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February 20, 2015

The Honorable Daniel Wright "Danny" Burgess, Jr.
The Florida House of Representatives
1301 The Capitol
402 South Monroe Street
Tallahassee, FL 32399-1300

Re: HB 537 Exemption/CDD Surveillance Recordings

Dear Representative Burgess:

We are writing to express our grave concerns regarding HB 537, creating a public record exemption for surveillance recordings held by a community development district. We believe this exemption is unwarranted and as such, respectfully suggest it be withdrawn from further consideration.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 purports to protect 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 Burgess. If you have any questions, 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