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Grant Virginians an Affirmative Right to Vote that Cannot be Abridged by Law Support HJR 598, SJR 261 and SJR 262

Virginia is one of only three states whose constitution permanently disenfranchises every person convicted of a felony unless the government individually restores their right to vote. Recent Virginia governors have sought to expand the rules for restoration of civil rights, but a Virginian convicted of a felony may never get back the right to vote. It is time to make clear that the vote belongs to the people and to guarantee that right to every Virginia resident who is a citizen and at least 18 years of age.

Virginia is out of step with the rest of the United States. In 2018, all states except Virginia, Iowa and Kentucky either afford all people over 18 the right to vote (Maine and Vermont) or have automatic processes where people's right to vote is restored once they are released from prison or are no longer under supervision. In one state, Florida, voters overwhelmingly voted this fall to remove permanent disenfranchisement of most people with felony convictions from their state constitution and restore the voting rights of an estimated 1.4 million Floridians. Today, Virginia remains one of only three states that permanently disenfranchises citizens with felony convictions unless their rights are individually restored.

Hundreds of thousands of Virginians cannot vote because of a felony conviction. In 2016, an estimated 500,000 Virginians were barred from voting because of a felony conviction, including more than one in five African-Americans — the second highest rate of African-American disenfranchisement in the country. Although the policies of Gov. McAuliffe and Gov. Northam restored the rights of more than 200,000 people with a felony conviction since that time, hundreds of thousands remain disenfranchised today and 12,000 more are convicted of felonies each year. Moreover, because of racial disparities in the criminal justice system, and the longer sentences imposed by the 1995 "no parole" law, the pool of people still or newly disenfranchised increasingly is majority people of color.

The right to vote belongs to the people. The right to vote is fundamental to our democracy and is protective of all other rights. It is your voice. Although the government can punish its citizens with criminal or civil penalties for wrongdoing, it should not be able to abridge your fundamental right to vote. Your right to freedom of speech or to practice your religion does not end when you enter the criminal justice system; neither should your right to vote.

Virginia voters should have a say. The process of amending the Virginia constitution is a long one: Both chambers of the legislature must pass an identical version of the proposed amendment not once, but twice, and there must be an intervening election of the House in between the two votes. Even then, the proposed amendment does not become law until Virginia voters approve its language in a statewide referendum. Legislators should start the process now so that Virginia voters might have their say in 2020.