



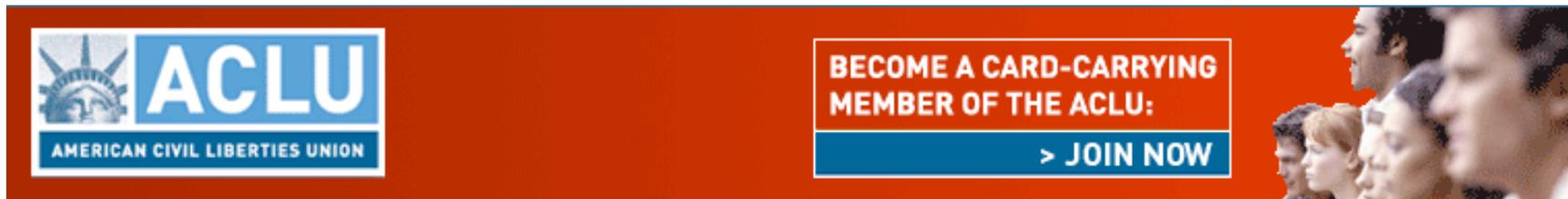
<http://www.reformelections.org/index.asp>

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## Voting Rights Restoration Process

Source: U.S. Department of Justice, December 2000; \_Up  
National Conference of State Legislatures, January 2002

<http://www.ncsl.org/programs/legismgt/elect/voterights.htm>



<http://www.aclu.org/index.html>

<http://richmond.indymedia.org/index.php>

## **Restoration of Voting Rights & Voter Registration Drive**

0. 03 May 2007

This work is in the public domain

Virginia United Methodists for Restoration of Voting Rights & Voter Registration Drive  
Wednesday, May 16, 2007 in Richmond Virginia

"--always do a little and a little at a time eventually makes a "BIG" difference"

--Barbara Cage

Register To Vote Today & Vote Tomorrow

Virginia United Methodists to Hold Restoration of Voting Rights & Voter Registration Drive

WEDNESDAY, MAY 16, 2007

(Every 3rd Wednesday of each Month)

TIME: 1pm to 7pm

Wesley Memorial United Methodist Church

1720 Mechanicsville Turnpike

Richmond, Virginia 23223

(I-64 Mechanicsville Turnpike West Exit

Large Brick Tree-lined Church)

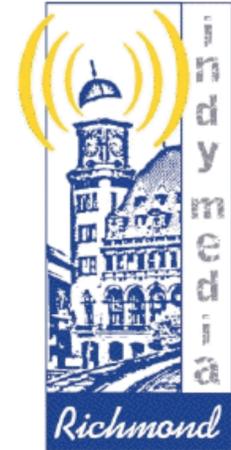
hosted by:

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Resource Information Help for the Disadvantaged(RIHD)

(804) 562-2123

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<http://www.stateaction.org/>

<http://www.stateaction.org/issues/issue.cfm/issue/VotingRightsRestoration.xml>

## Voting Rights Restoration

**An estimated 5.3 million Americans—one in 41 adults—are barred from voting because of a felony conviction.<sup>1</sup>**

The number of disfranchised citizens is greater than the entire population of Louisiana. Among these 5.3 million are more than two million white Americans (Hispanic and non-Hispanic), 677,000 women, and 585,000 military veterans.<sup>2</sup>

**Approximately two million of those barred from voting have completed their sentences.<sup>3</sup>**

Eleven states permanently deny the right to vote to at least some citizens even after they have completed their sentences. Of these, three (FL, KY, VA) permanently disfranchise everyone with a felony conviction. Only Maine and Vermont never strip voting rights from their citizens, even when they are incarcerated.

**African American and Latino communities are disproportionately affected by the disfranchisement of criminal offenders.**

About 1.4 million African American men are barred from voting. Their 13 percent disfranchisement rate is seven times the national average. In six states, more than one in four African American men are permanently disfranchised. Given current rates of incarceration, three in ten of the next generation of black men are expected to be disfranchised at some point in their lives.<sup>4</sup>

**Restoring the right to vote helps reintegrate people with criminal records into society and strengthens democracy by increasing voter participation.**

Voting is integral to the fabric of our democracy—permanently disfranchised Americans can hardly feel a part of the process. Restoration of voting rights helps people with criminal records become productive members of society and strengthens our institutions by increasing participation in the democratic process.

**The United States is the only democracy in the world where convicted offenders who have served their sentences are disfranchised for life.**

Many countries, including the Czech Republic, Denmark, France, Germany, Israel, Japan, Peru, Poland, Romania, Sweden and Zimbabwe allow some or all incarcerated individuals to vote. In fact, German law obliges corrections officials to encourage prisoners to vote.

**Americans strongly support the restoration of voting rights to people with convictions.**

A 2002 Harris Interactive poll found that 80 percent of Americans believe that citizens who have completed sentences for felony convictions should be allowed to vote. More than 60 percent favor re-enfranchising those on parole or probation.<sup>5</sup> **States are moving to restore voting rights to many citizens with felony convictions.**

Across the country, there has been significant momentum for reform of disenfranchisement policies. Since 1997, 16 states have reformed their laws or policies to reduce barriers to voting by people with criminal records.<sup>6</sup> In November 2006, Rhode Island became the first state to approve restoration of voting rights by referendum.

**To fully restore the right to vote to people with felony convictions, legislation should include several key provisions.**

- o. **Restoration of Rights**—Clearly identify at what point voting rights are restored to people with convictions.
- o. **Notice**—Ensure that criminal defendants are informed before conviction and sentencing that they may lose their voting rights, and at the point of restoration that they are again eligible to register and vote.
- o. **Voter Registration**—The government agency that has contact with people at the point of restoration should be responsible for assisting them with voter registration.
- o. **Statewide Voter Registration Database**—Ensure that names are properly removed and then restored to the state’s computerized list of registered voters.
- o. **Education**—Hold the state’s chief election official responsible for educating other government agencies and the public about the legislation.

### **Endnotes**

- o. D\_mos, “Challenges to Fair Elections,” October 2006.
- o. The Sentencing Project, “Felony Disenfranchisement Laws in the United States,” August 2006; The Sentencing Project, “Disenfranchised Veterans In the United States,” 2004.
- o. “Challenges to Fair Elections.”
- o. “Felony Disenfranchisement Laws in the United States.”
- o. Jeff Manza, Clem Brooks and Christopher Uggen, “Public Attitudes Toward Felon Disenfranchisement in the United States,” *Public Opinion Quarterly*, 2004.
- o. “Felony Disenfranchisement Laws in the United States.”

Ibid.

# CampusActivism.org

Forum for Student and Youth Activists

<http://www.campusactivism.org/phpBB2/viewtopic.php?p=901>

Does not look recent

Joined: 28 Oct 2004

Posts: 77

Location: florida

Posted: Fri Nov 05, 2004 3:57 pm    Post subject: VA Republican Marrs "We deprive certain rights for life"

EXCERPT FROM THE WASHINGTON TIMES ARTICLE "ACTIVISTS SEEK RIGHTS FOR FELONS" , 10.22.2004, BY C BELLANTONI

The nation currently holds about 7 million people in its prisons and is home to about 5 million released felons who are allowed to vote, according to several civil rights and advocacy groups. About 1.5 million of the released felons are allowed to vote, according to prison statistics show.

Legal experts said legislative bodies nationwide have been loosening restrictions for restoring felons' rights, which include voting, serving on juries and holding elected office. However, no group tracks national statistics on how many felons register to vote.

"Once people have learned about disenfranchisement, it has offended their sense of fairness and democracy," said a research associate for the Sentencing Project, a District-based criminal-justice advocacy group. "Both legislative and the court of public opinion, we are moving in the direction of having less restrictive policies."

But Virginia Delegate Bradley P. Marrs said his state has a policy that other states should follow -- denying voting rights to felons forever as punishment for breaking the law.

"We don't allow people who have violated the societal contract to participate in how the government runs," said Chesterfield County Republican. "We deprive certain rights for life."

MR. MARRS BELIEVES IN TAXATION WITHOUT REPRESENTATION. HE KNOWS MOST OF THE PEOPLE HE IS HOLDING AREN'T LIKELY TO VOTE HIS WAY.

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Fax: (804)288-1990

Email: [Del\\_Marrs@house.state.va.us](mailto:Del_Marrs@house.state.va.us)

[http://www.demos-usa.org/pubs/FD\\_-\\_Toolkit.lr.pdf](http://www.demos-usa.org/pubs/FD_-_Toolkit.lr.pdf)

Restoring Voting Rights to Citizens with Felony Convictions

<http://www.raisingkaine.com/showDiary.do?diaryId=8286>

Raising Kaine

## **Restore Ex-Felons' Voting Rights in Virginia**

by: Lowell

*Tue May 01, 2007 at 12:05:29 PM EDT*

I couldn't agree more with [this editorial in the Daily Press](#), entitled "**Right to vote: Their debt paid, former felons should be welcomed back.**" The bottom line is that once you've done your time and paid your debt to society, there is no excuse to continue to have your voting rights withheld.

Unfortunately, according to the Daily Press, the situation at present is that "**[m]ore than 240,000 Virginians are deprived of the right to vote.**" As the paper points out, this is "alienating and counterproductive," plus it's also "discriminatory, for it disproportionately disenfranchises black men."

Recently, the conservative Republican Governor of Florida, Charlie Crist, [restored voting rights](#) to most of that state's ex-felons. And, in the words of the Daily Press, "[l]ast week Gov. Martin O'Malley of Maryland signed legislation that will restore voting rights to most people convicted of felonies once they have finished their

sentences." Governor Kaine should do the same right here in Virginia. It's the morally correct thing, the American thing, and the Virginia thing to do.



**Agreed!** (4.00 / 1)

One of the biggest emerging problems in America is disenfranchisement. Between immigrants (legal and illegal) without representation to felons and citizens of DC without voting representation in Congress, there are entire segments of the population that have no capabilities for representation, but pay taxes.

If I recall correctly, that's kinda why the colonies revolted in 1775, wasn't it?

If we expand the franchise, we get more buy-in to the system, and there are greater incentives for participating and abiding by common norms.

We must assimilate those who feel alienated, and the right to vote is a critical part of that.

by: *Evan M @ Tue May 01, 2007 at 11:23:08 AM CDT*

[ [Reply](#) ]



**Yes to this** (4.00 / 1)

Right now the only way a felon can have voting rights restored is to wait five years and then request restoration. Most felons aren't even aware this option is available to them and so never go through the process.

For those who believe that having a felony conviction should deprive one forever of the ability to participate in our democracy, they should educate themselves about what exactly constitutes a felony in this state. In Virginia, if you are convicted of possessing a single Ecstasy pill at a rave, if you are caught carrying an empty jeweler's bag (size of a postage stamp) containing cocaine residue, if you have tried to evade the police, if you have shoplifted things valued at more than \$200, or caused property damage of more than \$1000, or hit another vehicle containing occupants and continued on your way you have committed a felony and a conviction will deprive you of your right to vote. Of particular concern to me is the draconian zero tolerance drug laws which make virtually anything which isn't marijuana a felony. Every Friday I attend circuit court sentencings and watch young adults come in to be sentenced for the felony of having a pill or a small amount of cocaine or heroin or other substances in their possession. The kids who shared Ecstasy with their friends at a rave come in to be sentenced for possession with intent to distribute. Sometimes they're in there to be sentenced for an impulse crime like snatching a \$300 jacket off the rack at Nordstroms. What they did is not good and downright stupid, but it's hard to see why someone who made a bad and immature decision at age 18 or 20 should pay for it for the rest of his or her life with curtailment of civil liberties. When one considers that they are being sentenced as adults but are considered by law to be too immature to be able

legally to drink a beer then it is even more frustrating.

by: *Catzmaw* @ Tue May 01, 2007 at 12:09:10 PM CDT

[ [Reply](#) ]



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### **Productive Members of Society** (4.00 / 1)

If you want individuals to return as productive members of society, you must allow them back into society.

by: *JusticeSentinel* @ Tue May 01, 2007 at 12:36:52 PM CDT

[ [Reply](#) ]



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## **Felon voting ban isolates Virginia**

The Virginian-Pilot

© January 13, 2006

Last updated: 7:41 PM

It's shameful that civil rights organizations and out-of-state newspaper editorialists feel compelled to petition Gov. Mark Warner for a blanket restoration of voting rights for thousands of freed felons.

If the Virginia General Assembly were doing its job, an orderly, prompt procedure for the automatic restoration of such rights to individuals who've served their time and completed restitution would have been in place long ago.

Virginia is one of just four states where all felons are stripped of voting and other citizenship rights for life. While Warner has done far more to speed the appeals process for reinstating such privileges than any previous governor, the process can still be cumbersome and take years, if it happens at all.

With the exceptions of Virginia, Kentucky, Florida, and Alabama, every state automatically restores voting rights for some or all felons, either as soon as the terms of a sentence are complete or after a prescribed waiting period. Both Nebraska and Iowa dropped lifetime bans within the last year.

In Iowa's case, that occurred through an executive order issued by Gov. Tom Vilsack.

Most Americans recognize that it's counterproductive to forever freeze law-breakers on the fringe of society. The General Assembly stands outside that mainstream. Legislative efforts to speed the restoration process, or make it automatic for at least certain crimes, rarely survive even a single layer of legislative review.

While Gov. Warner could take matters into his own hands, that's not the preferable course. A "blanket" action on a matter involving hundreds of thousands of former law-breakers smacks of a risky randomness. It also wouldn't apply to future freed felons.

The better option is to engage multiple minds in tailoring a policy, one that generally restores voting rights automatically but could allow for distinctions based on the frequency or seriousness of offenses. In other words, the General Assembly ought to assume this responsibility, and this year.

Turning felons into lifetime pariahs may satisfy some vengeful instinct, but it's not useful public policy at a time when prison populations have swelled. The history of such statutes in Jim Crow-America says all that needs to be said about their legitimacy and intent.

Almost every state in America has moved on. It's time that Virginia did as well, not just through the pen of a single governor, but through the collective determination of the men and women who make our laws.

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## **Harsh Virginia out of step on voting by ex-prisoners**

The Virginian-Pilot

© November 11, 2006

Last updated: 10:04 PM

The tenet of "one man, one vote" makes some men less than others in Virginia.

As pundits and politicians continue their post-mortems on this week's elections, it's worth revisiting the harsh, unyielding stance that the commonwealth maintains against felons. Stripped of many of their civil rights, including voting, felons released from prison in Virginia find it difficult to regain a semblance of citizenship.

Contrast the commonwealth's practice with what Rhode Island voters decided Tuesday. In a referendum, voters there approved a constitutional amendment granting voting rights to felons when they leave prison. Before, felons had to complete probation and parole first. Among the referendum's backers were the police chief in Providence and outgoing U.S. Sen. Lincoln Chafee.

For ex-felons here, however, Virginia is among the toughest states in the country to regain voting rights. Released felons must first finish supervised probation and parole. They then must wait three years if they committed a nonviolent offense, or five years for violent offenses, election fraud, or drug-distribution or manufacturing convictions. Only then can they petition the governor for restoration of civil rights.

The process is so cumbersome that many individuals won't even bother, though former Gov. Mark Warner streamlined the process a tad. He restored rights to 3,486 individuals, more than the five previous governors combined. In his first year in office, Gov. Tim Kaine has restored rights to 597 persons.

Marc Mauer, executive director of The Sentencing Project, says only Virginia, Florida and Kentucky mandate lifetime disenfranchisement. The Washington-based nonprofit group does research and advocacy on criminal justice policies.

Citizens want released felons "to be responsible, pay taxes and support their families," he told me Thursday. "So they have obligations, but not the rights of other citizens. That seems to be a counterproductive message."

The thinking goes that the more you allow ex-felons to reintegrate into the community, and have a stake in it, the less likely they'll be to commit future crimes. Given recidivism rates, that might be a Pollyanish notion. But it's still a worthy one.

"People who come out of prison have paid their debt to society," says state Sen. Yvonne Miller, a Norfolk Democrat. Voting "is a fairness issue."

Like me, Miller has no qualms about tilting at windmills. For years she's introduced legislation, without much success, to amend the state constitution to make it easier to restore voting rights. And she knows many Virginians don't share our sentiments. "People in the commonwealth expect them to lose [civil] rights for life," Miller adds.

Lt. Gov. Bill Bolling, a former state senator, has voted against bills that would have provided automatic restoration. "I think it's better to have a system where there's informed consideration and review" by the governor, he said Friday. "Some [felons] warrant restoration; some do not."

The main thing, he contends, is that "the process should be objective, fair and quick."

Why debate a change in the process? Consider this: Thousands of felons are released each year in Virginia. In fiscal year 2005, for example, more than 11,800 prisoners were freed from state facilities. In June 2005, nearly 50,000 persons were on probation or parole in the commonwealth.

They're not all choirboys when they get out; I know that. I also know that the worst of the worst will serve lifetime sentences here; that's just the way we do business.

But reintegrating former prisoners in society has its place - especially for the communities where they return to. Voting is just one way to do that. The issue should be given a higher priority in Virginia.

*Roger Chesley is associate editor of The Pilot's editorial page. Reach him at 757-446-2329 or at [roger.chesley@pilotonline.com](mailto:roger.chesley@pilotonline.com).*

<http://www.coopercenter.org/publications/sitefiles/vanl/vanl0805.pdf>

*Vol. 81 No. 4 August 2005*

By Sandra W. Brandt

**A** man I will call Joe Smith had a friend and on one fateful evening he and his friend went out for an evening of fun. The fun ended with Joe becoming an accessory to a crime that cost him his job, plus a 20-year sentence with three years in prison, nine years suspended time and eight year on parole. Joe Smith lost a lot during that process. But most importantly Joe lost his right to vote and participate in the process of selecting those individuals who represent you as president, senator, congressperson, state elected officials. In addition, he lost the right to vote on changes in the Virginia Constitution. In short, he lost his voice and input on electing the representatives who represent him in his district. In Virginia there are over 300,000 people, like Joe Smith, who are eligible to have their voting rights restored. For that reason, State Sen. Yvonne Miller from Norfolk has submitted a number of bills concerning the restoration of voting rights for people with felonies. Individuals who have committed both violent and non-violent offenses have to wait seven years prior to filling out the paperwork to have their rights restored. In the process, they have to meet the following criteria: served all their time charged; paid all their fines, including court costs, restitution to victims and others; finished all their probation or parole requirements, plus their time for suspended sentences and have waited seven years. During that time, if they committed another offense, they started the process all over again.

## *A Second Chance To Vote In Virginia*

*Sandra W. Brandt*

*The Virginia News Letter*

2

Some of this process changed in 2002. Prior to 2002, individuals—whether violent or non-violent offenders—filled out paperwork to be processed after a seven-year wait. Gov. Mark R. Warner made the change to separate violent offenders from non-violent offenders as well as changing the waiting period for both offenses, which was reduced to three years for the non-violent offenders and five years for the violent offenders.

**Major Changes in 2002**

There are three major processes that individuals can go through in order to get their voting rights back. If you are a non-violent offender, you have two options: a short application to the governor, or a petition to the court. Under the short application to the governor, you (1) must have been free of any subsequent convictions, excluding drunkdriving convictions, whether felony or misdemeanor; (2) must be free from any drunk-driving convictions for at least five years, and (3) the offense must have been non-violent, which includes drug possession, and have paid all court costs, fines, and restitution. The only difference in the petition to the court is that it must have been five years since the completion of the felony sentence, including suspended sentences, probation and parole as well as having no other subsequent criminal convictions for felony or misdemeanor offenses, excluding traffic violations, in the last five years. Finally, the person must have demonstrated civic responsibility through community or comparable service. For the person who has committed violent offenses, the process is longer and Instead of three years without an offense under the long application, you must wait five years since the completion of your felony, including suspended sentences and probation and parole. One must pay all court costs, fines, and restitution and have no new offenses in the last five years. Each time there is a new felony offense under the process, the original process begins over again. No matter what process an individual chooses, the governor still has the discretion to reject an application.....

***Governor Warner makes a change Weldon Cooper Center for Public Service • August 2005***

**Those agencies are STEP-UP (Skill Training Employment Placement Upward Progress), Incorporated in Norfolk; Total Action Against Poverty in Roanoke; the Richmond Community Action Program (R-CAP) in Richmond, and Virginia Citizens United for Rehabilitation of Errants, in Northern Virginia.**

These agencies will host workshops or do individual training for people who want to process their applications. Billboards, along with an aggressive radio campaign, will seek out individuals statewide. Also, local groups will work with beauty and barber shops, recreation centers, colleges and other locations to place brochures and flyers to get the word out. In addition, a toll free number has been set up to answer questions as well as direct calls to the various agencies. The number is 800-388-6744. In the next few months the Restorative Voting Rights Project will be working to process as many applications as possible to submit to the Secretary of the Commonwealth prior to the departure of Governor Warner. The project will have to rely on its partners to reach out and find these individuals. The agencies will work with the clerks of circuit court in various cities to see that the information needed to show payment of fines, restitution or court costs, along with completion of time served, has been received. In addition, the partners will make sure that the person has processed his or her application on the appropriate form and will assist with the review of the application to make sure that there is not a delay in processing or a return of the application. The process for approval can take up to two months for the short application form and four months for the long application. The governor of Virginia has the sole discretion to restore civil rights. There is no process for appealing this decision. Only complete and accurate applications will be considered, and incorrect and misleading information may result in the denial of the application. A person who has been denied may not reapply for two years. The civil rights restored through this process includes the rights to register to vote, hold public office, serve on a jury and serve as a notary public. The restoration of civil rights does not restore the right to possess a firearm. It does not expunge a criminal conviction. This is not a pardon. A person who has been convicted of a felony must first have his or her rights restored in order to be considered for a pardon.

Recently someone asked me why I was working on a project to assist ex-felons with their voting rights. My answer to that question

was a short one: It is because I believe that everyone deserves a second chance. Some individuals committed crimes when they were young and have never had the opportunity to vote. Others have had the right and lost it and now realize how important it is to be part of the process to elect the people who represent us and to vote on the issues that make a difference. This is their chance. Voting in this country is a privilege that many have taken for granted while others cherish. Losing your vote is a reminder to many how much they appreciate the right. Restoring civil rights goes beyond just voting. It's about restoring self-respect and dignity. It's about choices and issues that will effect you the rest of your life.

**ABOUT THE AUTHOR:** Sandra Brandt, a Norfolk native, is the executive director of STEP-UP, Inc., a non-profit corporation involved in training and job placement. She is the chairwoman of the Hampton Roads Chamber of Commerce Health Care Task Force and serves on the transportation committee of the Hampton Roads Partnership and on the board of the South Hampton Roads Urban League. *Everyone deserves a second chance*

**VOL. 81 NO. 4 AUGUST 2005**

Editor: William H. Wood

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**Restorative Justice**

Written by Administrator  
May 15, 2007 at 11:25 AM

Why is it that most prosecuting offices here in the United States and especially here in Virginia will not even consider Restorative Justice as an option to incarceration. Reliable studies have shown that using Restorative Justice, it is less likely for the defendant to re-offend. The majority of those in prisons across the United States should not be there. Legislatures and Congress should not pass laws for mandatory sentencing as that takes away the constitutional right of judges.

There will be more on restorative justice.

**Write Comment (0 comments)**



# Virginia Organizing Project

*Building Strength in Diversity*



<http://www.virginia-organizing.org/>

## 0. **VOP Calendar Subscribe Donate Contact VOP Visit VOP**

The Virginia Organizing Project (VOP) is a statewide grassroots organization dedicated to challenging injustice by empowering people in local communities to address issues that affect the quality of their lives. VOP especially encourages the participation of those who have traditionally had little or no voice in our society. By building relationships with individuals and groups throughout the state, VOP strives to get them to work together, democratically and non-violently, for change. \_\_El Proyecto de Organizar Virginia (VOP) es una organizacion de base a nivel estatal dedicada a luchar en contra de la injusticia dandole poder a la gente en las comunidades locales para que puedan exponer sus preocupaciones que les afecta en su vida diaria. Como una organizacion no partidista, VOP especialmente fomenta la participacion de aquellos que tradicionalmente han tenido poca o ninguna voz en nuestra sociedad. Estableciendo relacion con grupos o personas individuales atraves del estado, el VOP sigue luchando para que trabajemos juntos, democraticamente sin violencia por cambio social.

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