



Virginia

## 2018 State Legislative Priorities

### **Police Practices Reform**

In Virginia, an officer can only lose their certificate if they are convicted of a felony or certain misdemeanors or fail to do mandatory training. It cannot be lost for misconduct. That needs to change. To make that possible, however, as is the case with lawyers and doctors, there need to be statewide conduct and ethical standards for “licensed” law enforcement officers that are uniform across all Virginia jurisdictions. It is time to come to grips with the reality that there are some principles of policing that cannot and should not vary depending on which side of a jurisdictional line you are on. The “licensing” proposal regarding individual officers requires changes in Section 15.2-1707 Decertification of Law Enforcement Officers of the Virginia Code.

### **Criminal Discovery Reform**

At present, Commonwealth’s attorneys are under no obligation to provide basic information such as witness statements and police reports to defendants prior to trial. The Supreme Court of Virginia had convened a panel to study the issue, but abruptly pulled the plug in 2016 without giving a reason. Some prosecutors do voluntarily share such information, but the ones who don’t place defendants in a terrible position to decide whether to negotiate plea agreements or go to trial. It’s called “trial by ambush” and it needs to stop.

### **Voting Rights**

Virginia is one of only four states to permanently disenfranchise its citizens who are convicted of a felony. And under the Virginia Constitution, only the governor can restore civil rights to those who have been disenfranchised. As a result, in 2016, an estimated 508,680 Virginians were barred from voting, of which 408,000 have completed their sentences. African-Americans of voting age are disproportionately impacted by the law: nearly 272,000 African-Americans of voting age are barred from voting due to a felony conviction, of which more than 217,000 have completed their sentences. It is time for an amendment to the state constitution that would guarantee the right to vote for all Virginians over 18 who are U.S. citizens.

In addition, voting is restricted in Virginia through its process for absentee balloting. At present, there are 19 approved excuses for which someone would be allowed to vote prior to the general election date, which privileges some voters over others. Virginia needs no-excuse absentee voting in person or by mail.