

**DEPARTMENT OF JUVENILE JUSTICE
OFFICE OF THE INSPECTOR GENERAL
BACKGROUND SCREENING UNIT**

**CRIMINAL HISTORY ACKNOWLEDGEMENT AND PRISON RAPE ELIMINATION ACT
(PREA) COMPLIANCE FORM**

____ (print applicant's name), as an applicant for employment or volunteer with,
____ (print program name), which may include responsibilities as a caretaker and/or
direct contact staff, I certify I meet the requirements for employment as caretaker, as required by Federal and Florida
Statutes and rules, in which:

A. In accordance with the Prison Rape Elimination Act (PREA) (115.317) we are unable to employ or utilize as a volunteer individuals who have (1) engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other Institution (as defined in 42 U.S. C. 1997); (2) been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or (3) been civilly or administratively adjudicated to have engaged in the activity described in (1-3) of this section.

- 1 Have you engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?
 - a) Yes
 - b) No
- 2 Have you been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?
 - a) Yes
 - b) No
- 3 Have you been civilly or administratively adjudicated to have engaged in the activity described in questions one and two above?
 - a) Yes
 - b) No

B. In accordance with Section 435.07(4)b we are unable to employ or utilize as a volunteer individuals who have been designated (1) a sexual predator as designated pursuant to s. [775.21](#); (2) a career offender pursuant to s. [775.261](#); or (3) a sexual offender pursuant to s. [943.0435](#), unless the requirement to register as a sexual offender has been removed pursuant to s. [943.04354](#).

- 1 Have you been designated a sexual predator, career offender or sexual offender?
 - a) Yes
 - b) No

I have read the above ***carefully*** and certify the information is true and correct. I understand it is my responsibility to obtain clarification on anything contained in this section which I do not understand prior to signing. I am aware that any omissions, falsifications, misstatements or misrepresentations may disqualify me from consideration as an employee or volunteer and ***may be grounds for termination at a later date, if I am hired or being utilized as a volunteer.***

APPLICANT SIGNATURE and DATE

WITNESS SIGNATURE and DATE

- C. Below is a list of offenses which will disqualify an applicant, volunteer or current employee. This information is provided to help the hiring authority determine if the individual has a criminal offense(s) which would disqualify him or her from employment or use as a volunteer. (*Note: If the individual was previously granted an exemption from the Department for a disqualifying offense, attach a copy of the exemption letter.*)
1. In accordance with Florida Statutes 435.04, 985.644 and 985.66, **the following will disqualify** an individual from employment or as a volunteer:
 - 1) Being judicially determined to have committed abuse or neglect against a child as defined in s.39.01.
 - 2) Committing an act which constitutes domestic violence as defined in Sections 741.28 and 741.30 (domestic violence is defined as any crime of violence against a family/household member, including assault and battery).
 - 3) Being found **guilty, regardless of whether adjudication was imposed or withheld**, of any of the offenses listed below, or of any similar offense in another jurisdiction. This statement does not apply to juvenile records which are **sealed or expunged**.
 - 4) Entering a plea of **guilty** or **nolo contendere (no contest)**, or had the court enter such a plea, to any of the offenses listed below, or to any similar offense in another jurisdiction. This statement does not apply to juvenile records which are **sealed or expunged**.
 - 5) Entering a plea of **nolo contendere (no contest)**, or other plea amounting to an **admission of guilt**, to a petition alleging delinquency under Florida Statutes, or under a similar statute of another jurisdiction for any of the offenses listed below, **regardless of whether adjudication was imposed or withheld and regardless of disposition**. (*This statement does not apply to juvenile records which are sealed or expunged.*)
 - 6) Having a **delinquency** record which is similar to any of the offenses listed below.
 2. The **bold** numbers listed below are located in Chapters 435.04, 985.644 and 985.66 of the Florida Statutes, and the statement next to each number describes the related offense. **Circle** the number next to the offense(s) which may appear in your criminal record:
 1. **39.205** relating to the failure to report child abuse, abandonment, or neglect.
 2. **393.135** relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.
 3. **394.4593** relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.
 4. **414.39** relating to fraud, if the offense was a felony.
 5. **415.111** relating to adult abuse, neglect, or exploitation of aged person or disabled adults.
 6. **741** relating to domestic violence as defined in Sections 741.28 and 741.30 (any crime of violence against a family/household member, including assault and battery).
 7. **777.04** relating to attempts, solicitation, and conspiracy to commit an offense listed in this subsection.
 8. **782.04** relating to murder.
 9. **782.07** relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, or aggravated manslaughter of a child.
 10. **782.071** relating to vehicular homicide.
 11. **782.09** relating to killing of an unborn child by injury to the mother.
 12. **784** relating to assault, battery, and culpable negligence, if the offense was a felony.
 13. **784.011** relating to assault, if the victim of the offense was a minor.
 14. **784.021** relating to aggravated assault (*F.S. 784*).
 15. **784.03** relating to battery, if the victim of the offense was a minor.
 16. **784.045** relating to aggravated battery (*F.S. 784*).

17. **784.07** relating to assault or battery of law enforcement officers, fire fighters, emergency medical care providers, public transit employees or agents, or other specified officers (*F.S.985.644*).
18. **784.075** relating to battery on a detention or commitment facility staff.
19. **787.01** relating to kidnapping.
20. **787.02** relating to false imprisonment.
21. **787.025** relating to luring or enticing a child.
22. **787.04(2)** relating to taking, enticing, or removing a child beyond the state limits with criminal intent pending custody proceedings.
23. **787.04(3)** relation to carrying a child beyond the state lines with criminal intent to avoid producing a child at a custody hearing or delivering the child to the designated person.
24. **787.06** relating to human trafficking.
25. **787.07** relating to human smuggling.
26. **790.115(1)** relating to exhibiting firearms or weapons within 1,000 feet of a school.
27. **790.115(2)(b)** relating to possessing an electric weapon or device, destructive device, or other weapon on school property.
28. **794.011** relating to sexual battery.
29. **794.041** relating to prohibited acts of persons in familial or custodial authority.
30. **794.05** relating to unlawful sexual activity with certain minors.
31. **794.08** relating to female genital mutilation.
32. **796** relating to prostitution.
33. **798.02** relating to lewd and lascivious behavior.
34. **800** relating to lewdness and indecent exposure.
35. **806.01** relating to arson.
36. **810.02** relating to burglary.
37. **810.14** relating to voyeurism, if the offense is a felony.
38. **810.145** relating to digital voyeurism, if the offense is a felony.
39. **812** relating to theft, robbery and related crimes, if the offense was a felony.
40. **817.563** relating to fraudulent sale of controlled substances, only if the offense was a felony.
41. **817.568** relating to criminal use of personal identification information. (*F.S.985.644*).
42. **825.102** relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult.
- 43.. **825.1025** relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled adult.
44. **825.103** relating to exploitation of an elderly person or disabled adult, if the offense was a felony.
45. **826.04** relating to incest.
46. **827.03** relating to child abuse, aggravated child abuse, or neglect of a child.
47. **827.04** relating to contributing to the delinquency or dependency of a child.
48. **827.05** relating to negligent treatment of children.
49. **827.071** relating to sexual performance by a child.
50. **831.311** relating to the unlawful sale, manufacture, alteration, delivery, uttering, or possession of counterfeit-resistant prescription blanks for controlled substances.
51. **836.10** relating to written or electronic threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism
52. **837.012** relating to perjury when not in an official proceeding* (*F.S. 985.66*).
53. **837.05** relating to false reports to law enforcement authorities* (*F.S. 985.66*).
54. **837.055** relating to false information to law enforcement during investigation* (*F.S. 985.66*).

55. **837.06** relating to false official statements.* (****Note:** Any person who pled nolo contendere to a misdemeanor involving a false statement before October 1, 1999, and who has had that record sealed or expunged is not disqualified for employment.*) (**F.S. 985.66**)
56. **843.01** relating to resisting arrest with violence.
57. **843.025** relating to depriving a law enforcement, correctional, or correctional probation officer means of protection or communication.
58. **843.12** relating to aiding in an escape.
59. **843.13** relating to aiding in the escape of juvenile inmates in correctional institutions.
60. **847** relating to obscene literature.
61. **859.01** relating to poisoning food or water.
62. **873.01** relating to the prohibition on the purchase or sale of human organs and
63. **874.05** relating to encouraging or recruiting another to join a criminal gang.
64. **893** relating to drug abuse prevention and control, only if the offense was a felony or if any other person involved in the offense was a minor (this includes charges of possession of controlled substances, the sale of controlled substances, intent to sell controlled substances, trafficking in controlled substances, and possession of drug paraphernalia, etc.).
65. **916.1075** relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.
66. **944.35(3)** relating to inflicting cruel or inhuman treatment on an inmate resulting in great bodily harm.
67. **944.40** relating to escape.
68. **944.46** relating to harboring, concealing, or aiding an escaped prisoner.
69. **944.47** relating to introduction of contraband into a correctional facility.
70. **985.701** relating to sexual misconduct in juvenile justice programs.
71. **985.711** relating to contraband introduced into detention facilities.

Comment: _____
