

**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 that I meet the requirements for employment as caretaker, as required by Federal and Florida Statutes and
rules, in that:

- 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

I have read the above *carefully* and certify that the information is true and correct. I understand that it is my responsibility to obtain clarification on anything contained in this section that 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, *if I am hired or being utilized as a volunteer, may be grounds for termination at a later date.*

APPLICANT SIGNATURE and DATE

WITNESS SIGNATURE and DATE

B. This section is used to determine if the applicant or employee has a criminal offense(s) that would disqualify him or her from employment or to be used as a volunteer. (*Note: If the applicant or employee 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, I acknowledge the following:
 - 1) I have not been judicially determined to have committed abuse or neglect against a child as defined in s.39.01.
 - 2) I have not committed 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) I have not been 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 that are **sealed or expunged**.
 - 4) I have not entered 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 that are **sealed or expunged**.
 - 5) I have not entered 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 that are **sealed or expunged**.
 - 6) I do not have a **delinquency** record that is similar to any of the offenses listed below.
2. I understand that I must **immediately notify my employer of any possible disqualifying offenses**, which may occur while employed or volunteering in a caretaker and/or direct contact position. Failure to do so could be grounds for termination.
3. The statements referenced in this section are related to the following Florida Statutes. Circle the number next to the offense(s) that may appear in your criminal record:
 1. **393.135** relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.
 2. **394.4593** relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.
 3. **415.111** relating to adult abuse, neglect, or exploitation of aged person or disabled adults
 4. **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).
 5. **777.04** relating to attempts, solicitation, and conspiracy to commit an offense listed in this subsection
 6. **782.04** relating to murder
 7. **782.07** relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, or aggravated manslaughter of a child
 8. **782.071** relating to vehicular homicide
 9. **782.09** relating to killing of an unborn child by injury to the mother
 10. **784** relating to assault, battery, and culpable negligence, if the offense was a felony.
 11. **784.011** relating to assault, if the victim of the offense was a minor
 12. **784.021** relating to aggravated assault
 13. **784.03** relating to battery, if the victim of the offense was a minor
 14. **784.045** relating to aggravated battery
 15. **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
16. **784.075** relating to battery on a detention or commitment facility staff
 17. **787.01** relating to kidnapping
 18. **787.02** relating to false imprisonment
 19. **787.025** relating to luring or enticing a child.
 20. **787.04(2)** relating to taking, enticing, or removing a child beyond the state limits with criminal intent pending custody proceedings
 21. **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
 22. **790.115(1)** relating to exhibiting firearms or weapons within 1,000 feet of a School
 23. **790.115(2)(b)** relating to possessing an electric weapon or device, destructive device, or other weapon on school property
 24. **794.011** relating to sexual battery
 25. **794.041** relating to prohibited acts of persons in familial or custodial authority
 26. **794.05** relating to unlawful sexual activity with certain minors.
 27. **796** relating to prostitution
 28. **798.02** relating to lewd and lascivious behavior
 29. **800** relating to lewdness and indecent exposure
 30. **806.01** relating to arson
 31. **810.02** relating to burglary
 32. **810.14** relating to voyeurism, if the offense is a felony.
 31. **810.145** relating to video voyeurism, if the offense is a felony.
 32. **812** relating to theft, robbery and related crimes, if the offense was a felony
 33. **817.563** relating to fraudulent sale of controlled substances, only if the offense was a felony
 34. **817.568** relating to criminal use of personal identification information
 35. **825.102** relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult
 36. **825.1025** relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled adult
 37. **825.103** relating to exploitation of an elderly person or disabled adult, if the offense was a felony
 38. **826.04** relating to incest
 39. **827.03** relating to child abuse, aggravated child abuse, or neglect of a child
 40. **827.04** relating to contributing to the delinquency or dependency of a child
 41. **827.05** relating to negligent treatment of children
 42. **827.071** relating to sexual performance by a child
 43. **837.012** relating to perjury when not in an official proceeding
 44. **837.05** relating to false reports to law enforcement authorities*
 45. **837.055** relating to false information to law enforcement during investigation*
 46. **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.*)
 47. **843.01** relating to resisting arrest with violence
 48. **843.025** relating to depriving a law enforcement, correctional, or correctional probation officer means of protection or communication
 49. **843.12** relating to aiding in an escape
 50. **843.13** relating to aiding in the escape of juvenile inmates in correctional institutions
 51. **847** relating to obscene literature
 52. **874.05** relating to encouraging or recruiting another to join a criminal gang
 53. **893** relating to drug abuse prevention and control 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.)

- 54. **916.1075** relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct
- 55. **944.35(3)** relating to inflicting cruel or inhuman treatment on an inmate resulting in great bodily harm
- 56. **944.40** relating to escape
- 57. **944.46** relating to harboring, concealing, or aiding an escaped prisoner
- 58. **944.47** relating to introduction of contraband into a correctional facility
- 59. **985.701** relating to sexual misconduct in juvenile justice programs
- 60. **985.711** relating to contraband introduced into detention facilities

Comment: _____

