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September 13, 2019

First Amendment Foundation
Attn: Ms. Barbara A. Petersen, President
317 East Park Avenue
Tallahassee, FL 32301

Hello Ms. Peterson,

The State Attorney's Office received your letter, dated September 6th, regarding the GOAA board meeting held on August 28th and a request for an investigation into any potential violation of Florida's Sunshine Laws. Your complaint was forwarded to the Florida Department of Law Enforcement on September 9th. On September 12th the State Attorney's Office received an electronic mailing from Florida Department of Law Enforcement, which states as follows:

On September 8, 2019, the Florida Department of Law Enforcement ("FDLE") received an email from State Attorney Investigator Eric Edwards regarding a request from the First Amendment Foundation to open a criminal investigation into the Greater Orlando Aviation Authority (GOAA) board of directors for a Sunshine Law violation. The email included a letter to State Attorney Ayala, along with a link to a newspaper article that appeared in the Orlando Sentinel on August 28, 2019 titled Mayors Buddy Dyer, Jerry Demings decry Orlando Airport Board Moves as "Unprecedented" and "Dangerous." The allegation is that the GOAA board members met prior to the public meeting to discuss hiring two outside attorneys as co-general counsels, in violation of Florida's Sunshine law. The letter noted that coincidentally, the two attorneys that the board wanted to hire (Tara Tedrow and former Judge James Perry) were at the meeting, and both Mayors questioned whether or not the board had discussed the hiring of the attorneys prior to the meeting.

Florida Statute § 286.011(1) mandates that all meetings of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, except as provided in the Constitution, including meetings with or attended by any person elected to such board or commission, but who has not yet taken office, at which official acts are to be taken are declared to be public meetings open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting. Additionally, the board or commission must provide reasonable notice of all meetings. Per Florida Statute § 286.011(3)(b), any person who is a member of a board or commission or of any state agency or authority of any county, municipal corporation, or political subdivision who knowingly violates the provisions of this section by attending a meeting not held in accordance with the provisions detailed above is guilty of a second degree misdemeanor.

The allegations described in the letter are at best, circumstantial. The allegation relies solely on a newspaper article. At this time no witnesses have come forward to offer any evidence as to a violation of Florida law; nor was any independent evidence presented to corroborate the allegation. Furthermore, if the allegation was substantiated, the criminal activity would at most amount to a misdemeanor of the second degree. The facts and circumstances of this allegation do not meet FDLE's investigative strategy. As such, FDLE will not open a criminal investigation at this time.

Please let us know if there is any additional information that you can provide. A copy of the electronic mailing is also attached to this letter.

Thank you.

A handwritten signature in blue ink that reads "Wm. Eric Edwards". The signature is written in a cursive style and is positioned above a horizontal line.

Wm. Eric Edwards
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