

# FLORIDA LAW WEEKLY SEX CRIMES EDITION BY DENNIS NICEWANDER

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Miller v. State, 33 Fla. L. Weekly D79 (Fla. 5<sup>th</sup> DCA 2008):

Defendant argued that the failure to register statute violates his right to equal protection by requiring him to register with the Florida Sex Offender Registry as a result of an offense he committed in West Virginia in 1994, while exempting similarly-situated Florida sex offenders from the registration requirement.

The court ruled statute requiring sexual offender to report in person at driver's license office did not violate equal protection; challenged statute applied to all similarly situated persons, did not intentionally discriminate against sex offender alone, and passed rational basis scrutiny.