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March 20, 2015

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The Honorable Jack Latvala
The Florida Senate
Room 408, Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1100

Re: CS/SB 200 Public Record Exemption/Email Addresses

Dear Senator Latvala:

We are writing to express our concerns regarding SB 200, creating a public record exemption for email addresses obtained by tax collectors for the purpose of providing electronic tax notices. We believe that this exemption is unwarranted, and respectfully suggest that CS/SB 200 be withdrawn from further consideration.

We don't dispute that email addresses can be used for nefarious and illegal purposes. The same can be said, however, of telephone numbers and home addresses. For example, local law enforcement agencies around the state are warning of a widespread telephone scam – people are told that their utilities will be shut off unless they provide a credit card number over the phone. Even a quick review of the website scam-detector.com is frightening – auto scams (85), face-to-face scams (93), social networking scams (162), travel scams (138). According to the website, the utility scam is one of 101 telephone scams.

Our point is this: Creating a public record exemption for email addresses held by a county tax collector will not protect people from those intent on defrauding them. The only way to truly protect taxpayers and consumers from those who would cause them harm is through increased consumer education and we applaud Commissioner Putnam in his efforts in this regard. We believe the focus should be on the crime committed – punish those who commit fraud rather than denying access to public record information.

We have a constitutional right of access to public records and every exemption created by the Legislature is an exception to that right. Email

is arguably the most common form of communication in today's technology-centric world, and people routinely provide their email addresses willingly and voluntarily through a wide variety of publicly-available sources. In requiring tax collectors to redact email addresses in response to a public record request will create an unwarranted barrier to the public's ability to obtain public record emails in a timely and cost effective manner, and will hamper our ability to oversee government and hold it accountable.

For these reasons, we respectfully ask this bill be withdrawn, Senator Latvala. If you have any questions, please do not hesitate to contact us.

Sincerely,

A handwritten signature in blue ink, appearing to be 'B.A. Petersen', with a stylized flourish.

Barbara A. Petersen, President

Cc: The Honorable Andy Gardiner, President, Florida Senate
Jon Kaney, General Counsel, First Amendment Foundation
Sam Morley, General Counsel, Florida Press Association