

Libby, Lee C.

From: Libby, Lee C.
Sent: Monday, October 09, 2017 10:21 AM
To: Pruss, Karen E.; Campos, Jorge J.; McIntire, David W.; McDermott, Sean M.
Cc: Harris, Helen J.; Roque, Alexandra
Attachments: 10040962 Campus emergency response of a public postsecondary educational....doc; 119071 General exemptions from inspection or copying of public records.doc; 119011 Definitions.doc

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TM Contact: GPD
TM Contact No: 8110
TM Matter No: 8110.00080
TM Matter Reference: GPD - Public Records

I believe the below excerpts of Florida Statutes would apply to public records requests:

119.071: General exemptions from inspection or copying of public records

(2)(b) Whenever criminal intelligence information or criminal investigative information held by a **non-Florida criminal justice agency** is available to a Florida criminal justice agency only on a confidential or similarly restricted basis, the Florida criminal justice agency may obtain and use such information in accordance with the conditions imposed by the providing agency.

(c) 1. **Active criminal intelligence information** and active criminal investigative information are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(d) **Any information revealing surveillance techniques or procedures** or personnel is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Any comprehensive inventory of state and local law enforcement resources compiled pursuant to part I, chapter 23, and any comprehensive policies or plans compiled by a criminal justice agency pertaining to the mobilization, deployment, or tactical operations involved in responding to an emergency, as defined in s. 252.34, are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution and unavailable for inspection, except by personnel authorized by a state or local law enforcement agency, the office of the Governor, the Department of Legal Affairs, the Department of Law Enforcement, or the Division of Emergency Management as having an official need for access to the inventory or comprehensive policies or plans.

119.011 Definitions:

(3)(a) "Criminal intelligence information" means information with respect to an identifiable person or group of persons collected by a criminal justice agency in an effort to anticipate, prevent, or monitor possible criminal activity.

(d) The word "active" shall have the following meaning:

1. Criminal intelligence information shall be considered "active" as long as it is related to intelligence gathering conducted with a reasonable, good faith belief that it will lead to detection of ongoing or reasonably anticipated criminal activities.

2. Criminal investigative information shall be considered "active" as long as it is related to an ongoing investigation which is continuing with a reasonable, good faith anticipation of securing an arrest or prosecution in the foreseeable future.

In addition, criminal intelligence and criminal investigative information shall be considered "active" while such information is directly related to pending prosecutions or appeals. The word "active" shall not apply to information in cases which are barred from prosecution under the provisions of s. 775.15 or other statute of limitation.

1004.0962. Campus emergency response of a public postsecondary educational institution; public records exemption; public meetings exemption

Any portion of a campus emergency response held by a state or local law enforcement agency, a county or municipal emergency management agency, the Executive Office of the Governor, the Department of Education, the Board of Governors of the State University System, or the Division of Emergency Management is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

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FYI: Under Florida's public records law, most written communications to or from City officers and employees regarding City business are public records and are available to the public upon request. Your email communications and email addresses may be subject to public disclosure.

From: Pruss, Karen E.
Sent: Monday, October 09, 2017 8:46 AM
To: Campos, Jorge J.; McIntire, David W.; Libby, Lee C.; McDermott, Sean M.
Cc: Harris, Helen J.; Roque, Alexandra
Subject: Spencer - Public Record Request
Importance: High

Good morning,

Assistant City Manager Fred Murry received a public records request today asking for copies of any and all e-mails regarding Richard Spencer's upcoming visit.

Since we are preparing for his visit, the concern is what information can and cannot be released or should or should not be released. We don't want to respond until we hear from you.

Your advice in is greatly appreciated,

Karen

Karen Pruss, CAP-OM

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FYI: Under Florida's public records law, most written communications to or from City offices and employees regarding City business are public records and are available to the public upon request. Your email communications may be subject to public disclosure.

West's Florida Statutes Annotated

Title XLVIII. K-20 Education Code (Chapters 1000-1013)
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Chapter 1004. Public Postsecondary Education (Refs & Annos)

Part I. General Provisions

West's F.S.A. § 1004.0962

1004.0962. Campus emergency response of a public postsecondary educational institution; public records exemption; public meetings exemption

Effective: July 1, 2017

Currentness

(1) As used in this section, the term “campus emergency response” means a public postsecondary educational institution’s response to or plan for responding to an act of terrorism, as defined by s. 775.30, or other public safety crisis or emergency, and includes information relating to:

(a) Records, information, photographs, audio and visual presentations, schematic diagrams, surveys, recommendations, or consultations or portions thereof.

(b) Threat assessments conducted by any agency or private entity.

(c) Threat response plans.

(d) Emergency evacuation plans.

(e) Sheltering arrangements.

(f) Manuals for security personnel, emergency equipment, or security training.

(g) Security systems or plans.

(h) Vulnerability analyses.

- (i) Postdisaster activities, including provisions for emergency power, communications, food, and water.
 - (j) Postdisaster transportation.
 - (k) Supplies, including drug caches.
 - (l) Staffing.
 - (m) Emergency equipment.
 - (n) Individual identification of students, faculty, and staff; the transfer of records; and methods of responding to family inquiries.
- (2)(a) Any portion of a campus emergency response held by a public postsecondary educational institution is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.
- (b) Any portion of a campus emergency response held by a state or local law enforcement agency, a county or municipal emergency management agency, the Executive Office of the Governor, the Department of Education, the Board of Governors of the State University System, or the Division of Emergency Management is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.
- (3) The public records exemptions provided by this section are remedial in nature, and it is the intent of the Legislature that the exemptions apply to campus emergency responses held by a custodial agency before, on, or after the effective date of this section.
- (4) Information made exempt by this section may be disclosed:
- (a) To another governmental entity if disclosure is necessary for the receiving entity to perform its duties and responsibilities; or
 - (b) Upon a showing of good cause before a court of competent jurisdiction.

1004.0962. Campus emergency response of a public..., FL ST § 1004.0962

(5) That portion of a public meeting which would reveal information related to a campus emergency response is exempt from s. 286.011 and s. 24(b), Art. I of the State Constitution.

(6) This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.

Credits

Added by Laws 2017, c. 2017-184, § 1, eff. July 1, 2017.

Editors' Notes

REPEAL

<This section is repealed by its own terms on October 2, 2022, unless reviewed and saved from repeal by the Legislature.>

West's F. S. A. § 1004.0962, FL ST § 1004.0962

Current through the 2017 First Regular Session and Special "A" Session of the 25th Legislature

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West's Florida Statutes Annotated

Title X. Public Officers, Employees, and Records (Chapters 110-123)

Chapter 119. Public Records (Refs & Annos)
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West's F.S.A. § 119.071

119.071. General exemptions from inspection or copying of public records

Effective: October 1, 2017

Currentness

(1) Agency administration.--

(a) Examination questions and answer sheets of examinations administered by a governmental agency for the purpose of licensure, certification, or employment are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. A person who has taken such an examination has the right to review his or her own completed examination.

(b) 1. For purposes of this paragraph, "competitive solicitation" means the process of requesting and receiving sealed bids, proposals, or replies in accordance with the terms of a competitive process, regardless of the method of procurement.

2. Sealed bids, proposals, or replies received by an agency pursuant to a competitive solicitation are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until such time as the agency provides notice of an intended decision or until 30 days after opening the bids, proposals, or final replies, whichever is earlier.

3. If an agency rejects all bids, proposals, or replies submitted in response to a competitive solicitation and the agency concurrently provides notice of its intent to reissue the competitive solicitation, the rejected bids, proposals, or replies remain exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until such time as the agency provides notice of an intended decision concerning the reissued competitive solicitation or until the agency withdraws the reissued competitive solicitation. A bid, proposal, or reply is not exempt for longer than 12 months after the initial agency notice rejecting all bids, proposals, or replies.

(c) Any financial statement that an agency requires a prospective bidder to submit in order to prequalify for bidding or for responding to a proposal for a road or any other public works project is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(d) 1. A public record that was prepared by an agency attorney (including an attorney employed or retained by the agency or employed or retained by another public officer or agency to protect or represent the interests of the agency having custody of the record) or prepared at the attorney's express direction, that reflects a mental impression, conclusion, litigation strategy, or legal theory of the attorney or the agency, and that was prepared exclusively for civil or criminal litigation or for adversarial administrative proceedings, or that was prepared in anticipation of imminent civil or criminal litigation or imminent adversarial administrative proceedings, is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until the conclusion of the litigation or adversarial administrative proceedings. For purposes of capital collateral litigation as set forth in s. 27.7001, the Attorney General's office is entitled to claim this exemption for those public records prepared for direct appeal as well as for all capital collateral litigation after direct appeal until execution of sentence or imposition of a life sentence.

2. This exemption is not waived by the release of such public record to another public employee or officer of the same agency or any person consulted by the agency attorney. When asserting the right to withhold a public record pursuant to this paragraph, the agency shall identify the potential parties to any such criminal or civil litigation or adversarial administrative proceedings. If a court finds that the document or other record has been improperly withheld under this paragraph, the party seeking access to such document or record shall be awarded reasonable attorney's fees and costs in addition to any other remedy ordered by the court.

(e) Any videotape or video signal that, under an agreement with an agency, is produced, made, or received by, or is in the custody of, a federally licensed radio or television station or its agent is exempt from s. 119.07(1).

(f) Data processing software obtained by an agency under a licensing agreement that prohibits its disclosure and which software is a trade secret, as defined in s. 812.081, and agency-produced data processing software that is sensitive are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. The designation of agency-produced software as sensitive does not prohibit an agency head from sharing or exchanging such software with another public agency. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2021, unless reviewed and saved from repeal through reenactment by the Legislature.

(2) Agency investigations.--

(a) All criminal intelligence and criminal investigative information received by a criminal justice agency prior to January 25, 1979, is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(b) Whenever criminal intelligence information or criminal investigative information held by a non-Florida criminal justice agency is available to a Florida criminal justice agency only on a confidential or similarly restricted basis, the Florida criminal justice agency may obtain and use such information in accordance with the conditions imposed by the providing agency.

(c) 1. Active criminal intelligence information and active criminal investigative information are exempt from s.

119.07(1) and s. 24(a), Art. I of the State Constitution.

2. a. A request made by a law enforcement agency to inspect or copy a public record that is in the custody of another agency and the custodian's response to the request, and any information that would identify whether a law enforcement agency has requested or received that public record are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution, during the period in which the information constitutes active criminal intelligence information or active criminal investigative information.

b. The law enforcement agency that made the request to inspect or copy a public record shall give notice to the custodial agency when the criminal intelligence information or criminal investigative information is no longer active so that the request made by the law enforcement agency, the custodian's response to the request, and information that would identify whether the law enforcement agency had requested or received that public record are available to the public.

c. This exemption is remedial in nature, and it is the intent of the Legislature that the exemption be applied to requests for information received before, on, or after the effective date of this paragraph.

(d) Any information revealing surveillance techniques or procedures or personnel is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Any comprehensive inventory of state and local law enforcement resources compiled pursuant to part I, chapter 23, and any comprehensive policies or plans compiled by a criminal justice agency pertaining to the mobilization, deployment, or tactical operations involved in responding to an emergency, as defined in s. 252.34, are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution and unavailable for inspection, except by personnel authorized by a state or local law enforcement agency, the office of the Governor, the Department of Legal Affairs, the Department of Law Enforcement, or the Division of Emergency Management as having an official need for access to the inventory or comprehensive policies or plans.

(e) Any information revealing the substance of a confession of a person arrested is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution, until such time as the criminal case is finally determined by adjudication, dismissal, or other final disposition.

(f) Any information revealing the identity of a confidential informant or a confidential source is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(g) 1. All complaints and other records in the custody of any agency which relate to a complaint of discrimination relating to race, color, religion, sex, national origin, age, handicap, or marital status in connection with hiring practices, position classifications, salary, benefits, discipline, discharge, employee performance, evaluation, or other related activities are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until a finding is made relating to probable cause, the investigation of the complaint becomes inactive, or the complaint or other record is made part of the official record of any hearing or court proceeding.

- a. This exemption does not affect any function or activity of the Florida Commission on Human Relations.
 - b. Any state or federal agency that is authorized to have access to such complaints or records by any provision of law shall be granted such access in the furtherance of such agency's statutory duties.
2. If an alleged victim chooses not to file a complaint and requests that records of the complaint remain confidential, all records relating to an allegation of employment discrimination are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.
- (h) 1. The following criminal intelligence information or criminal investigative information is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution:
- a. Any information that reveals the identity of the victim of the crime of child abuse as defined by chapter 827 or that reveals the identity of a person under the age of 18 who is the victim of the crime of human trafficking proscribed in s. 787.06(3)(a).
 - b. Any information that may reveal the identity of a person who is a victim of any sexual offense, including a sexual offense proscribed in s. 787.06(3)(b), (d), (f), or (g), chapter 794, chapter 796, chapter 800, chapter 827, or chapter 847.
 - c. A photograph, videotape, or image of any part of the body of the victim of a sexual offense prohibited under s. 787.06(3)(b), (d), (f), or (g), chapter 794, chapter 796, chapter 800, s. 810.145, chapter 827, or chapter 847, regardless of whether the photograph, videotape, or image identifies the victim.
2. Criminal investigative information and criminal intelligence information made confidential and exempt under this paragraph may be disclosed by a law enforcement agency:
- a. In the furtherance of its official duties and responsibilities.
 - b. For print, publication, or broadcast if the law enforcement agency determines that such release would assist in locating or identifying a person that such agency believes to be missing or endangered. The information provided should be limited to that needed to identify or locate the victim and not include the sexual nature of the offense committed against the person.

c. To another governmental agency in the furtherance of its official duties and responsibilities.

3. This exemption applies to such confidential and exempt criminal intelligence information or criminal investigative information held by a law enforcement agency before, on, or after the effective date of the exemption.

4. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15, and shall stand repealed on October 2, 2020, unless reviewed and saved from repeal through reenactment by the Legislature.

(i) Any criminal intelligence information or criminal investigative information that reveals the personal assets of the victim of a crime, other than property stolen or destroyed during the commission of the crime, is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(j) 1. Any document that reveals the identity, home or employment telephone number, home or employment address, or personal assets of the victim of a crime and identifies that person as the victim of a crime, which document is received by any agency that regularly receives information from or concerning the victims of crime, is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Any information not otherwise held confidential or exempt from s. 119.07(1) which reveals the home or employment telephone number, home or employment address, or personal assets of a person who has been the victim of sexual battery, aggravated child abuse, aggravated stalking, harassment, aggravated battery, or domestic violence is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution, upon written request by the victim, which must include official verification that an applicable crime has occurred. Such information shall cease to be exempt 5 years after the receipt of the written request. Any state or federal agency that is authorized to have access to such documents by any provision of law shall be granted such access in the furtherance of such agency's statutory duties, notwithstanding this section.

2. a. Any information in a videotaped statement of a minor who is alleged to be or who is a victim of sexual battery, lewd acts, or other sexual misconduct proscribed in chapter 800 or in s. 794.011, s. 827.071, s. 847.012, s. 847.0125, s. 847.013, s. 847.0133, or s. 847.0145, which reveals that minor's identity, including, but not limited to, the minor's face; the minor's home, school, church, or employment telephone number; the minor's home, school, church, or employment address; the name of the minor's school, church, or place of employment; or the personal assets of the minor; and which identifies that minor as the victim of a crime described in this subparagraph, held by a law enforcement agency, is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Any governmental agency that is authorized to have access to such statements by any provision of law shall be granted such access in the furtherance of the agency's statutory duties, notwithstanding the provisions of this section.

b. A public employee or officer who has access to a videotaped statement of a minor who is alleged to be or who is a victim of sexual battery, lewd acts, or other sexual misconduct proscribed in chapter 800 or in s.

794.011, s. 827.071, s. 847.012, s. 847.0125, s. 847.013, s. 847.0133, or s. 847.0145 may not willfully and knowingly disclose videotaped information that reveals the minor's identity to a person who is not assisting in the investigation or prosecution of the alleged offense or to any person other than the defendant, the defendant's attorney, or a person specified in an order entered by the court having jurisdiction of the alleged offense. A person who violates this provision commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(k) 1. A complaint of misconduct filed with an agency against an agency employee and all information obtained pursuant to an investigation by the agency of the complaint of misconduct is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until the investigation ceases to be active, or until the agency provides written notice to the employee who is the subject of the complaint, either personally or by mail, that the agency has either:

- a. Concluded the investigation with a finding not to proceed with disciplinary action or file charges; or
- b. Concluded the investigation with a finding to proceed with disciplinary action or file charges.

2. Subparagraph 1. is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2018, unless reviewed and saved from repeal through reenactment by the Legislature.

(l) 1. As used in this paragraph, the term:

a. "Body camera" means a portable electronic recording device that is worn on a law enforcement officer's body and that records audio and video data in the course of the officer performing his or her official duties and responsibilities.

b. "Law enforcement officer" has the same meaning as provided in s. 943.10.

c. "Personal representative" means a parent, a court-appointed guardian, an attorney, or an agent of, or a person holding a power of attorney for, a person recorded by a body camera. If a person depicted in the recording is deceased, the term also means the personal representative of the estate of the deceased person; the deceased person's surviving spouse, parent, or adult child; the deceased person's attorney or agent; or the parent or guardian of a surviving minor child of the deceased. An agent must possess written authorization of the recorded person to act on his or her behalf.

2. A body camera recording, or a portion thereof, is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution if the recording:

- a. Is taken within the interior of a private residence;
- b. Is taken within the interior of a facility that offers health care, mental health care, or social services; or
- c. Is taken in a place that a reasonable person would expect to be private.

3. Notwithstanding subparagraph 2., a body camera recording may be disclosed by a law enforcement agency:

- a. In furtherance of its official duties and responsibilities; or
- b. To another governmental agency in the furtherance of its official duties and responsibilities.

4. A body camera recording, or a portion thereof, shall be disclosed by a law enforcement agency:

a. To a person recorded by a body camera; however, a law enforcement agency may disclose only those portions that are relevant to the person's presence in the recording;

b. To the personal representative of a person recorded by a body camera; however, a law enforcement agency may disclose only those portions that are relevant to the represented person's presence in the recording;

c. To a person not depicted in a body camera recording if the recording depicts a place in which the person lawfully resided, dwelled, or lodged at the time of the recording; however, a law enforcement agency may disclose only those portions that record the interior of such a place.

d. Pursuant to a court order.

(I) In addition to any other grounds the court may consider in determining whether to order that a body camera recording be disclosed, the court shall consider whether:

- (A) Disclosure is necessary to advance a compelling interest;
 - (B) The recording contains information that is otherwise exempt or confidential and exempt under the law;
 - (C) The person requesting disclosure is seeking to obtain evidence to determine legal issues in a case in which the person is a party;
 - (D) Disclosure would reveal information regarding a person that is of a highly sensitive personal nature;
 - (E) Disclosure may harm the reputation or jeopardize the safety of a person depicted in the recording;
 - (F) Confidentiality is necessary to prevent a serious and imminent threat to the fair, impartial, and orderly administration of justice;
 - (G) The recording could be redacted to protect privacy interests; and
 - (H) There is good cause to disclose all or portions of a recording.
- (II) In any proceeding regarding the disclosure of a body camera recording, the law enforcement agency that made the recording shall be given reasonable notice of hearings and shall be given an opportunity to participate.
5. A law enforcement agency must retain a body camera recording for at least 90 days.
6. The exemption provided in subparagraph 2. applies retroactively.
7. This exemption does not supersede any other public records exemption that existed before or is created after the effective date of this exemption. Those portions of a recording which are protected from disclosure by another public records exemption shall continue to be exempt or confidential and exempt.
8. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall

stand repealed on October 2, 2020, unless reviewed and saved from repeal through reenactment by the Legislature.

(m) 1. Criminal intelligence information or criminal investigative information that reveals the personal identifying information of a witness to a murder, as described in s. 782.04, is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution for 2 years after the date on which the murder is observed by the witness. A criminal justice agency may disclose such information:

- a. In the furtherance of its official duties and responsibilities.
- b. To assist in locating or identifying the witness if the agency believes the witness to be missing or endangered.
- c. To another governmental agency for use in the performance of its official duties and responsibilities.
- d. To the parties in a pending criminal prosecution as required by law.

2. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.

(n) Personal identifying information of the alleged victim in an allegation of sexual harassment is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Such information may be disclosed to another governmental entity in the furtherance of its official duties and responsibilities. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.

(3) Security.--

(a) 1. As used in this paragraph, the term “security system plan” includes all:

- a. Records, information, photographs, audio and visual presentations, schematic diagrams, surveys, recommendations, or consultations or portions thereof relating directly to the physical security of the facility or revealing security systems;

- b. Threat assessments conducted by any agency or any private entity;
- c. Threat response plans;
- d. Emergency evacuation plans;
- e. Sheltering arrangements; or
- f. Manuals for security personnel, emergency equipment, or security training.

2. A security system plan or portion thereof for:

- a. Any property owned by or leased to the state or any of its political subdivisions; or
- b. Any privately owned or leased property

held by an agency is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This exemption is remedial in nature, and it is the intent of the Legislature that this exemption apply to security system plans held by an agency before, on, or after the effective date of this paragraph.

3. Information made confidential and exempt by this paragraph may be disclosed:

- a. To the property owner or leaseholder;
- b. In furtherance of the official duties and responsibilities of the agency holding the information;
- c. To another local, state, or federal agency in furtherance of that agency's official duties and responsibilities; or
- d. Upon a showing of good cause before a court of competent jurisdiction.

(b) 1. Building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats, which depict the internal layout and structural elements of a building, arena, stadium, water treatment facility, or other structure owned or operated by an agency are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

2. This exemption applies to building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats, which depict the internal layout and structural elements of a building, arena, stadium, water treatment facility, or other structure owned or operated by an agency before, on, or after the effective date of this act.

3. Information made exempt by this paragraph may be disclosed:

a. To another governmental entity if disclosure is necessary for the receiving entity to perform its duties and responsibilities;

b. To a licensed architect, engineer, or contractor who is performing work on or related to the building, arena, stadium, water treatment facility, or other structure owned or operated by an agency; or

c. Upon a showing of good cause before a court of competent jurisdiction.

4. The entities or persons receiving such information shall maintain the exempt status of the information.

(c) 1. Building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats, which depict the internal layout or structural elements of an attractions and recreation facility, entertainment or resort complex, industrial complex, retail and service development, office development, or hotel or motel development, which records are held by an agency are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

2. This exemption applies to any such records held by an agency before, on, or after the effective date of this act.

3. Information made exempt by this paragraph may be disclosed to another governmental entity if disclosure is necessary for the receiving entity to perform its duties and responsibilities; to the owner or owners of the

structure in question or the owner's legal representative; or upon a showing of good cause before a court of competent jurisdiction.

4. This paragraph does not apply to comprehensive plans or site plans, or amendments thereto, which are submitted for approval or which have been approved under local land development regulations, local zoning regulations, or development-of-regional-impact review.

5. As used in this paragraph, the term:

a. "Attractions and recreation facility" means any sports, entertainment, amusement, or recreation facility, including, but not limited to, a sports arena, stadium, racetrack, tourist attraction, amusement park, or pari-mutuel facility that:

(I) For single-performance facilities:

(A) Provides single-performance facilities; or

(B) Provides more than 10,000 permanent seats for spectators.

(II) For serial-performance facilities:

(A) Provides parking spaces for more than 1,000 motor vehicles; or

(B) Provides more than 4,000 permanent seats for spectators.

b. "Entertainment or resort complex" means a theme park comprised of at least 25 acres of land with permanent exhibitions and a variety of recreational activities, which has at least 1 million visitors annually who pay admission fees thereto, together with any lodging, dining, and recreational facilities located adjacent to, contiguous to, or in close proximity to the theme park, as long as the owners or operators of the theme park, or a parent or related company or subsidiary thereof, has an equity interest in the lodging, dining, or recreational facilities or is in privity therewith. Close proximity includes an area within a 5-mile radius of the theme park complex.

c. "Industrial complex" means any industrial, manufacturing, processing, distribution, warehousing, or

wholesale facility or plant, as well as accessory uses and structures, under common ownership that:

(I) Provides onsite parking for more than 250 motor vehicles;

(II) Encompasses 500,000 square feet or more of gross floor area; or

(III) Occupies a site of 100 acres or more, but excluding wholesale facilities or plants that primarily serve or deal onsite with the general public.

d. "Retail and service development" means any retail, service, or wholesale business establishment or group of establishments which deals primarily with the general public onsite and is operated under one common property ownership, development plan, or management that:

(I) Encompasses more than 400,000 square feet of gross floor area; or

(II) Provides parking spaces for more than 2,500 motor vehicles.

e. "Office development" means any office building or park operated under common ownership, development plan, or management that encompasses 300,000 or more square feet of gross floor area.

f. "Hotel or motel development" means any hotel or motel development that accommodates 350 or more units.

(4) Agency personnel information.--

(a) 1. The social security numbers of all current and former agency employees which are held by the employing agency are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

2. The social security numbers of current and former agency employees may be disclosed by the employing agency:

a. If disclosure of the social security number is expressly required by federal or state law or a court order.

b. To another agency or governmental entity if disclosure of the social security number is necessary for the receiving agency or entity to perform its duties and responsibilities.

c. If the current or former agency employee expressly consents in writing to the disclosure of his or her social security number.

(b) 1. Medical information pertaining to a prospective, current, or former officer or employee of an agency which, if disclosed, would identify that officer or employee is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. However, such information may be disclosed if the person to whom the information pertains or the person's legal representative provides written permission or pursuant to court order.

2. a. Personal identifying information of a dependent child of a current or former officer or employee of an agency, which dependent child is insured by an agency group insurance plan, is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. For purposes of this exemption, "dependent child" has the same meaning as in s. 409.2554.

b. This exemption is remedial in nature and applies to such personal identifying information held by an agency before, on, or after the effective date of this exemption.

(c) Any information revealing undercover personnel of any criminal justice agency is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(d) 1. For purposes of this paragraph, the term "telephone numbers" includes home telephone numbers, personal cellular telephone numbers, personal pager telephone numbers, and telephone numbers associated with personal communications devices.

2. a. The home addresses, telephone numbers, dates of birth, and photographs of active or former sworn or civilian law enforcement personnel, including correctional and correctional probation officers, personnel of the Department of Children and Families whose duties include the investigation of abuse, neglect, exploitation, fraud, theft, or other criminal activities, personnel of the Department of Health whose duties are to support the investigation of child abuse or neglect, and personnel of the Department of Revenue or local governments whose responsibilities include revenue collection and enforcement or child support enforcement; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This

sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.

b. The home addresses, telephone numbers, dates of birth, and photographs of current or former nonsworn investigative personnel of the Department of Financial Services whose duties include the investigation of fraud, theft, workers' compensation coverage requirements and compliance, other related criminal activities, or state regulatory requirement violations; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2021, unless reviewed and saved from repeal through reenactment by the Legislature.

c. The home addresses, telephone numbers, dates of birth, and photographs of current or former nonsworn investigative personnel of the Office of Financial Regulation's Bureau of Financial Investigations whose duties include the investigation of fraud, theft, other related criminal activities, or state regulatory requirement violations; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.

d. The home addresses, telephone numbers, dates of birth, and photographs of current or former firefighters certified in compliance with s. 633.408; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of such firefighters; and the names and locations of schools and day care facilities attended by the children of such firefighters are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15, and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.

e. The home addresses, dates of birth, and telephone numbers of current or former justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of current or former justices and judges; and the names and locations of schools and day care facilities attended by the children of current or former justices and judges are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.

f. The home addresses, telephone numbers, dates of birth, and photographs of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors; the names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide

prosecutors; and the names and locations of schools and day care facilities attended by the children of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

g. The home addresses, dates of birth, and telephone numbers of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers; and the names and locations of schools and day care facilities attended by the children of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.

h. The home addresses, telephone numbers, dates of birth, and photographs of current or former human resource, labor relations, or employee relations directors, assistant directors, managers, or assistant managers of any local government agency or water management district whose duties include hiring and firing employees, labor contract negotiation, administration, or other personnel-related duties; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

i. The home addresses, telephone numbers, dates of birth, and photographs of current or former code enforcement officers; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

j. The home addresses, telephone numbers, places of employment, dates of birth, and photographs of current or former guardians ad litem, as defined in s. 39.820; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such persons; and the names and locations of schools and day care facilities attended by the children of such persons are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.

k. The home addresses, telephone numbers, dates of birth, and photographs of current or former juvenile probation officers, juvenile probation supervisors, detention superintendents, assistant detention superintendents, juvenile justice detention officers I and II, juvenile justice detention officer supervisors, juvenile justice residential officers, juvenile justice residential officer supervisors I and II, juvenile justice counselors, juvenile justice counselor supervisors, human services counselor administrators, senior human services counselor administrators, rehabilitation therapists, and social services counselors of the Department of Juvenile Justice; the names, home addresses, telephone numbers, dates of birth, and places of employment of

spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

l. The home addresses, telephone numbers, dates of birth, and photographs of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such defenders or counsel; and the names and locations of schools and day care facilities attended by the children of such defenders or counsel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

m. The home addresses, telephone numbers, dates of birth, and photographs of current or former investigators or inspectors of the Department of Business and Professional Regulation; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such current or former investigators and inspectors; and the names and locations of schools and day care facilities attended by the children of such current or former investigators and inspectors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.

n. The home addresses, telephone numbers, and dates of birth of county tax collectors; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such tax collectors; and the names and locations of schools and day care facilities attended by the children of such tax collectors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature.

o. The home addresses, telephone numbers, dates of birth, and photographs of current or former personnel of the Department of Health whose duties include, or result in, the determination or adjudication of eligibility for social security disability benefits, the investigation or prosecution of complaints filed against health care practitioners, or the inspection of health care practitioners or health care facilities licensed by the Department of Health; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2019, unless reviewed and saved from repeal through reenactment by the Legislature.

p. The home addresses, telephone numbers, dates of birth, and photographs of current or former impaired practitioner consultants who are retained by an agency or current or former employees of an impaired practitioner consultant whose duties result in a determination of a person's skill and safety to practice a licensed profession; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such consultants or their employees; and the names and locations of schools and day care facilities attended by the children of such consultants or employees are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2020, unless reviewed and saved from

repeal through reenactment by the Legislature.

q. The home addresses, telephone numbers, dates of birth, and photographs of current or former emergency medical technicians or paramedics certified under chapter 401; the names, home addresses, telephone numbers, dates of birth, and places of employment of the spouses and children of such emergency medical technicians or paramedics; and the names and locations of schools and day care facilities attended by the children of such emergency medical technicians or paramedics are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2021, unless reviewed and saved from repeal through reenactment by the Legislature.

r. The home addresses, telephone numbers, dates of birth, and photographs of current or former personnel employed in an agency's office of inspector general or internal audit department whose duties include auditing or investigating waste, fraud, abuse, theft, exploitation, or other activities that could lead to criminal prosecution or administrative discipline; the names, home addresses, telephone numbers, dates of birth, and places of employment of spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2021, unless reviewed and saved from repeal through reenactment by the Legislature.

3. An agency that is the custodian of the information specified in subparagraph 2. and that is not the employer of the officer, employee, justice, judge, or other person specified in subparagraph 2. shall maintain the exempt status of that information only if the officer, employee, justice, judge, other person, or employing agency of the designated employee submits a written request for maintenance of the exemption to the custodial agency.

4. The exemptions in this paragraph apply to information held by an agency before, on, or after the effective date of the exemption.

(5) Other personal information.--

(a) 1. a. The Legislature acknowledges that the social security number was never intended to be used for business purposes but was intended to be used solely for the administration of the federal Social Security System. The Legislature is further aware that over time this unique numeric identifier has been used extensively for identity verification purposes and other legitimate consensual purposes.

b. The Legislature recognizes that the social security number can be used as a tool to perpetuate fraud against an individual and to acquire sensitive personal, financial, medical, and familial information, the release of which could cause great financial or personal harm to an individual.

c. The Legislature intends to monitor the use of social security numbers held by agencies in order to maintain a balanced public policy.

2. a. An agency may not collect an individual's social security number unless the agency has stated in writing the purpose for its collection and unless it is:

(I) Specifically authorized by law to do so; or

(II) Imperative for the performance of that agency's duties and responsibilities as prescribed by law.

b. An agency shall identify in writing the specific federal or state law governing the collection, use, or release of social security numbers for each purpose for which the agency collects the social security number, including any authorized exceptions that apply to such collection, use, or release. Each agency shall ensure that the collection, use, or release of social security numbers complies with the specific applicable federal or state law.

c. Social security numbers collected by an agency may not be used by that agency for any purpose other than the purpose provided in the written statement.

3. An agency collecting an individual's social security number shall provide that individual with a copy of the written statement required in subparagraph 2. The written statement also shall state whether collection of the individual's social security number is authorized or mandatory under federal or state law.

4. Each agency shall review whether its collection of social security numbers is in compliance with subparagraph 2. If the agency determines that collection of a social security number is not in compliance with subparagraph 2., the agency shall immediately discontinue the collection of social security numbers for that purpose.

5. Social security numbers held by an agency are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This exemption applies to social security numbers held by an agency before, on, or after the effective date of this exemption. This exemption does not supersede any federal law prohibiting the release of social security numbers or any other applicable public records exemption for social security numbers existing prior to May 13, 2002, or created thereafter.

6. Social security numbers held by an agency may be disclosed if any of the following apply:

- a. The disclosure of the social security number is expressly required by federal or state law or a court order.
- b. The disclosure of the social security number is necessary for the receiving agency or governmental entity to perform its duties and responsibilities.
- c. The individual expressly consents in writing to the disclosure of his or her social security number.
- d. The disclosure of the social security number is made to comply with the USA Patriot Act of 2001, Pub. L. No. 107-56, or Presidential Executive Order 13224.
- e. The disclosure of the social security number is made to a commercial entity for the permissible uses set forth in the federal Driver's Privacy Protection Act of 1994, 18 U.S.C. ss. 2721 et seq.; the Fair Credit Reporting Act, 15 U.S.C. ss. 1681 et seq.; or the Financial Services Modernization Act of 1999, 15 U.S.C. ss. 6801 et seq., provided that the authorized commercial entity complies with the requirements of this paragraph.
- f. The disclosure of the social security number is for the purpose of the administration of health benefits for an agency employee or his or her dependents.
- g. The disclosure of the social security number is for the purpose of the administration of a pension fund administered for the agency employee's retirement fund, deferred compensation plan, or defined contribution plan.
- h. The disclosure of the social security number is for the purpose of the administration of the Uniform Commercial Code by the office of the Secretary of State.

7. a. For purposes of this subsection, the term:

(I) "Commercial activity" means the permissible uses set forth in the federal Driver's Privacy Protection Act of 1994, 18 U.S.C. ss. 2721 et seq.; the Fair Credit Reporting Act, 15 U.S.C. ss. 1681 et seq.; or the Financial Services Modernization Act of 1999, 15 U.S.C. ss. 6801 et seq., or verification of the accuracy of personal information received by a commercial entity in the normal course of its business, including identification or prevention of fraud or matching, verifying, or retrieving information. It does not include the display or bulk sale of social security numbers to the public or the distribution of such numbers to any customer that is not identifiable by the commercial entity.

(II) "Commercial entity" means any corporation, partnership, limited partnership, proprietorship, sole proprietorship, firm, enterprise, franchise, or association that performs a commercial activity in this state.

b. An agency may not deny a commercial entity engaged in the performance of a commercial activity access to social security numbers, provided the social security numbers will be used only in the performance of a commercial activity and provided the commercial entity makes a written request for the social security numbers. The written request must:

(I) Be verified as provided in s. 92.525;

(II) Be legibly signed by an authorized officer, employee, or agent of the commercial entity;

(III) Contain the commercial entity's name, business mailing and location addresses, and business telephone number; and

(IV) Contain a statement of the specific purposes for which it needs the social security numbers and how the social security numbers will be used in the performance of a commercial activity, including the identification of any specific federal or state law that permits such use.

c. An agency may request any other information reasonably necessary to verify the identity of a commercial entity requesting the social security numbers and the specific purposes for which the numbers will be used.

8. a. Any person who makes a false representation in order to obtain a social security number pursuant to this paragraph, or any person who willfully and knowingly violates this paragraph, commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083.

b. Any public officer who violates this paragraph commits a noncriminal infraction, punishable by a fine not exceeding \$500 per violation.

9. Any affected person may petition the circuit court for an order directing compliance with this paragraph.

(b) Bank account numbers and debit, charge, and credit card numbers held by an agency are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This exemption applies to bank account numbers and

debit, charge, and credit card numbers held by an agency before, on, or after the effective date of this exemption.

(c) 1. For purposes of this paragraph, the term:

a. “Child” means any person younger than 18 years of age.

b. “Government-sponsored recreation program” means a program for which an agency assumes responsibility for a child participating in that program, including, but not limited to, after-school programs, athletic programs, nature programs, summer camps, or other recreational programs.

2. Information that would identify or locate a child who participates in a government-sponsored recreation program is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

3. Information that would identify or locate a parent or guardian of a child who participates in a government-sponsored recreation program is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

4. This exemption applies to records held before, on, or after the effective date of this exemption.

(d) All records supplied by a telecommunications company, as defined by s. 364.02, to an agency which contain the name, address, and telephone number of subscribers are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(e) Any information provided to an agency for the purpose of forming ridesharing arrangements, which information reveals the identity of an individual who has provided his or her name for ridesharing, as defined in s. 341.031, is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(f) Medical history records and information related to health or property insurance provided to the Department of Economic Opportunity, the Florida Housing Finance Corporation, a county, a municipality, or a local housing finance agency by an applicant for or a participant in a federal, state, or local housing assistance program are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. Governmental entities or their agents shall have access to such confidential and exempt records and information for the purpose of auditing federal, state, or local housing programs or housing assistance programs. Such confidential and exempt records and information may be used in any administrative or judicial proceeding, provided such records are kept confidential and exempt unless otherwise ordered by a court.

(g) Biometric identification information held by an agency before, on, or after the effective date of this exemption is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. As used in this paragraph, the term "biometric identification information" means:

1. Any record of friction ridge detail;
2. Fingerprints;
3. Palm prints; and
4. Footprints.

(h) 1. Personal identifying information of an applicant for or a recipient of paratransit services which is held by an agency is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

2. This exemption applies to personal identifying information of an applicant for or a recipient of paratransit services which is held by an agency before, on, or after the effective date of this exemption.

3. Confidential and exempt personal identifying information shall be disclosed:

- a. With the express written consent of the applicant or recipient or the legally authorized representative of such applicant or recipient;
- b. In a medical emergency, but only to the extent that is necessary to protect the health or life of the applicant or recipient;
- c. By court order upon a showing of good cause; or
- d. To another agency in the performance of its duties and responsibilities.

(i) 1. For purposes of this paragraph, “identification and location information” means the:

a. Home address, telephone number, and photograph of a current or former United States attorney, assistant United States attorney, judge of the United States Courts of Appeal, United States district judge, or United States magistrate;

b. Home address, telephone number, photograph, and place of employment of the spouse or child of such attorney, judge, or magistrate; and

c. Name and location of the school or day care facility attended by the child of such attorney, judge, or magistrate.

2. Identification and location information held by an agency is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution if such attorney, judge, or magistrate submits to an agency that has custody of the identification and location information:

a. A written request to exempt such information from public disclosure; and

b. A written statement that he or she has made reasonable efforts to protect the identification and location information from being accessible through other means available to the public.

(j) Any information furnished by a person to an agency for the purpose of being provided with emergency notification by the agency is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This exemption applies to information held by an agency before, on, or after the effective date of this exemption.

(k) 1. For purposes of this paragraph, the term:

a. “Identification and location information” means the:

(I) Home address, telephone number, and date of birth of a servicemember, and the telephone number associated with a servicemember’s personal communication device.

(II) Home address, telephone number, date of birth, and place of employment of the spouse or dependent of a

servicemember, and the telephone number associated with such spouse's or dependent's personal communication device.

(III) Name and location of a school attended by the spouse of a servicemember or a school or day care facility attended by a dependent of a servicemember.

b. "Servicemember" means a current or former member of the Armed Forces of the United States, a reserve component of the Armed Forces of the United States, or the National Guard, who served after September 11, 2001.

2. Identification and location information held by an agency is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution if a servicemember submits to an agency that has custody of the identification and location information:

a. A written request to exempt the identification and location information from public disclosure; and

b. A written statement that he or she has made reasonable efforts to protect the identification and location information from being accessible through other means available to the public.

3. This exemption applies to identification and location information held by an agency before, on, or after the effective date of this exemption.

4. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2020, unless reviewed and saved from repeal through reenactment by the Legislature.

Credits

Added by Laws 1979, c. 79-187, § 3; Laws 2001, c. 2001-361, § 1, eff. Dec. 10, 2001. Amended by Laws 1986, c. 1986-21, § 1; Laws 1995, 1995-398, § 25; Laws 2002, c. 2002-256, § 1, eff. May 13, 2002; Laws 2002, c. 2002-391, § 3, eff. May 30, 2002; Laws 2003, c. 2003-16, § 1, eff. May 21, 2003; Laws 2003, c. 2003-157, 2, eff. June 17, 2003. Renumbered from 119.07(6), 119.072, and 119.0721 and amended by Laws 2005, c. 2005-251, §§ 3 to 30, eff. Oct. 1, 2005. Amended by Laws 2005, c. 2005-213, § 4, eff. Oct. 1, 2005; Laws 2005, c. 2005-236, § 41, eff. July 1, 2005; Laws 2006, c. 2006-1, § 14, eff. July 4, 2006; Laws 2006, c. 2006-158, § 1, eff. Oct. 1, 2006; Laws 2006, c. 2006-180, § 1, eff. Oct. 1, 2006; Laws 2006, c. 2006-181, § 1, eff. July 1, 2006; Laws 2006, c. 2006-211, § 1, eff. Oct. 1, 2006; Laws 2006, c. 2006-212, § 1, eff. Oct. 1, 2006; Laws 2006, c. 2006-224, § 13, eff. June 15, 2006; Laws 2006, c. 2006-284, § 1, eff. June 22, 2006; Laws 2006, c. 2006-285, § 1, eff. July 1, 2006; Laws 2007, c. 2007-93, § 1, eff. Oct. 1, 2007; Laws 2007, c. 2007-95, § 1, eff. Oct. 1, 2007; Laws 2007, c. 2007-250, § 1, eff. June 27, 2007; Laws 2007, c. 2007-251, § 1, eff. Oct. 1, 2007; Laws 2008, c. 2008-41, § 1, eff. July 1, 2008; Laws 2008, c. 2008-57, § 2, eff. Oct. 1, 2008. Renumbered from 119.0711(1)

and amended by Laws 2008, c. 2008-145, § 1, eff. June 10, 2008. Amended by Laws 2008, c. 2008-234, §§ 1, 3, eff. Oct. 1, 2008; Laws 2009, c. 2009-104, § 1, eff. July 1, 2009; Laws 2009, c. 2009-150, § 1, eff. Oct. 1, 2009; Laws 2009, c. 2009-169, § 1, eff. Oct. 1, 2009; Laws 2009, c. 2009-235, § 1, eff. Oct. 1, 2009; Laws 2009, c. 2009-237, § 1, eff. Oct. 1, 2009; Laws 2010, c. 2010-71, § 1, eff. May 11, 2010; Laws 2010, c. 2010-171, § 1, eff. July 1, 2010; Laws 2011, c. 2011-83, § 1, eff. July 1, 2011; Laws 2011, c. 2011-85, § 1, eff. July 1, 2011; Laws 2011, c. 2011-140, § 1, eff. June 2, 2011; Laws 2011, c. 2011-142, § 48, eff. July 1, 2011; Laws 2011, c. 2011-201, § 1, eff. Oct. 1, 2011; Laws 2011, c. 2011-202, § 1, eff. Oct. 1, 2011; Laws 2012, c. 2012-149, § 1, eff. Oct. 1, 2012; Laws 2012, c. 2012-214, § 1, eff. May 4, 2012; Laws 2012, c. 2012-216, § 1, eff. May 4, 2012; Laws 2013, c. 2013-69, § 1, eff. Oct. 1, 2013; Laws 2013, c. 2013-183, § 119, eff. July 1, 2013; Laws 2013, c. 2013-220, § 1, eff. Oct. 1, 2013; Laws 2013, c. 2013-243, § 1, eff. Oct. 1, 2013; Laws 2013, c. 2013-248, § 1, eff. July 1, 2013; Laws 2014, c. 2014-72, § 1, eff. June 13, 2014; Laws 2014, c. 2014-94, § 1, eff. Oct. 1, 2014; Laws 2014, c. 2014-105, § 1, eff. Oct. 1, 2014; Laws 2014, c. 2014-172, § 1, eff. Oct. 1, 2014; Laws 2015, c. 2015-37, § 1, eff. May 21, 2015; Laws 2015, c. 2015-41, § 1, eff. July 1, 2015; Laws 2015, c. 2015-86, § 1, eff. June 2, 2015; Laws 2015, c. 2015-146, § 1, eff. Oct. 1, 2015; Laws 2016, c. 2016-6, § 1, eff. Oct. 1, 2016; Laws 2016, c. 2016-27, § 1, eff. Oct. 1, 2016; Laws 2016, c. 2016-49, § 1, eff. Oct. 1, 2016; Laws 2016, c. 2016-159, § 1, eff. March 30, 2016; Laws 2016, c. 2016-164, § 1, eff. March 30, 2016; Laws 2016, c. 2016-178, § 1, eff. April 1, 2016; Laws 2017, c. 2017-11, § 2, eff. July 1, 2017; Laws 2017, c. 2017-53, § 1, eff. June 2, 2017; Laws 2017, c. 2017-66, § 1, eff. Oct. 1, 2017; Laws 2017, c. 2017-96, § 1, eff. Oct. 1, 2017; Laws 2017, c. 2017-103, § 1, eff. June 14, 2017.

Editors' Notes

REPEAL

<Subsection (2)(k)1. is repealed by the terms of subsec. (2)(k)2. on October 2, 2018, unless reviewed and saved from repeal by the Legislature.>

<Subsection (4)(d)2.o. is repealed by its own terms on October 2, 2019, unless reviewed and saved from repeal by the Legislature.>

<Subsections (2)(h), (2)(l), (4)(d)2.p., and (5)(k) are repealed by their own terms on October 2, 2020, unless reviewed and saved from repeal by the Legislature.>

<Subsections (1)(f), (4)(d)2.b., (4)(d)2.q., and (4)(d)2.r. are repealed by their own terms on October 2, 2021, unless reviewed and saved from repeal by the Legislature.>

<Subsections (2)(m), (2)(n), (4)(d)2.a., (4)(d)2.c., (4)(d)2.d., (4)(d)2.e., (4)(d)2.g., (4)(d)2.j., (4)(d)2.m., and (4)(d)2.n. are repealed by their own terms on October 2, 2022, unless reviewed and saved from repeal by the Legislature.>

Notes of Decisions (49)

West's F. S. A. § 119.071, FL ST § 119.071

Current through the 2017 First Regular Session and Special "A" Session of the 25th Legislature

West's Florida Statutes Annotated

Title X. Public Officers, Employees, and Records (Chapters 110-123)

Chapter 119. Public Records (Refs & Annos)

West's F.S.A. § 119.011

119.011. Definitions

Effective: July 1, 2017

Currentness

As used in this chapter, the term:

(1) "Actual cost of duplication" means the cost of the material and supplies used to duplicate the public record, but does not include labor cost or overhead cost associated with such duplication.

(2) "Agency" means any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, for the purposes of this chapter, the Commission on Ethics, the Public Service Commission, and the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.

(3)(a) "Criminal intelligence information" means information with respect to an identifiable person or group of persons collected by a criminal justice agency in an effort to anticipate, prevent, or monitor possible criminal activity.

(b) "Criminal investigative information" means information with respect to an identifiable person or group of persons compiled by a criminal justice agency in the course of conducting a criminal investigation of a specific act or omission, including, but not limited to, information derived from laboratory tests, reports of investigators or informants, or any type of surveillance.

(c) "Criminal intelligence information" and "criminal investigative information" shall not include:

1. The time, date, location, and nature of a reported crime.

2. The name, sex, age, and address of a person arrested or of the victim of a crime except as provided in s.

119.071(2)(h).

3. The time, date, and location of the incident and of the arrest.

4. The crime charged.

5. Documents given or required by law or agency rule to be given to the person arrested, except as provided in s. 119.071(2)(h) or (m), and, except that the court in a criminal case may order that certain information required by law or agency rule to be given to the person arrested be maintained in a confidential manner and exempt from the provisions of s. 119.07(1) until released at trial if it is found that the release of such information would:

a. Be defamatory to the good name of a victim or witness or would jeopardize the safety of such victim or witness; and

b. Impair the ability of a state attorney to locate or prosecute a codefendant.

6. Informations and indictments except as provided in s. 905.26.

(d) The word “active” shall have the following meaning:

1. Criminal intelligence information shall be considered “active” as long as it is related to intelligence gathering conducted with a reasonable, good faith belief that it will lead to detection of ongoing or reasonably anticipated criminal activities.

2. Criminal investigative information shall be considered “active” as long as it is related to an ongoing investigation which is continuing with a reasonable, good faith anticipation of securing an arrest or prosecution in the foreseeable future.

In addition, criminal intelligence and criminal investigative information shall be considered “active” while such information is directly related to pending prosecutions or appeals. The word “active” shall not apply to information in cases which are barred from prosecution under the provisions of s. 775.15 or other statute of limitation.

(4) “Criminal justice agency” means:

- (a) Any law enforcement agency, court, or prosecutor;
 - (b) Any other agency charged by law with criminal law enforcement duties;
 - (c) Any agency having custody of criminal intelligence information or criminal investigative information for the purpose of assisting such law enforcement agencies in the conduct of active criminal investigation or prosecution or for the purpose of litigating civil actions under the Racketeer Influenced and Corrupt Organization Act,¹ during the time that such agencies are in possession of criminal intelligence information or criminal investigative information pursuant to their criminal law enforcement duties; or
 - (d) The Department of Corrections.
- (5) "Custodian of public records" means the elected or appointed state, county, or municipal officer charged with the responsibility of maintaining the office having public records, or his or her designee.
- (6) "Data processing software" means the programs and routines used to employ and control the capabilities of data processing hardware, including, but not limited to, operating systems, compilers, assemblers, utilities, library routines, maintenance routines, applications, and computer networking programs.
- (7) "Duplicated copies" means new copies produced by duplicating, as defined in s. 283.30.
- (8) "Exemption" means a provision of general law which provides that a specified record or meeting, or portion thereof, is not subject to the access requirements of s. 119.07(1), s. 286.011, or s. 24, Art. I of the State Constitution.
- (9) "Information technology resources" means data processing hardware and software and services, communications, supplies, personnel, facility resources, maintenance, and training.
- (10) "Paratransit" has the same meaning as provided in s. 427.011.
- (11) "Proprietary software" means data processing software that is protected by copyright or trade secret laws.

(12) “Public records” means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

(13) “Redact” means to conceal from a copy of an original public record, or to conceal from an electronic image that is available for public viewing, that portion of the record containing exempt or confidential information.

(14) “Sensitive,” for purposes of defining agency-produced software that is sensitive, means only those portions of data processing software, including the specifications and documentation, which are used to:

(a) Collect, process, store, and retrieve information that is exempt from s. 119.07(1);

(b) Collect, process, store, and retrieve financial management information of the agency, such as payroll and accounting records; or

(c) Control and direct access authorizations and security measures for automated systems.

(15) “Utility” means a person or entity that provides electricity, natural gas, telecommunications, water, chilled water, reuse water, or wastewater.

Credits

Laws 1967, c. 67-125, § 1; Laws 1973, c. 73-98, § 2; Laws 1975, c. 75-225, § 3; Laws 1979, c. 79-187, § 1; Laws 1985, c. 85-53, § 8; Laws 1988, c. 88-188, § 1; Laws 1993, c. 93-404, § 5; Laws 1993, c. 93-405, § 5; Laws 1995, c. 95-207, § 5; Laws 1995, c. 95-296, § 6; Laws 1995, c. 95-398, § 10. Amended by Laws 1996, c. 96-406, § 40, eff. July 3, 1996; Laws 1997, c. 97-90, § 2, eff. July 1, 1997; Laws 2004, c. 2004-335, § 3, eff. Oct. 1, 2004; Laws 2005, c. 2005-251, § 43, eff. Oct. 1, 2005; Laws 2008, c. 2008-57, § 1, eff. Oct. 1, 2008; Laws 2016, c. 2016-95, § 1, eff. March 24, 2016; Laws 2017, c. 2017-11, § 1, eff. July 1, 2017.

Notes of Decisions (180)

Footnotes

1

Section 895.01 et seq.

West’s F. S. A. § 119.011, FL ST § 119.011

Current through the 2017 First Regular Session and Special “A” Session of the 25th Legislature

End of Document

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Libby, Lee C.

From: Libby, Lee C.
Sent: Monday, October 09, 2017 9:05 AM
To: Campos, Jorge J.
Subject: RE: Spencer - Public Record Request

Correct. I am researching it now.

Lee C. Libby
Senior Assistant City Attorney
City of Gainesville
413 NW 8th Avenue
Gainesville, FL 32601
GPD: (352) 393-7505
City Hall: (352) 393-8743

FYI: Under Florida's public records law, most written communications to or from City officers and employees regarding City business are public records and are available to the public upon request. Your email communications and email addresses may be subject to public disclosure.

From: Campos, Jorge J.
Sent: Monday, October 09, 2017 9:04 AM
To: Libby, Lee C.
Subject: Fwd: Spencer - Public Record Request

Most of mine will be protected under criminal intelligence and predatory activities.

Captain Jorge Campos
Gainesville Police Department
352-393-7784

"This communication may contain information which constitutes active criminal investigative information or active criminal intelligence information, making said information exempt from public disclosure pursuant to Chapter 119, Florida Statutes. Recipients should carefully evaluate the applicability of any such exemption before disclosing or disseminating the contents to non-law enforcement entities."



www.gainesvillepd.org



Begin forwarded message:

From: "Pruss, Karen E." <prusske@cityofgainesville.org>
Date: October 9, 2017 at 8:45:57 AM EDT
To: "Campos, Jorge J." <camposjj@cityofgainesville.org>, "McIntire, David W." <mcintiredw@cityofgainesville.org>, "Libby, Lee C." <libbylc@cityofgainesville.org>, "McDermott, Sean M." <mcdermottsm@cityofgainesville.org>
Cc: "Harris, Helen J." <harrishj@cityofgainesville.org>, "Roque, Alexandra"

<RoqueA1@cityofgainesville.org>

Subject: Spencer - Public Record Request

Good morning,

Assistant City Manager Fred Murry received a public records request today asking for copies of any and all e-mails regarding Richard Spencer's upcoming visit.

Since we are preparing for his visit, the concern is what information can and cannot be released or should or should not be released. We don't want to respond until we hear from you.

Your advice in is greatly appreciated,

Karen

Karen Pruss, CAP-OM

City of Gainesville

City Hall Box 6

200 E University Avenue

Gainesville, FL 32601

(352) 393-8679

prusske@cityofgainesville.org

FYI: Under Florida's public records law, most written communications to or from City offices and employees regarding City business are public records and are available to the public upon request. Your email communications may be subject to public disclosure.

Libby, Lee C.

From: Campos, Jorge J.
Sent: Monday, October 09, 2017 9:28 AM
To: Libby, Lee C.
Subject: Re: Spencer - Public Record Request

TimeMattersID: M9C27A8228CC6805
TM Contact: GPD
TM Contact No: 8110
TM Matter No: 8110.00080
TM Matter Reference: GPD - Public Records

Layman's term. Whatever works. I am not going to send anything about what our plans are.

Captain Jorge Campos
Gainesville Police Department
352-393-7784

"This communication may contain information which constitutes active criminal investigative information or active criminal intelligence information, making said information exempt from public disclosure pursuant to Chapter 119, Florida Statutes. Recipients should carefully evaluate the applicability of any such exemption before disclosing or disseminating the contents to non-law enforcement entities."



www.gainesvillepd.org



On Oct 9, 2017, at 9:27 AM, Libby, Lee C. <libbylc@cityofgainesville.org> wrote:

I have never heard of the "predatory activities" exemption. Is that under the Federal Freedom of Information Act?

Lee C. Libby
Senior Assistant City Attorney
City of Gainesville
413 NW 8th Avenue
Gainesville, FL 32601
GPD: (352) 393-7505
City Hall: (352) 393-8743

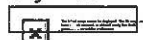
FYI: Under Florida's public records law, most written communications to or from City officers and employees regarding City business are public records and are available to the public upon request. Your email communications and email addresses may be subject to public disclosure.

From: Campos, Jorge J.
Sent: Monday, October 09, 2017 9:04 AM
To: Libby, Lee C.
Subject: Fwd: Spencer - Public Record Request

Most of mine will be protected under criminal intelligence and predatory activities.

Captain Jorge Campos
Gainesville Police Department
352-393-7784

"This communication may contain information which constitutes active criminal investigative information or active criminal intelligence information, making said information exempt from public disclosure pursuant to Chapter 119, Florida Statutes. Recipients should carefully evaluate the applicability of any such exemption before disclosing or disseminating the contents to non-law enforcement entities."



www.gainesvillepd.org



Begin forwarded message:

From: "Pruss, Karen E." <prusske@cityofgainesville.org>
Date: October 9, 2017 at 8:45:57 AM EDT
To: "Campos, Jorge J." <camposjj@cityofgainesville.org>, "McIntire, David W." <mcintiredw@cityofgainesville.org>, "Libby, Lee C." <libbylc@cityofgainesville.org>, "McDermott, Sean M." <mcdermottsm@cityofgainesville.org>
Cc: "Harris, Helen J." <harrishj@cityofgainesville.org>, "Roque, Alexandra" <RoqueA1@cityofgainesville.org>
Subject: **Spencer - Public Record Request**

Good morning,

Assistant City Manager Fred Murry received a public records request today asking for copies of any and all e-mails regarding Richard Spencer's upcoming visit.

Since we are preparing for his visit, the concern is what information can and cannot be released or should or should not be released. We don't want to respond until we hear from you.

Your advice in is greatly appreciated,

Karen

Karen Pruss, CAP-OM
City of Gainesville
City Hall Box 6
200 E University Avenue
Gainesville, FL 32601
(352) 393-8679
prusske@cityofgainesville.org

FYI: Under Florida's public records law, most written communications to or from City offices and employees regarding City business are public records and are available to the public upon request. Your email communications may be subject to public disclosure.

Libby, Lee C.

From: Libby, Lee C.
Sent: Friday, September 29, 2017 7:15 AM
To: Campos, Jorge J.; Pierce, Terrence J; Jones, Tony R.
Subject: RE: Richard Spencer Event: Legal Liaison Conference Call (September 29th, 2017)

I have a meeting with the City Manager at 0900. So I will have to call in to the meeting from City Hall as soon as that meeting is over.

Lee C. Libby
Senior Assistant City Attorney
200 East University Ave, Suite 425
Gainesville, FL 32627
libbylc@cityofgainesville.org
GPD: (352) 393-7505
City Hall: (352) 393-8743

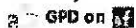
From: Campos, Jorge J.
Sent: Thursday, September 28, 2017 9:29 PM
To: Pierce, Terrence J; Libby, Lee C.; Jones, Tony R.
Subject: RE: Richard Spencer Event: Legal Liaison Conference Call (September 29th, 2017)

Looks like my flights have changed and I will still be in the air when this call is planned for.

Jorge J. Campos Captain

Gainesville Police Department
Phone 352-393-7784
FBINA 268

"This communication may contain information which constitutes active criminal investigative information or active criminal intelligence information, making said information exempt from public disclosure pursuant to Chapter 119, Florida Statutes. Recipients should carefully evaluate the applicability of any such exemption before disclosing or disseminating the contents to non-law enforcement entities."

 GPD on X

 Follow @GainesvillePD

www.gainesvillepd.org



From: Pierce, Terrence J
Sent: Wednesday, September 27, 2017 9:25 AM
To: Libby, Lee C. <libbylc@cityofgainesville.org>; Campos, Jorge J. <camposjj@cityofgainesville.org>; Jones, Tony R. <jonestr@cityofgainesville.org>
Subject: RE: Richard Spencer Event: Legal Liaison Conference Call (September 29th, 2017)

Works for me

From: Libby, Lee C.
Sent: Wednesday, September 27, 2017 9:16 AM
To: Pierce, Terrence J; Campos, Jorge J.; Jones, Tony R.
Subject: RE: Richard Spencer Event: Legal Liaison Conference Call (September 29th, 2017)

We can all sit in on the call together if you want.

Lee C. Libby
Senior Assistant City Attorney
200 East University Ave, Suite 425
Gainesville, FL 32627
libbylc@cityofgainesville.org
GPD: (352) 393-7505
City Hall: (352) 393-8743

From: Pierce, Terrence J
Sent: Wednesday, September 27, 2017 8:41 AM
To: Libby, Lee C.; Campos, Jorge J.; Jones, Tony R.
Subject: RE: Richard Spencer Event: Legal Liaison Conference Call (September 29th, 2017)

Lee,
Thanks, please forward the logon info once you get it, I would like to know what the UPD position is regarding inter-agency response.

From: Libby, Lee C.
Sent: Wednesday, September 27, 2017 7:14 AM
To: Campos, Jorge J.; Jones, Tony R.; Pierce, Terrence J
Subject: Fwd: Richard Spencer Event: Legal Liaison Conference Call (September 29th, 2017)

FYI

Lee C. Libby
Senior Assistant City Attorney
200 E. University Ave., Suite 425
Gainesville, FL 32627

----- Original Message -----

Subject: Richard Spencer Event: Legal Liaison Conference Call (September 29th, 2017)
From: "Darryl D. Lloyd" <lloyd@SAO8.ORG>
To: cweygant@alachuasheriff.org, "Libby, Lee C." <libbylc@cityofgainesville.org>, johnkemner@fdle.state.fl.us, dhuckstep@alachuasheriff.org, dbaxley@ufl.edu, ChristieUtt@flhsmv.gov
CC: Michael Becker <beckerm@SAO8.ORG>, Brian Rodgers <rodgersb@SAO8.ORG>, William Cervone <cervonew@SAO8.ORG>

Good Afternoon,

We are planning to host a conference call **Friday, September 29th, 2017 0930-1030hrs**. We will receive updates from the Operation Incident Commander Chief Linda Stump-Kurnick or designee. The call will focus on the declaration of emergency and the inter-agency response. Please confirm attendance.... Call information to come once confirmation received.

Meeting Agenda:

Call to Order: Bill Cervone or Designee

Operational Updates: Chief Linda Stump Kurnick University of Florida Police or designee

Declaration Discussion: University Of Florida/Alachua County/City of Gainesville

Recommendations:

Meeting Adjourned

Darry D. Lloyd

Deputy Chief Investigator

FBI National Academy #269

Office of the State Attorney 8th Judicial Circuit

(352)374-3670 or (352)260-3003

Libby, Lee C.

From: Strama, Dana
Sent: Friday, September 29, 2017 2:35 PM
To: Libby, Lee C.
Subject: RE: who is Richard Spencer's local attorney??

Apparently there is a protest scheduled at his office next Friday at 1630

From: Libby, Lee C.
Sent: Friday, September 29, 2017 2:34 PM
To: Strama, Dana
Subject: Re: who is Richard Spencer's local attorney??

Are they seeking security

Lee C. Libby
Senior Assistant City Attorney
200 E. University Ave., Suite 425
Gainesville, FL 32627

"Strama, Dana" <stramad@cityofgainesville.org> wrote:

Thanks!

From: Libby, Lee C.
Sent: Friday, September 29, 2017 2:33 PM
To: Strama, Dana
Subject: Re: who is Richard Spencer's local attorney??

Gary Edinger is the primary one.

Lee C. Libby
Senior Assistant City Attorney
200 E. University Ave., Suite 425
Gainesville, FL 32627

"Strama, Dana" <stramad@cityofgainesville.org> wrote:

Libby, Lee C.

From: Strama, Dana
Sent: Friday, September 29, 2017 2:32 PM
To: Libby, Lee C.
Subject: who is Richard Spencer's local attorney??