



ACLU

Virginia

LEGISLATIVE AGENDA | 2020

For the upcoming 2020 legislative session, the ACLU of Virginia’s priorities are centered around creating a more equitable Commonwealth through criminal legal reforms and expanding the right to vote.

We call on the Virginia General Assembly to:

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LEGALIZE MARIJUANA

A 2018 poll found that 71% of Virginia voters support eliminating criminal penalties for possession of small amounts of marijuana, with 63% saying it should be fully legalized and regulated like alcohol. Current laws contribute to over-incarceration, especially for people of color. **Virginia needs to legalize marijuana in a way that gives back to the communities most impacted by the war on drugs.**

END SOLITARY CONFINEMENT IN VIRGINIA

Virginia keeps far too many people in solitary confinement in its prisons and jails for far too long. Solitary confinement jeopardizes public safety, wastes taxpayer dollars, and can cause serious lifelong psychological harm and trauma. **Virginia needs to stop the inhumane use of solitary confinement.**

REFORM THE UNJUST PRETRIAL SYSTEM

On any given night, Virginia jails hold more than 28,000 people — 46% of whom have not been convicted of a crime. Black and brown people, their loved ones, and people with a low income are most impacted. **Virginia needs to end unnecessary and costly detention.**

REFORM FELONY LARCENY LAW

Although Virginia finally raised the threshold for felony larceny to \$500 in 2018, it is still one of the lowest in the country, which disproportionately affects people of color and people with a low income. Also, a person convicted of three petit larcenies is automatically convicted of a felony on the third offense, no matter the circumstances. **Virginia needs to reform its felony larceny law because it needlessly felonizes countless Virginians every day and exacerbates extreme racial disparities in the criminal legal system.**

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PASS SAME-DAY VOTER REGISTRATION

Early voter registration deadlines create hurdles for people to participate in their democracy. Making elections more accessible improves the ability of marginalized communities to participate in the political process, and passing same-day registration has increased voter turnout by 7-10% in other states. **Virginia needs to pass same-day voter registration to help protect Virginians voting rights and access to the polls.**

PASS TRUE NO-EXCUSE VOTING

Although the General Assembly expanded access to absentee voting last session, the system still privileges some voters over others, making it easier for certain classes of voters to vote while marginalizing people of color and rural communities. **Virginia needs to do away with its excuse-based absentee voting system.**

PASS A CONSTITUTIONAL AMENDMENT GUARANTEEING THE RIGHT TO VOTE

Virginia is one of only three states that permanently punishes people convicted of a felony by taking away their right to vote unless the governor individually gives it back. The right to vote is fundamental to our democracy. Right now, hundreds of thousands of Virginians cannot vote due to a felony conviction, and more are disenfranchised every day under this vestige of the Jim Crow era. **Virginia needs to pass a constitutional amendment that guarantees the right to vote for every citizen and Virginia resident over the age of 18.**

Please contact Legislative Director Ashna Khanna at akhanna@acluva.org or 804-726-6014. Learn more at www.acluva.org



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POLICY POSITIONS

We will advance the following public policy issues leading up to, during and after the 2020 legislative session. **We will lay the groundwork for success** by educating lawmakers and working with community members and ally organizations.

ELIMINATE RACIAL DISPARITIES AND REFORM OUR CRIMINAL SYSTEM

We support systemic change to our criminal legal system focused on eliminating racial disparities, including changes to police practices, increasing alternatives to incarceration and strengthening re-entry programs.

We believe the Virginia General Assembly should:

- **Support re-entry** by expanding expungement and updating our laws so Virginians can have access to jobs, safe housing and educational opportunities.
- **Provide juvenile justice** by ending the school-to-prison pipeline.
- **Reform and reinstate parole** and pass the “Fishback Bill” to provide opportunity of parole to 367 individuals whose juries were not told about the abolishment of parole when they imposed sentences.
- **End inhumane sentencing**, including repealing mandatory minimums and abolishing the death penalty in Virginia.
- **Eliminate racial bias** in our criminal legal system by reforming discriminatory police practices, supporting data transparency efforts in the criminal legal system and requiring racial impact statements on criminal legislation.

ACHIEVE GENDER EQUITY

We are committed to achieving gender justice and ensuring no individual is discriminated against based on sex or gender identity. No one is equal until we are all equal.

We believe the Virginia General Assembly should:

- **Enact meaningful state-level civil rights protections** that prohibit discrimination in housing, employment and public accommodations.
- **Ratify the Equal Rights Amendment (ERA)** which seeks to provide the highest level of legal protection against sex-based discrimination.
- **Expand abortion access** so everyone’s reproductive rights are protected.

ACHIEVE EQUALITY FOR ALL

We envision a Commonwealth where everyone is free to be and live openly as themselves. We are committed to ending discrimination against LGBTQ+ Virginians.

We believe the Virginia General Assembly should:

- **Enact meaningful state-level civil rights protections**, inclusive of sexual orientation and gender identity, that prohibit discrimination in housing, employment and public accommodations.

The constitution guarantees the fundamental rights and civil liberties of every person in the United States, regardless of immigration status. People who are immigrants should not be unfairly targeted or subject to discrimination.

We believe the Virginia General Assembly should:

- **Provide all Virginia residents access** to Virginia driver’s licenses and eligibility for in-state tuition.

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