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12 March 2015

The Honorable Chris Latvala
The Florida House of Representatives
1101 The Capitol
402 South Monroe Street
Tallahassee, FL 32399-1300

Re: HB 1015 Exemption/Agency Personnel Information

Dear Representative Latvala:

We are writing to express our opposition to HB 1015, expanding exemptions for information of current and former law enforcement personnel, certain specified employees in the Department of Health, Department of Revenue, and Department of Children and Families, states attorneys, and statewide prosecutors. It is our position that HB 1015, as currently drafted, is unconstitutionally overbroad and violates Article 1, s. 24(c), of the Florida Constitution.

Of particular concern is the breadth and vagueness of the proposed exemptions. The law presently exempts the home address the specified officers and employees to reasonably ensure the safety and privacy of their homes and their immediate families. The proposed expansion to exempt secondary residences, driver license numbers, license plate numbers, email addresses, and former places of employment does not serve such a specific purpose. In fact, the proposed exemptions effectively eliminate oversight and accountability for these personnel by taking their entire history out of the public view. This is simply bad public policy and is an unwarranted expansion of reasonable protections already in law. HB 1015 erects an unacceptable barrier to our constitutional right of access.

Public oversight and government accountability are the bedrocks of open government. To that end, the law requires exemptions be narrowly construed and no broader than necessary to achieve their specified purpose. This bill would set a dangerous precedent of disregarding the Constitution to arbitrarily restrict the public's right of access. For these reasons, we respectfully suggest HB 1015 be withdrawn from further consideration. If you have any questions about our position, Representative Latvala, please do not hesitate to contact us.

Sincerely,



Barbara A. Petersen
President

Cc: The Honorable Steve Crisafulli, Speaker, Florida House of Representatives
Jon Kaney, General Counsel, First Amendment Foundation
Sam Morley, General Counsel, Florida Press Association
Gil Thelen, Executive Director, Florida Society of News Editors