

1-D-8 | USE OF CODES OR PREASSIGNED NUMBERS IN ORDER TO AVOID IDENTIFYING INDIVIDUALS

Section 286.011, F.S., requires that meetings of public boards or commissions be “open to the public at all times....” See *Neu v. Miami Herald Publishing Company*, 462 So. 2d 821, 823 (Fla. 1985), disapproving a procedure permitting representatives of the media to attend a city council meeting provided that they agreed to “respect the confidentiality” of certain matters:

“Under the Sunshine Law, a meeting is either fully open or fully closed; there are no intermediate categories.”

The use of preassigned numbers or codes at public meetings to avoid identifying the names of applicants violates s. 286.011, F.S., because “to permit discussions of applicants for the position of a municipal department head by a preassigned number or other coded identification in order to keep the public from knowing the identities of such applicants and to exclude the public from the appointive or selection process would clearly frustrate or defeat the purpose of the Sunshine Law.” AGO 77-48. Accord AGO 76-240 (Sunshine Law prohibits the use of coded symbols at a public meeting in order to avoid revealing the names of applicants for the position of city manager). And see *News-Press Publishing Company v. Wisher*, 345 So. 2d 646, 648 (Fla. 1977) (“public policy of this state as expressed in the public records law and the open meetings statute eliminate any notion that the commission was free to conduct the county’s personnel business by pseudonyms or cloaked references”).

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