

Florida Attorney General Advisory Legal Opinion

Number: INFORMAL

Date: July 17, 2003

Subject: Law enforcement officers, cellular telephone numbers

Ms. Cindy A. Laquidara
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Dear Ms. Laquidara:

This is in response to your recent correspondence in which you asked whether the cellular telephone numbers of telephones provided to law enforcement officers and used in performing law enforcement duties are public records.

The right of every person to inspect and copy governmental records in Florida is expressed in both the Florida Constitution and the statutes. Article I, section 24(a), Florida Constitution, guarantees every person the right to inspect or copy any public record of the legislative, executive, and judicial branches of government. Pursuant to this constitutional provision, the Legislature may provide by general law for the exemption of records from the requirements of Article I, section 24(a). Any such exemption proposed by general law must state with specificity the public necessity justifying the exemption and must be no broader than is necessary to accomplish its purpose. [1]

This broad public policy of open records is reflected in Chapter 119, Florida Statutes, the Public Records Act. The Public Records Act guarantees every person a right to personally inspect and copy all state, county, and municipal records. Section 119.011(1), Florida Statutes, defines the phrase "[p]ublic records" to include

"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."

Thus, business telephone numbers used to contact law enforcement officers, whether providing access to a desk telephone at the

