

July 16, 2021

Virginia FOIA Advisory Council
Pocahontas Building, 10th Floor
900 E. Main Street
Richmond, VA 23219



Dear VFOIA Advisory Council:

At the July 15, 2021 meeting of the Central Virginia Planning District Commission, the Commission asked that I communicate to you our support for increased flexibility for electronic meetings outside of a declared emergency. Over the past 15 months, we have seen firsthand that electronic meetings have increased participation by members of the public because they remove barriers such as transportation and childcare. Removing such barriers leads to a more equitable, accessible, and transparent government and better, more representative public policy is created when residents with a diversity of voices and lived experiences can participate in their government, whether by attending a meeting or through direct service on a board or commission.

All of our jurisdictions have advisory boards or commissions to which the local governing body appoints residents. Having the ability to meet electronically outside of an emergency, would allow local and regional bodies the ability to schedule these meetings differently and more effectively. Flexibility would also help regional and advisory bodies respond to urgent or unexpected issues that may arise, while maintaining proper noticing requirements.

Even before COVID, a majority of other states allowed public bodies to meet electronically¹; some states even note that this is for the benefit of the public, as well as the public body. Given the increased participation we have seen, electronic meetings can help achieve FOIA's policy goal of promoting "an increased awareness by all persons of government activities and affording every opportunity to citizens to witness the operations of government."

We hope you will take the lessons we have learned over the past 15 months and help move Virginia into the 21st century. We ask you to please recommend that regional bodies and local advisory bodies be allowed to meet electronically outside of a declared emergency, while allowing or requiring the local governing body or regional body to adopt a resolution governing the use of such meetings.

Thank you for your consideration.

Sincerely,

Gary Christie, Executive Director
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¹ These include: Alaska; Arizona; California; Colorado; Connecticut; D.C.; Hawaii; Idaho; Kansas; Kentucky; Maryland; Minnesota; Mississippi; Missouri; Montana; Nevada; New York; North Carolina; North Dakota; Oregon; Pennsylvania; South Carolina; South Dakota; Utah; Vermont; Washington; and West Virginia.