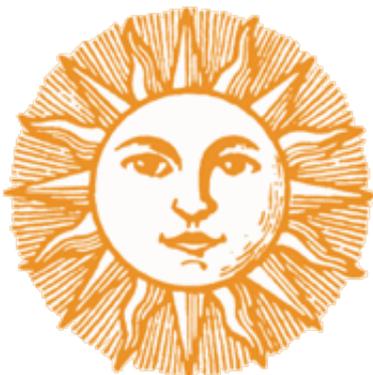


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The Sunshine Report: Online Transparency news from the Virginia Coalition for Open Government **December 2010**

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VCOG receives grant for more workshops and seminars

Thanks to the great response we got to our spring FOIA workshop and our fall records management seminar, VCOG was awarded a grant from the National FOI Coalition and the John S. and James L. Knight Foundation to underwrite some of the costs of [putting on more events](#). Early plans are for an early-spring event in Roanoke and a later event in Northern Virginia. Stay tuned for details.

Citizens needed!

Ask any legislator who is the most effective spokesperson on a particular bill and you're likely to get the same response: a

Greetings, Friend of VCOG!

FOIA Council on the chopping block?

A subcommittee of Governor McDonnell's Government Reform Commission has proposed eliminating or consolidating several different state boards and commissions. [Among those suggested for elimination](#) is the Virginia Freedom of Information Advisory Council.

It's unclear at this stage how much enthusiasm there is for cutting the Council or any of the other boards on the list (e.g., the Plant Pollination Board or the Board of Surface Mining Review), but in VCOG's estimation, it's not a good idea.

For starters, as we argue in a [VCOG Blog post](#), cutting the council will not offer much in the way of cost savings or improved efficiency.

The council's extensive training, its on-the-spot impartial opinions, its alternative to litigation and its framework for studying FOIA issues and proposed legislation provide the Commonwealth with a resource that's critical to open and accountable government and that is open and accessible to citizens, media and government.

Access in the General Assembly

As early filing for 2011 legislative proposals kicks into high gear this month, a handful of access-related issues have already been offered.

get the same response. A constituent! Truth is, while they may rely on lobbyists and activists to provide information they'll need to decide how to vote, what really gets their attention is a citizen who cares enough to come to the General Assembly and testify about how a particular bill will affect him/her. As we did last year, VCOG will be asking our members to [come to Richmond to testify during the legislative session](#). We'll identify the issues and then put out the call for volunteers. Let your voice be heard!

Public notice resolution

The Virginia Coalition for Open Government's Board of Directors passed a resolution at its [October meeting](#) reaffirming its position that "the placement of legal notices in newspapers remains important to providing [the broadest publication of vital information to residents](#)." The board took particular notice of how rural areas would be affected if notices were carried on government websites instead of papers, as has been suggested by the governor's Government Reform Commission.

Stay up to date on access

Sign up for VCOG's [daily listserv on access and First Amendment news](#) from Virginia and across the country. It's free!



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Del. Bob Marshall (R-Prince William) has [introduced a measure](#) that would allow public bodies to terminate or otherwise discipline an employee who willfully and knowingly violated FOIA. The law currently allows for fines to be imposed, but judges have almost never used it.

Del. Jim Scott (D-Merrifield) wants to bring transparency to campaign finance after the mid-term elections witnessed an uptick in funding by undisclosed groups or donors. [Scott's measure](#) would prohibit making or receiving contributions without required disclosure and would impose a civil penalty of up to \$500.

The FOIA Council is recommending a bill that will hopefully resolve an issue that's been kicking around for the past two sessions. The proposal, worked out among representatives of government and the access community, will clarify how much advance notice a defendant in a FOIA case is entitled to receive. Early reports are that Sen. Toddy Puller (D-Mt. Vernon) and Del. Richard Anderson (R-Woodbridge) will carry the bill.

The General Assembly convenes Jan. 12 for a 45-day session.

Open government news

After its first meeting in July, the Franklin City Council got so many FOIA requests for DVDs of the meeting that it began charging \$2 per copy, according [The Tidewater News](#). "I'm pleasantly pleased that people are taking an active interest in what goes on at City Council," said the city's mayor. "I think that's great for the community so the citizens can be well informed" ... According to a report issued by the Joint Legislative Audit and Review Commission, more than half of the \$58.6 million in tax credits claimed by Virginia corporations went to no more than four coal companies whose identities must be kept confidential by law, even from members of the General Assembly, the [The Washington Post](#) reported ... As also reported by [The Post](#), Fairfax police reversed a longstanding policy of keeping confidential the names of officers involved in shootings, though the policy change will not apply retroactively ... The Hampton City Council used the contract negotiations exemption to discuss whether to give city workers gift cards to be used only at one Hampton shopping center. Councilmembers then took pot shots at one another for disclosing the closed-door discussions to the public, the [Daily Press](#) reported.

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