

UNLAWFUL CHILD SEXUAL GROOMING OFFENSES ACT



Ali Hopper


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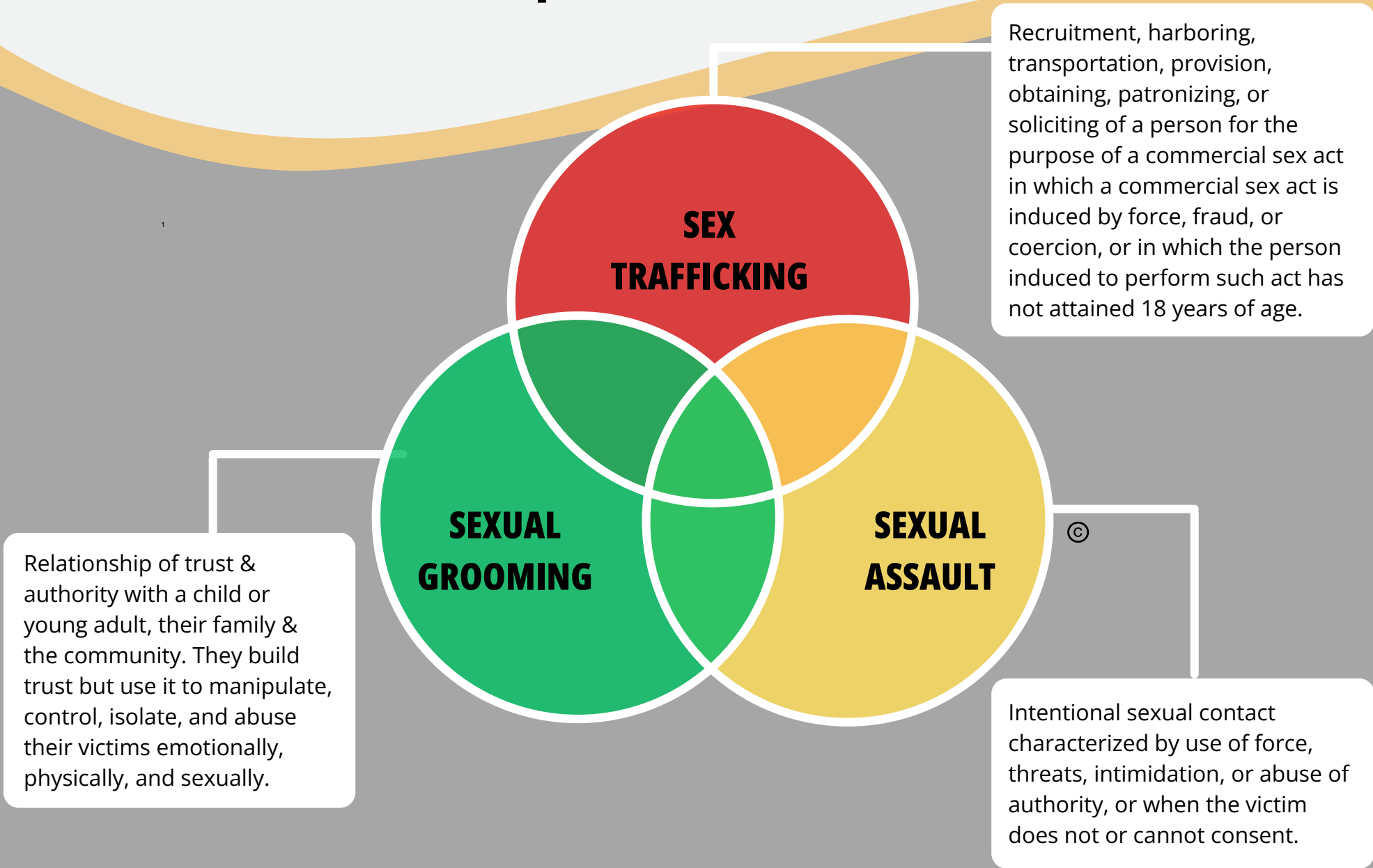
- **What does it do?**
 - Aims to define “Unlawful Grooming” & to align Criminal Acts with Criminal Intent leading to a felony charge.
 - Focuses on the criminal inflicting undue influence on a minor for sexual gratification of the criminal.
 - It also applies to scenarios where the intention of the offender is not to traffic the child, sexually exploit the child, or involve the child in the commercial sex trade.
- **Why do we need it?**
 - To safeguard and protect our children before sexual indoctrination or assault occurs.
 - After initial review of Florida Statutes, a reviewer can conclude that is **there is NOT one place or statute to find all relevant information or elements of the crime of committing unlawful Grooming.**

**THIS CONFIRMS THAT OUR EFFORTS ARE WELL PLACED
BECAUSE IT SHOWS THAT FLORIDA NEEDS THIS FOCUSED
LAW FOR THE CRIME OF UNLAWFUL GROOMING.**

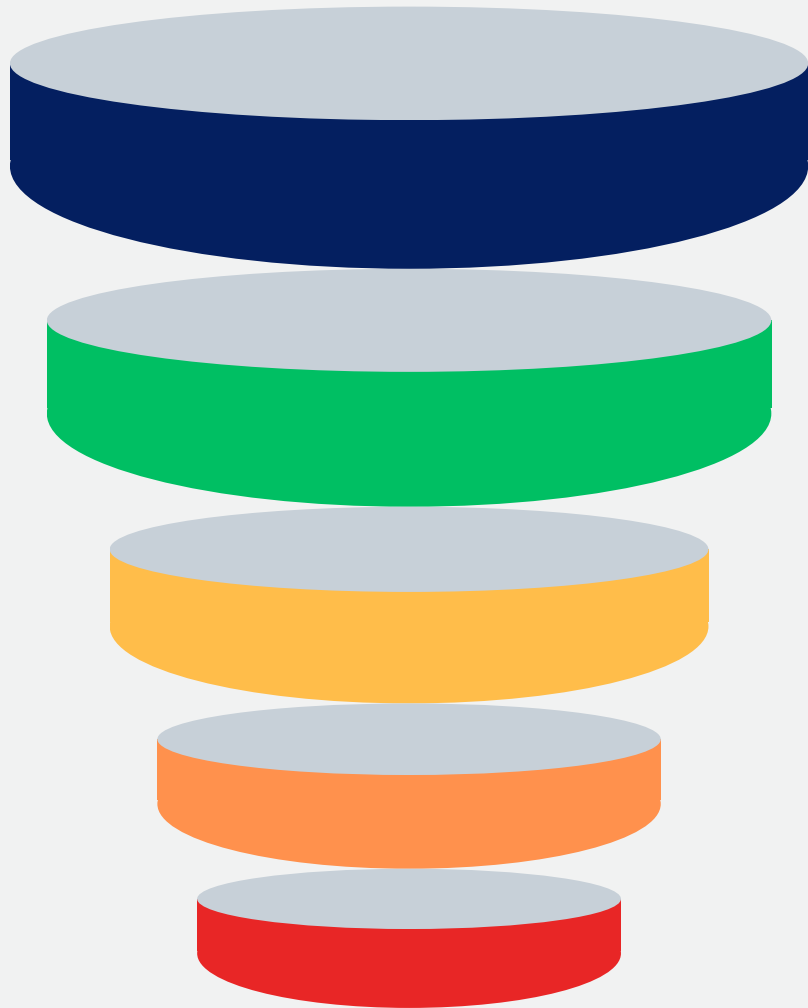
**So what is Child Sexual Grooming and
how does it differ from the
definitions currently found in our
State's Criminal Code?**



Let's Take a Look: Compare & Contrast



The “Downward Spiral”



01

Grooming

Building a relationship with a child to abuse and exploit them. Often begins being built on trust but used it to control, isolate, and abuse their victims emotionally, physically, and sexually.

02

Sexual Abuse

Any sexual activity with a child where consent is not or cannot be given. The sexually acts may include penetration, creation of pornographic images, sexual touching, or non-contact acts such as exposure or voyeurism.

03

Sexual Exploitation of a child

Taking unfair advantage of the imbalance of power between an adult and a child under the age of 18 for the purpose of sexual pleasure.

04

Commercial Sexual Exploitation of a child

Sexual activity involving a child in exchange for something of value, or promise thereof, to the child or another person or persons - a form of violence against children

05

Sex Trafficking of a child

Forms of CSEC involving a 3rd party that profits from the sexual activity with the victim

6 Stages of Child Sexual Grooming

While grooming can happen in different ways, most sexual predators use certain grooming patterns. But grooming doesn't happen overnight, and there are red flags along the way.

Stages of grooming often look like:





6 Stages of Child Sexual Grooming Explained

1	Child Selection	Child within the adult's "sphere of influence" where a relationship of authority has already been or can be established (i.e. teacher & student, coach & player, etc.) Reasons vary on why specific children become targets. <i>(Ex. attraction, ease of access, or perceived vulnerabilities of the child)</i>
2	Gain trust & information	Actively befriending the child and/or their parents to establish trust and acquire personal details about the child. <i>(Ex. loiter in places children frequent, befriend other children, become a caretaker, take jobs or participate in event that are child friendly)</i>
3	Fill the need or void	Providing advice, special attention, offering gifts, sharing secrets with the child - depending on what the child appears to lack.
4	Isolate	Finding ways to be alone with the child. <i>(Ex. Babysitting, After school activities - sports, Arts, offer transportation, or do other favors that would allow for them to be alone with the child)</i>
5	Normalize abusive behavior & desensitize sexual touch	Gradually increasing physical contact to prepare and desensitize the child victim for sexual contact. <i>(Ex. Texting, emailing, social media, physical touching that increases in frequency or severity)</i>
6	Maintain control & power	Using different tactics to maintain control and secrecy around the relationship. <i>(Ex. guilt, threats, manipulation, or by normalizing the behaviors)</i>



To help prevent the rape and sexual molestation of children, child grooming behaviors **MUST** be identified before child sexual assault occurs.

Addressing these clear and identifiable behaviors as evidence for conditioning a child through a premeditated course of action, where the result is to rape and/or sexually molest the child, needs to be recognized by the state of Florida as a crime within itself, and held punishable by law, as it is within other U.S. states.

Direct vs. Indirect Laws

Statutes are considered “**direct**” laws if the crime is an offense that can justify an arrest. Such crimes include “Indecent Exposure.”



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Statutes are considered “**indirect**” if the statute can only be decided on and enforced through the prosecution process by a Jury and/or the Court, as an additional condition to a current offense.



“Indirect” statutes cannot be considered by law enforcement as cause for arrest.



Offense Type By Definition of Crime, According to FL State Statues



(as of 2023)

Chapter	Chapter Title	Section	Section Title	Limitation
847	Obsenity	847.0135(3)	Computer pornography; prohibited computer usage; traveling to meet minor; penalties	Limited to one (1) aspect of grooming.
847	Obsenity	847.0138, F.S.	Prohibiting transmission of material harmful to minor to a minor by an electronic device or equipment	Limited to image, information, or data that is harmful to minors as defined in s. 847.001 – Obscenity material.
800	Lewdness; Indecent Exposure	800.04(6), F.S.	Prohibiting lewd or lascivious conduct	Limited to one (1) aspect of grooming.
800	Lewdness; Indecent Exposure	800.101, F.S.	Offenses against students by authority figures	Limited by location of offense - “school”.
794	Sexual Battery	794.053, F.S.	Prohibiting lewd or lascivious written solicitation of certain minors	Limited to one (1) aspect of grooming.
775	General Penalties; Registration of Criminals	775.0862, F.S.	Sexual offenses against students by authority figures; reclassification	Limited by location of offense - “school”.
787	Kidnapping; Custody Offenses; Human Trafficking; and Related Offenses	787.025	Luring or enticing a child.	Limited by location of offense - “into a structure, dwelling, or conveyance”.

CONDITIONAL LIMITATIONS

Statutes were determined to have conditional limitation associated with child grooming language when the child grooming language within a statute was recognized only when a specific condition(s) applied.

For example, the crime of “Sexual Exploitation of a Minor” includes child grooming language but only under the condition that the offender knows that “such conduct will be photographed or part of a live performance”.

Language Modification Suggestions

CHAPTER 775 – GENERAL PENALTIES; REGISTRATION OF CRIMINALS

Section 775.0862, F.S.,

Sexual offenses against students by authority figures; reclassification

- OR -

CHAPTER 800 - LEWDNESS; INDECENT EXPOSURE

Section 800.101, F.S.

Offenses against students by authority figures

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Amending “Sexual offenses against students by authority figures”
from “students” to “children” (children as defined by FL State Law)

Summary

The analysis of the statutes show that:

*“no **direct law** exists in Florida State Law that addresses child grooming behaviors **without the conditional limitations associated** with these factors.”*

Due to various components of child grooming being sprinkled in various statutes as sub provisions, it further highlights the necessity to amend our laws to protect our children.

In proceeding with this amendment, it allows our prosecutors and law enforcement to protect our children, as these legal crimes will now be **clearly outlined and in one place.**

Appendix



Appendix A

Additional Definitions



Actions - What

- **Recruiting:** proactively targeting an individual's vulnerabilities and/or grooming, or befriending a child with the intention to abuse.
- **Using:** supplying alcohol and/or drugs to garner an intimate relationship or support an existing habit.
- **Harboring:** isolation, confinement, and/or monitoring of another person's movement.
- **Transporting:** the unwanted movement and/or arranging of travel of another person.
- **Obtaining:** forcibly taking something from someone else; exchanging something for the ability to control another person.
- **Soliciting:** offering something of value in exchange for sex such as housing, food, clothing, travel, etc.

Means - How

- **Force:** physical assault, sexual assault, isolation, and/or confinement of another person.
- **Fraud:** false employment offers, sham marriages, lying about work situation, withholding wages, and/or taking legal documentation (such as a passport or driver's license).
- **Coercion:** threats of violence, threats of arrest/deportation, debt bondage, and/or withholding legal documentation.

Purpose - Why

- **Commercial sex act:** any sex act on account of anything of value given to or received by any person.

Appendix B

Summary Continued

Florida State Law recognizes child sex crimes through the punishable classification and designation of sex offenses and sexual exploitation statutes implemented through the Florida State Criminal Code. However, Florida State does not wholly define nor recognize penalties for the act of **“child grooming” as a direct crime**, where the behaviors occur in scenarios other than commercial sexual abuse, sex trafficking, through electronic communication, on school grounds or unless pursuant to conditions for convicted sex offenders.

This means that, when an adult who has not been convicted of a prior sex offense takes identifiable steps to seduce, entice, coax, solicit, or persuade a child into a sexual relationship, and does so with or without the use of electronic communication or without the intention of exploiting or profiting from the sexual relationship, then it is likely that law enforcement will not be able to make an arrest.