



MEMO

TO: Members of the Senate of Virginia

FROM: Adisa Muse, Director, Virginia Voter Restoration Project, ACLU of Virginia

DATE: February 4, 2009

RE: Support for SB 273 and SJ 354, Restoration of Rights for Non-Violent Felons

The Senate Committee on Privileges and Elections has approved two bills -- SJ 273 and SJ 354 -- concerning the restoration of rights for individuals who have been convicted of non-violent felonies and have completed the terms of their sentences. Both bills received bi-partisan support. We hope you will support this long overdue legislation.

Under the Virginia Constitution, all individuals with felony convictions are permanently barred from voting, requiring an act of the Governor to have their rights restored. While felon disfranchisement enjoyed widespread support in the past, nearly every state has cast aside this vestige of Jim Crow and now provides for automatic restoration of rights for most former felons. Indeed, only Virginia and Kentucky still employ this harsh and arbitrary policy towards individuals who have fully repaid their debt to society and who are now tax-paying citizens with jobs and families.

It is estimated that there are more than 300,000 individuals living in Virginia who have been stripped of this fundamental right. Although there is a procedure in place that allows former felons to apply to the Governor for restoration of voting rights, the process is complicated and intimidating. Only a few thousand individuals per year, less than 1% of the total, are able to have their rights restored.

The two bills currently before the full membership of the Senate affect only individuals who have been convicted of non-violent offenses. SJ 273 amends the Constitution to allow the General Assembly to decide what the rules for restoration of rights will be. SJ 354 provides for the automatic restoration of voting rights for individuals who have completed sentences for non-violent felonies. It is our hope that you will support either bill, or a combination that captures the essence and intent of what the Senate has accomplished thus far.

For your information, I have enclosed a one-page briefing paper on felon disfranchisement and several editorials from Virginia newspapers that have recently endorsed reform of Virginia's voter restoration law.