

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



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

~~February 2011~~
March

In this issue

[General Assembly: Sine Die](#)

[Sunshine Week 2011](#)

[Open government news](#)

[U.S. Supreme Court on federal FOIA](#)

Coalition News

Recently on the VCOG Blog

- [Testify! But make it brief](#)
- [Closed meeting on coach fumbles](#)

Remember: the blog is interactive and we welcome your comments.

VCOG board meeting

The next meeting of the VCOG Board of Directors is at 1:00, March 25, at the Virginia Press Association building, 11529 Nuckols Rd., in Glen Allen.

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-

Greetings, Friend of VCOG!

Sine Die

The Virginia General Assembly drew the curtain on its 2011 session Feb. 27, only one day later than originally scheduled.

The Freedom of Information Act was largely spared, while the trend towards actively posting information online continued to gain momentum.

Our members were really the stars for us this session, as dozens of them contacted legislators to express support or opposition to various bills. Though in-person testimony can sometimes be cut short, [as described in this article and blog post](#), we believe lawmakers really do listen to what you, the public, has to say. Thank you!

BRIEFLY....The General Assembly approved legislation that would double the penalties for FOIA violations (maybe courts will now take these penalties seriously!) A House subcommittee killed a proposal to let governments get a court order against a citizen the government felt was harassing it through FOIA....A measure that would have prohibited the release of names in association with salary and reimbursement data of public employees will be sent to the FOIA Council for further study....Attempts to make publication of legal and public notices in newspapers optional instead of mandatory were defeated in two different subcommittees, though one subcommittee said it will try to have the FOIA Council look at the measure....Exemptions were added to FOIA for certain Medicaid fraud data, for base closure commissions established by the governor and commercial flight center pricing data....FOIA's definition of "public records" was restated to clarify that records *not* dealing

related stories and additional commentary and information, join the more than 380 people who are following [VCOG on Twitter](#). The latest six posts are also carried on [our website](#).

with public business (of the "honey, pick the kids of from school" variety **are "public records"** subject to disclosure....A new Inspector General's office will be created....Localities will be able to post online some of the information equivalent to a checkbook register.

should read: are NOT "public records"

For the full status of the bills VCOG followed this session, check our our [legislative update page](#).



[Forward this email to a friend](#)

Sunshine Week 2011

March 13 through 19 is Sunshine Week, the annual celebration of open records and meetings in local, state and federal government, sponsored by the American Society of Newspaper Editors, The Gridiron Club and the Knight Foundation.



Last year a Waynesboro couple was awarded 3rd place in a "Local Heroes" contest that recognizes citizens who fight for open government. A similar contest is on tap for this year.

[SunshineWeek.org](#) has also developed a "[Sunshine Proclamation](#)" that it is asking state and local government to sign. The Proclamation commits signers to not just abide by open records and meetings laws, but also to take active steps towards making government more accessible.

As in past years, Sunshine Week encourages newspapers, radio and television stations to use open records laws to generate news stories, to educate the public about state open-records laws and to editorialize about the people's right to know.

To show your support during Sunshine Week, which always includes March 16, the birthday of open government's patron saint, James Madison, [please consider making a donation to VCOG](#).

Open government news

After ruling in December that the Westmoreland Board of Supervisors violated FOIA by improperly closing a meeting related to the O'Gara security-training center, a judge also [ordered the county to pay nearly \\$15,000 in](#)

[attorneys' fees](#); the judge did impose civil penalties, however....An open records request in Plano, Tex., yielded a document indicating that the city manager for Portsmouth [was indeed seeking employment there](#), despite his denials to the contrary....The Daily Press parsed travel-reimbursement records for Newport News to detail [lodging and meal expenses](#) for out-of-town conferences; the story prompted the city treasurer to [pen a response](#) explaining why sometimes city employees stayed in more expensive hotels....The [Washington Post reported](#) that Fairfax schools said FOIA requests from parents were "stretch[ing] resources and creat[ing] tensions," prompting a slew of angry comments and a correction following the story.

No "privacy" for AT&T

On March 1, the U.S. Supreme Court ruled 8-0 that law enforcement cannot refuse to release records related to AT&T and other corporations by citing the "personal privacy" exemption of federal FOIA.



The FBI began investigating AT&T after the communications company admitted it had overcharged the government for services provided under the E-Rate program for schools. AT&T eventually agreed to pay \$500,000 to settle the matter, prompting a trade association of AT&T competitors to seek records related to the investigation under FOIA. The FBI denied the request, citing the trade secrets and the personal privacy exemptions.

Writing for the court, Judge John Roberts said the latter exemption did not apply to corporations, adding, "We trust that AT&T will not take it personally."

Read the [full text of the opinion](#) on our website.

[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](#)

If you no longer wish to receive these emails, please reply to this message with "Unsubscribe" in the subject line or simply click on the following link:
[Unsubscribe](#)

Virginia Coalition for Open Government
P.O. Box 2576
Williamsburg, Virginia 23187
US

[Read](#) the VerticalResponse marketing policy.

