



First Amendment Foundation

Protecting Your Right to Know for 30 Years!

March 22, 2017

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

Jonathan D. Kaney Jr., P.L.L.C.

JIM BALTZELLE

Director of Regional Media, Southeast

The Associated Press

DICK BATCHELOR

Founder and President

Dick Batchelor Management Group, Inc.

MIKE DEESON

Senior Reporter, WTSP-TV

FRANK DENTON

Editor at Large, *Florida Times-Union*

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*

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 Statewide Voter Services Chair

League of Women Voters

Business Development Director

Geotechnical and Environmental

Consultants, Inc.

SKIP FOSTER

Publisher & President

Tallahassee Media Group

The Honorable Stan McClain
Florida House of Representatives
402 South Monroe Street, Room 1301 CAP
Tallahassee, FL 32399-1300

Re: HB 331 Public Records/Law Enforcement Agencies

Dear Representative McClain:

We are writing to express our opposition to HB 331, requiring that requests to inspect or copy public records in the custody of a law enforcement agency be made directly to the head of the agency or that person's designee.

It is our position that this requirement places an unnecessary burden on those seeking access to a law enforcement agency's public records. If HB 331 were to become law, the artificial barrier created by the requirement that all public record requests be made to the head of the law enforcement agency or a designee will undoubtedly cause unwarranted delays in accessing public records in the custody of the agency.

Additionally, it is unclear why a law enforcement agency should be treated differently from other agencies in terms of the obligation to provide public records and a change in the law as it relates to only law enforcement agencies could create a dangerous precedent.

Thus, we respectfully request that HB 331 be withdrawn from further consideration. Thank you for your attention to our concerns.

Sincerely,

Barbara A. Petersen, President

Cc: The Honorable Richard Corcoran, Speaker, Florida House of Representative
Jon Kaney, General Counsel, First Amendment Foundation
Samuel Morley, General Counsel, Florida Press Association