



MEMO

TO: House Committee on Privileges and Elections

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

DATE: February 4, 2009

RE: Support for HJ 628, Restoration of Rights

I am writing to urge you to support HJ 628 (O. Ware), which was approved last week by the House Privileges and Elections Subcommittee on the Constitution. HJ 628 amends the Virginia Constitution to allow the General Assembly to provide for the restoration of voting rights to those convicted of non-violent felonies.

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 disenfranchisement 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 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.

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