



### **Restoration of Rights**

- The question of whether a returning citizen's rights should be automatically restored should be put directly to the voters in the Commonwealth instead of continually allowing the Governor to arbitrarily decide whether to restore those rights.
- Democracy is most representative when every citizen has a voice. Voting is a civic duty and an important way to participate in how communities are represented through those we elect and the laws that are passed.
- These citizens have served their time and want to rejoin society. Most have jobs and pay taxes and may be a neighbor or someone you know. Everyone benefits when they become engaged citizens by voting.

### **Campaign Finance Reform**

- Virginia's weak campaign finance laws must be updated and strengthened. Our campaign finance laws are among the weakest in the country and insidiously corrupt the voting power of our citizen electorate. Currently, Virginia is one of only 5 states that do not limit campaign contributions.
- Regulating campaign financing is the key for voters to make informed decisions. Virginia citizens deserve to know who is making contributions and that no one contributor has undue influence on elected officials. When money distorts our electoral process, the democratic concept of 'consent of the governed' is diminished and rendered irrelevant.
- As undisclosed "dark money" becomes more prevalent in Virginia campaigns, new laws are needed to provide voters with the names of who and what organizations are the ultimate contributors to the races on their ballots. This information must be easily accessible and understandable to all Virginia voters.

## Removal of Witness Requirement

- The witness requirement is unnecessary because there is no evidence that voters misrepresent themselves. Further, Virginia Code 24.2-1016\* already criminally penalizes willful false statements – it is already illegal for any voter to vote under the pretense of someone else .
- The current witness requirement creates a barrier to voting for the many individuals who live alone and do not have ready access to a witness or have reasons, such as health reasons, to avoid contact with others. It also impacts disabled voters' ability to have autonomy.
- There are already numerous safeguards\* in place to ensure that the ballot is sent to — and returned by — the actual voter.
- Having a witness signature is a poor authenticator. We can, however, accept and support a position that requires providing a date of birth and last four digits of a SSN (or other unique identifier in the absence of a SSN).

### [False statement; penalties](#)

[\*Safeguards include: Absentee ballots are only sent to voters who apply for them; absentee ballots are mailed to the addresses on file; every ballot out envelope has an IMD (intelligent mail barcode) that tracks the ballot from the GR's office to the voter and back.]

## Ranked Choice Voting (RCV)

Current law has a temporary provision allowing localities to use RCV; LWV-VA continues to support use of RCV throughout the Commonwealth for the following reasons:

- With RCV, winning candidates would take office knowing they have the support of the majority of their community's voters.
- Ranked Choice Voting results in cleaner elections and elections with higher voter satisfaction. Generally, RCV results in campaigns with more civil discourse that appeal to the broadest range of voters.
- RCV results in higher voter turnout by removing voter concerns about “wasted” or “spoiler” votes. Additionally, RCV enhances opportunity for diversity amongst candidates and they have no reason to be discouraged from running for fear their candidacy would harm their community by splitting the vote.

## **Prohibition of Gifts/Funding for Elections ('Zuckerbucks' Bill)**

- The League of Women Voters agrees with a key rationale offered in support of this provision when it passed — the government should pay for elections. We remain concerned that the Commonwealth does not adequately cover the cost of elections in Virginia. Nor has the state provided funding for costly new requirements, such as reporting all cast ballots by the voters' home precincts.
- This law is too vague. Many of the types of gifts, grants or services it prohibits do not affect "the conduct of an election," which the law specifically references. Leaving interpretation of the statutory language to local counsel in Virginia's 133 counties and municipalities, as the Attorney General requires, adds to the confusion.
- The grants of cash and services that certain nonprofit entities made to local elections offices during the 2020 election had no impact on Virginia's election outcomes. Those gifts were cited to justify the legislation but that was a one-time event, the 2020 election, when the pandemic imposed unprecedented, unplanned costs. The cash grants were made upon request to any locality that applied. In Virginia, of the 38 localities that received those funds, 24 voted for the Republican candidate for president and 14 for the Democratic candidate. While the largest grants went to the most populous localities, the average grant statewide was \$1.11 per registered voter.



## **Reproductive Health**

- Every Virginia resident should have access to affordable, quality health care, including birth control and the privacy to make reproductive choices.
- Abortion should be legal, safe, and the decision left to those who can become pregnant.
- Our reproductive choices impact our physical and psychological well-being, including the foods we eat, our financial resources, and our capacity to gain and maintain employment.
- Not only is the right to a safe and legal abortion a matter of personal freedom, it's also a major factor in the movements for racial and economic equality. Black women and all underserved communities already experience unfair barriers and limited access to adequate health care services.
- True democracy depends on equal rights for all people. Losing our right to reproductive choice opens the door to the loss of other freedoms including marriage equality, access to contraception, and the right to engage in private, consensual intimacy.

## **Opposition to Vouchers and 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 to pursue private school or home schooling.

### **K-12 vouchers do not improve student outcomes**

- The Brookings Institute reviewed voucher studies from four states and found that students who took advantage of programs to attend private schools performed worse on tests than similar students who do not attend private schools.
- 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 found that Wisconsin's K-12 voucher program shortchanged public schools and created a significant financial threat.

### **Vouchers increase segregation and discrimination but do not impact satisfaction or safety**

- Virginia experimented with vouchers during Massive Resistance when it rejected school integration efforts. Voucher programs in Indiana 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 use vouchers to switch to private schools do not see a change in satisfaction or a sense of school safety.
- With students and schools still recovering from the setbacks of the pandemic, we can't afford to shift investments to voucher programs that have poor track records for improving student outcomes in other states. Research is clear that investing in public schools improves student outcomes, graduation and postsecondary enrollment.



## Right To Marry

**BACKGROUND** On June 26, 2015, the U.S. Supreme Court struck down all state bans on same-sex marriage, legalized it in all fifty states, and required states to honor out-of-state same-sex marriage licenses in the case *Obergefell v. Hodges*.

Same-sex marriage in Virginia has been legal since October 6, 2014, following the decision of the U.S. Supreme Court not to hear an appeal of the Fourth Circuit Court of Appeals' ruling in *Bostic v. Schaefer*. (source: PFLAG)

The "Right to Marry" is the law of the land, and Virginia's Constitution should be updated to reflect the existing law.

- LGBTQ+ Virginians should not have to fear that their marriages will not be recognized.
- LGBTQ+ married couples should enjoy the same protections as heterosexual couples such as:
  - insurance coverage
  - being informed in the event of a medical emergency
  - transfer of property to surviving spouse

**Virginia Housing Trust Fund (VHTF): Increase base funding from \$75 million to \$150 million per year.**

- Virginia has a shortage of nearly 200,000 affordable homes (2021 JLARC Study)
- One in eight Virginia households pay more than 50% of their income on housing.
- More than 50% of VHTF housing has been used to create and preserve housing. Virginia households at 50% of Area Median Income and below.
- 25% of the new homes created by the VHTF are permanent supportive housing units
- Based on data from the last four years, the VHTF has leveraged, on average, \$30 dollars in non-state funds for every \$1 in-state investment

Sponsors Senator Marsden and Delegate Bulova

**State Housing Stability Fund: \$90.1 million one-time appropriation for the second year of the biennium budget? for a three-year pilot program to provide rental assistance to 5,000 very low-income Virginia households with priority given to families with children under 13 years old.**

Under this pilot program, eligible households will receive a monthly rental voucher in an amount sufficient to allow the family to pay only 30% of their monthly income for their housing needs. Using the average median fair market rent for the state of Virginia<sup>[1]</sup>, the average voucher amount to be provided by the Virginia Housing Stability Fund to a family is \$474 per month.

- There are an estimated 347,000 Virginians who qualify for the Federal Housing Choice Voucher Program but are unable to receive one due to limited Federal funds.
- The HB854 housing study, authorized by the General Assembly in 2020, recommended the creation of a state administered voucher program.
- A public opinion poll of Virginia voters conducted by the Wason Center at Christopher Newport University, found 71% of respondents support expanding rental assistance to qualifying households.

Sponsors: Senators McClellan and Locke and Delegates Coyner and McQuinn

**Virginia Eviction Reduction Fund (VERP): Increase funding from \$3 million to \$12 million per year.**

The pilot VERP, which funds emergency rental assistance was very successful:

- 94% of VERP-assisted households were cost-burdened (paid more than 30% of income for rent) or extremely cost-burdened (paid more than 50% of their income for rent); 77% earned below 30% AMI.<sup>[2]</sup>
- 90% of VERP-assisted households were living in the same place the year after receiving assistance<sup>[3]</sup>.
- 92% of VERP-assisted households received assistance for three months or less, illustrating that VERP successfully supported these families during times of crisis.

- Eviction filings and judgments in zip codes served by VERP programs were significantly lower in 2021 than in 2019; evaluators found VERP was the most influential factor in lowering eviction rates.<sup>[4]</sup>
- VERP served four programs in 2021<sup>[5]</sup> and seven in 2022.<sup>[6]</sup>  
Sponsors: Senators Ebbin and Locke and Delegate Bulova

## **AFFORDABLE HOUSING BILLS**

### **Housing Needs Assessment and Housing Plan (JLARC recommended):**

Require the Department of Housing and Community Development to conduct a statewide housing needs assessment every five years, develop a statewide housing plan every five years with measurable goals, and provide annual updates to the General Assembly on progress toward those goals.

- With a huge commitment of resources spanning over 50 housing programs, a state housing plan is an essential planning tool that will demonstrate accountability and effectiveness.
- A state housing plan is a best practice that many other states, such as MD, SC, MI, IL and OH, have implemented.
- While individual agencies do create and follow plans for some specific initiatives, the lack of a high-level guiding framework limits efficiency and collaboration.
- Three separate bills have been submitted: Ebbin – SB1190, McPike – SB1049 and Carr – HB2046.

### **Accessory Dwelling Units (ADU's) by-Right: Will potentially increase affordable housing by giving homeowners the right to repurpose or build another housing unit on their property.**

- No additional land costs, which is the greatest barrier to the creation of new housing. ADUs exist on already owned land.
- A cost-effective option for older adult homeowners to downsize to smaller and accessible living spaces and rent out the larger home on the property.
- An option for younger homeowners to have a space for aging relatives or caretakers or to offer an affordable home to their extended family, aging relatives, or non-related renters.
- An additional source of income for retirees on limited incomes.  
HB2100 Delegate Hudson

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[1] Based on Virginia Housing locality-specific Fair Market Rents

[2] Area Median Income; see <https://www.incomebyzipcode.com/>

[3] RVA Eviction Lab; <https://rampages.us/rvaevictionlab/>

[4] Ibid.

[5] VA Peninsula United Way, Housing Opportunities Made Equal, City of Norfolk DHS, Family Crisis Supportive Services

[6] ALIVE!, City of Norfolk, Family Crisis Support Services, Housing Opportunities Made Equal, Thomas Jefferson Planning District Commission, United Way of Henry County and Martinsville, VA Peninsula United Way

## Why Virginia Needs the Regional Greenhouse Gas Initiative (RGGI)

- **Flood damage is increasing across the Commonwealth.** Without RGGI we will not have the funds to cope. By law, 45% of RGGI revenue goes to the Community Flood Preparedness Fund. 17 Hampton Roads cities and counties oppose Virginia leaving RGGI in a letter from the Hampton Roads Planning District Commission (HRPDC).
- **Low-income household benefit.** By law, 50% of RGGI revenue goes to low-income energy efficiency programs, mitigating rate increases. RGGI dollars are being used in every region of Virginia.
- Actual revenues from RGGI have far outstripped state officials' projections. Alternate funding sources that have been proposed are smaller and are contingent on available funding. The current surplus is the result of pandemic recovery efforts and is not permanent.
- *Furthermore*, a letter to the Air Board from 61 legislators said, "Virginia's participation in RGGI is mandated by law. Therefore, ultimately only a change in the law that passes both chambers of the General Assembly and is signed by the Governor can remove Virginia's participation."

## Gun Violence Prevention\*

### Safe Storage

- In 2020, according to the National Institute of Health, guns replaced auto accidents as the leading cause of death for children ages 1-19. “Firearm deaths among children and adolescents jumped nearly 30% between 2019 and 2020—more than double the 13.5% increase seen in the general population, according to an analysis of CDC data by University of Michigan researchers. These increases were largely driven by a 33.4% overall rise in firearm homicides, which disproportionately affect young people.”
- According to EveryStat.org, “guns are the leading cause of death among children and teens in Virginia. In Virginia, an average of 85 children and teens die by guns every year, and 55% of these deaths are homicides. In the US, 58% of all gun deaths among children and teens are homicides.”
- In addition, “Virginia has the 31st-highest societal cost of gun violence in the US at \$836 per person each year. Gun deaths and injuries cost Virginia \$7 billion, of which \$292 million is paid by taxpayers.”--EveryStat.
- Eight states and the District of Columbia, as well as several cities including New York and San Francisco, have laws mandating that owners secure their firearms.
- Fifteen states have passed another form of firearm storage laws, known as child access prevention (CAP) laws, which generally provide that if a minor accesses a firearm, the person who failed to adequately secure the firearm is liable. Six states have storage laws that are also aimed at preventing access to firearms by persons legally prohibited from having them.
- Public awareness is also critical to ensuring that guns are stored securely. The Moms Demand Action Be SMART program is one of many models that can be used by public officials and members of the community to build awareness of the importance of secure firearm storage.
- We are all safer when guns are stored unloaded, locked, and separate from ammunition. One study found that households that locked both firearms and ammunition were associated with a 78 percent lower risk of self-inflicted firearm injuries and an 85 percent lower risk of unintentional firearm injuries among children and teens, compared to those that locked neither. Another estimated that if half of households with children that have at least one unlocked gun switched to locking all their guns, one-third of youth gun suicides and unintentional deaths could be prevented, saving an estimated 251 lives in a single year.

## **Ghost Guns**

- A ghost gun is a do-it-yourself, homemade gun made from easy-to-get building blocks that can be purchased with no background check and no questions asked. These guns are made by an individual, not a federally licensed manufacturer or importer. Ghost guns are the fastest-growing gun safety problem facing our country because in less than one hour, these self-made weapons become fully functioning, untraceable firearms. A person can buy the parts and assemble a ghost gun without even receiving a background check.
- Ghost guns are becoming a weapon of choice for violent criminals, gun traffickers, and other persons legally prohibited from possessing a firearm. These weapons need to be regulated.

\*Except where noted, information is adapted from [Everytown.org](http://Everytown.org)

## **Criminal Justice Presumptions Against Bail**

**Oppose:** Bills: [HB1365](#) Bill Patron: Wren M. Williams; [SB1229](#) Bill Patron: Mark D. Obenshain

[HB1365](#) **Admission to bail; rebuttable presumptions against bail.** Creates a rebuttable presumption against bail for certain criminal offenses enumerated in the bill and for persons identified as being illegally present in the United States by U.S. Immigration and Customs Enforcement who are charged with certain offenses. The bill also requires the court to consider specified factors when determining whether the presumption against bail has been rebutted and whether there are appropriate conditions of release.

[SB1229](#) **Brief description of what the bill does: Admission to bail; rebuttable presumptions against bail.** Creates a rebuttable presumption against bail for certain criminal offenses enumerated in the bill. The bill also requires the court to consider specified factors when determining whether the presumption against bail has been rebutted and whether there are appropriate conditions of release.

### **Reasons to oppose these bills:**

Both of these bills attempt to deny bail on the basis of general statements without looking in detail at the specifics of the individual and his or her situation. They negate the concept of innocence until proven guilty by incarcerating people without due process. They are in conflict with the LWV position for a judicial system that serves all people without discrimination.

- “The only way out is for the person to try and prove they should be set free, which can be an overwhelming challenge, especially for those with limited resources. This means depriving someone of their freedom for an alleged crime that they have not been convicted of. Having a list of offenses where the default is pretrial detention also means that individuals are lumped together based on alleged offenses and not considered based on their individual circumstances.”
- Presumptions Against Bail Result in Inequitable Detention
- Presumptions Against Bail Make Us Less Safe because detention is destabilizing.
- Presumptions Against Bail Cost our Community
- Returning to the presumptions against bail could cost Virginia up to \$30.3 million per year. ( Legal Aid Justice Center)



Support [SB 940](#), [HB2411](#), [SB1304](#)

**Issue:** Criminal Justice Increased Compensation for Court-Appointed Attorneys

[SB 940](#) **Bill Patron:** John Edwards

**Compensation of court-appointed counsel.** Increases the statutory caps for fees paid to court-appointed counsel in indigent cases.

[HB2411](#) **Bill Patron:** Vivian E Watts

**Attorney fees; emergency custody and voluntary and involuntary civil admissions.** Increases the fee that a court-appointed attorney receives for representation during emergency custody and voluntary and involuntary civil admissions from \$75 to \$120 for each hearing and from \$43.25 to \$70 for each certification hearing.

[SB1304](#) **Bill Patron(s):** R. Creigh Deeds

**Court-appointed counsel; requests for additional compensation; determination by judge.**

Requires the presiding judge or chief judge of a circuit or district court, when reviewing a request from court-appointed counsel for additional compensation exceeding existing statutory limits, to provide, in writing, the reason for a determination that such request for additional compensation is not justified.

**Reasons to support these bills:** Two of these bills call for the increase in compensation for court-appointed attorneys. The fees currently paid are anywhere from 5 to 30 percent of what the attorney would normally receive from a client. That is a great sacrifice to ask an attorney to make. Many do, but when they incur other expenses they need to file requests for further funding. The third bill, SB1340 requires the judge or court to give a written explanation if they deny the increased funds. Currently, they can simply refuse with no explanation which leaves the counsel with no understanding of the denial.

All three of these bills are aligned with the LWV position for an adequately funded judicial system and one that serves all people without discrimination. Court-appointed attorneys are an essential part of our judicial system as we must meet the needs of all citizens with fairness and equity.



**Issue: Humane use of isolated confinement of prisoners**

**Our position: Support**

**Bill Number [SB887](#)**

**Bill Patron(s):** SENATE: **Joseph D. Morrissey (chief patron), Barbara A. Favola (chief co-patron);**  
HOUSE: Kaye Kory

**Content:** According to the LIS summary: "Prohibits the use of isolated confinement, as defined in the bill, in state correctional facilities, subject to certain exceptions." Primary exceptions are for medical reasons, as prescribed by a physician, and in order to prevent imminent danger to the prisoner or to others. This omits by implication the use of such housing as punishment.

The bill includes no description of the physical nature of such confinement but does specify that "'Isolated confinement' means confinement of an incarcerated person to a cell for 17 hours or more per day, regardless of the name of the housing unit in which such confinement occurs.'" For an adult, the current definition is for confinement for at least twenty hours daily. Such confinement can be the size of a parking space, including cot, sink and toilet, possibly with no visual openings.

The bill requires written documentation by an authorized individual of the reason for the confinement and a plan for ending it for a given prisoner. A copy is filed in the prisoner's personal file and a copy forwarded to a regional administrator.

**Why this is needed.**

This moves decisions of solitary confinement from too-frequent arbitrary and damaging decisions into the realm of visible and constructive decisions and record-keeping.

This moves our prisons closer to being sites of potential prisoner reformation instead of too-frequent psychological torture, as defined by the Geneva Convention. According to the Virginia Department of Corrections (VaDOC), from October 2020 to September 2021, Virginia prisons have sent someone to solitary confinement **7,532 times**. Out of the 7,532 times, there were 3,193 times in which a person who was in solitary confinement remained there for over 14 continuous days. Released prisoners report instances of months and years of such confinement. Literally dozens of Virginia-based advocacy organizations have made this issue a top priority.



**Proposed Behavioral Health / Criminal Justice budget, 2023**

**Need for continued catch-up funding for community-based mental health.**

**General rationale:** Governor Youngkin noted in his December 2022 presentation of his proposed budget that if Virginia is going to successfully compete with other states for locating growth in business and jobs here, then we have to also continue to build our community-based mental health resources.

Although we are concerned that his proposed budget would adjust Medicaid/Family/Chip utilization and inflation by \$395.3 million for individuals involuntarily committed, largely due to an anticipated temporary increase in federal Medicaid matching funds. We also note that the \$230 million proposed mental health budget increase broadly reported in the media is heavily projected for future years.

Below is a listing of proposed budget changes to build Virginia’s mental health services as reported by The Commonwealth Institute ([thecommonwealthinstitute.org](http://thecommonwealthinstitute.org), January 2033). Meanwhile, many currently budgeted services have not been spent because of the severe shortage of qualified providers.

The League of Women Voters of Virginia endorses each of these bills and the funding listed as a minimum. We note that there are several separate mental health bills introduced that are not covered by the initially proposed budget. Seriously mentally ill prisoners continue to wait.

Content	Rationale	\$ Budgeted
Comprehensive crisis receiving and stabilization centers	Provides appropriate services while reducing pressures on law enforcement and hospitals	\$58.3 Million
Increased safety and security for state mental health facilities	A major step to filling alarming staffing vacancies	\$20. Million
Provides one-time funding to contract with private providers to establish mobile crisis units in underserved areas.	Supports start-up costs for these crisis-based cost-effective programs.	\$20 Million
Psychiatric emergency alternative care in hospital setting	For more appropriate care and to reduce referrals to psychiatric hospitals, already overloaded.	\$20 Million
School-based mental health technical service and grants	Promotes earlier identification and intervention with use of local resources to address recent upsurge of need	\$15 Million

Increases funding for supervised residential care for people with Serious Mental Illness (SMI)	Reflects a step toward current backlog of this long-proven approach	\$8 Million
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