



29 April 2015

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The Honorable Rick Scott  
Office of the Governor  
The Capitol  
400 South Monroe Street  
Tallahassee, FL 32399-0001

Re: CS/HB 185 Exemption/Home Addresses – U.S. Military Personnel

Dear Governor Scott:

We are writing to request that you veto CS/HB 185, which creates a public record exemption for the home addresses and other specified personal information of current or former service members of U.S. military special operations units and all current or former active duty service members of the U.S. Armed Forces, Reserve Forces, and National Guard who have served since 9/11. It is our position that the bill is both overly broad and under inclusive. The exemption is unwarranted.

The proposed exemption is overbroad in that exempts the home address of all service members, regardless of posting. CS/HB 185 is also under-inclusive in that it fails to protect service members who may have served in armed conflicts prior to 9/11 such as Operation Desert Shield, the first Gulf War.

The Foundation has spoken with numerous public records custodians who have real concerns about the impact this bill will have. The burden the exemption will place on records custodians will be extreme, requiring them to track thousands (if not tens of thousands) of requests for confidentiality. The cost of access to public records will increase exponentially – redaction costs are passed along to the requestor – as will time delays in accessing commonly requested public records. In addition, the bill does not include a provision of proof – in other words, is a record custodian to take it on faith that a person requesting confidentiality actually served in the military after 9/11?

We understand the concerns for the safety of those who have served in the military, particularly in light of the recent threats posed by ISIS against the 100-targeted military personnel. We believe, however, that it is

important to take this threat in context. The group responsible for creating the target list did not make a public record request to obtain the information about those targeted – the information was posted to the Internet by the U.S. Military.

<http://abcnews.go.com/Politics/service-members-purported-isis-hit-list-unfazed-threat/story?id=29827367>

The exemption simply cannot fulfill its stated purpose, and will result in an impermissible barrier to our constitutional right of access. For these reasons, we respectfully request that you veto CS/HB 185.

We appreciate your attention to our concerns, Governor Scott. If you have any questions or would like additional information, please do not hesitate to contact us.

Sincerely,



Barbara A. Petersen

Cc: Jon Kaney, General Counsel, First Amendment Foundation  
Sam Morley, General Counsel, Florida Press Association  
Gil Thelen, Executive Director, Florida Society of News Editors.