



SB5 Support

SB 5 says simply that among the records the Parole Board must disclose under the Freedom of Information Act are the votes of individual board members.

The Parole Board is generally not subject to FOIA at all. Like information held by grand juries, the public has no rights under FOIA to ask for and receive records from the Parole Board. There is nothing prohibiting disclosure by the board but it is not required to.

In 2017, however, a carve-out was added to make sure that the Parole Board's guidance documents and financial information was made available. SB5 seeks to add to that carve-out to require the votes of the board to be made available upon request.

- All other public bodies routinely make their vote counts publicly accessible.
- Individual members will not be any more at risk for unpopular decisions than any individual member of any other public body or system (supervisors, school board members, judges, Commonwealth's Attorneys, police) by having their decisions made public.
- Not knowing how each board member voted means all members are targets for the disgruntled, even those who voted in the opposite.
- Votes are available upon request. There is no requirement that they be proactively disclosed or compiled into a database.

Making a board's members stand by their votes is not a novel or burdensome requirement. It is a basic measure of oversight and accountability. VCOG asks for your support.

Please contact Megan Rhyne (540-353-8264 or mrhyne@opengovva.org) with questions.