



# First Amendment Foundation

Protecting Your Right to Know for 30 Years!

March 22, 2017

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The Honorable Dennis Baxley  
The Florida Senate  
404 South Monroe Street, Room 320 SOB  
Tallahassee, FL 32399-1100

Re: SB 864 Public Records/Law Enforcement Agencies

Dear Senator Baxley:

We are writing to express our opposition to SB 864, 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 SB 864 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Thus, we respectfully request that SB 864 be withdrawn from further consideration. Thank you for your attention to our concerns.

Sincerely,

Barbara A. Petersen, President

Cc: The Honorable Joe Negron, President, The Florida Senate  
Jon Kaney, General Counsel, First Amendment Foundation  
Samuel Morley, General Counsel, Florida Press Association