



BOARD OF TRUSTEES

DAVE WILSON, CHAIRMAN

Senior Editor, *The Miami Herald*

BOB SHAW, VICE CHAIRMAN

Retired Editor

MIKE VASILINDA, SECRETARY

& TREASURER

President, Capitol News Service

JON KANEY, GENERAL COUNSEL

Kaney & Olivari

JIM BALTZELLE

Director of Digital Media, Southeast,

The Associated Press

DICK BATCHELOR

Founder and President,

Dick Batchelor Management Group, Inc.

BRIAN CROWLEY

Principal, Immediacy Public Relations

MIKE DEESON

Senior Reporter, WTSP-TV

FRANK DENTON

Editor, *Florida Times-Union*

SKIP FOSTER

President & Publisher, Tallahassee Media Group

GARY GREEN

Deputy News Editor and Digital Director,

Innovation News Center

CAROL JEAN LOCICERO

Thomas & LoCicero

SAMUEL J. MORLEY

General Counsel, Florida Press Association

TIM NICKENS

Editor of Editorials, *Tampa Bay Times*

ROSEMARY O'HARA

Editorial Page Editor, *Sun Sentinel*

PATRICK RICE

Editor, *Daytona Beach News-Journal*

DEAN RIDINGS

President & CEO, Intersect Media Solutions

APRIL SALTER

President & Chief Operating Officer,

Salter Mitchell

PETE WEITZEL

Director Emeritus

CHARLEY WILLIAMS

Past State Board,

League of Women Voters of Florida

Director, Business Development, GEC

04 December 2015

The Honorable Bobby B. DuBose
The Florida House of Representatives
1402 The Capitol
402 South Monroe Street
Tallahassee, FL 32399-1300

Re: HB 463 Exemption/Unsworn DFS Investigative Personnel – Home Addresses

Dear Representative DuBose:

We are writing to express our concerns regarding House Bill 463, creating an exemption for the home addresses and other public record information of unsworn investigative personnel of the Department of Financial Services. It is our position that the proposed legislation is unwarranted and we respectfully suggest it be withdrawn from further consideration.

Of particular concern is the vague and potentially broad nature of the term “investigative personnel.” The proposed bill describes the exempt personnel by the duties he or she may perform or be involved in; this opens the door to unnecessarily including assistants, or supervisors who have but a tangential relationship to investigating agency matters within the scope of the exemption. Because it is unknown how broadly or narrowly the title is to be construed, the consequences of this legislation and the number of staff it could affect are similarly unknown. As a result, the public is not fully aware of the breadth and effect of the bill.

In addition, the constitutionally required statement of public necessity is critically flawed, based on mere speculation rather than fact. It hypothesizes future harms that have yet to arise, and provides no evidence supporting the current need for this exemption. The statement of public necessity must be factually specific; a potential threat of harm is conjectural at best, and does not meet the constitutional standard for the creation of new exemptions.

For these reasons, Representative DuBose, we respectfully request HB 463 be withdrawn. Thank you for your attention to our concerns; if we may be of any assistance, please do not hesitate to contact us.

Sincerely,

Barbara A. Petersen, President

Cc: Steve Crisafulli, Speaker, Florida House of Representatives
Jon Kaney, General Counsel, First Amendment Foundation
Sam Morley, General Counsel, Florida Press Association