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March 4, 2014

The Honorable Jeff Brandes  
The Florida Senate  
318 Senate Office Building  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Re: SB 1218 Public Records/ CDD Surveillance Recordings

Dear Senator Brandes:

We are writing to express our grave concerns regarding SB 1218, 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 We believe that this exemption is unwarranted and as such, respectfully suggest that it be withdrawn from further consideration.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, Senator Brandes. If you have any questions, please do not hesitate to contact us.

Sincerely,

Barbara A. Petersen  
President

cc: The Honorable Don Gaetz, President, The Florida Senate  
Jon Kaney, General Counsel, First Amendment Foundation  
Sam Morley, General Counsel, Florida Press Association