

(Note: you are being sent this listerv as both a test of the alert's potential new format, and as a courtesy to inform you of news about open government in Virginia and around the country.)

## State and Local stories

[Richmond Times Dispatch](#): A divided federal appeals court has overturned a lower court ruling that ended Virginia's ban on alcohol advertising in student newspapers. In a 2-1 ruling, a panel of the 4th U.S. District Court of Appeals in Richmond concluded that the ban did not violate the free-speech rights of Virginia Tech's Collegiate Times and the University of Virginia's Cavalier Daily. The student newspapers could appeal the panel's ruling to the full court.

[Pro Publica](#): Do you live in Tennessee, Virginia, Arkansas, Georgia or Delaware? If so, we need your occasional help in getting documents from your state government. These states have adopted laws that restrict freedom of information requests to state citizens only – even if federal tax money is involved. Sign up here and we'll let you know when you can be of help. Tennesseans, you're up first! We've got a document request that needs your assistance. No experience necessary. We'll guide you through the process.

[Virginian-Pilot](#): Saddled with long and costly legal battles, Chesapeake and Virginia Beach have paid nearly \$9 million to private law firms over the past five years - more than twice the combined amount spent by Norfolk, Portsmouth and Suffolk. A review shows that South Hampton Roads cities spent about \$12.8 million on private firms over the past five years. Virginia Beach has spent about \$4.8 million and Chesapeake has spent about \$4.1 million, the review shows.

[Virginian-Pilot](#): When it came to legislative battles this year, Beach schools won some and lost some. But unlike most other school divisions in the region, the Beach paid a lobbyist \$87,955 to keep tabs on various bills and rally legislators. Norfolk schools pay former spokeswoman Linda Steadman \$36,000 to lobby. Chesapeake stopped contracting with a lobbying firm this year, while Suffolk and Portsmouth don't hire lobbyists. But John Moss, head of the Virginia Beach Taxpayer Alliance, called a lobbyist "a status symbol" for any public body. "The taxpayers wouldn't miss it," he said. "It's a waste of money, especially when we have a shortfall."

[Virginian-Pilot](#): Personalized license plates brought in \$9.6 million last year in Virginia, but motorists are crafty. "The Word Committee" is the DMV's last line of defense against bad plates. For \$10, motorists can put almost what they want on their plates. See the exceptions.

[News & Advance](#): Chancery court records that tell stories of Bedford County's people and places for much of its 256-year history are now a click away. The county's chancery records from 1755 to 1912 are among the latest local records to be processed, indexed and digitally reformatted by the Library of Virginia in Richmond. Bedford is among 41 localities to have such records preserved and made available online, said Carl Childs, the library's director of local records services. The effort's main goal is to preserve the original records while giving instant access through digital copies, he said.

## National Stories



Access Across America, a FOIA workshop, Saturday, May 22, 2 p.m. at the Virginia Press Association headquarters. \$10. [Register here](#)

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Three news media organizations asked the federal judge presiding over former Gov. Rod Blagojevich's corruption case on Thursday to unseal a key document that outlines the evidence and indicates how federal prosecutors plan to present it at the trial.

<http://www.dailyherald.com/story/?id=371894&src=143>

ProPublica has obtained a list of private planes whose flights are blocked from public tracking sites, and among them are the planes of politicians, business executives, colleges, churches and even news organizations.

<http://www.propublica.org/feature/off-the-radar-private-planes-hidden-from-public-view-040810>

The 5th Circuit ventured into the "culture war" on Wednesday, hearing an interlocutory appeal by two public school principals who say they are immune from liability in a civil suit that alleges they prevented the distribution of religious gifts by students in public elementary schools. The suit involves an issue of first impression for the 5th Circuit: Does the free speech clause of the First Amendment protect student-to-student distribution of religious, noncurricular materials in public elementary schools?

<http://www.law.com/jsp/article.jsp?id=1202447878669>

"War coverage by a free and independent media with reasonable access to the battlefield forces policy makers to deal with the reality of what is happening on the ground instead of what they want the public - or even Washington - to think," says Associated Press president Tom Curley.

<http://www.kentucky.com/2010/04/08/1216391/ap-chief-journalists-need-access.html>

New regulations issued aimed at removing obstacles to using Internet-based tools for transparency are long overdue, said accountability groups and privacy advocates, but they pointed out a promised revision to an outdated ban on cookies was conspicuously absent. In accordance with a December presidential directive, agencies released plans to weave transparency, public participation and collaboration with the private sector into daily operations.

[http://www.nextgov.com/nextgov/ng\\_20100408\\_9811.php?oref=topnews](http://www.nextgov.com/nextgov/ng_20100408_9811.php?oref=topnews)

U.S. Supreme Court Justice John Paul Stevens, who announced his retirement last week, wrote a pair of opinions over a decade ago to outline the legal environment that gave rise to today's Internet. Internet retailers can trace much of their growth in the last decade to Stevens' 1992 opinion that said, unambiguously, that they cannot be required to collect sales taxes on out-of-state sales. That gave them a competitive advantage over traditional rivals like Borders and Best Buy that did charge sales taxes -- while irking state tax collectors immeasurably.

[http://news.cnet.com/8301-13578\\_3-20002145-38.html](http://news.cnet.com/8301-13578_3-20002145-38.html)

The [administration's visitor log-disclosure] policy, which has led to the disclosure of more than 250,000 visitor records since it was announced in September, could help the public better understand who's influencing the White House, open-government groups say. Common Cause, the League of Women Voters and other groups issued a report in January giving the Obama administration an A for its open-government efforts. "It's a vast improvement because there was no disclosure before," said Melanie Sloan, executive director of Citizens for Responsibility and Ethics in Washington (CREW). But the policy pulls back the curtain only so far. It doesn't cover visitors to Camp David, to President Barack Obama's home in Chicago, or to Biden's Greenville home, where he often spends time. It also doesn't cover records created last year between Jan. 20 and Sept. 15. The White House will grant narrow requests for records in that time period, but the request must specify the name of the visitor.

<http://www.delawareonline.com/article/20100411/NEWS02/4110325/Policy-discloses-Biden-s-visitors>

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## Editorials/Columns

[News & Advance](#): A deep sense of disappointment and disbelief were the first emotions many people felt upon learning about Liberty University's secret video taping of a meeting with Mayor Joan Foster and City Manager Kimball Payne. Disappointment because, as one of the largest employers and most recognized institutions in Central Virginia, it is incumbent upon LU and the city to trust one another and work with each other as the school grows.

[Tom Silvestri](#): We need more professional reporters to serve the public. But who is going to pay for them? Public affairs journalism is vital to a thriving participatory democracy. But who pays the bills? These are important questions for those who care. So, that's why I was eager to read the new report by the Miller Center of Public Affairs at the University of Virginia. The center's findings -- "Old Media, New Media and the Challenge to Democratic Governance" -- capture the analysis from four all-day meetings, two last year and two this year. It's available in booklet form or on the center's Web site.

[Roanoke Times](#): OK, let's see if we have this straight: Northrop Grumman essentially made a mess of its massive contract to provide state agencies with information technology services. The company missed key deadlines, even after extensions. State agencies dealt with numerous service outages and disruptions that cost a lot of money, time and aggravation for taxpayers. And -- here's the fun part -- what is the end result of this mess? The state just reworked the contract, adding three years and \$100 million to the 10-year, \$2.3 billion contract.

[Mark Hemmingway, The Examiner](#): Last week, federal agencies were supposed to open up "high value data sets" to the public as part of the White House's open government initiative. The Sunlight Foundation is not happy with the results.

**Tuesday, April 13, 2010**

## State and Local stories

Daily Progress: A Democratic congressman from Florida, Alabama's Alcoholic Beverage Control Board and Virginia's Department of Corrections are among this year's recipients of the Muzzle Awards bestowed by the Thomas Jefferson Center for the Protection of Free Expression.

The Herald Courier of Bristol, Va., has won the Pulitzer Prize for public service for reporting on the mismanagement of natural gas royalties owed to landowners in Virginia. Reporter explains how he got the story.

Virginian-Pilot: At least eight human services employees, including supervisors, have been fired or disciplined in the past year for wrongfully accessing confidential and personal information about former employees, family members and clients, according to investigation reports from the Virginia Beach Auditor's office.

News & Advance: Lynchburg City Council candidates are expressing general disappointment when it comes to the recent controversy involving Liberty University secretly recording the mayor and city manager, although who exactly they're disappointed in varies by candidate.

The VLW Blog: Could your Web browsing habits be putting your business at risk? Clicking on an unfamiliar link, opening a questionable attachment or downloading a corrupt application could potentially install malicious software onto your computer, expose confidential data and cost you or your company hundreds of thousands of dollars.



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## National Stories

Scientists develop an algorithm that can anonymize medical records, while leaving information that's relevant for genetic studies of disease.

<http://feeds.wired.com/~r/wired/index/~3/z24bHJ6jP2Q/>

The FBI kept a top secret file on the late Senator Ted Kennedy. There are thousands of pages in it. There could be a lot of material in there that would make tabloid editors salivate. The files are being released after media requests under the Freedom of Information Act.

<http://wbztv.com/local/ted.kennedy.files.2.1626358.html>

Democrats Push to Require Corporate Campaign Disclosure / Legislation would force companies and groups to reveal behind-the-scenes financial involvement in political campaigns.

<http://www.nytimes.com/2010/04/13/us/politics/13donate.html?ref=us>

Reporter's site helps broadcasters pronounce Wisconsin names / Jackie Johnson's misspronouncer.com has audio files for the correct pronunciation of about 3,000 cities, towns, villages and elected officials' names. Her collection includes Oconomowoc, Ashwaubenon, and Madison Mayor Dave Cieslewicz.

<http://www.jsonline.com/entertainment/tvradio/90582144.html>

An Ohio judge has sealed the entire docket in a case involving a criminal indictment against a state senator, the Pittsburgh Post-Gazette reported.

<http://www.rcfp.org/newsitems/index.php?i=11367>

Local court systems across the country have been digitizing legal filings for the past few years to reduce paper management and cut costs. Typically, however, each court deploys its own electronic document system, and it often doesn't connect to the systems of the other courts in the state. Things will work differently in Arizona when the Arizona Supreme Court connects all the state's court document systems. The forthcoming system will let a citizen who's filing a document at any courthouse retrieve all relevant case material from other courts in the same transaction.

<http://www.govtech.com/gt/articles/752757>

At least two Alabama lawmakers have worn listening devices -- commonly called wires -- to eavesdrop on conversations with fellow lawmakers, lobbyists and others interested in passage of gambling legislation.

[http://blog.al.com/spotnews/2010/04/listening\\_devices\\_aid\\_alabama.html](http://blog.al.com/spotnews/2010/04/listening_devices_aid_alabama.html)

On Jan. 12, a massive magnitude-7 earthquake struck Haiti, killing more than 200,000 people and devastating the impoverished country. The Red Cross asked people to text "Haiti" to the number 90999 to make automatic \$10 donations, and millions of people did. More than \$32 million has been raised for Haiti relief through texting, and people are still typing those numbers into their cellphones to help Haiti and Chile, which was hit by a huge earthquake Feb. 27. "Our experience with the text program in Haiti is really beginning to transform how we raise funds and how we respond to disasters," Dyer says. Advances in technology also allowed the American Red Cross to transfer desperately needed money instantly to relief workers in Haiti and transmit daily text messages with health and sanitation advice to more than 1 million Haitians.

[http://www.usatoday.com/news/sharing/2010-04-12-technology-giving\\_N.htm?](http://www.usatoday.com/news/sharing/2010-04-12-technology-giving_N.htm?csp=34&utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+usatoday-NewsTopStories+%28News+-+Top+Stories%29)

[csp=34&utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+usatoday-NewsTopStories+%28News+-+Top+Stories%29](http://www.usatoday.com/news/sharing/2010-04-12-technology-giving_N.htm?csp=34&utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+usatoday-NewsTopStories+%28News+-+Top+Stories%29)

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## Editorials/Columns

**Roanoke Times:** Libraries are as important and as basic to communities as trash collection and street repair. They provide opportunities for learning, entertainment, citizenship, community cohesiveness and, yes, sometimes a few hours of shelter for the homeless. In times of economic difficulties, people turn more often to libraries -- whether for books, movies, computer access or job searches. And in times of economic difficulties, libraries, too, are squeezed for funding.

**John Whitehead, Rutherford Institute:** In an age when politicians slide seamlessly between serving in public office and hosting cable talk shows, Thomas Jefferson might seem patently old-fashioned. Then again, perhaps it is we who have fallen out of touch with our radical roots. Certainly, in our American family tree, there is no one more radical than Jefferson.

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**Wednesday, April 14, 2010**

## State and Local stories

[Times-Dispatch](#): In 2009, more than 278,000 Virginians took advantage of the state Department of Taxation's iFile program. This year, about 300,000 are expected to do so by the May 3 filing deadline. A recent survey of the service found that 98 percent of taxpayers using it were satisfied. So why did the General Assembly vote to end the program? It depends on whom you ask.

[Times-Dispatch](#): A \$10.35 million libel lawsuit against Style Weekly set to go to trial yesterday has been resolved in favor of Del. Joseph D. Morrissey, D-Henrico, his lawyer said. Mark S. Paullin, the lawyer, said a settlement was reached with Style Weekly lawyers late Friday and that a proposed order dismissing the suit will be filed in coming days in Richmond Circuit Court. Paullin said the settlement includes "a full, unreserved and unequivocal apology" from Richmond-based Style and "a significant cash settlement." Conrad Shumadine, a Norfolk lawyer who represented Style Weekly in the case, declined to comment. Style's publisher, Lori Collier Waran of Richmond, said in a written statement that the newspaper will "let the apology speak for itself" but declined to acknowledge other details.

[News & Advance](#): The deadline to register to vote in May's City Council election passed on Monday with an increase of about 1,000 voters citywide, including at least 400 new registrations with a Liberty University address tallied since March, according to preliminary numbers from the Lynchburg Registrar's Office.

[Northern Virginia Daily](#): Members of the Town Council are at odds following the leak of documents regarding possible secret incentives related to the selection of a firm to build a proposed solar electricity farm. On Thursday, Town Attorney Thomas R. Robinett sent a memorandum to Mayor Eugene R. Tewalt and all six council members regarding conversations Robinett had with two unnamed members of the panel on March 30. The Northern Virginia Daily did not receive the documents from Robinett, but from one of the recipients. Graham said he has never had a secret meeting with any of the principals of SolAVerde or Standard Energy, and that he does not have a copy of Robinett's memo, nor has he read it.

[Free Lance-Star](#): Culpeper Town Councilman Bobby Ryan last night put Culpeper's Independence Day celebration into its proper perspective: "The Fourth is the Fourth is the Fourth." And just because Monday, July 5 is the federal holiday, that doesn't mean that Culpeper should celebrate on Saturday, July 3, as had been planned. With that in mind, the Town Council turned down a request by the Culpeper Festival Committee to close a number of streets and reserve Yowell Meadow Park on July 3.



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## National Stories

Yahoo, which has been quietly fighting the Justice Department in federal court, finds an ally in Google and privacy groups, who contend police must have a search warrant to read private e-mail messages.

[http://news.cnet.com/8301-13578\\_3-20002423-38.html?part=rss&subj=news&tag=2547-1\\_3-0-20](http://news.cnet.com/8301-13578_3-20002423-38.html?part=rss&subj=news&tag=2547-1_3-0-20)

A man claims that because Google captured his garage open, the items that could be seen inside enticed burglars to steal them.

[http://news.cnet.com/8301-17852\\_3-20002354-71.html?part=rss&subj=news&tag=2547-1\\_3-0-20](http://news.cnet.com/8301-17852_3-20002354-71.html?part=rss&subj=news&tag=2547-1_3-0-20)

A 1969 precedent has led to conflicting legal opinions on whether public schools can punish students for their off-campus critiques of their administrators on Facebook, MySpace and other online venues. The latest example was in February, when a federal appeals court issued two opposing opinions on the topic, which the U.S. Supreme Court has never squarely addressed. Now that appellate court, the Pennsylvania-based 3rd U.S. Circuit Court of Appeals, has decided to discard those conflicting decisions and rehear both cases on June 3.

<http://www.wired.com/threatlevel/2010/04/studentspeech/?>

[utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+wired%2Findex+%28Wired%3A+Index+3+%28Top+Stories+2%29%29#ixzz0l2JQgMBD](http://www.wired.com/threatlevel/2010/04/studentspeech/?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+wired%2Findex+%28Wired%3A+Index+3+%28Top+Stories+2%29%29#ixzz0l2JQgMBD)

A document fished out of a California state university trash bin last week has prompted a state investigation into the university's foundation arm and its refusal to disclose details related to Sarah Palin's upcoming speech at the school. On Tuesday, California Attorney General Jerry Brown said his office would look into the finances of the California State University, Stanislaus Foundation, as well as allegations that the nonprofit organization violated public disclosure laws by keeping details of Palin's contract secret. Brown's investigation was prompted, in part, by a group of CSU Stanislaus students who retrieved five pages of the contract from a campus trash bin last Friday after hearing administrators were engaged in shredding documents.

[http://www.usatoday.com/news/nation/2010-04-14-california-palin-contract\\_N.htm?](http://www.usatoday.com/news/nation/2010-04-14-california-palin-contract_N.htm?)

[csp=34&utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+usatoday-NewsTopStories+%28News+-+Top+Stories%29](http://www.usatoday.com/news/nation/2010-04-14-california-palin-contract_N.htm?csp=34&utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+usatoday-NewsTopStories+%28News+-+Top+Stories%29)

The Colorado attorney general's office says state agencies shouldn't have Facebook pages because of the potential legal liability.

<http://www.washingtonexaminer.com/local/ap/attorney-general-warns-agencies-of-facebook-use-90825089.html#ixzz0l506vXto>

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## Editorials/Columns

[Daily Progress](#): Thankfully, organizations such as the Thomas Jefferson Center are challenging those who do not value free speech as the Founders intended. For without free expression, as they well knew, democracy cannot thrive.

[Rep. Rick Boucher](#): Broadband is to communities today what electricity and basic telephone service were one hundred years ago.

[Michael Kinsley, The Atlantic](#): Who Owns the First Amendment? / Journalists think they do. They're

wrong.

[Wordyard Blog](#): A New York Times piece Monday reflects a growing chorus of resentment among newspaper website managers against the “barroom brawl” atmosphere so many of them have ended up with in the comments sections on their sites. They blame anonymity. If only they could make people “sign their real names,” surely the atmosphere would improve! This wish is a pipe dream. They are misdiagnosing their problem, which has little to do with anonymity and everything to do with a failure to understand how online communities work.

**Thursday, April 15, 2010**

## State and Local stories



Stateline: A [report released this week](#) finds that seven states -- Illinois, Kentucky, Ohio, Minnesota, Missouri, Pennsylvania and Texas -- lead the nation in budget transparency, providing the public with comprehensive and easily searchable information about government spending. Eighteen states flunked the scorecard created by U.S. PIRG, a Boston-based research and advocacy group that supports government-transparency Web sites. The remaining 25 states, including Virginia, were deemed "emerging."

Virginian-Pilot: Gov.'s amendment waters down ethics bill, sponsor says. An open government advocate expressed concerns about how McDonnell's amendment, if sustained, could affect the bill's goal of enhancing the transparency of ethics inquiries.

Washington Post: Are you smarter than a third-grader? Because the online education system used by the Fairfax County public schools apparently is not. Police say a 9-year-old McLean boy hacked into the Blackboard Learning System used by the county school system to change teachers' and staff members' passwords, change or delete course content, and change course enrollment. One of the victims was Fairfax Superintendent Jack D. Dale, according to an affidavit filed by a Fairfax detective in Fairfax Circuit Court this week.

USA Today: Unlike the Vietnam Veterans Memorial Wall, where the National Park Service collects and stores such objects daily, Arlington is a working military cemetery with strict rules to keep it pristine. Because there were no collection procedures in place, most of the items left at grave sites simply ended up in the trash. That changed in the early fall when the U.S. Army Center of Military History at Fort McNair in Washington quietly stepped in at the request of then-Army Secretary Pete Geren. Now, each Thursday, typically three curators in dark jackets carrying cameras walk through Section 60 to collect and catalog nonperishable objects left at the graves. The project is a pilot, and it's unclear whether it will become permanent. For now, the 1,300 items collected so far are stored at Fort Belvoir, Va.

The Central Virginian: Silence filled the supervisors' meeting room as Louisa County Board of Supervisors Chairman Willie Gentry opened public hearings on the proposed budget, capital improvements plan and tax rates. "It's a little disappointing that the option to share their comments wasn't taken," Gentry said in an interview on Tuesday. "We still have a ways to go. Maybe they're still just sitting back trying to finalize things. We're still gathering information ourselves."

News Leader: In what could be one of the fastest start ups on campus, a group of Mary Baldwin students launched a one-of-a-kind online journal April 12, showcasing the talents of undergraduates across the country in poetry, prose, and art as well as their own dedication to excellence.

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## National Stories

The biggest U.S. commercial banks will take their fight against disclosure of Federal Reserve lending in 2008 to the Supreme Court if necessary, the top lawyer for an industry-owned group said. Continued legal appeals will delay or block the first public look at details of the central bank's \$2 trillion in emergency lending during the 2008 financial crisis.

<http://www.bloomberg.com/apps/news?pid=20601010&sid=ax8ulGXswN4E>

Attorney General Eric Holder says he's going to find out why the administration has often used a legal loophole to keep information secret even though President Barack Obama ordered more openness. Holder told the Senate Judiciary Committee he found statistics on Freedom of Information Act denials analyzed by The Associated Press "troubling." The AP has reported that one year into its promise of greater transparency, the administration was more often citing FOIA "exceptions" to withhold records, even as requests for information decreased.

<http://www.newsobserver.com/2010/04/14/436702/holder-to-look-into-govt-use-of.html#ixzz0IAJJR6rv>

The Library of Congress will acquire the archive of public tweets since 2006.

[http://news.cnet.com/8301-17938\\_105-20002517-1.html?part=rss&subj=news&tag=2547-1\\_3-0-20](http://news.cnet.com/8301-17938_105-20002517-1.html?part=rss&subj=news&tag=2547-1_3-0-20)

Michigan's state health department released documents Wednesday that contained information outlining how funds for H1N1 prevention and treatment programs were used, The Michigan Messenger reported.

<http://www.rcfp.org/newsitems/index.php?i=11370>

Yahoo and federal prosecutors in Colorado are embroiled in a privacy battle that's testing whether the Constitution's warrant requirements apply to Americans' e-mail. The legal dust-up, unsealed late Tuesday, concerns a 1986 law that already allows the government to obtain a suspect's e-mail from an ISP or webmail provider without a probable-cause warrant, once it's been stored for 180 days or more. The government now contends it can get e-mail under 180-days old if that e-mail has been read by the owner, and the Constitution's Fourth Amendment protections don't apply. Yahoo is challenging the government's position and defying a court order to turn over some customer e-mail to the feds.

[http://www.wired.com/threatlevel/2010/04/emailprivacy/?utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+wired%2Findex+%28Wired%3A+Index+3+%28Top+Stories+2%29%29#ixzz0l8FQcazV](http://www.wired.com/threatlevel/2010/04/emailprivacy/?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+wired%2Findex+%28Wired%3A+Index+3+%28Top+Stories+2%29%29#ixzz0l8FQcazV)

Was lack of government transparency a factor in mine deaths?

[http://www.huffingtonpost.com/2010/04/14/was-lack-of-government-tr\\_n\\_537281.html](http://www.huffingtonpost.com/2010/04/14/was-lack-of-government-tr_n_537281.html)

An attorney who disclosed classified information while working as a contract linguist for the FBI in Maryland has had his license to practice suspended in New York.

<http://www.law.com/jsp/article.jsp?id=1202448072393>

Financial news service Theflyonthewall.com has urged a Manhattan federal judge to lift a ban on its quickly reporting "hot news" about analyst research from three Wall Street banks, saying the ban has cost it subscribers and could threaten its survival. The company made its request to U.S. District Judge Denise Cote, who last month issued an injunction requiring it to wait two or more hours before publishing research from Bank of America Corp's Merrill Lynch unit, Barclays Plc and Morgan Stanley.

<http://www.reuters.com/article/idUSTRE63D3CS20100414>

Last year alone, the State Department sent taxpayers tabs totaling nearly \$300,000 for alcoholic beverages — about twice as much compared to the previous year, according to an analysis of spending records by The Washington Times. The Times' review of purchasing records examined all expenditures listed under a specific product services code for "alcoholic beverages" contained in a federal spending database. The findings showed that purchases rose from \$139,657 in 2008 to \$294,639 last year.

<http://www.washingtontimes.com/news/2010/apr/15/taxpayers-foot-state-departments-stiff-liquor-bill/>

The Supreme Court of Ohio has prohibited the enforcement of a gag order banning the news media from

reporting on a criminal trial until a jury has been seated in the second trial of another defendant charged in the same incident.

<http://www.rcfp.org/newsitems/index.php?i=11369>

Why can't D.C.'s mayor fulfill his promise of open government? Ask his lawyer.

<http://www.washingtoncitypaper.com/articles/38736/the-transparent-trap>.

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**Friday, April 16, 2010**

## State and Local stories

[Journal & Messenger](#): He's been battling for more than two years. Now Woodbridge resident Mark Hjelm will soon get to see high school visitor lists kept from him by the Prince William County School Board. During a Wednesday writ of mandamus hearing, Prince William County District Court Judge Wenda Travers ruled the school board must release visitor information from Gar-Field High School, Woodbridge High School and Freedom High School from Dec. 3, 2007 to Dec. 7, 2007.

[Northern Virginia Daily](#): Some challengers in the May 4 Front Royal Town Council election say that possible secret meetings and bribes regarding a proposed solar energy farm show that town government is in disarray.

[Times-Dispatch](#): Gov. Bob McDonnell did not veto any of the legislation sent to him by the 2010 General Assembly. The Republican governor did amend 122 of the 871 bills sent to him, including a measure creating an abortion-rights license plate and ethics reform passed in the wake of a controversy involving former Del. Phillip A. Hamilton, R-Newport News.

[Martinsville Bulletin](#): A new program uses cell phone text messaging to promote maternal and baby health. Smart Beginnings of Martinsville-Henry County is working with text4baby, a national program that provides free health-related text messages to pregnant women and new mothers.



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## National Stories

The Senate Judiciary Committee voted Thursday to send the Faster FOIA Act of 2010 to the full Senate for consideration, The Associated Press reported.

<http://www.rcfp.org/newsitems/index.php?i=11374>

New York's Gov. David Paterson has signed three pieces of open government legislation that will make it more difficult for government boards to shut the public out of meetings. An earlier version of the law, vetoed by the governor last year, would have imposed financial penalties on governments that violated the law. This law removes the fines and instead gives judges the authority to require board members to undergo open government training.

[http://www.poststar.com/news/local/article\\_b96ca604-48dd-11df-a049-001cc4c03286.html](http://www.poststar.com/news/local/article_b96ca604-48dd-11df-a049-001cc4c03286.html)

"Summer study" sounds like where you send kids for remedial English, but in fact it's where state lawmakers send bills they deem not ready for prime time. In the Maryland General Assembly session that ended Monday, clear majorities of both the House (76 of 141 delegates) and Senate (31 of 47 senators) co-sponsored the Maryland Open Government Act, a bill that would have shed more light on how state laws are made - and not made. Despite the huge support, senior delegates decided Monday to refer the bill to "interim study," also known as summer study, to give state information technology experts time to ensure servers could handle the traffic.

<http://www.hometownannapolis.com/news/col/2010/04/15-62/Eric-Hartley-Open-government-needs-action-not-study.html>

A former senior executive at the National Security Agency was charged Thursday with lying and obstruction of justice in an investigation of leaks of classified information to a newspaper. Federal prosecutors said Thomas Drake, 52, served as a source for many articles about the NSA in an unidentified newspaper, including articles that contained classified information.

[http://www.usatoday.com/news/washington/2010-04-15-nsa-executive-leak\\_N.htm?csp=34&utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+usatoday-NewsTopStories+%28News+-+Top+Stories%29](http://www.usatoday.com/news/washington/2010-04-15-nsa-executive-leak_N.htm?csp=34&utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+usatoday-NewsTopStories+%28News+-+Top+Stories%29)

Shortly after the tapes were destroyed at the order of Jose A. Rodriguez Jr., then the head of the C.I.A.'s clandestine service, Mr. Goss told Mr. Rodriguez that he "agreed" with the decision, according to the document. He even joked after Mr. Rodriguez offered to "take the heat" for destroying the tapes. It was previously known that Mr. Goss had been told by his aides in November 2005 that the tapes had been destroyed. But a number of documents released Thursday provide the most detailed glimpse yet of the deliberations inside the C.I.A. surrounding the destroyed tapes, and of the concern among officials at the spy agency that the decision might put the C.I.A. in legal jeopardy.

<http://www.nytimes.com/2010/04/16/us/16tapes.html?ref=us>

The FBI will consult with Edward M. Kennedy's family before releasing its file on the deceased lawmaker to the public — a rarely invoked FBI accommodation, The Boston Globe reported.

<http://www.rcfp.org/newsitems/index.php?i=11372>

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## Editorials/Columns

**Daily Progress:** If we begin curtailing speech that we find offensive, we begin drawing the noose of constraint around our own freedoms. Tax protestors? Animal-rights groups? Abortion opponents? Gay pride activists? All it takes is people in power opposed to any of the above and who would stamp out the right to speak our minds on these issues, or many others. Do we wish to risk that slippery slope? The Westboro Baptist Church may be a vile extreme, but we should be careful how we handle its radical behavior lest we compromise our own right to free expression.

**News & Advance:** Gov. Bob McDonnell had the opportunity to sign off on toughened ethics rules for state legislators but instead chose to keep the public out of the information loop.

**Ruth Marcus:** The public is zero for seven at the Supreme Court this term. That tally doesn't involve the justices' votes on cases. It's the number of times the court has been asked (seven) and agreed (zero) to release same-day audio recordings of oral arguments in important cases. Yes, audio recordings. In the age of Twitter and video chats, the court apparently finds the notion of allowing the public to hear audio of its proceedings overly intrusive.

**Ronald Rotunda, Washington Examiner:** The Constitution did not endow corporations with the right to the "pursuit of Happiness," but it did give them at least two important rights as "legal persons." One is that the government cannot take their property without just compensation, and the other is that the government cannot censor them.

[Donald Popeo, Washington Examiner](#): The once clear line in America that separates the private sector from the public sector is quickly disappearing, and Washington D.C. is emerging as the financial, as well as political capital of the country. In such a troubling climate, the need for government accountability and transparency has never been greater than it is today.

[New York Times](#): A constitutional challenge to the 2008 law that vastly expanded the government's ability to eavesdrop without warrants should be allowed to proceed in court.

**Monday, April 19, 2010**

## State and Local stories



[Roanoke Times](#): Residents asked candidates running in the town's council and mayoral elections about their plans for open government and to create a sustainable Christiansburg. The topics were included in questions posed to candidates by the audience. More than 70 people attended the Thursday night forum, which was hosted by the League of Women Voters of Montgomery County and took place in the county's government center.

[Times-Dispatch](#): Up to a dozen police officers led by Rockingham County's commonwealth's attorney raided the offices of James Madison University's student-run newspaper yesterday and seized more than 900 photos taken of last weekend's off-campus, violence-marred party.

[Times-Dispatch](#): The governor's office is tapping a social network to offer access not afforded the general public with his very own Flickr page. For the uninitiated, Flickr is a photo sharing site with millions of members and billions of photos, including, lots of the Virginia governor going about his business.

[Virginian-Pilot](#): If the number of Facebook fans someone has is a measure of their popularity, then the Virginia Beach Police Department is the cool kid. The department's Facebook page had 1,911 fans Friday afternoon, making it the most popular local law enforcement agency on the social networking website. Portsmouth came in second with 1,195 fans, and Newport News brought up the rear with 171 fans.

[Virginian-Pilot](#): More than 628,000 current or former Virginians had their personal information stolen from a student loan guarantee agency in Minnesota. Educational Credit Management Corp. first announced the theft late last month but released an update Friday, saying all the data was recovered.

[Times-Dispatch](#): Gov. Bob McDonnell's proposed revisions to Virginia's pending two-year, \$83 million budget would put the state on a four-year trajectory to end aid to public radio and television stations -- long an objective of the GOP-dominated House of Delegates. McDonnell wants the General Assembly, which returns to Richmond on Wednesday to put the finishing touches on legislation passed this winter, to eliminate \$592,835 for public broadcasting in the second half of the 2010-12 spending cycle.

[News & Advance](#): Student political engagement a force to be reckoned across Virginia

[Washington Post](#): In a rural area where jobs are scarce and the use of food stamps has shot up by nearly a third in the past three years, Daniel Gilbert's Pulitzer Prize Winning story about gas royalties in Southwest Virginia created a rare burst of optimism. But in this time of economic distress, even good news can be fleeting: A Pulitzer gold medal was once a near-guarantee of a vastly better job, but Gilbert is talking about leaving the industry, having recently

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considered law school or joining the Foreign Service.

## National Stories

The U.S. Justice Department has abruptly abandoned what had become a high-profile court fight to read Yahoo users' e-mail messages without obtaining a search warrant first. In a two-page brief filed Friday, the Obama administration withdrew its request for warrantless access to the complete contents of the Yahoo Mail accounts under investigation. CNET was the first to report on the Denver case in an article on Tuesday.

[http://news.cnet.com/8301-13578\\_3-20002722-38.html?part=rss&subj=news&tag=2547-1\\_3-0-20](http://news.cnet.com/8301-13578_3-20002722-38.html?part=rss&subj=news&tag=2547-1_3-0-20)

FBI agents targeting alleged criminal spammers obtained a trove of incriminating documents from a suspect's Google Docs account, in what appears to be the first publicly acknowledged search warrant benefiting from a suspect's reliance on cloud storage.

<http://feeds.wired.com/~r/wired/index/~3/PrOU7IFnkhg/>

A class action filed in Texas federal court alleges that a requirement that civil litigants exclusively use LexisNexis' e-filing service for pleadings violates the U.S. and Texas Constitutions. Noting that the district clerk returns unfiled any documents not filed through LexisNexis, the plaintiffs attorney in the case says, "If a litigant does not have a computer, he's denied access to the courts."

<http://www.law.com/jsp/legaltechnology/pubArticleLT.jsp?id=1202448233917>

The system that Lower Merion, Penn., school officials used to track lost and stolen laptops wound up secretly capturing thousands of images, including photographs of students in their homes, Web sites they visited, and excerpts of their online chats, says a new motion filed in a suit against the district.

[http://www.philly.com/philly/news/breaking/20100415\\_Lawyer\\_Laptops\\_took\\_thousands\\_of\\_photos.html](http://www.philly.com/philly/news/breaking/20100415_Lawyer_Laptops_took_thousands_of_photos.html)

Two U.S. senators have proposed that all Americans be issued biometric Social Security cards, containing data from either a fingerprint or retinal scan to help employers determine whether the holder is legal. In explaining the only current bipartisan reform proposal, Democratic Sen. Charles Schumer has called such a high-tech Social Security card "a linchpin" in efforts to win support in Congress for fixing an immigration enforcement system that many agree is broken.

<http://www.chicagotribune.com/news/ct-met-identity-immigration-reform-new-20100418,0,1577617.story>

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## Editorials/Columns

**Virginian-Pilot:** Because of delicate issues of personnel, much of the Norfolk School Board's work has been behind closed doors, a fact that makes it difficult to gauge effectiveness and urgency. Even so, the school division, from the professional leadership to the School Board, needs to be far more transparent about its investigations and decisions. Parents, employees and the greater community need that to regain confidence.

**Roanoke Times:** Congratulations to the Virginia Department of Corrections for winning a 2010 Jefferson Muzzle

award from the Thomas Jefferson Center for the Protection of Free Expression. Wait, no, that's wrong. Let's try again. Congratulations to the center for giving an award to the Corrections Department and nine other people and groups that took steps last year to stifle the First Amendment.

[Roanoke Times](#): Gov. Bob McDonnell has suggested amendments to an ethics reform bill passed by the General Assembly. One would strengthen it; two others could backfire.

[Roanoke Times](#): The efforts of one Virginian earned a far less ignominious award last week. The Bristol Herald Courier won the Pulitzer Prize for public service for the work of reporter Daniel Gilbert. We offer Gilbert our congratulations ... and our envy. The Pulitzer is one of those rare iconic awards that everyone has heard of. Just as the Nobel Prize recognizes the best of several fields, the Pulitzer goes to the best in journalism. And no one who read Gilbert's powerful series of stories about gas royalties in the commonwealth can doubt he deserved it.

[Washington Times](#): Federal security workers are now free to snoop through more than just your undergarments and luggage at the airport. Thanks to a recent series of federal court decisions, the digital belongings of international fliers are now open for inspection. This includes reading the saved e-mails on your laptop, scanning the address book on your iPhone or BlackBerry and closely scrutinizing your digital vacation snapshots.

[Associate Press Stylebook](#): 'Responding to reader input, we are changing Web site to website'

**Tuesday, April 20, 2010**

## State and Local stories



**Washington Post:** One of McDonnell's proposed changes to Del. Ward Armstrong's ethics reform bill would end the public investigation into a legislator and send the case to the attorney general if the lawmaker has left office. "It puts real teeth in it -- get it right to the statewide official that can actually do something about it," McDonnell told reporters. "This will create more sanctions, more quickly if there's bonafide misdoing." Armstrong doesn't agree. He will ask his colleagues to reject McDonnell's proposal when legislators return Wednesday to consider the governor's amendments to bills and the state budget. "The attorney general has a lot more resources than the House ethics committee does," McDonnell said. "We've got investigators, We've got the State Police and we've got the ability to prosecute...Let's get it to the attorney general who, yes, does the investigation with the State Police out of the public light. But this is a statewide elected official with a moral obligation to investigate and punish crime.

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National FOI Coalition Annual Summit: May 7-8, Key Brige Hyatt in Rosslyn. [Register here!](#)

**Daily Press:** The Virginia Department of Transportation and the state's road work planners are getting an overhaul thanks to a series of audits designed to find savings and improve how state leaders lay the groundwork for future construction work. Gov. Bob McDonnell announced the audits on Monday, saying the administration would pay about \$500,000 to get independent companies to comb through the state's transportation books to "improve public confidence" that the state is managing road money wisely.

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**Times-Dispatch:** The Rockingham County commonwealth's attorney's office has handed over to a third party (a JMU faculty member) the 926 images seized Friday in a raid of James Madison University's student newspaper, The Breeze. "There's a general recognition that the right procedures weren't followed," said Frank D. LoMonte of the Student Press Law Center in Arlington County, which helped The Breeze obtain legal counsel. (see below for a round-up of related editorials)

**News Leader:** Virginia Tech's 2010 Summer Session will mark the debut of the university's new online graduate certificate in nonprofit and nongovernmental organization management.

## National Stories

A U.S. Senate committee sent a subpoena to the Obama administration on Monday demanding secret documents and access to witnesses in last year's shooting that killed 13 people at the Fort Hood Army base in Texas.

[http://www.usatoday.com/news/washington/2010-04-19-fort-hood\\_N.htm?csp=34&utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+usatoday-NewsTopStories+%28News+-+Top+Stories%29](http://www.usatoday.com/news/washington/2010-04-19-fort-hood_N.htm?csp=34&utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+usatoday-NewsTopStories+%28News+-+Top+Stories%29)

Supreme Court justices appeared open Monday to a California city's claim that a SWAT team officer should not

have expected text messages he sent on a government pager to his wife and, separately, a mistress, to remain private. In a case that could broadly influence policies for government workers' use of employer-issued pagers, cellphones and other electronic devices, Ontario city officials are appealing a lower court decision that said it breached a sergeant's constitutional protection against unreasonable searches when it reviewed his texts, some of them sexually explicit.

[http://www.usatoday.com/news/nation/2010-04-19-texting-privacy\\_N.htm?  
csp=34&utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+usatoday-NewsTopStories+  
%28News+-+Top+Stories%29](http://www.usatoday.com/news/nation/2010-04-19-texting-privacy_N.htm?csp=34&utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+usatoday-NewsTopStories+%28News+-+Top+Stories%29)

The Alabama Senate passed a bill last week that would make the audio recordings of 911 calls exempt from state open records laws, the Florence Times Daily reported.

<http://www.rcfp.org/newsitems/index.php?i=11379>

A federal judge on Wednesday dismissed a defamation suit against McElroy, Deutsch, Mulvaney & Carpenter, finding the Morristown, N.J., firm was protected by the litigation privilege when it posted the plaintiff's FBI rap sheet on a federal court website. U.S. District Judge Joel Pisano, rejecting plaintiff Vincent Roggio's contention that the rap sheet was subject to a sealing order, further found Roggio fraudulently joined the firm and one of its lawyers as defendants in the suit in hopes of defeating diversity jurisdiction.

<http://www.law.com/jsp/article.jsp?id=1202448308088>

Rep. Mike Doyle (D-Penn.) wants federally funded research to be available for free online within six months of appearing in a peer-reviewed journal. The government funds billions of dollars worth of research projects, but the results are often locked up into expensive scientific journals without easy access to the public. Doyle's Federal Research Public Access Act "will give the American people greater access to the important scientific research results they've paid for," he said in a statement.

<http://thehill.com/blogs/hillicon-valley/technology/93063-house-bill-would-open-up-taxpayer-funded-research>

California is deploying a solution that could cut the time it takes to gather the state's 911 call data from months to a matter of minutes. It's called the Emergency Call Tracking System (ECaTS). This secure, Web-based management tool can report on all 911 public safety answering points in an entire county, jurisdiction or state, giving clients quick access to key stats: call volume, frequency, type, geographical trends, etc.

<http://www.govtech.com/gt/articles/754469>

Wisconsin would become the 39th state to enact a law protecting journalists and their confidential sources if a bill before the state Senate on Tuesday passes and is signed by the governor.

[http://host.madison.com/news/state-and-regional/wisconsin/article\\_f2ec35b2-6081-5993-bfa2-  
95b0b809149e.html](http://host.madison.com/news/state-and-regional/wisconsin/article_f2ec35b2-6081-5993-bfa2-95b0b809149e.html)

Amazon.com filed a lawsuit on Monday to fend off a sweeping demand from North Carolina's tax collectors: detailed records including names and addresses of customers and information about exactly what they purchased. The lawsuit says the demand violates the privacy and First Amendment rights of Amazon's customers. North Carolina's Department of Revenue had ordered the online retailer to provide full details on nearly 50 million purchases made by state residents between 2003 and 2010.

[http://news.cnet.com/8301-13578\\_3-20002870-38.html?part=rss&subj=news&tag=2547-1\\_3-0-20](http://news.cnet.com/8301-13578_3-20002870-38.html?part=rss&subj=news&tag=2547-1_3-0-20)

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## Editorials/Columns

[News Leader](#): Before allowing the editors of the JMU newspaper to seek legal advice, the officers walked out with what they'd asked for. This was not an ordinary search warrant situation — this wasn't a case in which an accused drug dealer would flush narcotics or a suspected gunman would begin firing. There was absolutely no reason to rush the acquisition of photographs without proper legal consultation.

[Times-Dispatch](#): The First Amendment is not some sort of immunity totem from a reality show, granting journalists the license to do whatever they please without consequence. They cannot, for instance, refuse to disclose the location of a kidnapped child under the guise of being a "neutral observer" of the search. Reporters and editors are members of civil society, and have duties to it. But that goes both ways. Journalism plays a crucial role in a democracy, and in order to do its job well it must be able to exercise certain rights and privileges. It requires independence; it cannot be a mere appendage for other institutions.

[Virginian-Pilot](#): Journalism students at James Madison University learned a hard lesson last week: Politicians will abuse their authority if they think they can get away with it.

[Daily Progress](#): Not quite ready for prime time. That's the obvious conclusion regarding the law enforcement community in the James Madison University region after a shocking confiscation of student newspaper files in an almost certain violation of federal law.

**Wednesday, April 21, 2010**

## State and Local stories



[Roanoke Times](#): After only days at the helm of a student newspaper, James Madison University junior Katie Thisdell found herself facing down police officers and a prosecutor.

[News Virginian, via Daily News Record](#): A task force composed of several local and state law enforcement agencies will review video footage and photographs from the April 10 riot near James Madison University.

[Loudoun Times](#): Loudoun County Supervisor Stevens Miller (D-Dulles) in an April 20 board meeting lambasted Supervisor Eugene Delgaudio after the Sterling board member accused Miller's family of helping to lead an attack against him. Miller, in a heated exchange of words, warned Delgaudio that if he continued to talk about his family, he would do so at his own peril. "Point of personal privilege. I will not listen to you implicate my family, you ... You will not implicate my family. Mr. Delgaudio, you leave them out of it," Miller screamed at Delgaudio. "I have never spoken one word about your family or any of the other things that might migrate up about your personal life. You implicate them now you do so at your own peril, sir." "I take that as a denial ..." Delgaudio quipped back.

[Virginia Tech News](#): Last week, the 2010 Pulitzer Prize in Journalism for national reporting was awarded to Matt Richtel and members of The New York Times staff for their July 18, 2009, front page story that highlighted research study results from the Virginia Tech Transportation Institute. The article, which Pulitzer judges noted as "incisive work, in print and online, on the hazardous use of cell phones, computers, and other devices while operating cars and trucks, stimulating widespread efforts to curb distracted driving," was based on several large-scale, naturalistic driving studies using cameras and instrumentation in participants' personal vehicles conducted at the Virginia Tech research center.

[Virginian-Pilot](#): A leading advocate of ethics rule changes for state legislators wants his fellow lawmakers to vote today to reject amendments from the governor that he says would weaken his bill. But that stance has a risk - sending it back to the governor could result in the demise of the entire bill.

[Martinsville Bulletin](#): Martinsville Bulletin Editor Ginny Wray and Photographer Mike Wray shared their perspectives on some of the most memorable local stories of the past 35 years during a lecture Tuesday at the New College Institute. The Wrays shared photographs representative of everything from horrific crimes to factory closings to big moments involving politicians and celebrities during their talk, which was part of NCI's noncredit lecture series.

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## National Stories

The Supreme Court by an 8-1 vote Tuesday struck down a federal law that makes it a crime to sell videos and other depictions of animal cruelty, saying the law infringed on free speech rights.

[http://www.usatoday.com/news/washington/judicial/2010-04-20-animal-cruelty-supreme-court\\_N.htm?csp=34&utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+usatoday-NewsTopStories+%28News+-+Top+Stories%29](http://www.usatoday.com/news/washington/judicial/2010-04-20-animal-cruelty-supreme-court_N.htm?csp=34&utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+usatoday-NewsTopStories+%28News+-+Top+Stories%29)

The Associated Press has obtained documents showing that James von Brunn, who died before he could stand trial in the shooting death of a Holocaust museum security guard, first came to the FBI's attention 47 years ago when he was accused of making a death threat over a business dispute. The FBI released documents about the 1963 incident in response to a Freedom of Information Act request from the AP.

<http://www.google.com/hostednews/ap/article/ALeqM5jz74U5-M7d052GqcbS8hyfPF7GQgD9F6RTBO1>

When a trade group representing Estee Lauder and other personal care product makers began trying to develop an industry standard for the term "organic," the iconic Dr. Bronner's Magic Soaps sued. A California appeals court has sided with the soap maker, holding that the trade group's attempt to certify its member companies as "organic" isn't protected under the state's anti-SLAPP statutes, as it "is not intertwined with speech about, or contributing to the debate on, the merits of a particular definition of 'organic.'"

<http://www.law.com/jsp/article.jsp?id=1202448361519>

Google plans to publish data on the number of requests it receives from governments to either remove content or identify specific users. Google will host a page on its site that reveals the number of times a government has requested data on a specific user or asked Google to remove a piece of content from its network of sites, such as search, YouTube, or Blogger.

[http://news.cnet.com/8301-30684\\_3-20002949-265.html](http://news.cnet.com/8301-30684_3-20002949-265.html)

An Oakland journalist is asking a judge to force UC Berkeley police to return photos he took at a December protest at the school. David Morse, 42, said he was photographing the Dec. 11 demonstration outside Chancellor Robert Birgeneau's campus home when he was arrested with seven others. He was charged with several crimes, including assaulting a police officer and vandalism. All charges against Morse and the others were later dropped. Police returned Morse's camera, but not the disks storing his photos.

[http://www.contracostatimes.com/ci\\_14915570?nclick\\_check=1](http://www.contracostatimes.com/ci_14915570?nclick_check=1)

The decision by congressional leaders Tuesday to shelve a D.C. voting rights bill, just days after announcing plans to move ahead, scuttles what supporters say was the best opportunity in a generation to give the District a voting seat in the House of Representatives.

<http://www.washingtonpost.com/wp-dyn/content/article/2010/04/20/AR2010042004796.html>

Amazon claims N.C. violating U.S. Constitution and federal law surrounding customer privacy

<http://www.examiner.com/x-17800-Raleigh-Headlines-Examiner~y2010m4d20-Amazon-claims-NC-violating-US-Constitution-and-federal-law-surrounding-customer-privacy>

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# Editorials/Columns

[News & Messenger](#): First of all, we would like to say thank you to Mark Hjelm. If there were more citizens like him, the government wouldn't be nearly so brazen in its attempts to keep information hidden.

[Megan Rhyne, VCOG Blog](#): Hjelm used a 40-year-old law, FOIA, to access information that he, as a taxpayer, helped create and maintain. Every citizen in the Commonwealth has the same right to ask for the information. It doesn't matter why Hjelm wanted to see the information. He could create a blog, print it on pamphlets, shout it from the rooftops, paper his birdcage with it, or, just keep it for himself. Imagine a system that operated otherwise.

[Daily Press](#): A citizen talked to the Hampton council during its most recent meeting, but the situation he encountered seems to be common: governing bodies that don't engage the public during the public input parts of their meetings. There are exceptions, but generally neither council members nor staff respond. It can feel like an audience at Versailles, minus the elegance: Ordinary people beseech the powerful, who don't deign to explain themselves. It can feel cold.

[Cavalier Daily](#): The authorities' seizure of photos from The Breeze not only appears legally questionable but threatens journalistic integrity.

[Roanoke Times](#): Keep the public in public broadcasting / Lawmakers should reject Gov. Bob McDonnell's cuts to public television and radio.

[Virginian-Pilot](#): No one expects public radio and television to be held harmless in a year when schools, mental health services and jails are losing state aid. But a tough budget year shouldn't be used as an excuse to take a gratuitous swipe at local stations that are struggling to continue providing superior educational programming and insightful coverage of local and state issues during the recession.

**Thursday, April 22, 2010**

## State and Local stories

The JCOTS legislative review and committee workplan meeting is today, April 22, at 1:30. House Room C, General Assembly Building.

[Agenda](#)

[Virginian-Pilot](#): A judge Wednesday forced the removal of a website attacking Vice Mayor Anthony Burfoot and the city's treatment of downtown clubs. Circuit Court Judge Charles E. Poston ordered an immediate removal of the website May4thCounts.com, stating that other legal action "is not adequate under the particular circumstances of this case." Burfoot said he wants to discover the site's anonymous author or authors and sue for slander. "This is just an attempt to try to destroy a person," said Burfoot, who is seeking a third term on the council.

[Northern Virginia Daily](#): Town Attorney Thomas R. Robinett appears to be on the hot seat for his handling of a possible bribe regarding town bids for the construction of a solar energy farm. Vice Mayor Bret W. Hrbek said Wednesday that he and Councilman N. Shae Parker have asked that an evaluation of Robinett be placed on Monday's Town Council agenda for a closed session discussion. Parker did not return any of the three telephone messages left for him on Wednesday.

[Times-Dispatch](#): The House of Delegates struck a blow for Bert and Ernie yesterday, voting to reject a budget amendment proposed by Gov. Bob McDonnell to begin phasing out state funding for public television and radio.

[Times-Dispatch](#): The big question at the 62nd annual Shad Planking—beyond whether anyone would be able to take a bite of the fish without extracting a bone from their teeth—was whether ex-Gov. and U.S. Sen. George Allen is planning a political comeback.

[Washington Post](#): Virginia stamps out license to hate: DMV recalls plate with coded racist message.

[Daily Progress](#): Congress established the federal Privacy Protection Act in 1980 to protect newsrooms after authorities raided Stanford University's Stanford Daily in 1971. The law went into effect two years after the Supreme Court ruled against editors and the newspaper who sued, charging their First and Fourth Amendment rights had been violated.



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FOIA how-to videos on VCOG's [YouTube Channel](#)

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Virginian-Pilot: Hampton Roads Transit will debut an online tool today that tracks how well the agency is meeting its financial and operational goals, something critics say has been lacking at the agency. The Dashboard is available at [www.gohrt.com](http://www.gohrt.com).

## National Stories

FOX Business has filed a second lawsuit against the Federal Reserve seeking documents about its emergency lending program that have been created since the first lawsuit began, FOX Business reported.

<http://www.rcfp.org/newsitems/index.php?i=11385>

The town meeting has been a longstanding staple of American society. The Internet revolutionized the concept of a community forum. And now, in at least one corner of the country, local governments are using the Web as a digital platform for public discourse. Last September, Polk County, Fla., held its first e-town hall meeting, which was such a success that Pinellas County, Fla., followed suit six months later.

<http://www.govtech.com/dc/articles/754998>

University of Maryland officials produced video footage Wednesday from a school-operated camera that had been subpoenaed by attorneys for a student who was beaten by Prince George's County police, images that officials originally said they could not find.

<http://www.washingtonpost.com/wp-dyn/content/article/2010/04/21/AR2010042105133.html>

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## Editorials/Columns

Washington Post: Police raid at JMU is an affront to the First Amendment.

News & Advance: Every day, The News & Advance prints the text of the First Amendment on the Opinion page, first, to remind the public of importance of a free press, and second, to lay down a marker to those who might want to curtail this nation's news media. One of the most egregious examples of the government trampling on the rights of the press occurred right here in Virginia, just a couple of hours up the road in Harrisonburg.

Roanoke Times: Police cannot bully journalists, even student journalists, into working as their agents. Yet that is exactly what happened a week later when, accompanied by

Rockingham County Commonwealth's Attorney Marsha L. Garst, police executed a search warrant -- having first sealed the affidavit that would explain their justification -- and demanded The Breeze turn over unpublished photographs.

[Daily Progress](#): The program costs the state about \$49,200 a year. Lawmakers said that in a tight budget year, and as a nonessential service, it was not worth keeping. Maybe not, but its demise is a partial retreat from the high ranking the commonwealth has received as an e-friendly state.

[LA Times](#): A nearly unanimous Supreme Court on Tuesday delivered a resounding reaffirmation of the importance of free speech in a case arising from the sordid "sport" of dogfighting. Although this case focused on a fringe phenomenon, the reasoning of the decision is significant for the future of the 1st Amendment. The chief justice's eloquent opinion suggests that, whatever other precedents may be at risk under the Roberts Court, landmark decisions protecting free speech are secure.

**Friday, April 23, 2010**

## State and Local stories



[Virginian-Pilot](#): A Circuit Court judge reversed his own decision Thursday to shut down a website criticizing Vice Mayor Anthony Burfoot, clearing the way for the site to reactivate. Circuit Court Judge Charles E. Poston reconsidered the day-old motion without legal prompting and concluded "that the temporary injunction should not have been granted." "In our world, the Internet, just as radio and television, are subsumed in the word 'press' as used in the Constitution," Poston wrote. He noted that speech concerning the official conduct of public figures is especially protected. Public figures must prove "malicious intent" in published materials. Poston said he was unable to find, without additional information, actual malice in the published material.

[Washington Post](#): Legislators rejected McDonnell's amendment to HB 655 to end the public investigation into a legislator and send the case to the attorney general if the lawmaker has left office. McDonnell made it clear in a chat with reporters late last night that he thought lawmakers had made a mistake in rejecting his change. McDonnell spokesman Tucker Matin said the governor will not veto the bill.

[Times-Dispatch](#): The head of the General Assembly's investigative arm is retiring, ending a 36-year career during which the agency's sometimes-controversial findings led to changes in tax policy, road spending, the state retirement fund and Virginia's computer agency. Philip A. Leone, executive director of the Joint Legislative Audit and Review Commission, is stepping down Sept. 1. He is only the second person to head JLARC since it was created in 1973. He became executive director in 1986.

[Leesburg Today](#): Loudoun Supervisors Again Debate FOIA Limits On Appointed Advisers

[Virginia Press Association](#): Dick Hammerstrom, chairman of VPA's Freedom of Information Committee, sent a letter to Harrisonburg prosecutor Marsha Garst protesting the seizure of digital images shot by JMU student newspaper staff during the school's annual Springest.

[Warren Sentinel](#): Leaked documents regarding the question of bribes from the leading solar energy bid have caused a stir among Front Royal council members. "There's been a lot of accusations and things going on that really aren't legitimate," Councilman Thomas E. Conkey said of the

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uproar. “I don’t know if it’s political posturing...or what.”

## National Stories

The Ohio Supreme Court has ordered a judge removed from the trial of a man suspected of killing 11 women. An order signed Thursday says the judge, Shirley Strickland Saffold of the Cuyahoga County Common Pleas Court, must step down to avoid an appearance of bias. Lawyers for the defendant, Anthony Sowell, claim that the judge made biased comments about him in postings on a newspaper’s Web site. The judge’s daughter claimed responsibility for the posts. (entire item)  
[http://www.nytimes.com/2010/04/23/us/23brfs-JUDGEREMOVED\\_BRF.html?ref=us](http://www.nytimes.com/2010/04/23/us/23brfs-JUDGEREMOVED_BRF.html?ref=us)

Mark Brooks wants the whole Web to know that he spent \$41 on an iPad case at an Apple store, \$24 eating at an Applebee’s, and \$6,450 at a Florida plastic surgery clinic for nose work. Too much information, you say? On the Internet, there seems to be no such thing. A wave of Web start-ups aims to help people indulge their urge to divulge — from sites like Blippy, which Mr. Brooks used to broadcast news of what he bought, to Foursquare, a mobile social network that allows people to announce their precise location to the world, to Skimble, an iPhone application that people use to reveal, say, how many push-ups they are doing and how long they spend in yoga class.  
<http://www.nytimes.com/2010/04/23/technology/23share.html?ref=us>

One day after the U.S. Supreme Court declared unconstitutional a 1999 law banning videos depicting animal cruelty, the congressman who originally wrote the statute announced his intention to introduce animal cruelty legislation that is more narrowly tailored, The Los Angeles Times reported.  
<http://www.rcfp.org/newsitems/index.php?i=11389>

Northern Kentucky University is considering filing a civil lawsuit after the state attorney general’s office ordered the school to release correspondence a student reporter had requested in a public-records request, The Northerner reported.  
<http://www.rcfp.org/newsitems/index.php?i=11388>

A San Diego County judge Thursday turned down a plea from the family of murdered teenager Chelsea King to seal documents involving the police investigation and autopsy of their daughter. Superior Court Judge David Danielsen also lifted the gag order that had kept lawyers and investigators from discussing the case with reporters.  
[LA Times](#)

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## Editorials/Columns

Virginian-Pilot: Virginian-Pilot writer Julian Walker reports that the state police were ordered this year to speak in favor of raising the speed limit to 70 mph on certain Virginia highways and to remain silent on some gun issues. It would have been more troubling had McDonnell insisted that state police representatives concoct some spurious epiphany for why they now think it's a great idea for pistol-packing customers to roam around a bar without notifying the owner or wait staff. On that count, the officers were mercifully allowed to remain in their seats and engage in deep breathing while legislators voted.

Times-Dispatch: Just about everyone wants to carve out an exception for this or that kind of speech. Indeed, four of the court's justices wanted to uphold restrictions on political speech by unions and corporations recently in the Citizens United case. (And isn't it odd that animal cruelty received more support from the high court than political discourse?)

News Leader: The General Assembly came through on Wednesday, taking the public television and radio broadcasting funding off of McDonnell's list of suggested cuts. The harm would be Virginians would miss out on quality, local programming, only the kind stations with a relatively steady if small revenue stream can produce. PBS stations like WVPT bring us not only the national programming like Frontline, Nature and NOVA, but also more regional and local shows like Virginia Farming and Miller Center Forums. Likewise public radio stations invest in strong local programming.

A round-up of nationwide attempts to cut public broadcast funding, from [Stateline.org](http://Stateline.org).

**Monday, April 26, 2010**

## State and Local stories

[News Leader](#): Virginia Tech has launched its new threat assessment website, providing the university community with a new resource regarding campus safety issues.

[Daily Press](#): The Newport News Police Department has reinstated a popular online system allowing people to keep track of criminal incident reports online. The database was shut down in November when police shifted to a new computer system, but it's now back up and running.

[Augusta Free Press](#): At first glance, there appears to be no question that the Privacy Protection Act of 1980 provides protection to media organizations from most newsroom searches and seizures. The law was passed as a response to a controversial 1978 United States Supreme Court decision in a case similarly constructed as the matter involving *The Breeze*. But the PPA has not been held to constitutional scrutiny by the Supreme Court, notes Robert O'Neil, the executive director of the Thomas Jefferson Center for the Protection of Free Expression and a First Amendment scholar at the University of Virginia School of Law.

[Daily Progress](#): The idea of installing video cameras on the Downtown Mall is back on the table — this time with the suggestion that their presence could boost business rather than just deter crime.

[News & Advance](#): An analysis of the first campaign finance reports filed in the City Council race show a clear divide among the donors of individual candidates. According a comparison run by the Virginia Public Access Project, a nonpartisan tracker of money in politics, donors who gave to Shannon Valentine last year are now almost exclusively backing one of four council candidates: James Coleman, Joan Foster, Randy Nelson or J.P. Vaughan. Similarly, those who supported Scott Garrett with their checkbooks in November are now contributing almost solely to Hunsdon "H." Cary, Don Good, Ted Hannon or Brent Robertson.



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## National Stories

New Jersey's press shield law applies to online news reporters but not to bloggers merely claiming to be journalists, a state appeals court ruled on Thursday.

<http://www.law.com/jsp/article.jsp?id=1202451742674&pos=ataglance>

Just days before a congressional hearing on the government's case against Goldman Sachs, a trove of

emails from the executive at the center of the matter shows candid messages about subprime debt and collateralized debt obligations.

[http://online.wsj.com/article/SB10001424052748704627704575204281683368348.html?mod=rss\\_whats\\_news\\_us](http://online.wsj.com/article/SB10001424052748704627704575204281683368348.html?mod=rss_whats_news_us)

The former head of an office tasked with protecting government whistleblowers from retaliation will plead guilty to charges he tampered with public records by hiring a private technician to delete information off his computer while at the Office of Special Counsel.

<http://www.rcfp.org/newsitems/index.php?i=11390>

American college students are hooked on cellphones, social media and the Internet and showing symptoms similar to drug and alcohol addictions, according to a new study. Researchers at the University of Maryland who asked 200 students to give up all media for one full day found that after 24 hours many showed signs of withdrawal, craving and anxiety along with an inability to function well without their media and social links.

<http://www.reuters.com/article/idUSTRE63M4QN20100423>

It began with the 1991 videotaped beating of Rodney King that sparked citywide riots in Los Angeles, but the modern ubiquity of video recording devices — and the likelihood that bystanders and even the suspects may be taping an incident — has had a major effect on the theory and practice of law enforcement.

<http://www.washingtontimes.com/news/2010/apr/26/police-adjust-to-a-world-caught-on-tape/>

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## Editorials/Columns

[Virginian-Pilot](#): Nobody's reputation emerges unsullied from the legal battle over the website may4thcounts.com. Not the target, Councilman Anthony Burfoot; not City Attorney Bernard Pishko, who sought to shut it down; and not Circuit Judge Charles Poston, who made an injudicious initial ruling. In all, men responsible for maintaining the integrity of government and legal institutions let both down. Norfolk residents are rightly chagrined.

[Roanoke Times](#): Some Republicans in the Senate are cowards. There is no other word for it. They have issued "secret holds" against about 80 of President Obama's nominees. The GOP, of course, is not alone in its abuse of holds. Democrats used them when they were in the minority. Nevertheless, Republicans are the culprits now, and they have deployed holds in the name of obstructionism with terrible efficiency.

[Texas Tribune](#): We've started to get calls — one here, one there; more a trickle than a flood — from

chagrined teachers around Texas who've discovered that when they Google themselves, the first thing that comes up is their salary information in our database of public employee pay. And they don't much like it. They think we've somehow violated their privacy or, worse, put them at risk of harm to life and limb. Not surprisingly, they want to us to remove them from the database immediately. No can do. Or more accurately, no will do.

[Susan Estrich](#): I understand the dangers of content-based regulation. I understand that the answer to bad ideas is debate and not censorship. But I am hard-pressed to come up with any argument as to the value of protecting depictions of criminal cruelty and the brutal murder of animals. These are not hunting videos we are talking about. They aren't images of slaughterhouses. Staging such events would be criminal (just ask Michael Vick), and recording them and selling them should be, too.

**Tuesday, April 27, 2010**

## State and Local stories



[Falls Church News-Press](#): California-based Northrop Grumman aerospace and security company announced today that it has chosen Northern Virginia for the relocation of its global headquarters.

[Northern Virginia Daily](#): Front Royal Town Attorney Thomas R. Robinett's job may have been spared Monday based on a technicality. An evaluation of Robinett had been placed on the Town Council's agenda for Monday by Vice Mayor Bret W. Hrbek and Councilman N. Shae Parker. However, after clarification by Robinett, the panel voted 5-1 to take it off the agenda, with Hrbek casting the only "no" vote. Hrbek had said that he wanted to talk behind closed doors with Robinett about his handling of possible secret meetings and a possible bribe being offered to Town Manager J. Michael Graham in the form of incentives with regard to a proposed solar energy farm.

[Daily Progress](#): An Albemarle County civil rights organization, The Rutherford Institute, on Monday went on record against the idea of placing surveillance cameras on Charlottesville's Downtown Mall, calling it an invasion of privacy and possible violation of the First Amendment.

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## National Stories

People can now submit Freedom of Information Act requests to the FBI electronically through a new eFOIA form. The FBI said the new electronic form makes requesting information easier. The bureau said it revamped its records Web site to include a guide for research in FBI Records, details on what happens after you make a request and data on how to file an appeal with the Justice Department. <http://fcw.com/articles/2010/04/26/web-fbi-efoia.aspx>

An anonymous New York jury will serve in a terrorism trial where the defense and prosecution have wildly different views of both the evidence and the prospects for juror intimidation. Jury selection is set to begin Wednesday in the trial of Syed Hashmi, indicted in 2006 for allegedly providing material support to al-Qaida. Hashmi's defense lawyers argued that anonymity would stigmatize their client and undermine the presumption of innocence. <http://www.law.com/jsp/article.jsp?id=1202453228280>

While it's easy enough to look through spending records of the South Carolina Republican Party and Democratic Party with state and federal Internet political money sites, South Carolina lawmakers don't have to disclose detailed spending by the party caucuses that shape legislative debate and elections. <http://www.thestate.com/2010/04/22/1256149/loophole-lets-sc-political-caucuses.html>

Police take computers, servers from home of Gizmodo editor who wrote iPhone stories.

<http://mediadecoder.blogs.nytimes.com/?p=33655>

New York Senator Charles Schumer has come out swinging against new announcements by Facebook that modify how much member data is shared with third-party companies, suggesting that the Federal Trade Commission needs to promptly address the issue of social-network privacy.

[http://news.cnet.com/8301-13577\\_3-20003415-36.html](http://news.cnet.com/8301-13577_3-20003415-36.html)

The U.S. Supreme Court agreed to review a challenge to California's ban on the sale of violent video games to minors. Hot on the heels of overturning a congressional ban on videos depicting animal cruelty, justices said they would consider the constitutionality of California's 2005 law sometime during the term that starts in October.

<http://www.sacbee.com/2010/04/26/2706365/court-to-decide-if-state-can-regulate.html>

The Confederate prisoners were lined up 15 paces from the Union firing squad. The order was given, and the six rebels died instantly. Five of them were shot through the heart, the Union officer in charge reported, adding that the execution was conducted to "my entire satisfaction." There was no gallantry to this bloody affair in 1864, no stirring charge worthy of Currier and Ives. It was but a dark footnote to the epic of the American Civil War. And it was just what the National Archives sought for the major exhibit that will debut Friday: "Discovering the Civil War."

<http://www.washingtonpost.com/wp-dyn/content/article/2010/04/26/AR2010042604276.html>

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## Editorials/Columns

Times-Dispatch: Holds should be used sparingly, if at all. They have become routine. Under no circumstance should the name of the senator responsible for the hold remain unknown to the electorate. Citizens ought to know when their legislators are acting as obstructionists (the electorate may like the politics of obstruction). Holds themselves are dubious. Anonymous ones are pernicious.

Roanoke Times: America will deny some of its citizens a full voice in their government for a while longer. Residents of Washington, D.C., will continue to pay federal taxes and abide by federal laws that they have no say in because they lack voting representation in Congress. It is, as their license plates declare, "Taxation without representation."

Mark Tapscott, Washington Examiner: Just when it seems like there is nothing but bad news coming from Capitol Hill, here's some unexpected good tidings - Rep. Mike Quigley, D-IL, and Rep. Darrell Issa, R-CA, are the co-chairmen of the newly formed Congressional Transparency Caucus in the

House.

**Wednesday, April 28, 2010**

## State and Local stories



[VCOG Blog](#): Discussion is good -- let the public see it, and let the public participate in it, too.

[Roanoke Times](#): Government officials, who normally tout efforts to lower elevated unemployment rates, are mum in Montgomery County about a prospective high-tech employer that has matched extreme excitement with acute secrecy. Town Councilman Ernie Wade said the council was told the company would offer "high-tech jobs with good pay" if it ultimately chooses a Christiansburg site. However, in giving the matter an unusually high degree of confidential treatment, the Christiansburg Town Council has agreed to endorse the project without knowing the company's name.

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[The Breeze](#): Virginia Attorney General Ken Cuccinelli said he supports Commonwealth Attorney Marsha Garst's search of The Breeze newsroom for Springfest photos on April 16. "I support any and all legal means to gather information to build a case against people who allegedly harmed or intended to harm law enforcement officers," Cuccinelli said on Friday in a statement to The Breeze. Cuccinelli said in a speech Thursday at Spotswood Country Club he didn't believe the raid was a First Amendment issue because it did not involve news or confidential sources, according to the Daily News-Record.

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(note: the link sometimes produces an error message)

[Daily Press](#): A drive to set up a world-class Municipal Cyber Lab in Hampton is gathering pace and has attracted interest from more than 30 other municipalities in Virginia. The laboratory would provide simulations and training for municipalities in the case of a cyber attack.

[Northern Virginia Daily](#): If members of the Town Council continue to leak confidential documents to the press, the consequences could be dire, according to Jennifer McDonald, the executive director of the Front Royal-Warren County Economic Development Authority. "My request is, if you have something that is confidential, I wish it would stay confidential until it's time for the public to know," McDonald said to the council. "We work with a lot of prospects, and we're about 30 days away from closing a deal for 400 jobs for this community. After all this came out in the paper, I received two phone calls from this company. 'What's going on? What's happening in your town? Tell me why we should locate our company there?'"

## National Stories

Did you renew your driver's license or pay your last parking ticket online? If so, you're part of a growing number of people in the U.S. taking advantage of government services on the Internet. A poll of more than 2,000 American adults late last year found that 82 percent of Internet users, or 61 percent of all U.S. adults, looked up information or made a transaction on a government Web site in the past year. The results of the poll, conducted by the Pew Internet & American Life Project and released Tuesday, also discovered that more people are using government sites to keep tabs on their local and federal officials.

[http://news.cnet.com/8301-1023\\_3-20003531-93.html?part=rss&subj=news&tag=2547-1\\_3-0-20](http://news.cnet.com/8301-1023_3-20003531-93.html?part=rss&subj=news&tag=2547-1_3-0-20)

Federal and state laws limiting newsroom searches are unlikely to help Gizmodo's editors, if they're the target of a criminal investigation regarding a prototype iPhone.

[http://news.cnet.com/8301-13579\\_3-20003539-37.html?part=rss&subj=news&tag=2547-1\\_3-0-20](http://news.cnet.com/8301-13579_3-20003539-37.html?part=rss&subj=news&tag=2547-1_3-0-20)

A left-leaning activist group said it filed a request today seeking Michigan Attorney General Mike Cox's correspondence on the lawsuit he has joined challenging the constitutionality of the national health care reform bill. Progress Michigan said its Freedom of Information Act request intends to find out whether Cox has been conferring with Republican and health industry interest groups in his efforts to repeal the legislation.

<http://www.detnews.com/article/20100427/LIFESTYLE03/4270434/1025/POLITICS03/Group-seeks-AG-Cox-s-papers-on-health-care-suit#ixzz0mOaOstLb>

When two cows got loose last Wednesday on the Ohio State campus, college newspaper photographer Alex Kotran grabbed his professional camera gear. When Kotran reached the athletic fields where the cows were being chased by police and OSU workers, a woman wearing a School of Agriculture shirt confronted him, he said. She told him that he was not allowed to take photos of attempts to corral the cattle. She tried to block him from taking photographs, he said. Kotran explained that he was a photographer for The Lantern, that where he was standing was public property, and that if she wanted him to stop taking photos, she should summon police. That's exactly what she did.

<http://www.thelantern.com/campus/lantern-photographer-cuffed-detained-1.1428581>

The staff of the Maine Ethics Commission on Tuesday handed off to the Attorney General's Office the potential fraud cases involving campaign workers for former gubernatorial candidate John Richardson. Last week, Ethics Commission staff denied Richardson's request for public campaign financing after identifying numerous instances in which campaign workers allegedly forged signatures and falsified documents.

<http://www.bangordailynews.com/detail/142168.html>

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## Editorials/Columns

[Tim Rutten](#): The Supreme Court should uphold appeals court rulings striking down a California ban on violent video games.

Thursday, April 29, 2010

## State and Local stories

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[Washington Post](#): Douglas Story, a Chantilly dump truck driver for the Virginia Department of Transportation, says he wanted to grab people's attention when he paid \$224.90 to have a mural of the burning World Trade Center detailed onto the tailgate of his Ford F-150 along with a sticker that reads: "Everything I ever needed to know about Islam I learned on 9/11." But he got more than he bargained for when a photo of his pickup went viral on the Web last week. Motorists and Muslim groups complained that his Virginia vanity license plate -- 14CV88 -- was really code for neo-Nazi, white supremacist sentiments. "There is absolutely no way I'd have anything to do with Hitler or Nazis," Story said Wednesday. He contacted The Washington Post after an article about his plate appeared last week; the state, citing privacy rules, had declined to release the identity of the plate's owner.

[Times-Dispatch](#): Virginia State Police chaplains will be able to pray again to Jesus, or any other religious figure, at public meetings. Gov. Bob McDonnell asked Superintendent Col. W. Steven Flaherty to reinstate the sectarian prayers.

[Roanoke Times](#): The chairman of the Montgomery County Economic Development Authority said it "probably wasn't the smartest thing" to blog about a secretive effort to bring high-tech jobs to Christiansburg. Although most local officials have vowed silence about the prospect for Falling Branch Corporate Park, Michael Miller spoke out in a 137-word Wednesday morning post. Miller labeled a Roanoke Times article as short on facts, called the company's identity "the worst kept secret in the region" and asserted that U.S. Rep. Rick Boucher had "seriously exaggerated his role" in the recruitment campaign.

## National Stories

Supreme Court justices voiced skepticism, and even some outrage, Wednesday over arguments that

people who signed a petition for a Washington state ballot measure against gay rights should be able to keep their names private out of a general fear of harassment.

[USA Today](#)

Several attorneys say denying Ronnie Lee Gardner the right to speak with the media before his June 18 execution by firing squad in Utah may be a violation of his First Amendment rights.

[http://www.sltrib.com/news/ci\\_14971238](http://www.sltrib.com/news/ci_14971238)

A report released by three journalism centers says nonprofit investigative journalism outlets must be transparent about who is funding them, establish guidelines for handling conflicts of interest and communicate with potential supporters to maintain public confidence in these emerging experiments in journalism.

<http://www.wisconsinwatch.org/2010/04/26/ethics-report-urges-openness/>

A former San Francisco network engineer was convicted of felony computer tampering after a trial in which prosecutors portrayed him as bent on protecting his “kingdom” — the city system he created — by refusing to surrender passwords to his bosses. Terry Childs, 45, of Pittsburg, was found guilty of a felony charge of denying computer access.

<http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2010/04/28/BA4V1D5Q22.DTL>

The Obama administration is seeking to compel a writer to testify about his confidential sources for a 2006 book about the Central Intelligence Agency, a step authorized by Attorney General Eric H. Holder Jr.

<http://www.nytimes.com/2010/04/29/us/29justice.html?ref=us>

Alabama governor Bob Riley signed legislation into law Tuesday that exempts 911 recordings from being released to the public under the state's public-records laws, and instead requires a court order to compel their disclosure.

<http://www.rcfp.org/newsitems/index.php?i=11399>

The Federal Emergency Management Agency poorly managed a \$40 million information technology program that has delivered an unproven system, according to a new report from Homeland Security Department Inspector General Richard Skinner.

<http://fcw.com/articles/2010/04/26/web-fema-ig-contractors.aspx>

Defying its own commitment to transparency, the Obama Administration refuses to share with Congress Ft. Hood investigative documents that may reveal whether the government could have prevented the massacre at the Texas Army base.

<http://www.judicialwatch.org/blog/2010/apr/obama-keeps-ft-hood-docs-congress>

Citizens for Responsibility and Ethics in Washington and 75 open-government advocates have sent a letter to the co-chairs of the National Commission on Fiscal Responsibility and Reform, also known as the Deficit Commission, urging the body to conduct its work in a transparent and accountable manner.

<http://www.citizensforethics.org/node/44880>

The Federal Trade Commission could become a more powerful watchdog for Internet users under a little-known provision in financial overhaul legislation that would allow them to issue rules on a fast track and permit the agency to impose civil penalties on companies that hurt consumers.

<http://www.washingtonpost.com/wp-dyn/content/article/2010/04/26/AR2010042604335.html>

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## Editorials/Columns

[LA Times](#): Pick one: public or private? A fundraising organization can't occupy space at a public university, share its employees and equipment and, in at least one instance, be led by the university president, then claim that it's a private entity whose doings are exempt from public disclosure laws.

**Friday, April 30, 2010**

## State and Local stories

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**Daily Press:** Attorneys for four members of the 2008-09 Board of Supervisors have issued subpoenas to 12 Gloucester residents in an apparent attempt to prove that a conspiracy was afoot in Gloucester to remove the four supervisors from office in 2008. If any of the documents have been deleted from a computer or other electronic device, the subpoenas ask for computers, computer hard drives, or other devices so they can be searched. The targets of the subpoenas have until May 14 to respond with copies of documents.

National FOI Coalition Annual Summit: May 7-8, Key Bridge Hyatt in Rosslyn. [Register here!](#)

**News & Messenger:** The State Capitol's South Portico shading him from the springtime sun, Del. Richard L. Anderson stretched his arms as wide as they would go. "Thank you," he said to lobbyist James Pickral. "We're here! We did it!" The Woodbridge Republican's jubilation was understandable. Gov. Bob McDonnell was about to sign the freshman lawmaker's first major piece of legislation. Anderson's measure, which aims to make it easier for military personnel and civilians overseas to vote absentee, was one of 27 veteran- or military-related bills McDonnell highlighted in a signing ceremony Thursday afternoon.

FOIA how-to videos on VCOG's [YouTube Channel](#)

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**Virginian-Pilot:** Disturbing? Yes. Illegal? Probably not. That's what police, residents and free-speech experts say about a truck seen driving around Virginia Beach displaying handmade signs disparaging women. The placards, stuck to the back of the dark purple pickup, include messages such as "All women are Satan" and "A perfect woman is a dead woman." "Attempts to argue that volatile, vulgar or extremist political language on bumper stickers is not protected by the First Amendment always seem to fall short," said ACLU head Kent Willis.

## National Stories

Judicial Watch, the public interest group that investigates and prosecutes government corruption, announced today that the Obama Justice Department advanced the erroneous claim in an April 21,

2010, court filing that Secret Service's logs of White House visitors are not subject to the Freedom of Information Act (FOIA). As Judicial Watch noted in its original complaint filed on December 7, 2009, this claim "has been litigated and rejected repeatedly" by the courts.

<http://www.judicialwatch.org/news/2010/apr/obama-justice-department-tells-court-shield-white-house-visitor-logs-full-disclosure-a>

Another exemption to the Illinois' new Freedom of Information Act is headed to the governor. House Bill 5154, approved by a 45-9 vote in the Senate today, would prohibit the release of employee performance evaluations. The bill already cleared the House and now gets Gov. Pat Quinn's review.

<http://www.mysuburbanlife.com/oakbrook/statenews/x749225066/Evaluation-shield-bill-goes-to-governor>

Corporate CEOs and union chiefs would be required to appear in the political advertising they helped fund under legislation introduced Thursday. Third-party groups running political ads, such as the U.S. Chamber of Commerce, also would have to disclose their donors, under the bills crafted by Sen. Charles Schumer, D-N.Y., and Rep. Chris Van Hollen, D-Md. The bills aim to blunt the effect of a January Supreme Court ruling that opened the door to unlimited corporate and union spending on independent political ads.

[USA Today](#)

Dwight Howard became the latest victim of the National Basketball Association's tough stance against criticizing game officials as the league handed the Orlando Magic center a \$35,000 fine. Howard, a four-times All-Star and the first overall pick by Orlando in the 2004 draft, was fined for public criticism of officiating that appeared on his personal blog on April 27, the league said in a statement.

<http://www.reuters.com/article/idUSTRE63R6DZ20100429>

In a not-so-subtle jab at bureaucratic language often found in U.S. Code or the Federal Register ("in witness thereof," "notwithstanding" and "directive," among other classics), the Center for Plain Language awarded its National ClearMark Awards on Thursday for the best and worst examples of language in government, business and the nonprofit community.

<http://www.washingtonpost.com/wp-dyn/content/article/2010/04/29/AR2010042904676.html>

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## Editorials/Columns

[Roanoke Times](#): Sen. Chuck Schumer concedes that his Facebook page "is very boring," and Sen. Al Franken agrees. They also agree, along with Sens. Michael Bennet and Mark Begich, that Facebook has gone too far selling users' privacy.

[Daily Progress](#): Mr. McDonnell's restoration of a policy allowing Virginia State Police chaplains to mention any deity, or none, should pose no problems. Unfortunately, "should" does not mean "will."

[Bluefield Daily Telegraph](#): An attempt by a clerk in Jefferson County to withhold the names of petitioners calling for a referendum on a new zoning ordinance is an unacceptable violation of the state's Freedom of Information Act laws. We urge the Supreme Court to rule in favor of the Observer, the Society of Professional Journalists and the citizens of Jefferson County, who have a right to know under FOI laws just who is calling for a new zoning referendum.

[Marsha Mercer](#): My friends who have resisted Twitter, hoping it's just a gnat in the face of communication, got bad news recently. The decision by the Library of Congress to archive the entire digital collection of public tweets since 2006 means that Twitter no longer is as ephemeral as smoke rings. It's the substance of scholarship. The library is guaranteeing that American history will reflect life in the Twitterhood. Historians many generations from now will draw conclusions about our times by examining our tweets. Twitter is no passing fad we can safely ignore. We are writing history 140 characters at a time.

[John Cook, Yahoo! News](#): Newspapers are supposed to support sunshine laws, right? That's how they pry crucial documents from the hands of secrecy-obsessed government bureaucrats. Freedom-of-information laws grant public access to communications among government employees. But in an awkward twist, the Hearst Corporation, which owns 15 daily newspapers across the nation, finds itself weighing whether to try to block a media request for e-mails among four people: two aides to New York Gov. David Paterson and a pair of reporters at the Hearst-owned Albany Times-Union.