

## Frigo, Victoria (COE)

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**From:** Frigo, Victoria (COE)  
**Sent:** Tuesday, April 03, 2012 11:02 AM  
**To:** Mobutu, Geneva (CAHSD)  
**Cc:** Thompson, Robert A. (COE); Centorino, Joseph (COE)  
**Subject:** INQ 12-59 Sunshine Law

Ms. Mobutu,

Your question about a citizen's use of a recording device at a public meeting falls within the Florida Sunshine Law at Fla. Stat. 286.011. The County Ethics Commission is not empowered to interpret state law.

In general, however, we understand the Attorney General's opinion at AGO 91-28 to allow a citizen to use sound and/or video recording devices at a public meeting as long as the recording does not disrupt the meeting. *See also Pinellas Co. School Board v. Suncam, Inc.*, 829 So.2d 989 (Fla. 2d DCA 2002).

For a definitive answer to your question based on the facts of your specific case, visit the State Attorney General's website at <http://myfloridalegal.com> or contact the State Attorney General's Office at 850-414-3300 or [http://myfloridalegal.com/contact.nsf/contact?Open&Section=Attorney\\_General](http://myfloridalegal.com/contact.nsf/contact?Open&Section=Attorney_General).

Sincerely,

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**From:** Mobutu, Geneva (CAHSD)  
**Sent:** Monday, April 02, 2012 4:44 PM  
**To:** Thompson, Robert A. (COE)  
**Subject:** Request for opinion

Greetings Mr. Thompson:

A couple of months ago during a meeting of the Goulds CAC; Phillip Murray asked Alton Sears, CAHSD's Director of Special Projects whether or not he could record the monthly CAC meetings. Mr. Sears assured Mr. Murray that there were no prohibitions; if he desired to tape the meetings he could do. Mr. Murray then began to make referenced to the Chair's meetings; I prevented Mr. Sears from answering that questions because I knew the objective was to position him to say something contrary to the information you had already provided.

I am currently halt between two opinions. After a difference of opinion on whether or not a Working Group (formerly Chair's) meeting could be taped by an individual; Ken Forbes called the police when Phillip Murray insisted on taping a working group meeting on the 23<sup>rd</sup>, of March. When attendees were asked to turn off any recording devices; Mr. Murray's response to the request was; "Make me".

Working Group meetings are held on an as needed basis. Representatives from the various south area CAC groups attend the meeting. Attendees discuss various issues and concerns commonly experienced by the communities. The issues and concerns are discussed at length; sometimes two to three hours. Out of the discussions recommendations are sometimes made. The recommendations go before the CAC's if a vote is required. The working group does not have decision making authority.

I need an opinion. Can a working group meeting be randomly taped by anyone in attendance?

Geneva Mobutu, Citizen Participation  
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