



2022 TALKING POINTS

RESTORATION OF RETURNING CITIZENS VOTING ACCESS

- The LWV VA strongly supports the proposed Constitutional Amendment restoring voting access, SJ1 (2022 pre-filed, second reading). The Amendment before the Virginia Legislature states: ‘.... Every person shall have the fundamental right to vote in the Commonwealth, and such right shall not be abridged by law, except that no person who has been convicted of a felony shall be entitled to vote during any period of imprisonment....’
- Current law allows the formerly incarcerated/returning citizens to vote only if the current Governor of Virginia decides to grant such access on a case-by-case basis. Voting access should not become subject to such arbitrary decisions.
- 21 states already support the restoration of voting access in line with this Virginia proposed Constitutional Amendment. 3 states allow felons to vote while in prison. This process of restoration of voting access has been well proven to work across the country. See: [National Conference of State Legislatures felon voting rights](#).
- “The right to vote forms the core of American democracy. Our history is marked by successful struggles to expand the franchise, to include those previously barred from the electorate because of race, class, or gender. As a result, our democracy is richer, more diverse, and more representative of the people than ever before. There remains, however, one significant blanket barrier to the franchise. 5.3 million American citizens are not allowed to vote because of a felony conviction” See: [Brennan Center for Justice 2009 Report - Restoring-the-Right-to-Vote](#).

What You Need to Know About the Restoration of Returning Citizens Voting Access Amendment

What is it?

During the last General Assembly, the first step was taken toward passing a constitutional amendment which would restore the voting access for all citizens in Virginia 18 and over

who are not currently serving time for a felony conviction. Now it's time to move that amendment to the ballot. The people of Virginia deserve the chance to vote

Why do we need it?

- When someone is incarcerated, the social and economic impact is felt in a community.
- Returning Citizens have paid their debt to Society and should be fully integrated into their community by having their voting access restored.
- Virginia is one of **two** states that permanently takes away voting access from people with felony convictions, including those who have served their time. Today there are approximately 250,000 people who don't have access to the ballot.
- These returning citizens pay taxes, are contributing members of society, and could be your neighbor. They have completed their sentence, have been held accountable for their crime, have been deemed to not be a threat to public safety-- and yet have a lifetime ban on voting. It's double jeopardy to punish people for crimes for which they have already paid their debt.
- Restoring voting access isn't a partisan issue – people from across the aisle agree that taking voting access away from incarcerated people as punishment, especially once they've served their time, is wrong. The Restoration of Returning Citizens Voting Access amendment received votes from both Democratic and Republican lawmakers in the 2021 legislative session and sponsorship from both a Democratic and Republican lawmaker for the 2022 session.
- The ability to vote is a critical part of reintegration into civic life for returning citizens, empowering them to be productive and concerned members of their communities. There is also evidence that demonstrates a decrease in recidivism when returning citizens have their voting access restored. It's time we amend the Virginia constitution to ensure that once a person has served their time, they have a path to have their voting access restored.

What's next?

Lawmakers can bring us a step closer to righting this wrong by voting a second time to pass a constitutional amendment guaranteeing the right to vote for all Virginians 18 and over who are not serving time for a felony conviction – just as it was passed during the 2021 General Assembly. Passing the amendment places the responsibility for this important decision where it should be – with Virginia's voters during the 2022 elections. Recent polling conducted by the Beacon Research Group showed that 65% of Virginians believe that once a person has served their time, they should have voting access restored. Our democracy is stronger when more people are allowed to participate in it.

2. PERMANENT REMOVAL OF THE WITNESS REQUIREMENT

Removal of Witness Requirement on Vote by Mail/Absentee Ballot (2022)

The LWVVA supports permanent removal of the witness requirement with no other changes to the mail ballot process or vote-by-mail (VBM).

Seniors, those living alone, the medically compromised, and disabled voters are more likely to have difficulty finding people to witness their ballots.

The witness requirement does not improve the security of the ballot or of the election and can be illegible.

Abundant safeguards are already in place for voting mail ballots:

- A voter must be registered and must apply for a ballot on a form that requires at least the last four digits of the voter's SSN, the voter's address, and the voter's signed statement.
- The registrar, after checking and accepting the application, mails the ballot to the voter's address in the voter registration database. An intelligent mail barcode associated with the voter tracks the ballot from the registrar's office to the voter and back.
- The voter returns the completed ballot with a signed statement that includes the voter's home address.
- The voter is recorded in the voter registration database, so neither the voter nor anyone else can cast another vote in the voter's name.
- Voters sign statements acknowledging penalties for fraud when they register to vote, apply for an absentee ballot, and return the ballot by mail or drop off.

Eight other states use a signed affidavit or affirmation as the only requirement for casting a vote by mail without evidence of fraud. [<https://www.ncsl.org/research/elections-and-campaigns/vopp-table-14-how-states-verify-voted-absentee.aspx>]

The process to vote by mail should be no more burdensome than voting early in person.

3. OPPOSITION TO VOUCHERS & TUITION TAX CREDITS/OR ANY DIVERSION OF PUBLIC FUNDS FOR PRIVATE SCHOOL USE

Traditional school vouchers and newer versions such as Education Savings Accounts (ESAs) are mechanisms to send public dollars to families who choose to forgo public K-12 education and pursue private school or home schooling.

K-12 vouchers do not improve student outcomes

- The [Brookings Institution reviewed voucher studies](#) from four states and found that students who took advantage of these programs to attend private schools performed worse on tests than similar students who do not attend private schools.
- The [National Bureau of Economic Research found](#) “a large proportion of the most rigorous studies suggest that being awarded a voucher has an effect that is statistically indistinguishable from zero.”
- A 2018 [University of Virginia study](#) found no benefit for students attending private schools, including for students from low-income families and urban settings.

Vouchers divert much-needed resources from public schools

- [Virginia already severely underfunds its public schools](#) — ranking 41st in per-student spending out of all states for pre-K-12. Virginia has not fully funded the Standards of Quality. Diverting more funding to private schools will exacerbate financial challenges for public schools.
- [Research](#) has found that Wisconsin's K-12 voucher program shortchanged public schools and has created a significant financial threat.

Vouchers increase segregation and discrimination, do not impact satisfaction or safety

- [Virginia experimented with vouchers](#) during Massive Resistance in an effort to reject school integration efforts. Voucher programs in Indiana have tended to [favor higher-income white families](#), and in Louisiana have [led to white families leaving more diverse schools](#).
- On average, parents of students who switch to private schools with vouchers [do not see a change in satisfaction or sense of school safety](#).
- With students and schools still recovering from the setbacks of the pandemic, we can't afford to start shifting investments to unproven voucher programs that have poor track records for improving student outcomes. Research is clear that [investing in public schools improves student outcomes](#), such as graduation and postsecondary enrollment.

4. CAMPAIGN FINANCE REFORM/DARK MONEY: HONEST ADS

Campaign Finance Reform (2022)

The General Assembly passed a resolution in the 2021 Session to study campaign finance reform, through a Joint Subcommittee to Study Comprehensive Campaign Finance Reform. HJ 526 (Delegate Bulova) Subcommittee's report should be finalized and made public.

The LWV-VA supports official audits of campaign reports and penalties for violations; and disclosure of major donors to organizations that make independent expenditures to influence campaigns.

5. FLOOD ZONES-FULL DISCLOSURE OF FLOOD PLAINS FOR PERSPECTIVE BUYERS AND RENTERS BEFOREHAND

TALKING POINTS FROM THE ENVIRONMENTAL IG

- Virginia currently has no requirements for residential flood risk disclosure, unless a claim has been filed for \$1,000. This means that when you move into a new home it's "buyer or renter beware" - no one will tell the buyer/renter whether the home has previously flooded or if it's at risk of flooding. The Natural Resources Defense Council rates the state as an "F" on its flood disclosure scorecard: <https://www.nrdc.org/flood-disclosure-map>.
- Because there is no required disclosure of flooding information during a real estate transaction (unless a claim of \$1,000), home buyers - who are about to make one of the biggest financial investments of their lives - have no knowledge of whether a house has flooded before or if it is likely to flood again. This is a problem around the state, but particularly for Southeastern Virginia, which has both very high (and increasing) flood risk and a large number of military families that relocate into the area without any knowledge of local flood patterns.
- Virginia should require that the following information be disclosed to prospective home buyers and renters: whether the property is in a FEMA-designated floodplain, whether there have been any flood damages to structures on the property in the past, and whether there is any requirement to carry flood insurance.

BACKGROUND RESOURCES FROM THE ENVIRONMENTAL IG

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