints.

(4)(a) Each time a sexual offender's driver's license or identification card is subject to renewal, and, without regard to the status of the offender's driver's license or identification card, within 48 hours after any change in the offender's permanent or temporary residence or change in the offender's name by reason of marriage or other legal process, the offender shall report in person to a driver's license office, and shall be subject to the requirements specified in subsection (3). The Department of Highway Safety and Motor Vehicles shall forward to the department all photographs and information provided by sexual offenders. Notwithstanding the restrictions set forth in s. 322.142, the Department of Highway Safety and Motor Vehicles is authorized to release a reproduction of a color-photograph or digital-image license to the Department of Law Enforcement for purposes of public notification of sexual offenders as provided in this section and ss. 943.043 and 944.606.

(b) A sexual offender who vacates a permanent residence and fails to establish or maintain another permanent or temporary residence shall, within 48 hours after vacating the permanent residence, report in person to the sheriff's office of the county in which he or she is located. The sexual offender shall specify the date upon which he or she intends to or did vacate such residence. The sexual offender must provide or update all of the registration information required under paragraph (2)(b). The sexual offender must provide an address for the residence or other location that he or she is or will be occupying during the time in which he or she fails to establish or maintain a permanent or temporary residence.

(c) A sexual offender who remains at a permanent residence after reporting his or her intent to vacate such residence shall, within 48 hours after the date upon which the offender indicated he or she would or did vacate such residence, report in person to the agency to which he or she reported pursuant to paragraph (b) for the purpose of reporting his or her address at such residence. When the sheriff receives the report, the sheriff shall promptly convey the information to the department. An offender who makes a report as required under paragraph (b) but fails to make a report as required under this paragraph commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) A sexual offender must register any electronic mail address or instant message name with the department prior to using such electronic mail address or instant message name on or after October 1, 2007. The department shall establish an online system through which sexual offenders may securely access and update all electronic mail address and instant message name information.

(5) This section does not apply to a sexual offender who is also a sexual predator, as defined in s. 775.21. A sexual predator must register as required under s. 775.21.

(6) County and local law enforcement agencies, in conjunction with the department, shall verify the addresses of sexual offenders who are not under the care, custody, control, or supervision of the Department of Corrections in a manner that is consistent with the provisions of 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. Local law enforcement agencies shall report to the department any failure by a sexual offender to comply with registration requirements.



(7) A sexual offender who intends to establish residence in another state or jurisdiction other than the State of Florida shall report in person to the sheriff of the county of current residence within 48 hours before the date he or she intends to leave this state to establish residence in another state or jurisdiction. The notification must include the address, municipality, county, and state of intended residence. The sheriff shall promptly provide to the department the information received from the sexual offender. The department shall notify the statewide law enforcement agency, or a comparable agency, in the intended state or jurisdiction of residence of the sexual offender's intended residence. The failure of a sexual offender to provide his or her intended place of residence is punishable as provided in subsection (9).

(8) A sexual offender who indicates his or her intent to reside in another state or jurisdiction other than the State of Florida and later decides to remain in this state shall, within 48 hours after the date upon which the sexual offender indicated he or she would leave this state, report in person to the sheriff to which the sexual offender reported the intended change of residence, and report his or her intent to remain in this state. The sheriff shall promptly report this information to the department. A sexual offender who reports his or her intent to reside in another state or jurisdiction but who remains in this state without reporting to the sheriff in the manner required by this subsection commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(9)(a) A sexual offender who does not comply with the requirements of this section commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) A sexual offender who commits any act or omission in violation of this section may be prosecuted for the act or omission in the county in which the act or omission was committed, the county of the last registered address of the sexual offender, or the county in which the conviction occurred for the offense or offenses that meet the criteria for designating a person as a sexual offender.

(c) An arrest on charges of failure to register when the offender has been provided and advised of his or her statutory obligations to register under subsection (2), the service of an information or a complaint for a violation of this section, or an arraignment on charges for a violation of this section constitutes actual notice of the duty to register. A sexual offender's failure to immediately register as required by this section following such arrest, service, or arraignment constitutes grounds for a subsequent charge of failure to register. A sexual offender charged with the crime of failure to register who asserts, or intends to assert, a lack of notice of the duty to register as a defense to a charge of failure to register shall immediately register as required by this section. A sexual offender who is charged with a subsequent failure to register may not assert the defense of a lack of notice of the duty to register.

(d) Registration following such arrest, service, or arraignment is not a defense and does not relieve the sexual offender of criminal liability for the failure to register.

(10) The department, the Department of Highway Safety and Motor Vehicles, the Department of Corrections, the Department of Juvenile Justice, any law enforcement agency in this state, and the personnel of those departments; an elected or appointed official, public employee, or school administrator; or an employee, agency, or any individual or entity acting at the request or upon the direction of any law enforcement agency is immune from civil liability for damages for good faith compliance with the requirements of this section or for the release of information under this section, and shall be presumed to have acted in good faith in compiling, recording, reporting, or releasing the information. The presumption of good faith is not overcome if a technical or clerical error is made by the department, the Department of Highway Safety and Motor Vehicles, the Department of Corrections, the Department of Juvenile



Justice, the personnel of those departments, or any individual or entity acting at the request or upon the direction of any of those departments in compiling or providing information, or if information is incomplete or incorrect because a sexual offender fails to report or falsely reports his or her current place of permanent or temporary residence.

(11) Except as provided in s. 943.04354, a sexual offender must maintain registration with the department for the duration of his or her life, unless the sexual offender has received a full pardon or has had a conviction set aside in a postconviction proceeding for any offense that meets the criteria for classifying the person as a sexual offender for purposes of registration. However, a sexual offender:

(a)1. Who has been lawfully released from confinement, supervision, or sanction, whichever is later, for at least 25 years and has not been arrested for any felony or misdemeanor offense since release, provided that the sexual offender's requirement to register was not based upon an adult conviction:

- a. For a violation of s. 787.01 or s. 787.02;
- b. For a violation of s. 794.011, excluding s. 794.011(10);
- c. For a violation of s. 800.04(4)(b) where the court finds the offense involved a victim under 12 years of age or sexual activity by the use of force or coercion;
- d. For a violation of s. 800.04(5)(b);
- e. For a violation of s. 800.04(5)c.2. where the court finds the offense involved unclothed genitals or genital area;
- f. For any attempt or conspiracy to commit any such offense; or
- g. For a violation of similar law of another jurisdiction,

may petition the criminal division of the circuit court of the circuit in which the sexual offender resides for the purpose of removing the requirement for registration as a sexual offender.

2. The court may grant or deny relief if the offender demonstrates to the court that he or she has not been arrested for any crime since release; the requested relief complies with the provisions of the federal Adam Walsh Child Protection and Safety Act of 2006 and any other federal standards applicable to the removal of registration requirements for a sexual offender or required to be met as a condition for the receipt of federal funds by the state; and the court is otherwise satisfied that the offender is not a current or potential threat to public safety. The state attorney in the circuit in which the petition is filed must be given notice of the petition at least 3 weeks before the hearing on the matter. The state attorney may present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. If the court denies the petition, the court may set a future date at which the sexual offender may again petition the court for relief, subject to the standards for relief provided in this subsection.

3. The department shall remove an offender from classification as a sexual offender for purposes of registration if the offender provides to the department a certified copy of the court's written findings or order that indicates that the offender is no longer required to comply with the requirements for registration as a sexual offender.



(b) As defined in sub-subparagraph (1)(a)1.b. must maintain registration with the department for the duration of his or her life until the person provides the department with an order issued by the court that designated the person as a sexual predator, as a sexually violent predator, or by another sexual offender designation in the state or jurisdiction in which the order was issued which states that such designation has been removed or demonstrates to the department that such designation, if not imposed by a court, has been removed by operation of law or court order in the state or jurisdiction in which the designation was made, and provided such person no longer meets the criteria for registration as a sexual offender under the laws of this state.

(12) The Legislature finds that sexual offenders, especially those who have committed offenses against minors, often pose a high risk of engaging in sexual offenses even after being released from incarceration or commitment and that protection of the public from sexual offenders is a paramount government interest. Sexual offenders have a reduced expectation of privacy because of the public's interest in public safety and in the effective operation of government. Releasing information concerning sexual offenders to law enforcement agencies and to persons who request such information, and the release of such information to the public by a law enforcement agency or public agency, will further the governmental interests of public safety. The designation of a person as a sexual offender is not a sentence or a punishment but is simply the status of the offender which is the result of a conviction for having committed certain crimes.

(13) Any person who has reason to believe that a sexual offender is not complying, or has not complied, with the requirements of this section and who, with the intent to assist the sexual offender in eluding a law enforcement agency that is seeking to find the sexual offender to question the sexual offender about, or to arrest the sexual offender for, his or her noncompliance with the requirements of this section:

(a) Withholds information from, or does not notify, the law enforcement agency about the sexual offender's noncompliance with the requirements of this section, and, if known, the whereabouts of the sexual offender;

(b) Harbors, or attempts to harbor, or assists another person in harboring or attempting to harbor, the sexual offender; or

(c) Conceals or attempts to conceal, or assists another person in concealing or attempting to conceal, the sexual offender; or

(d) Provides information to the law enforcement agency regarding the sexual offender that the person knows to be false information,

commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(14)(a) A sexual offender must report in person each year during the month of the sexual offender's birthday and during the sixth month following the sexual offender's birth month to the sheriff's office in the county in which he or she resides or is otherwise located to reregister.

(b) However, a sexual offender who is required to register as a result of a conviction for:

1. Section 787.01 or s. 787.02 where the victim is a minor and the offender is not the victim's parent or guardian;



2. Section 794.011, excluding s. 794.011(10);
3. Section 800.04(4)(b) where the court finds the offense involved a victim under 12 years of age or sexual activity by the use of force or coercion;
4. Section 800.04(5)(b);
5. Section 800.04(5)(c)1. where the court finds molestation involving unclothed genitals or genital area;
6. Section 800.04(5)c.2. where the court finds molestation involving unclothed genitals or genital area;
7. Section 800.04(5)(d) where the court finds the use of force or coercion and unclothed genitals or genital area;
8. Any attempt or conspiracy to commit such offense; or
9. A violation of a similar law of another jurisdiction,

must reregister each year during the month of the sexual offender's birthday and every third month thereafter.

(c) The sheriff's office may determine the appropriate times and days for reporting by the sexual offender, which shall be consistent with the reporting requirements of this subsection. Reregistration shall include any changes to the following information:

1. Name; social security number; age; race; sex; date of birth; height; weight; hair and eye color; address of any permanent residence and address of any current temporary residence, within the state or out of state, including a rural route address and a post office box; any electronic mail address and any instant message name required to be provided pursuant to paragraph (4)(d); date and place of any employment; vehicle make, model, color, and license tag number; fingerprints; and photograph. A post office box shall not be provided in lieu of a physical residential address.
2. If the sexual offender is enrolled, employed, or carrying on a vocation at an institution of higher education in this state, the sexual offender shall also provide to the department the name, address, and county of each institution, including each campus attended, and the sexual offender's enrollment or employment status.
3. If the sexual offender's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual offender shall also provide the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If the sexual offender's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual offender shall also provide the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel or houseboat.
4. Any sexual offender who fails to report in person as required at the sheriff's office, or who fails to respond to any address verification correspondence from the department within 3 weeks of the date of the correspondence or who fails to report electronic mail addresses or



instant message names, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) The sheriff's office shall, within 2 working days, electronically submit and update all information provided by the sexual offender to the department in a manner proscribed by the department.



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 5 DAY OF Aug, 2009  
By SHARON R. BOCK  
CLERK & COMPTROLLER  
DEPUTY CLERK