

LWV-VA Restoration of Civil Rights of Felons in Virginia Study 2007-9

POINTS TO CONSIDER

Discussion leaders,

Your role is to be neutral when you lead the discussion and to avoid influencing the outcome. If you think it is appropriate and would aid your discussion, consider sharing the following points that were of interest to the study committee.

- ³⁵₁₇ Criminal records may be hard to obtain after five years because probation & parole offices will have purged their copy of the records, and the circuit courts store them off site.
- ³⁵₁₇ It takes a long time (the average is 6 months) to learn whether the application has been approved or denied. This can lead to frustration which, when expressed in the community, discourages others from applying.
- ³⁵₁₇ Felons using the long form must get three letters of recommendation to show they are good members of society. They may have to tell people who did not know, that they are felons when they ask for the letters.
- ³⁵₁₇ Felons using the long form must tell where they are employed and give their employer's address, again running the risk of exposure.
- ³⁵₁₇ Probation and Parole Officers may not know the applicant because the original officer has retired or found a new job. This concern was expressed by several officers.
- ³⁵₁₇ After 3-5 years, the felon may have moved or for other reasons lost contact with those who helped him/her.
- ³⁵₁₇ Information about restoration of civil rights given to a felon upon release may be forgotten or lost during the 3-5 year waiting period. The restoration of civil rights is not the most important thing on a person's mind at the time of release.
- ³⁵₁₇ Court ordered payments, interest and penalties accruing during incarceration may result in an amount impossible to repay. Consider someone expected to pay court ordered child support while incarcerated for a number of years.
- ³⁵₁₇ Court costs and fines are more burdensome for the poor.
- ³⁵₁₇ Because of a general lack of knowledge about applying for the Restoration of Civil Rights, felons do not usually receive much help or encouragement from family or friends.
- ³⁵₁₇ The present system will be hard to change because so few people know that a felony conviction results in the permanent loss of civil rights. Robbery of something valued at \$200 or more is a felony. So is drug possession.
- ³⁵₁₇ There is no appeal process.