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March 4, 2014

The Honorable Frank Artiles
The Florida House of Representatives
317 The Capitol
402 South Monroe Street
Tallahassee, FL 32399-1300

Re: HB 1083 Exemption/CDD Surveillance Recordings

Dear Representative Artiles:

We are writing to express our grave concerns regarding HB 1083, creating a public record exemption for surveillance recordings held by a community development district. We believe that this exemption is unwarranted and as such, respectfully suggest that it be withdrawn from further consideration.

Specifically, the constitutionally-required statement of public necessity is seriously flawed, based on mere speculation rather than fact. Furthermore, the statement of necessity is based on an expectation of privacy that simply does not exist – the law is very clear that there is no reasonable expectation of privacy in a public place. An exception to the public's constitutional right of access should not be based on speculation and a faulty claim of privacy.

We appreciate your attention to our concerns, Representative Artiles. If you have any questions, please do not hesitate to contact us.

Sincerely,

Barbara A. Petersen
President

Cc: The Honorable Will Weatherford, Speaker, Florida House of Representatives

Jon Kaney, General Counsel, First Amendment Foundation
Sam Morley, General Counsel, Florida Press Association