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# The Sunshine Report: *Online*

## Transparency news from the Virginia Coalition for Open Government

### April 2012

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#### Recently on VCOG Blog

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#### Records-management workshop

VCOG will hold its fourth workshop for government records managers on Thursday, May 3, from 9:30 to 12:30 at the [Library of Virginia](#). "**Making Your FOIA Life Easier**" gives state and local records managers practical advice on the proper management, storage and destruction of public records, in turn making it easier to manage FOIA requests. The workshop is presented in partnership with the FOIA Council, the Virginia Municipal League, the Virginia

#### Greetings, Friend of VCOG!

#### Governor's uranium group will operate under its own rules

Governor Bob McDonnell is creating his own work group with its own rules to study issues related to the proposal to lift the moratorium on uranium mining in the state.

If the group had been created as a subcommittee of the Coal and Energy Commission (CEC), its meetings clearly would have been subject to the Freedom of Information Act. But since the group was created by the governor, not a "public body," it will not meet publicly except to hold four updates with a CEC subcommittee.

The governor's office also announced it would invoke the "working papers" exemption to keep the group's records confidential until after each update. The governor's chief of staff said that such confidentiality was necessary because, "If information is released prematurely . . . it will not be a complete picture"

VCOG and others were critical of the set-up, VCOG director Megan Rhynne felt the implication was that there is only one way to look at the information: the work group's way. A [Richmond Times-Dispatch editorial agreed](#), adding, "that sounds to us like an attempt to control the narrative."

Robert Burnley, a former Virginia environmental director noted, "They need to go overboard to be public on this because it's so important." And the [Virginian-Pilot predicted](#) that the murky process "risks diminishing public confidence in its own work."

#### An F for Integrity?

Association of Counties and the Library of Virginia. There is a \$15 fee. [Click here for details and registration.](#)

### VCOG to create informal partners panel

In the coming months, VCOG will be creating the Coalition Partners Advisory Panel, an informal group of VCOG members, friends and supporters who will advise VCOG on how we can best meet the access needs of Virginia's citizens. Stay tuned for news about the panel's members, meetings and reports.

### 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](#).

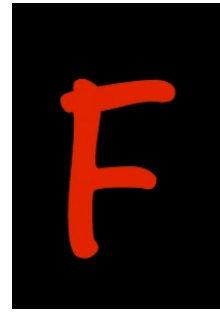
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The Center for Public Integrity gave Virginia an "F" when it comes to state officials' risk of corruption, ranking the Commonwealth 47th out of the 50 states. The study did not measure actual corruption, which is why states with reputations of dirty politics, like New Jersey, Illinois and Louisiana all scored in the Top 20. The study, instead, focused on the existence of various state laws and enforcement mechanisms.



Virginia received failing grades for its lack of an ethics enforcement agency, as well as for weak lobbying disclosure, political financing and access to public information (the report mistakenly said, however, that Virginia's FOIA did not apply to constitutional officers). The report also found lax accountability measures for all three branches of government and the state's pension fund management. The state received two "A"s for its procurement process and internal auditing.

The study assumed the state's short legislative session was partly to blame, though it did not discuss what role a one-term governorship might have, and it faulted the omission of the State Corporation Commission from FOIA.

The report was met both with skepticism as well as concern. UVA political pundit, Larry Sabato, said the report was a "real wake-up call for Virginia," suggesting that Virginians may have become too self-satisfied with a state that has historically been free of corruption.

### Open government news

The Town of Onancock voted to [withdraw its appeal](#) of a district court ruling directing the town manager to produce an unredacted copy of his employment contract with the town. The judge also ordered the town to pay plaintiff Charles Landis' court costs....When the *Daily Press* asked for records of county employees' overtime pay, York County initially balked, citing a FOIA Council opinion that said overtime records could be withheld. The chair of the board of supervisors [quickly changed course](#), directing the county attorney to turn the records over, noting "the bottom line" was that citizens know the government is "upfront about the information"....Charlottesville's director of communications stepped down from his job of six years soon after [The Schilling Show broke a story](#) -- largely based on records obtained by FOIA -- showing irregularities in how the city awarded contracts. An independent investigator confirmed that the employee had also intentionally deleted records sought under FOIA....Culpeper's new sheriff, Scott Jenkins, said that,

unlike his predecessor, he would [no longer accept anonymous donations](#) to the department, and he would route all proposed donations through the board of supervisors for approval by name....The Virginia Supreme Court ruled that the Attorney General [did not have authority to issue a subpoena](#) for climate scientist Michael Mann's email from UVa. Meanwhile, in the FOIA case brought by American Tradition Institute against UVa for access to the same records, it was revealed that the [university had shared exempt records](#) with Mann, now a professor at Penn State.

**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*

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