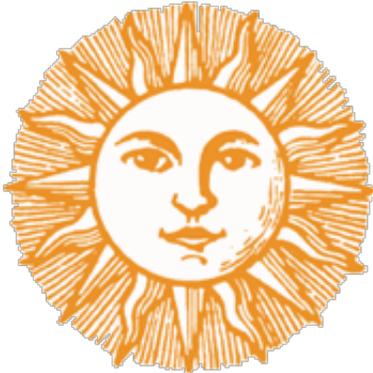


Like

Tweet 0

Share 2

[Click to view this email in a browser](#)



The Sunshine Report: *Online*

Transparency news from the Virginia Coalition for Open Government

March 2012

In this issue

[GPS tracking bills](#)

[Public notices will stay public](#)

[Open government news](#)

Coalition News

Recently on the VCOG Blog

- [Up close, bill on redacting names isn't as bad as it seems](#)



Join state and national access advocates, the print and broadcast media and the digerati as they celebrate **Sunshine Week, March 11 through 17**. The annual awareness week, scheduled around James Madison's birthday on March 16, celebrates the public's right to know and honors FOIA Heroes across the country. Two years in a row, someone from Virginia has been recognized in the Top 3 of the nationwide contest.

Greetings, Friend of VCOG!

GPS tracking bill has many flaws

A month into the General Assembly session and after crossover, two identical bills were introduced to address the U.S. Supreme Court's ruling in *United States v. Jones*, which said that it is a "search" under the 4th Amendment if the police put a GPS device on someone's vehicle.

The bills, [HB 1298](#) and [SB 685](#) set out the procedures for "issuance of [a] search warrant for a tracking device."

Contained in these bills are two troublesome provisions. One would make it a *Class 1 misdemeanor* for the **unauthorized disclosure or publication of the existence of the search warrant**, its affidavit and more.

[Continue reading on the VCOG website...](#)

Public notices will remain PUBLIC

Though the attempts came from every conceivable direction, ultimately all of the bills that would have made publication of public notices in newspapers optional instead of mandatory have failed in their original form.

Many thanks to Delegates Mark Cole (R-Fredericksburg) and John Cosgrove (R-Chesapeake), and Sen. Steve Martin (R-Chesterfield) for amending their bills in favor of public access: Cosgrove's to add more information in ads for foreclosed timeshares in the paper, and Cole's and Martin's having to do with notices about a change in local voting districts or precincts.

Del. Ron Villanueva (R-Virginia Beach) lobbied intensely for his bill to move all state and local

On your radio

VCOG's Megan Rhyne and the Virginia Press Association's Ginger Stanley were guests Feb. 14 on the Virginia Public Radio program "Assembly Conversations." The pair talked about open government and journalism with host Melinda Wittstock. Podcasts of the program, as well as others in the Assembly Conversations series, [can be found here](#).

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!

For a steady stream of access-related stories and additional commentary and information, join the more than 400 people who are following [VCOG on Twitter](#). The latest six posts are also carried on [our website](#).

YOU LIKE US! YOU REALLY LIKE US! (but won't you like us more?)



[Forward this email to a friend](#)

If you find VCOG's services and resources useful, consider making a donation or becoming a member.

Your dues and/or donations go straight toward VCOG's modest operating budget and are 100% tax deductible

Our IRS W9 form [can be found here](#), and feel free to ask for a copy of our IRS 990 and our FY10-11 financial audit

requests for proposal (RFPs) out of the newspapers and onto the state website called eVa. In the Senate committee hearing, Villanueva rejected one senator's suggestion to require publication in *both* places. Sen. Richard Stuart (R-Westmoreland) was the bill's most vocal opponent in that same hearing, noting that the bill could cost the locality more because fewer people would be seeing the RFPs to bid on them.

The Virginia Press Association led the charge. VCOG provided additional testimony and lobbying efforts, and several other groups -- including the AARP, the League of Women Voters, and the League of Conservation Voters -- voiced opposition.

It was the right call, Virginia!

Open government news

A Senate Committee [voted down a proposal](#) to conceal concealed handgun permit applications. The measure, sponsored this year by Del. Mark Cole, but identical to bills brought in the past, would have shut off the only avenue for the public to monitor the permitting process. Access to the statewide database of CHP holders has been off limits for at least four years...The Jane Doe plaintiff in the lawsuit challenging the Christian prayer used at the start of Pittsylvania County Board of Supervisors meetings [unveiled herself](#) in early February as local activist and attorney Barbara Hudson....A federal judge [dismissed a \\$5 million libel suit](#) filed by a former tax preparer against WAVY-TV in Norfolk over a report that referred to him as "unscrupulous." The judge found, among other things, that the statements were constitutionally protected opinion....A FOIA request [filed by the Richmond Times-Dispatch](#) to access records of 76 convicted felons who had not been notified that new DNA testing excluded them as the DNA's original source was denied by the state's Department of Forensic Science...The General Assembly was on its way to approving an overhaul to the way Virginians will access vital records. [The measure](#), sponsored by Sen. Harry Blevins (R-Chesapeake) had the support the Library of Virginia, state genealogists and VCOG. The bill directs creation of a subscriber database of the records, as well as a publicly accessible index of the information within the records.