

**POSITIONS**

**FOR**

**ACTION**

Summary with History

**2019-2021 Biennium**

## June 30, 2021

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**FORWARD**

The League of Women Voters of Virginia (LWV-VA) carries on public policy advocacy activities (See Appendix) before the Virginia General Assembly, as well as in other civil society fora. “*Positions for Action*” are LWV-VA State-level or National-level policy positions or Resolutions adopted at a Biennium Convention, either by a “Consensus” or a “Concurrence” decision-making process (See Appendix), as a result of conducting in-depth issue studies (See Appendix PowerPoint). A “*Policy Position”* is the official statement setting forth the League’s point of view. The LWV-VA formulates its Biennium “*List of Legislative Priorities*” (See Appendix) based on the adopted issue policy statements in the *Positions for Action.* The League’s advocacy can only include those issues the League has studied and adopted a position. To further influence public policy, on a local, State, and National level, the State League also engages in advocacy and educational activity through dissemination of information to Government officials, the public and League members.

Local Leagues likewise carry on public policy advocacy in their geographic areas, conducting studies and adopting Local League or Regional policy positions.  Local Leagues also use State and National *Positions for Action* at the local level, however they are requested to inform State or National Boards when using these positions. Official testimony or “Speaking on behalf of the League” is only done by the League President or a designated League Representative.

**Authorization.** The governing *LWVUS Governing Principles*, adopted by the National Convention and supported by the League of Women Voters as a whole, constitute the authorization for the development and adoption of the LWV-VA Action Program. (See Appendix)

**Action Program.** The LWV-VA Action Program is the education and advocacy platform that consists of actions to implement the *LWVUS Governing Principles*, as recommended by the LWV-VA Board of Directors, or upon advice of the Council, through adoption of issue policy positions chosen for concerted study by the LWV-VA Biennium Convention delegates; the *Positions for Action*. (See Appendix Chronology Adoption Table)

**Program Study Issues.** The LWV-VA Program Study Issues consists of those Virginia State Government-level issues chosen, for concerted study and action at the LWV-VA Biennium Convention, by a majority of those delegates present and voting. (See Appendix for 2019-2021 Studies)

**Resources**. The Biennium *LWV‑VA Positions for Actions”* (www.lwv-va.org) provides League members with the LWV-VA State-level Policy Positions on the adopted issues for study.  The LWVUS “*Impact on Issues: A Guide to Public Policy Positions*” ([www.lwv.org](http://www.lwv.org)) provides members National-level Policy Positions adopted.

NOTE: As appropriate, the contents include periodically the reorganizing of categories, integrating of issues, and text edits, to make issues and positions clearer, as adopted in the 2013 LWV-VA State Convention Review Board Task Force Concurrence Statement.

Janet Gorn

Program Director

League of Women Voters

Of Virginia, 2019-2021 UPDATED: June 30, 2021

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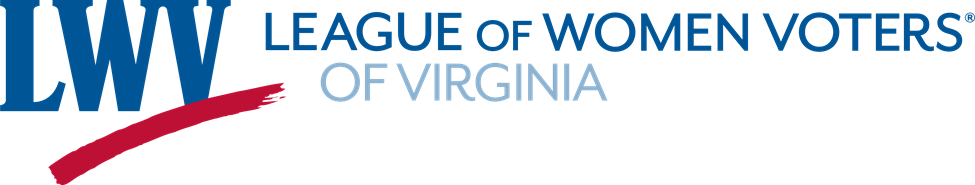
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NOTE: At the 2013 LWV-VA State Convention Delegates adopted the Board Review Task Force recommendation, to include LWVUS Policy Positions in its *Positions for Actions* as appropriate, because the LWV-VA does not have the resources to study and create separate positions.



**LWV-VA POSITIONS**

**FOR**

**ACTION**

**Government Policies**

**LWV-VA POLICY POSITION**

**ISSUE**: **Delegation of Power: State and Local Government Partnerships**

**ADVOCACY STATUS: Active**

**POSITION IN BRIEF**:

The League of Women Voters of Virginia support a balanced partnership between State and Local government, including laws, policies and incentives that promote regional coordination and local action; and establishment of uniform powers and responsibilities of Local Governments by eliminating any outdated and unnecessary distinctions between cities, counties, and towns. (Adopted 1972; Amended 1979, 1989, 1991)

**POSITION IN FULL**:

The League of Women Voters of Virginia strongly believes that the powers and responsibilities of Local Government should be established and defined to achieve a more balanced partnership with State Government.

The League supports:

* + The articulation of statewide goals and policies to enhance the partnership and shared responsibilities of State and Local government, including regional coordination and incentives for innovative local action.
  + The concept of regional bodies as agencies for coordinating activities and programs of local jurisdictions and as instrumentalities for solving problems which cross-jurisdictional boundaries and acting on them.
  + Establishing broad categories of responsibility and uniform powers by eliminating outdated and unnecessary distinctions between cities, counties, and towns.

Additionally, the League supports use of coordinating bodies to:

* + Provide economies by avoiding duplication of under-utilized services where needs are region-wide and where there is an agreement of the need and type of service.
  + Make uniform or compatible methods of data collection available to aid planning agencies and where actions of one locality have significant impact on its neighbors.
  + Benefit localities by exchanging knowledge of actions of other jurisdictions.

The League believes that Local Governments should follow similar procedures and should:

* + Strive to avoid proliferation of political subdivisions.
  + Ensure that the structure of governing boards is accountable and responsible to the citizenry. (1972, 1991)

**ISSUE HISTORY**:

*The General Assembly's 1968 approval of the Virginia* Area Development Act created the regional districting of the state. In 1971, consensus was sought on "regional bodies" as "agencies for coordinating activities and programs of local jurisdictions" and as "instrumentalities for solving problems which cross jurisdictional lines and for acting on them."

An update and questionnaire to determine attitudes toward planning districts around the state, distributed to local Leagues at the 1979 LWV-VA convention, resulted in League support for legislation in 1980 calling for a study of the planning district structure in Virginia. The legislation was not passed by the General Assembly.

In 1989, Convention delegates approved a two-year study of the “Delegation of Power from the Virginia Legislature to the Localities”. The study highlighted the fact that Virginia operates under a strict interpretation of Dillon’s Rule which states that localities may exercise only those powers specifically granted to them by the General Assembly.

The current position resulted from combining the “Intergovernmental Relations” and “Delegation of Powers” to local government positions during the LWV-VA Board’s review of the state positions during the 1999-2001 Biennium.

**LWV-VA POLICY POSITION**

**ISSUE**: **Election Laws: State of Virginia**

**ADVOCACY STATUS: Active**

**POSITION IN BRIEF**:

The League of Women Voters of Virginia believes that democratic government depends on the informed and active participation of its citizens; that voting is a right and responsibility, and that election laws, regulations and administrative procedures should be uniformly designed and applied, and adequately funded to facilitate and increase voter participation throughout Virginia. The League further believes that democratic government, at the state, as well as Federal levels depends upon the voters’ faith in the integrity of election processes and election outcomes. Therefore, the League of Women Voters of Virginia supports election laws., policies, and funding to ensure that elections are secure, and the outcome verified. (Updated 1947, 1965, 1967, 1973, 1975, 1977, 1979, 1993, 2001, 2009, 2011, 2013, 2015, 2021 **Resolution**)

Specifically, the League supports measures to ensure the availability of voter registration and to encourage and facilitate voter participation in elections, including: absentee voting by mail and in-person without having to provide a reason; an adequate number of voting machines and trained election officers; the use of satellite voting; split shifts for election officers when needed; online voter registration; the use of electronic poll books; and measures that take advantage of technological advances, as long as they are secure. (2011, 2015, 2021)

The League supports shared funding of statewide voter registration and election systems by the localities and the Commonwealth, providing adequate authority and resources to the Department of Elections (ELECT) and the State Board of Elections (SEB) for oversight and enforcement of laws and standards for registration and elections uniformly throughout the Commonwealth, and the facilitation of convenient yet secure voting for Virginia’s military and overseas voters. (201, 2015, 2021)

The Legue further supports measures to secure Virginia’s voter registration database, processes, and equipment against cyber- and physical threats. The Legue supports the introduction of ranked choice voting as an alternative to plurality voting. The Leagues believes in increased voter access, removal of barriers to voting, such as photo identification requirement at voting locations, and the prevention of voter suppression. (2021)

**POSITION IN FULL**:

The League of Women Voters of Virginia believes that democratic government depends on the informed and active participation of its citizens; that voting is a right and responsibility, and that election laws, regulations and administrative procedures should be uniformly designed and applied, and adequately funded to facilitate and increase voter participation throughout Virginia (2011), and to prevent voter suppression efforts that disenfranchise individual voters and groups of voters. The League further believes that election laws, regulations, policies, and procedures should ensure that elections are protected against threats and that the outcomes are both verifiable and verified, to ensure that Virginia’s citizens can have faith in the security, integrity, and outcomes of elections in the Commonwealth. (2021).

Specifically, the League supports measures to ensure the availability of voter registration and to encourage and facilitate increased voter participation in elections, including: absentee voting by mail, in-person without a reason; an adequate number of voting machines and trained election officers; the use of satellite voting; split shifts for election officers when needed; and measures that take advantage of technological advances such an online voter registration and the use of electronic poll books. The League also supports the shared funding of statewide registration and voting systems by the localities and the Commonwealth; providing adequate authority and resources to the Department of Elections (ELECT) and the State Board of Elections (SBE) for oversight and enforcement of laws and standards for registration and election uniformly throughout the Commonwealth and the use of secure electronic means to facilitate voter registration and absentee voting for Virginia’s military and overseas voters.

The League believes:

1. V*oter Registration*

Funding the cost of maintaining a state-wide system of voter registration ad providing equal and easy access for voting throughout Virginia are responsibilities shared by the Commonwealth and local governments. Because the system of voter registration affects voter turnout, and because Federal and state legislation have extended the availability and ease of voter registration inn Virginia:

* Voter registration opportunities must be available, online, by mail and in person, consistently through the Commonwealth,
* A uniform system of voter registration is required to facilitate voting and prevent fraud,
* Election databases must be updated to reach the highest standards for security, usability, and reliability, and functionality (2021), and
* Additional measures should be maintained or adopted to increase the availability of voter registration, including
  + Reducing the interval between the registration deadline and Election Day to the smallest number of days consistent with effective elections management, and
  + Same-day registration at county and city central election offices. (2011)

In defining domicile and abode to determine residency for purposes of registration, a statewide policy should be applied and enforced to ensure:

* Uniform interpretation
* Broad construction
* Presumption of intent
* Consistent application (2011)

Voter registration by political party should not be adopted in the Commonwealth. (2011)

2. *Election Management: Role of the Commonwealth*

The Commonwealth should provide additional funding, training, and expertise, where localities lack financial or technical resources to support an accessible and well-managed election system. The League believes the Department of Elections and the State Board of Elections must be given adequate authority and resources to:

* Enforce election laws and promulgate and enforce mandatory standards for local election offices (2015, 2021),
* Establish and maintain best practices in registration and election management, especially in training election officers and officials (2015-2021),
* Use best practices in voter list maintenance to ensure that the list is up-to-date and that legitimately registered voters are not removed from the list (2021),
* Provide adequate oversight of registration and elections at local and precinct levels (2015),
* Oversee implementation of election laws, regulations, and policies to ensure their consistent and uniform application across the Commonwealth (2015),
* Develop procedures for post-election audits of hand-marked paper ballots cast during each election, conducted prior to certification (2021),
* Conduct risk-limiting audits when the election involves more than one jurisdiction (2021),
* Support the purchase and use of electoral systems including Ranked Choice Voting (2021), and
* Counter disinformation that can be used as a voter suppression tactic (2021).

Election laws must be designated to facilitate voting and encourage participation of a large percentage of citizens in all elections. To this end, laws policies, and procedures affecting the voting process should be applied consistently in all parts of the Commonwealth throughout the early voting period, at the polls on Election Day, and until the last ballot is counted. The LWV-VA urges that the Commonwealth and localities work together to ensure sufficient funding, staff, space, security, and access to accommodate all voter participation comfortably (2021). The League supports:

* Legislation to allow all registered voters to vote absentee prior to Election Day without specifying a reason. Both choices - voting in-person or by mail – should be offered for the entire early voting period (2011, 2021) [NOTE: No-excuse absentee voting is sometimes called “early voting”],
* The use of satellite voting facilitates voter participation (2011, 2021),
* The provision by all localities of evening and weekend voting hours as well as suitable weekday hours at central and satellite offices for several weeks before general elections, provided local registrars have flexibility in implementation, including determination of locations and operational hours 2011, 2021),
* The facilitation of timely transmission of absentee ballots by military and overseas voters but not including electronic transmission of voted ballot via the internet as of now (2021),
* A pilot program of all-mail voting to test its use in some elections (2011),
* For voters with disabilities, use of Ballot Marking Devices that produce ballots nearly identical to hand-marked ballots to avoid vulnerabilities associated with handwriting errors and barcodes (2021),
* Maintaining optimal standards to protect the equipment used in all phases of the voting process, from computers that hold the database of registered electronic poll books and electronic voting machines (2021), and
* Adequate voter education and outreach to ensure voters are informed about the voting process and to counter disinformation (2021).

The following should be required throughout Virginia to ensure an efficient voting process:

* Electronic poll books, with back-up paper copies for emergencies,
* Appropriate precinct sizes and numbers of voting machines to minimize voting delays, such as wait times that can result in voter disenfranchisement (2021),
* Appropriate and systematic training of personnel and polling place election officers (2021),
* Polling places select to maximize voter participation and near public transportation, wherever possible (2021),
* The use of auditable recountable, voter-verified paper ballots marked either by hand and scanner or – for voters with disabilities – by a ballot-marking device that produces a paper or card ballot (2021), and
* Participation in risk-limiting audits (2021).

The LWV-VA is concerned that Virginia’s polling hours might not be optimal for all area of the Commonwealth, especially those close to adjacent states, and is concerned about the effect of long hours on officers of election. Split shifts and poll closing specialists should be used in all localities to ease the burden on officers of election, help in the recruitment, and ensure well-managed elections.

With regard to voting on election day, the League supports:

* The court’s authority to extend polling hours in case of disasters and other emergencies that prevent the voters from getting to the polls, and include the provisions needed to ensure fair access to the polls throughout the Commonwealth (2011), and
* Pilot programs authorizing Virginia’s local governing bodies to use vote centers in conducting local (not statewide) primary, special, and May elections when warranted and implemented pursuant to regulations and policies established by ELECT and the SBE, especially those requiring a determination that using vote centers will not serve to restrict access to the polls or further decrease voter turnout. If proven efficient ad effective, the League would support their authorization for continued use at the option of local governing bodies (2013, 2015).

The League supports a statutory requirement that risk-limiting audits of selected cast ballots be randomly conducted in the Commonwealth after each election. Such audits must be conducted in a transparent manner before the election is certified and with the potential to affect the outcome of the election. Each locality must be subject to an audit at least once every five years. If a contest involves more than one jurisdiction, the League urges ELECT to participate in conducting the audit across localities (2011).

3. *Election Cybersecurity (2021)*

For voters to have the confidence in elections, the laws, policies, and procedures must include measures to ensure that the process and the election infrastructure that accesses central registration and election applications are secure and backed up by penalties for failing to take adequate measures. The League supports standards and a robust process for election systems including:

* Updating certification standards regularly to keep pace with the state of knowledge of the cybersecurity landscape,
* Ensuring localities have sufficient resources, both expertise and financial, to manage updates by voting systems as certification standards evolve,
* Requiring standards for security practices of voting machine venders, their personnel, and consultants/contractors,
* Mandating state certification for all components of election management systems,
* The promulgation of standards for logic and accuracy testing of election equipment, and
* Recommending that the Commonwealth consult with other states and other organizations in sharing best practices about certification regimes (2021).

To address the security of registration and election software applications and databases, the League supports:

* The Commonwealth’s provision of sufficient resources for:
  + Adequate staffing of central information technology functions and maintaining infrastructure and applications to the highest level of cyber protection, and
  + Supporting localities in securing systems that access central registration and election applications,
* The Commonwealth’s participation in national and multistate associations that develop cybersecurity standards, monitor emerging threats to critical infrastructure, and identify protection strategies, and
* The acquisition and maintenance of a voter registration and election management system that meets high standards for security, usability, reliability, and functionality (2021).

To address the cybersecurity of election equipment, the League supports:

* Supporting the use of ballot marking devices that produce ballots identical and hand-marked ballots to avoid vulnerabilities with barcodes,
* Supporting the use of statewide standards for logic and accuracy testing of election equipment,
* Requiring statewide standards for security practices of voting machine venders, their personnel ad consultants/contractors,
* Supporting the replacement of devise well before “end-of-life” (When the technology is no longer supported),
* Recommending that the Commonwealth and localities have sufficient resources to follow best practices for cybersecurity, and
* Requiring the use of paper backups of voter lists (or other contingency plans) in case of electronic pollbook malfunction (2021).

4. *Electoral Systems (2021)*

The League recognizes the deficiencies of the current plurality system and support the introduction of alternative electoral systems such as Ranked Choice Voting (RCV). The League supports:

* The Option for localities to utilize Ranked Choice Voting for local elections, both single- and multi-winner. Localities opting to use Ranked Choice Voting should consider the need for voter education planning for these elections,
* The expanded use of Ranked Choice Voting in state-run primaries,
* Implementation of Ranked Choice Voting that allows for all candidates in a race to be ranked, and
* Use of Ranked Choice Voting beyond local elections, after Ranked Choice Voting in local Virginia elections has been shown to meet criteria listed in the *LWVUS Impact on Issue, Guide to Public Policy Positions 2020-2022* (2021).

5. *Voter Access (2021)*

The League supports the fundamental right to vote and supports measures that seek to enhance voter access and voter participation. Equally, the League opposes measurers that seek to infringe on this fundamental right or create barriers to voters casting ballots. Voter suppression efforts can include but are not limited to: manipulation of the registration process; policies that make voting difficult, time consuming or dangerous; felon disenfranchisement; and disinformation that confuses voters or discourages them from casting their vote. These examples have changed over time and will continue to evolve. Thus, the Leagues across the Commonwealth should monitor activities and adapt accordingly. The League:

* Opposes the requirement that a voter present a photo ID at any voting location place in order to be able to vote, and
* Supports the review of all election laws and regulations to ensure that measures do not infringe on the right to vote nor unduly burden or restrict the rights of individuals or groups, as previously required under the *Voting Rights Act of 1965* (2021).

**LWV-VA Resolution Virginia’s Absentee Voters Need Access, Not Witnesses**

WHEREAS voting is a fundamental right under our state and national Constitutions and is essential to government of the people, by the people, and for the people,

WHEREAS no evidence of voter fraud justifies regulation of absentee voting that would be remedied by the requirement of witness for absentee ballots: indeed, witnesses themselves remain unverified,

WHEREAS the very reason of isolation and infirmity that prompt voters to request absentee ballots are the reasons that make it burdensome for those voters to secure witnesses,

WHEREAS all Virginia voters are entitled to ballot secrecy without the risk introduced by witness verification requirements,

WHEREAS all Virginia voters swear or affirm their identity under Virginia’s election laws when they register to vote,

WHEREAS all Virginia voters independently verify sensitive information and to personal identity and residence in their applications for absentee ballots, and

WHEREAS, during the COVID-19 Pandemic, Virginians voted securely at a record-breaking pace, including absentee voters who were excused from the witness requirement, demonstrating the reliability of Virginia’s elections without the imposition of witness requirements; now, therefore

BE IT HEREY RESOLVED that the League of Women Voters of Virginia steadfastly insist that the General Assembly protect voter access to Absentee Ballots and remove the burden of witness signatures.

**ISSUE HISTORY**:

When it was reestablished as a state League in 1947, the LWV-VA adopted as its first study, “simplification and improvement of election laws to facilitate and increase registration and voting”. Virginia required a poll tax as a prerequisite for voting at that time. During the 1940s, the League opposed the poll tax and other restrictive voting procedures.

In 1965, the League arrived at a position in opposition to the Freeholder Amendment to the Virginia Constitution, which would have limited voting on bond issues to property owners. Virginia had come under Section 5 of the *Federal Voting Rights Act* in 1965, because the State had a literacy requirement and less than 50% of its voting age population had voted in the 1964 presidential election. The League modified its position in 1967 to seek elimination of the literacy requirement, calling instead for some other means of identification for those unable to sign. LWV-VA decided to restudy election laws in 1973. The study considered both voter registration and absentee voting (position adopted in 1975). Arguing against the notion that expanding registration opportunities constituted an illegal “solicitation” of voters, the League asked that Virginia law require election officials to make available and publicize expanded voter registration opportunities throughout their communities and the State. It also asked that election officials carry out a voter outreach program, consider other systems of voter registration, and administer election laws uniformly across the state, including the interpretation of domicile and abode for voter registration. The League stated that the emphasis of absentee voting provisions should be the expansion of opportunities to vote and supported what was later called “No-Excuse Absentee Voting". Although the League recognized the need to prevent fraud, it believed it is best prevented by proper administration of the law rather than by tightening the law to restrict voting opportunities. Later in the decade, concurrence was taken on two topics: party identification of all candidates on the ballot (1977), and payment by the state of the costs of a recount in a close election (1979). Legislation was subsequently adopted by the Virginia General Assembly on these two issues, and League members did not indicate a need for further change during the 2009-2011 study.

In May 1993, Early Voting was adopted as a state study to determine the feasibility of extending the voting period in Virginia. With the imminent introduction of the *National Voter Registration Act*, popularly known as “Motor Voter,” it seemed an opportune time to consider other methods to make voting easier. Early voting was defined as a procedure used to permit voting by mail or in person on days other than Election Day. As a result of the study, the League adopted positions supporting the extension of the voting period up to one month, the ability of qualified voters to vote on Saturdays and Sundays, and early voting in person without specifying a reason. The State Board recommended a review of current state positions during the 1999-2001 biennium, at which time it combined the Election Laws and Early Voting positions.

The 2009 Convention adopted a restudy of election laws, particularly because of the enactment of national legislation, such as the *National Voting Rights Act (NVRA*), *Help America Vote Act (HAVA*), *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA*), and the *Military and Overseas Voter Empowerment Act (MOVE*), since the League’s earlier studies. The study was handled in two parts, with voter registration and management considered during the first year and elections during the second year. Two lengthy studies were prepared and posted on the League’s web site so that the same information would be available to all League members in Virginia. Due to confusion about the relationship of “early voting” to “absentee voting” and the Virginia Code and General Assembly’s use of the latter term, it was used in the study’s consensus questions and materials. The LWVUS has national positions on issues such as opposition to requirements for photo identification and other measures that restrict access to registration and voting, and support of voting systems that are secure, accurate, re-countable, accessible, and provide a voter verifiable paper trail. Therefore, those topics were not covered at that time.

In 2013, the LWVFA proposed a concurrence statement of support for vote centers, which was adopted at the LWV-VA convention that year. Technical edits were made to the position at the May, 2015 Convention to reflect the establishment of the Department of Elections (ELECT) by the State of Virginia.

In 2019 the Convention a resolution to review and update certain aspects of the Election Law position, addressing election processes, laws, and regulations that ensure free and fair election results, transparency, security, and accountability. The resolution specifically identified post-election audits, security (i.e., cyber security of election systems and equipment, and physical security of voting equipment and ballots), electronic voting, opposition to the photo identification requirement, ranked choice voting, and voter suppression as the subjects to study. The study, which also updates the League’s position with respect to early voting, was adopted at the 2021 Convention.

**LWV-VA POLICY POSITION**

**ISSUE**:  **State** **Fiscal Policy**

**ADVOCACY STATUS: Active**

**POSITION IN BRIEF**:

The league of Women Voters of Virginia supports a responsible State fiscal policy that includes: a flexible and diverse tax structure that is based on a progressive income tax; continuous evaluation of all programs for need, effectiveness, efficiency, and economy; flexibility in developing local sources of revenue; State commitment to funding of state-mandated programs; and opposition to constitutional or statutory limits on State/Local government spending or revenue sources. (Adopted 1949; Amended 1961, 1965, 1966, 1971, 1975, 1977)

**POSITION IN FULL**:

The League of Women Voters of Virginia advocates tax increases when necessary and believes that any changes in the tax structure should be progressive. The League supports continuing evaluation of all government programs for need and effectiveness as well as for efficient and economical government operation.

* Tax Structure

The League supports:

* A more progressive State income tax, with an increase in the number of income brackets and a raise in the rates in higher brackets,
* The use of progressive income taxes to meet additional needed revenue, with smaller amounts derived from a tax on soft drinks (crown tax), and an increase in the present taxes on alcoholic beverages and tobacco,
* A systematic review of earmarked funds with less reliance on long-term earmarking of funds such as revolving funds, trust funds, bonds, or any sources of revenues designated for specific purposes,
* The designation of highway funds to include all means of transportation and loosely related activities,
* The use of general obligation bonds as needed to finance capital projects; and
* Keeping the corporate income tax structure competitive with neighboring,states and opposing any increase in the sales tax unless food is excluded from the increase.
* Accountability and Responsibility

The League believes that the growth of state/local government spending can be contained through positive rather than restrictive procedures. Therefore, the League is opposed to statutory or constitutional limitations on state/local government spending or revenue sources. The League believes that elected officials should be accountable for laws enacted and taxes levied and that elected representatives have a responsibility to continually evaluate all government programs to determine public needs as well as real and long-range costs.

* State/Local Fiscal Relationship

Since localities in Virginia have only the limited fiscal powers delegated to them by the State which uses a strict interpretation of the Dillon’s Rule, the League advocates the following changes in the State/Local fiscal relationship:

* Increased commitment by the State to fund its mandated programs,
* The State should set basic standards for providing services to all citizens,
* The need for mandated programs should be continuously evaluated and their true and eventual costs should be considered. There is a great variation in the economic strength of different sections of the state so the state itself must assume a larger share of the financial burden,
* Increased flexibility for Local Governments to choose the ways in which they raise revenues. Setting of minimum standards by the State should not preclude the setting of higher standards by localities willing to meet additional costs. Localities should have more freedom to decide how to raise the money for these costs,
* Increased standardization of assessment procedures by the State as well as regulation of local tax administration with allowances for local control to respond to local conditions, and
* Increased protection of local tax base. Exemptions from the property tax should be kept to a minimum, with service charges being imposed whenever practical. Relief given to special classes of taxpayers should be confined to those truly in need; the decision to offer such relief should be at local discretion.

**ISSUE HISTORY**:

The first fiscal program item, adopted at the 1949 convention, called for an analysis of Virginia taxes and expenditures. The study was largely informational and resulted in a publication. In 1961, a new fiscal study led to a consensus in favor of income tax withholding. A continuation of this study item in 1963 resulted in additional positions in support of: a statewide minimum assessment ratio for all localities to strengthen the property tax structure; borrowing for long-term capital improvements, and a constitutional change to establish more flexible borrowing limitations.

The 1965 LWV-VA convention voted to conduct more research of the state’s fiscal policies by agreeing to a new study about the uniform statewide sales tax. This resulted in a consensus in support of: a local option to levy additional sales taxes; a formula for distributing state revenues, and exemption of food and drugs from sales tax. After being placed on the inactive list in 1966, the LWV-VA convention voted to drop the fiscal item in 1971, except the position in support of exemption of food from sales tax.

In 1975, a study and evaluation of the budget making process and sources of revenue of the state government was adopted. The first year was devoted to an overview of state finances, including revenues, expenditures and the budget process, and a consensus was reached. The second year concentrated on an in- depth study of Virginia’s tax structure with a view to proposed changes that would make the system more equitable and revenue producing. These studies resulted in new positions being developed in January of 1977.

At the 1977 LWV-VA convention a two-year study of state/local finances with emphasis on state/local fiscal relations was adopted, which concentrated on understanding the fiscal interrelationship and on state and local tax and spending limitations.

Subsequent League legislative action has concentrated on opposing limitations on taxation and expenditures, support of indexing the income tax, and supporting localities in developing their own sources of revenue.

**LWV-VA POLICY POITIONS**

ISSUE: **Gun Licensing and Regulation**

ADVOCACY STATUS: **Active**

LWVUS POSITION: Adopted 1990; Amended 1994, 1998 (*Impact on Issues: A Guide to Public Policy Positions 2020-2022,* p. 144.)

The League of Women Voters of the United States believes that the proliferation of handguns and semi-automatic assault weapons in the United States is a major health and safety threat to its citizens. The League supports strong Federal measures to limit the accessibility and regulate ownership of these weapons by private citizens. The League supports regulating firearms for Consumer safety.

The League supports licensing procedures for gun ownership by private citizens, to include a waiting period for background checks, personal identity verification, gun safety education, and annual license renewal. The license fee should be adequate to bear the cost of education and verification. The League supports a ban on “Saturday Night Specials,” enforcement of strict penalties for the improper possession of and crimes committed with handguns.

**LWV-VA POLICY POSITION**

**ISSUE**: **Reapportionment and Redistricting: Redistricting Plan**

**ADVOCACY STATUS: Active**

**POSITION IN BRIEF**:

The League of Women Voters of Virginia supports a decennial *Redistricting Plan* approved by the Virginia General Assembly, including establishment of a bipartisan commission to prepare a plan for legislative approval, and consideration of natural geographic boundaries, jurisdictional boundaries, communities of interest, and competitiveness in addition to the constitutional requirements. (Adopted 1983; Amended 2005, 2007, 2020)

**POSITION IN FULL**:

The League of Women Voters of Virginia supports the establishment, in law, of a politically balanced and independent Reapportionment Commission for each decennial redistricting to prepare, with the Virginia Department of Legislative Services, a *Redistricting Plan* for submission to the legislature as specified by the Virginia Constitution. The Commission should be bi-partisan and be composed of individuals who are not elected officials; they should represent the geographical distribution and demographic diversity of the State and consist of an uneven number of members.

In addition to the Virginia Constitutional requirement of equal population, contiguous and compact districts, and the *Voting Rights Act* requirements for protecting the voting strength of minority groups, the League supports the following considerations in redistricting:

* Natural geographic boundaries,
* Jurisdictional boundaries,
* Communities of interest, and
* Competitiveness

The League believes that the Virginia constitution should be amended to provide that redistricting will occur on a decennial basis only.

**ISSUE HISTORY**:

Reapportionment and redistricting are an integral part of our system of representative government. As a result of the problems encountered in the reapportionment and redistricting process in Virginia in 1981, the League adopted a study at its convention in 1983 on the methods and criteria for redistricting.

Members agreed that a reapportionment commission should be established to prepare a plan for legislative approval because such a commission could be objective, devote its full attention to the task, and expedite the redistricting process. The criterion of competitiveness was added in 2007 after an update to this position was adopted as a two-year study at LWV-VA convention in 2005.

In 2020 the League’s advocacy activities included support for passage of the November 3, 2020 election ballot question, on a Constitutional Amendment, to establish a Redistricting Commission for voter decision. It was legislatively referred and approved by 65.69% of the voters.

“Question 1: Should the Constitution of Virginia be amended to establish a Redistricting Commission consisting of 8 members of the General Assembly and 8 citizens of the Commonwealth, that is responsible for drawing the Congressional and Legislative Districts that will subsequently be voted on, but not changed, by the general Assembly and enacted without the Governor’s involvement and give the responsibility of drawing districts to the Supreme Court of Virginia if the Redistricting Commission fails to draw districts or the General Assembly fails to enact districts by certain deadlines.”

The Amendment transferred the power to draw Congressional and Legislative districts from the State Legislature to a 16-member Redistricting Commission composed of State Legislators and citizens. On January 6, 2021, a panel of retired judges picked 8 Virginia citizens (6 men and 2 women: 4 white, 3 non-Hispanic, 1 Hispanic). The Legislature picked 4 Republicans and 4 Democrats.

During the 2020 Legislative Session, the Virginia Assembly also passed bills that established criteria and Standards in State Code. The legislation included the following nine criteria: 1) Proportional population; 2) Adhering to Federal and State requirements; 3) No denial or abridgement of the rights of citizens to vote, participate in the political process, or elect representatives of their choice on the basis of race, color, or language group; 4) Providing racial and language minorities with equal opportunity to participate in the political process and not diluting or diminishing their ability to elect candidates of their choice; 5) Preserving communities of interest; 6) Contiguous territory; 7) Compact territory; 8) Does not duly favor or disfavor any political party; and 9) Population used in redistricting to be adjusted for incarcerated persons, counting them at their address at the time of incarceration.

In February 2021, the LWV-VA jointed a coalition of likeminded organizations, in writing a letter to the Virginia Redistricting Commission, supporting supplementing the outreach done by the Commission, to facilitate broader, meaningful public engagement. (A. National Redistricting and Representation Director, Common Cause; B. National Black Nonpartisan Redistricting Organization; C) AARP Virginia; D) National Black Nonpartisan Redistricting Organizations; E) Princeton Gerrymandering Project; F) OneVirginia2021 Foundation)

**LWV-VA POLICY POSITION**

**ISSUE**: **Transportation: Regional Systems**

**ADVOCACY STATUS: Active**

**POSITION IN BRIEF**:

The League of Women Voters supports a regionally balanced transportation system which efficiently and economically meet regional needs without adversely affecting planned growth or the environment. Regional organizations, that set policy for a multi- modal public transportation program, that plan, coordinate, and are the designated recipients of federal and state funds, that operate or contract for services, and that could have taxing power; a mixture of public and private funding for public transportation; increased local participation with some public funds utilized to encourage private support and the use of innovative financing methods, such as tax incentives, to encourage private sector participation; and the use of a variety of incentives to increase the use of public transportation. (Adopted 1995; Amended 2013 **Recommendation**)

***Recommendation:* Include land use concepts such as transit-oriented development (TOD) and other transportation planning practices in future policy position updating.**

**POSITION IN FULL**:

The League of Women Voters of Virginia supports regionally balanced transportation systems which efficiently and economically meet regional needs without adversely affecting planned growth of the environment.

The League supports:

* Regional organizations that set policy for a multi-modal public transportation program, that plan, coordinate, and are the designated recipients of federal and state funds, that operate or contract for services, and that could have taxing power.
* A mixture of public (federal, state, and local) and private funding for public transportation.
* Increased local participation with some public funds utilized to encourage private support and the use of innovative financing methods, such as tax incentives to encourage private sector participation.
* The use of a variety of incentives to increase the use of public transportation. (1996)

**ISSUE HISTORY**:

In May of 1995, the state convention delegates voted to approve the League of Women Voters of the Richmond Metropolitan Area’s request for concurrence by local Leagues with their transportation position. The position was reached after study of mass transit focused on the Richmond Metropolitan Area in 1987. In August 1995, a copy of the original study, plus material on legislation at the National and State level, that had been enacted since the study, including the 1991 Federal Transportation Law, the *Inter-modal Surface Transportation Efficiency Act* (ISTEA), was sent to all local Leagues in Virginia. Twelve local Leagues concurred by the end of 1995.

***2013 Recommendation:* Include land use concepts such as transit-oriented development (TOD) and other transportation planning practices in future policy position updating.**

**LWV-VA POLICY POSITION**

**ISSUE**: **Women’s Rights in Virginia Law**

**ADVOCACY STATUS: Active**

**POSITION IN BRIEF**:

The League of Women Voters of Virginia supports the legal recognition of marriage as an equal partnership, including policies that recognize non-monetary as well as monetary contributions to a marriage by each partner, surviving spouse policies that specify that if one spouse dies without a will, the surviving spouse should inherit all property; divorce policies that recognize separately acquired property before marriage and during marriage through gifts or inheritance; elimination of the concept of “fault” in the Court’s division of marital property; and legal recognition of valid pre-nuptial contracts. (Adopted 1979; Amended 1981, 2019 **Recommendation**)

**Recommendation: The League recognizes that the intent of its earlier positions has been accomplished and the item should be expanded to include a review of current trends [or the position should be deleted].**

**POSITION IN FULL**:

The League of Women Voters of Virginia supports marriage as a partnership, that the principles of fairness, equity, and equality should govern the legal rights and responsibilities of each partner in a marriage. To carry out the concept that marriage should be given legal recognition as an equal partnership, we believe that all contributions to a marriage should be recognized, non-monetary as well as monetary.

* Estate Property:

Until such time as the principle of equally shared marital property is obtained in Virginia Law, the League believes that:

* In case of death, if one spouse dies without a will, the surviving spouse should inherit all the property.
* If a spouse renounces a will, statutes regarding augmented estate should provide for the share of the surviving spouse to be at least one half.
* In divorce:
* Marital property should be defined as all real and personal property excluding all real and personal property acquired before marriage, all property acquired during the marriage through inheritance and/or gifts from someone (other than the other party), and property exchanged for separate property if it has been retained as separate property and not commingled.
* Fault should not enter into the court's division of marital property.
* Prenuptial contracts that fulfill all requirements of contract law should be recognized as valid. (1980, 1983)
* Sexual Harassment:

The League of Women Voters Opposes Sexual Harassment. (2019).

**Recommendation: The League recognizes that the intent of its earlier positions has been accomplished and the item should be expanded to include a review of current trends [or the position should be deleted].**

**ISSUE HISTORY**:

A study of women's rights and Virginia law, adopted by a large majority at the 1979 convention, through the not-recommended program process, was an outgrowth of interest in the Equal Rights Amendment and legal rights seminars held statewide by local Leagues the preceding year. The 1981 convention expanded the study to include divorce laws in Virginia because at that time, Virginia laws governing women’s rights in the event of death of the husband or divorce were disadvantageous to women in the state. This position was moved from the “Social Policy” category when the LWV-VA positions were reviewed and reorganized in the 1999- 2001 Biennium.

Since 1981, many of the League’s recommendations outlined in this position have been accomplished through legislation. In 2012, society’s definition of marriage, divorce and property rights has expanded to encompass the definition of marriage and civil unions between same sex couples, alimony for the partner earning less money (whether male or female), inheritance for children of previous marriages, etc. [both in Virginia and on a Federal level]. Notwithstanding Virginia amending its constitution to ban same-sex marriages in the Commonwealth in 2006 and the effort nationally to limit marriage to those between a man and a woman by passing an act called the *“Defense of Marriage Act (DOMA).”* DOMA was ruled unconstitutional by the U.S. Supreme Court in all States on June 26, 2015, when the U.S. Supreme Court ruled in *Obergefell v. Hodges* that state-level bans on same-sex marriage are unconstitutional.

An Update in the 2017-2019 Biennium additionally studied Sexual harassment. The 2019 Convention added language to update the position and to clearly state “The League of Women Voters of Virginia opposes Sexual Harassment”.

**LWV-VA POLICY POSITION**

**ISSUE**: **Equal Rights Amendment (ERA)**

**ADVOCACY STATUS: Active**

**POSITION IN BRIEF**:

The League of Women Voters of Virginia endorses ratification of the Equal Rights Amendment (ERA) and will advocate ratification at the local, State, and National Level. **Resolution adopted at the 2017 LWV-VA Convention**.

**POSITION IN FULL**:

The League of Women Voters of Virginia endorses ratification of the Equal Rights Amendment (ERA) and will advocate ratification at the local, State, and National Level, including State legislation enacting laws as an extension of the ERA and joining amicus curiae briefs as appropriate. (Updated 1979, 2015, 2017, 2019, 2020)

**LWV-VA Resolution Endorsement of the Ratification of the Equal Rights Amendment (ERA)**

WHEREAS the United States Congress adopted the 27th Amendment to the United States Constitution, the so-called Madison Amendment; and

WHEREAS the Madison Amendment was proposed by our first Congress and only recently ratified by three-fourths of the States, 203 years after it was first proposed; and

WHEREAS the restricting time limit for the Equal right Amendment ratification is in the resolving clause and is not a part of the amendment proposed by Congress and already ratified by 36 states; and

WHEREAS constitutional equality for women and men continues to be a timely issue in the United States and worldwide, and a number of other nations have achieved constitutional equality for their women and men; and

WHEREAS since Congress passed a time extension for the Equal Rights amendment on October 27, 1978, Congress has demonstrated that a time limit in a resolving clause can be disregarded if it is not a part of the proposed amendment; and

WHEREAS Congress is in a unique position to judge the tenor of the Nation, to beware of the political, social, and economic factors affecting the Nation, and to be aware of the importance to the Nation of the proposed amendment; and

WHEREAS if an amendment to the United States Constitution has been proposed by two-thirds of both houses of Congress and ratified by three-fourths of the State legislatures, it is for Congress to determine the validity of the state ratifications occurring after the a time limit in the resolving clause, but not in the amendment itself; now therefore, be it

RESOLVED that the League of Women Voters of Virginia endorses ratification of the Equal Rights Amendment to the United States Constitution proposed by the United States Congress on March 22, 1972, and ratified by 36 state legislatures, upon ratification of 2 more states. “Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.” And be it

RESOLVED FURTHER THAT THE League of Women Voters will advocate for the ratification of the Equal Rights Amendment at the local, State, and National levels. (2017)

In 2020 the LWV-VA determined that sponsorship of the efforts of the *VA to ratify* is consistent with its goals. The League prepared an agreement for “Fiscal Sponsorship” to apply to the relationship of the LWV-VA Education Fund and *VA to ratify* ERA throughout the implementation and operation of the *VA to ratify* ERA efforts related to the receipt and use of educational donations.

In 2015, the LWV-VA became a partner organization with the *Turing Point Suffragist Memorial Foundation* and passed a Resolution in support of the project.

**LWV-VA Resolution Support for the *Turing Point Suffragist Memorial Foundation***

WHEREAS the *Turing Point Suffragist Memorial Foundation* has a partner organization with the League of Women Voters of Virginia (LWV-VA) since 2015; and

WHEREAS the *Turing Point Suffragist Memorial Foundation* is also a partner organization with the League of Women Voters of the United States (LWVUS); and

WHEREAS the *Turing Point Suffragist Memorial Foundation* is commemorating the entire 72-year Suffragist Movement in the United States of America that concluded with both the passage of the 19th Amendment to the U.S. Constitution and the founding of the League of Women Voters in 1920; and

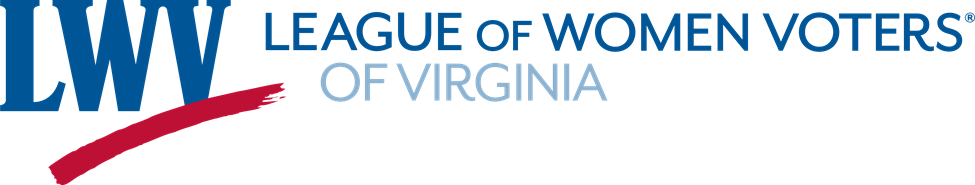
WHEREAS the Memorial will feature a statute of the League founder Carrie Chapman Catt holding yellow roses I her moment of success at the passage of the 19th amendment. Now therefore, be it

RESOLVED that throughout this year leading up to the celebration of the 100th Anniversary of women attaining the right to vote, the league of Women Voters of Virginia will feature articles about the memorial in its publications, encourage local Virginia Leagues to do the same, encourage members to attend the Memorial ribbon cutting ceremony on August 26, 2020 at Occoquan Regional park in Fairfax County, and to assist the *Turing Point Suffragist Memorial Foundation* Board to continue to raise the needed funds, such as by helping to publicize fund raising events. (2015)

**ISSUE HISTORY**:

The ERA. In 1972 Congress passed the Equal Rights Amendment. “*Equality of rights under the law shall not be denied or abridged by the United States or any state on account of sex*.” Article V of the U.S. constitution provides that once approved by the U.S. Congress, a proposed Constitutional Amendment is adopted when ratified by three-fourths (38) of the states. In proposing the Amendment, Congress declared the ERA would become valid when ratified by the required number of states “within seven years (1979) from the date of submission by the Congress.” The ratification fell short by 3 states, who ratified late Illinois (2018), Nevada (2019), and Virginia (2020). (The U.S. Archivist accepted the ratification from both Illinois and Nevada as valid. Alabama, Louisiana, and South Dakota have filed a lawsuit against the U. S. Archivist claiming that he unlawfully accepted ratification. Congress extended the deadline for 3 years (1982), however the deadline has passed. In addition, 5 states (Nebraska, Tennessee, Idaho, Kentucky, and South Dakota) have acted to rescind their prior approval. Courts and legislators have realized that much of what the amendment was designed to do has been accomplished to the credit of justice Ruth Bader Ginsburg and the ACLU Women’s Rights Project under the 14th amendment Equal rights Clause. In recent years there has been a resurgence of women’s activism, from the Women’s March on Washington to the #MeToo Movement, to the record number of women elected to the U.S. Congress and state legislatures which put the ERA back on the Nation’s agenda. Under a 1984 law, the United States Archivist is charged with issuing a formal certification after three-quarters of the states have ratified. On January 8, 2020, the U.S. Office of Legal Counsel (OLC) issued an opinion arguing that the deadline set by Congress is biding and the “ERA is no longer pending before States.” In response, the National Archives and the Records Administration declared the U.S. Archivist will not certify Virginia’s ratification or add the ERA Amendment to the U.S. constitution until a Federal Court issues an order. On January 30, 2020, the State Attorney Generals of Illinois, Nevada, and Virginia, filed a lawsuit in federal Court against the U.S. Archivist for his refusal to publish and certify that the ERA is a valid Constitutional Amendment by Statute (1 U.S.C. 106b). The case was assigned to U.S. District Judge Rudolph Contreras. On March 5, 2021, Judge Contreras ruled that the recent state votes (Illinois, Nevada, and Virginia) to ratify the proposed Equal Rights Amendment came too late to make it part of the U.S. Constitution. Moreover, the vote “came after both the original and extended deadlines that Congress attached to the ERA.” A ratification deadline in the introduction “is just as effective as one in the text of a proposed amendment.” On March 17, 2021, the U.S. House of Representatives voted in a Joint Resolution on the ERA, 222-204 to remove the arbitrary ratification deadline. The Resolution is now before the Senate which requires 60 votes for passage.

LWV-VA Study. A study of women's rights and Virginia law, adopted by a large majority at the LWVUS 1979 convention, through the not-recommended program process, was an outgrowth of interest in the 1972 passage by the U.S. Congress of the Equal Rights Amendment and legal rights seminars held statewide by local Leagues the preceding year. The LWV-VA in 2017 adopted a Resolution to advocate for ratification by Virginia. The League continued to work toward ratification of the ERA in Virginia. 2020 was an exceptionally exciting year for LWV-VA members, in its 100th Anniversary of the passage of the 19th Amendment giving women the right to vote. In a historic vote on January 15, 2020, by both chambers of the Virginia General Assembly, Virginia became the 38th State to ratify the *Equal Rights Amendment.* Five states originally voted to ratify the Amendment, but then voted to rescind their approval.



**LWV-VA POSITIONS**

**FOR**

**ACTION**

**Natural Resources Policies**

**LWV-VA POLICY POSITION**

**ISSUE**: **Air Quality: Vehicle Emissions**

**ADVOCACY STATUS: Active**

**POSITION IN BRIEF**:

The League of Women Voters of Virginia supports achieving and maintaining acceptable air quality through adoption of strict vehicle emission standards, development of alternative fuels, and programs and regulations that foster efficient transportation modes. (Adopted 1993; Amended 2013, 2016)

**POSITION IN FULL**:

In order to achieve and maintain acceptable air quality the League of Women Voters of Virginia believes Virginia should:

* + Adopt the California Standards for low-emission vehicles to achieve and maintain compliance with the *Clean Air Act* of 1990.
  + Develop less polluting alternative fuels, a high priority with preference for compressed natural gas, reformulated gasoline, electricity, and hydrogen. The State should consider total environmental impact of a fuel, including tail pipe emissions and pollution produced during manufacture and disposal.
  + Change parking subsidies away from those favoring low occupancy vehicles to those favoring efficient transportation modes. Place greater emphasis on local program and regulations that encourage employers to institute transportation management systems which foster efficient transportation modes.

**ISSUE HISTORY**:

Following adoption of this local position in 1992, the League of Women Voters of the Fairfax Area prepared and sent information packages to all the local Leagues in Virginia, to allow for concurrence to be taken at the 1993 State Convention. The delegates concurred with the position on Air Quality.

**Note**: The California standards have been superseded by stricter national standards and the *Clean Air Act* of 1990 has also been superseded by stricter regulations. Most of these recommendations have been accomplished (or exceeded) legislatively in Virginia and in the United States prior to 2016. (2013), however, under the Trump Administration there were less strict changes promulgated for various regulations. (2016)

**LWV-VA POLICY POSITIONS**

ISSUE: **Environmental Protection: Pollution Control**

ADVOCACY STATUS: **Active**

LWVUS POSITION: LWVUS Position on Environmental Protection and Pollution Control (*Impact on Issues: A Guide to Public Policy Positions 2020-2022,* p. 91)

The League supports:

* Regulation of pollution sources by control and penalties,
* Inspection and monitoring,
* Full disclosure of pollution data,
* Incentives to accelerate pollution control, and
* Vigorous enforcement mechanisms, including sanctions for states and localities that do not comply with Federal standards and substantial fines for noncompliance.

Beginning in the 1960s, the League has been at the forefront of efforts to protect air, land, and water resources

Since the enactment of the *Clean Air Act*, the *Clean Water Act*, the *Safe Drinking Water Act*, and the *Resource Conservation Act (RCRA)*, the League has worked for effective regulatory programs.

The League supports the preservation of the physical, chemical, and biological integrity of the ecosystem and maximum protection of public health and the environment. The interrelationships of air, water, and land resources should be recognized in designing environmental safeguards. The League’s environmental protection and anti-pollution goals aim to prevent ecological degradation and to reduce and control pollutants before they go down the sewer, up the chimney, or into the landfill. The League believes that although environmental protection and pollution control are responsibilities shared by all levels of government, it is essential that the Federal government provide leadership and technical and financial assistance. The League supports policies that accelerate pollution control, including Federal financial assistance for state and local programs.

The Federal government should have the major role in setting standards for environmental protection and pollution control. Other levels of government should have the right to set more stringent standards. Enforcement should be carried out at the lower levels of government, but the Federal government should enforce standards if other levels of government do not meet this responsibility. Standards must be enforced in a timely, consistent, and equitable manner for all violations in all parts of society, including governmental units, industry, and individuals.

**LWV-VA POLICY POSITION**

**ISSUE**: **Extraction Industries: Hydraulic Fracturing**

**ADVOCACY STATUS: Active**

**POSITION IN BRIEF**:

The League of Women Voters of Virginia supports a moratorium on hydraulic fracturing in the Commonwealth of Virginia until there is sufficient evidence from robust studies to show that hydraulic fracturing will not have a negative impact on the health, safety, and well-being of citizens, local jurisdictions, or the natural environment.

Absent a moratorium, the League of Women Voters of Virginia believes that the Commonwealth of Virginia, including all relevant state departments and state agencies, and local governments, have a responsibility to safeguard Virginia’s critical features and to ensure the public’s safety, health, and welfare by 1) adopting strict systems for monitoring, regulation, and oversight of the hydraulic fracturing, including all related facilities, and fracking impacts on critical features (e.g. ground and surface water resources and recharge areas; geologic resources and seismic zones; historic sites and districts), public facilities (e.g. recreation areas, schools, wildlife preserves), local and regional infrastructure, and local and regional economies; 2) developing and implementing systems of financial assurance so all fracking-related expenses incurred by the Commonwealth and the local jurisdictions are borne by the industry; 3) granting localities authority to regulate hydraulic fracturing operations; 4) providing state funding to local governments to offset the costs incurred by local governments; 5) developing a state-level system for long- term monitoring of local impacts and enforcement of regulation throughout the full life cycle of the hydraulic fracturing operation; and 6) creating programs and policies designed to help local jurisdictions address the long- term economic and social impacts of hydraulic fracturing and its expected “boom and bust” cycles. (Adopted 2013; Recommendation 2015)

***RECOMMENDATION*: Fracking and pipeline effects go beyond the current LWV-VA positions. The pipeline effects should be studied to form a LWV-VA position including background/history. The scope of such a study may include impacts of water withdrawal on ground water and surface water supplies; impacts of inadequate treatment of wastewater from fracking on drinking water; health, safety, and ecological effects of natural gas pipeline and/or rail transport of shale oil through Virginia. The LWV-VA study issues must be a State-level issue; Gas Pipelines are a regional issue.**

**POSITION IN FULL**:

The League of Women Voters of Virginia supports a moratorium on hydraulic fracturing in the Commonwealth of Virginia until there is sufficient evidence from robust studies to show that hydraulic fracturing will not have a negative impact on the health, safety, and well-being of citizens, local jurisdictions, or the natural environment.

The Commonwealth of Virginia should prohibit fracking in state parks, state forests, and areas of state-recognized historic significance. The Commonwealth of Virginia should also ensure that localities are free to exempt waterways, areas near waterways, and other sensitive areas such as schools, residential areas, parks, and places of historic significance from fracking operations. For those areas where hydraulic fracturing might occur, the Commonwealth and local jurisdictions should develop and implement a system for the monitoring, regulation, and oversight of the hydraulic fracturing industry, including all related facilities and the impact on the critical features (ground and surface water resources, public and private drinking water recharge areas, historic sites, and public facilities), public parks, recreation areas; and wildlife reserves, geologic formations, local and regional infrastructure, and local and regional economies. Systems of financial assurance should be developed and implemented so all fracking-related expenses incurred by the Commonwealth and the local jurisdictions are borne by the industry.

1. The League of Women Voters of Virginia (LWV-VA) believes the Commonwealth of Virginia and the Department of Mines, Minerals, and Energy and other applicable state agencies must adopt strict review processes and permitting standards for hydraulic fracturing in all areas of Virginia. The minimum review and permitting requirements for the hydraulic fracturing process, should include, but are not limited to, the following:
   1. Environmental impact statements for each well pad and specific drill site,
   2. Geologic impact statement,
   3. Infrastructure impact statement,
   4. Economic impact statement, and a detailed cost/benefit analysis,
   5. Baseline data for water and air quality,
   6. A plan and methodology for periodic monitoring of water and air quality,
   7. A detailed hazard mitigation plan and an emergency response plan,
   8. Full disclosure of chemicals and the processes to be used, including any changes in these in perpetuity,
   9. Sources of water, sand, and other resources used during the hydraulic fracturing process, including letters of approval from affected jurisdictions, including any changes in these in perpetuity,
   10. A detailed plan for the disposition of wastewater and other "after" products, renewed annually, along with letters from impacted jurisdictions where the wastewater and "after" products will be disposed, including any changes in these in perpetuity,
   11. GIS maps and full GIS data that show the precise location of the proposed well pad, specific drill sites, and the location, depth, and extent of all horizontal wells, including any changes in these in perpetuity, and
   12. List of all property owners directly or indirectly (adjacent or abutting owners) impacted by the well pad, drilling sites, and horizontal wells, along with letters of approval from property owners directly impacted by the hydraulic fracturing facilities.
2. All costs of hydraulic fracturing, both direct and indirect, should be borne by the corporations, companies, and individuals who benefit from hydraulic fracturing. The State and all local jurisdictions in Virginia, regardless of population or rate of growth, should be allowed to impose, but are not limited to, taxes, impact fees, performance bonds, other applicable bonds (sufficient blanket bonds, surety bonds, per-well bonds, etc.), and other financial tools to insure that the costs of siting, testing construction, operation, environmental restoration, and "in perpetuity monitoring and impact mitigation" are covered by the individuals and company or companies involved in the hydraulic fracking operations. The financial obligations go with the operation (attached to the property), regardless of transfer of ownership of the site. In addition, financial assurance mechanisms should include growth mechanisms (i.e. annual payments adjusted to the rate of inflation or the consumer price index) in order to assure adequate financial coverage for future mitigation. All funds generated through taxes, fees, and bonds and paid directly to the State and local jurisdictions should be sufficient to cover the costs of site restoration and hazard mitigation, should be held in a dedicated fund, and should not devolve to the general fund for the Commonwealth or locale.
3. The most effective method for control and oversight of hydraulic fracturing is through the regulatory authority of the local jurisdictions, including through comprehensive plans, zoning, and other land use ordinances and construction, operational, and post-operation inspections. Planning and zoning tools include, but are not limited to:
   1. Special use/conditional use permits,
   2. Land disturbance permits; performance standards,
   3. Strict setback and buffer requirements not subject to variances from ground and surface water resources, public and private drinking water sources, historic sites and view sheds, public facilities, and residences,
   4. Nuisance provisions (light, sound, traffic, hours of operation), and
   5. Other applicable local codes and standards.

When a hydraulic fracturing operation is proposed within a specific jurisdiction, the State and the Department of Mines, Minerals and Energy should provide all relevant studies to local jurisdictions, including all impact statements, mitigation documents, economic and health related information, including applicable GIS data.

In addition, local jurisdictions, which provide most of the "on the ground" oversight of fracking operations, should be allowed to offset local and operational costs, including post-production monitoring and reclamation costs. Financial assurance mechanisms include but are not limited to: local taxes; application, inspection, and impact fees; performance bonds; and proffers.

Because hydraulic fracturing is occurring primarily in lower population jurisdictions that do not always have access to the full range of planning and zoning tools in the toolbox, the Code of Virginia should be updated to provide uniform access across jurisdictions, rather than limiting access based on location, population size, or rate of growth.

1. Given that local governments rarely have the financial resources to cover the expenses incurred from the long- term impacts of hydraulic fracturing and long-term monitoring of post-production and reclaimed well sites, LWV- VA believes that the State should partner with and provide funding to local governments to cover the expenses incurred by local jurisdictions. Possible funding mechanisms include, but are not limited to:
   1. Impact fees
   2. Performance bonds
   3. Permitting fees
   4. Land disturbance permit fees
2. LWV-VA believes that the State and the Department of Mines, Minerals, and Energy should monitor and enforce regulation of the effects of the hydraulic fracturing processes from permitting through post-reclamation monitoring using the following sources of information:
   1. Water sampling,
   2. Water level monitoring,
   3. Surface and ground water quality monitoring both on site and within a proscribed buffer surrounding the site,
   4. Seismic monitoring,
   5. Well integrity monitoring both during hydraulic fracturing operations and after well closure, including for abandoned and inactive wells,
   6. Air quality monitoring,
   7. NORM (Naturally Occurring Radioactive Materials) levels,
   8. Compliance with wastewater recycling/disposal plan,
   9. Periodic inspection and maintenance reports,
   10. Tests determined as appropriate by future scientific analysis, and
   11. Infrastructure and community impact reports
3. Hydraulic fracturing operations, and other extraction industries, run the risk of creating "boom and bust" cycles in local economies and communities, creating potential social and economic damage. LWV-VA believes that the impact on the long-term health of communities can be minimized by implementing a range of proactive programs, developed in partnership between the local jurisdictions, regional planning district commissions, and the Commonwealth of Virginia, including, but not limited to:
   1. The creation of dedicated accounts, funded in part by state monies, as well as local extraction fees, taxes, and other applicable fees, that help local jurisdictions plan for both potential industrial growth and eventual decline (“boom and bust” cycle),
   2. Development of local economic development programs to prepare jurisdictions for a future after the wells shut down, and
   3. Provision of information on the life expectancy of the wells to local jurisdictions. (2017)

**ISSUE HISTORY**:

Neither the LWVUS nor the LWV-VA had a specific position on fracking. Both used their existing positions on natural resources. The study committee determined that these were insufficient given the variety of geologic regions found within Virginia and the greatly expanded potential complications created by horizontal drilling. Also, the study found that there were statements within the existing positions that could work counter to any efforts to control the impact of hydraulic fracturing in that the use of natural gas was encouraged as a way in which to address air quality concerns.

### League of Women Voters of Virginia

In May of 2013, the League of Women Voters of Virginia was asked to sign on to the LWVPA Comments on the EPA Fracking Study. It was found that the Technical Round Tables done by the EPA focused on Marcellus Shale but did not cover the impact of fracking on downstream locations. The recommendation to the LWV-VA President was that LWV-VA sign on to the comments in an effort to help improve the understanding of and the regulation of fracking operations. The Board did submit a letter of support.

The LWV of Virginia membership voted during their 2015 Convention to study the Impacts of Fracking in Virginia. Reason for Study of Fracking: The current LWV-VA natural resource positions do not address recent developments in Virginia of hydraulic fracturing (“fracking”) and energy pipelines. Fracking affects health as well as natural resources. Fracking and pipeline effects go beyond the current LWV-VA positions. The effects should be included in Virginia positions and in the background/history. The scope of the study may include: Impacts of water withdrawal on ground water and surface water supplies; impacts of inadequate treatment of wastewater from fracking on drinking water; health, safety, and ecological effects of natural gas pipeline and/or rail transport of shale oil through Virginia.

The concluding thoughts of the committee responsible for the hydraulic fracturing study were:

“Hydraulic fracturing is a moving target. Every day, new legislation, lawsuits, and technologies are created. Every geology [and geologic formation] and well requires a different extraction method. Every piece of data has advocates and opponents. Industry, government, and citizens struggle to find a balance that will provide low-cost, environmentally clean energy in quantities that will support our current lifestyles and future energy requirements. The public's right to know, protection and management of natural resources, social and economic justice, and health and safety are all issues to be considered when examining hydraulic fracturing.”

***RECOMMENDATION*: Fracking and pipeline effects go beyond the current LWV-VA positions. The pipeline effects should be studied to form a LWV-VA position including background/history. The scope of such a study may include: Impacts of water withdrawal on ground water and surface water supplies; impacts of inadequate treatment of wastewater from fracking on drinking water; health, safety, and ecological effects of natural gas pipeline and/or rail transport of shale oil through Virginia.**

### League of Women Voters of United States

In 2010 Delegates at the 2010 Convention of the LWVUS shared information about fracking. It was noted that State Leagues were using existing LWVUS positions on natural resources, particularly clean water and drinking water to reduce the environmental impact of mining processes that contaminate and pollute.

In 2013, the LWVUS responded to the EPA (U.S. Environmental Protection Agency), the BLM (U.S. Bureau of Land Management) and the FERC (U.S. Federal Energy Regulatory Commission) through testimony and letters.

In 2015, the LWVUS supported a set of five bills referenced to as the “Frack Pack”

**LWV-VA POLICY POSITION**

**ISSUE**: **Land Use**

**ADVOCACY STATUS: Active (Government Comprehensive Planning)**

**POSITION IN BRIEF**:

The League of Women Voters of Virginia supports State policies that include creating state long- range comprehensive land use plan coordinated with local and regional plans, protecting of critical environmental areas through some land use controls, and assisting to and increasing flexibility for localities in land use planning and control. (Adopted 1972; Amended 1975, 2013 Recommendation)

***RECOMMENDATON*: Many of the recommendations of this position have been accomplished through legislation, nationally and in Virginia. In addition, today’s land use processes have become a function of Government Comprehensive Planning. Thus, this position would be more appropriate in the Government positions’ category with cross-reference to the Natural Resources’ positions category. The LWV-VA study issues must be a State-level issue; comprehensive Plans, by State law, are a local and county issue.**

**POSITION IN FULL**:

The League of Women Voters of Virginia believes that the Commonwealth should have a long-range Comprehensive Plan reflecting the needs and interests of citizens and flexible enough to meet future needs. The plan should be a coordinated one including plans and policies of local, regional, and state governments. Implementation should maximize local decision- making with some provisions subject to State established standards and review.

### State Control of Land use:

The League believes that the State should reassume certain elements of its legal authority to control the use of land. Stronger State control, with impact statements required as deemed necessary, is needed for land use activities of more than local impact (including the siting of energy facilities, large-scale public or private development, major transportation facilities, and waste disposal facilities).

Increased State control is needed for certain land areas of State-wide concern such as:

* Wetlands
* Crucial watersheds
* Flood plains
* Productive agricultural and forest lands
* Unique scenic and historic areas
* Shorelines of major waters
* Unique wildlife habitats, and
* Regional Planning

The League believes that the state should support increased regional planning on matters of regional concern.

### State Assistance to Localities

The League believes that the state should give assistance to localities for land use planning and control by:

* Increasing financial aid for research and technical assistance,
* Collecting, analyzing, and disseminating environmental, and social data, and
* Authorizing and encouraging innovative land use planning and regulatory techniques such as land banking, planned unit development, transfer of development rights, and timed development ordinances. (1975)

**ISSUE HISTORY**:

In 1972, in response to a growing desire on the part of Leagues for a national focus on land, LWVUS convention delegates adopted land use as a new study. During the last year of the two-year study, the national League gave state Leagues the opportunity to add state land use study to their program agenda without going through the convention adoption method. Local Leagues used consensus questions formulated by the national board to reach consensus on state land use, some at the same meetings where they reached consensus on national land use, others had additional meetings to reach state consensus or mailed questionnaires to their members. Action has focused on coastal resource preservation and planning, preservation of prime agricultural land and strip- mining legislation.

***RECOMMENDATION:* Many of the recommendations of this position have been accomplished through legislation, nationally and in Virginia. Also, today’s land use processes have become a function of government comprehensive planning. Thus, this position would be more appropriate in the Government positions’ category with cross-reference to the Natural Resources’ positions category. (2013)**

**LWV-VA POLICY POSITION**

**ISSUE**: **Mining: Uranium Mining Moratorium**

**ADVOCACY STATUS: Inactive – 2020 Clean Energy Act (Nuclear Energy is Clean Energy)**

**POSITION IN BRIEF**:

The League of Women Voters of Virginia supports land use policies that guarantee protection of water resources; and a moratorium on uranium mining until modern, enforceable, and effective best practices are approved by an independent assessment team. (Adopted 1983; Amended 2014)

**NOTE: See also LWV-VA Position on Water Supply and Distribution**

**POSITION IN FULL**:

The League supports the moratorium on uranium mining. The Commonwealth must establish modern, enforceable, and proven effective best practices to protect the health and safety of workers, the public, and the environment before uranium mining, processing, and reclamation occurs. The Commonwealth must ensure that tangible economic benefits exists even if industry can develop modern best practices specific to the unique environment of Virginia. Further, if the Commonwealth adopts best practices approved by an independent assessment team such as the National Academy of Science (NAS) or other independent scientific organization, it must also provide the staff and funds needed by the Department of mines, Minerals, and Energy, the Department of Environmental Quality, the Virginia Department of Health, and other state agencies to thoroughly monitor and regulate uranium mining.

According to the December 2012 NAS report “the waste from mining and milling if not adequately controlled may contaminate the local environment by seeping into water sources.” Some high population centers would most likely be affected if contaminants were inadequately isolated. Further, because Virginia is at risk of hurricanes and intense rainfall, concern exists about the effectiveness of the uranium tailings repositories to prevent surface and groundwater contamination. Tourism and agriculture, important economic drivers for the Commonwealth, depend on clean water which could be compromised by uranium mining. (2014)

**ISSUE HISTORY**:

In April 2014, delegates to the LWV-VA Council approved through concurrence a policy in support of the State of Virginia uranium mining moratorium.

The core issue is in regard to the environmental safety of mining the Coles Hill Uranium Deposit in Pittsylvania County, Virginia on the Virginia-North Carolina border. It is the largest known deposit in the United States. The property is owned by Virginia Uranium, Inc. with an estimated uranium deposit valued at $6 billion and the potential for 1000 employees. Uranium mining is regulated by the State of Virginia. Although Virginia has mining regulations, Virginia has no regulations for uranium mining. With less than 1% of the State’s general fund revenues dedicated to environmental programs, is ill prepared to sufficiently oversee a large uranium mining industry. In 1982 the State of Virginia enacted a 30-year moratorium on uranium mining. As the moratorium headed toward its sunset, Virginia Uranium, Inc. began to seek a permit to develop the deposit.

In 2015 Virginia Uranium, Inc. brought suit against the State of Virginia challenging the moratorium unconstitutionally deprived the owners of their property rights and that the U.S. Nuclear Regulatory Commission (U.S.NRC), which regulates the development of civil nuclear energy, preempts Virginia’s Supremacy Clause, which holds that Federal law generally trumps State law. Virginia Uranium, Inc. further argued that the *Atomic Energy Act* of 1954, as amended, gave the U.S. Nuclear Regulatory Commission authority over uranium mining.

The case went all the way to the U.S. Supreme Court; the Court on August 4, 2020 upheld the lower Court June 2020 ruling. The State of Virginia has the sole power to regulate uranium mining. The U.S Nuclear Regulatory Commission under the *Atomic Energy Act* of 1954, as amended, gives the U.S.NRC the sole power to regulate radiation safety standards, milling, the depositing of byproducts known as mill tailings, and the production of nuclear fuel. The *Atomic Energy Act* specifically does not give the U.S. NRC regulatory power for conventional uranium mining.

In 2020 Virginia reenacted a Uranium moratorium on uranium mining. However, the State Legislature may revisit this decision, because the State also enacted the 2020 the *Virginia Clean Energy Act* and amended the *Clean Energy and Community Flood Preparedness Act* that requires Virginia to join the *Regional Greenhouse Gas Initiative*. The new law incorporates the Governor’s *2019 Executive Order 43*, which accelerates Virginia’s transition to clean energy advancing environment justice.

Nuclear energy provides 32% of Virginia’s electricity, the largest share of energy

from any source. In 2021, Nuclear Energy accounts for 99% of the State’s clean

energy generation.

**LWV-VA POLICY POSITION**

**ISSUE**: **Water: Ground Water Supply and Distribution**

**ADVOCACY STATUS: Active**

**POSITION IN BRIEF**:

The League of Women Voters of Virginia supports a comprehensive State effort to protect the water supplies, including: recognition of the connection between ground and surface water; decision-making based on the concept of sharing in the use of ground water; State responsibility for the collection of information on water resources and planning for future use. Land use policies that guarantee protection of water resources; and a moratorium on uranium mining until modern, enforceable, and effective best practices are approved by an independent assessment team. (Adopted 1981; Amended 1983)

**NOTE: See also LWV-VA Policy Position on Uranium Mining Moratorium**

**POSITION IN FULL**:

The League of Women Voters of Virginia believes that modifications should be made to Virginia's water laws, based on the riparian doctrine and the Ground Water Act of 1973.

Specifically, we believe that:

* The law should recognize the connection between ground and surface water,
* Decisions about reasonable use of ground water should include the concept of sharing, as in the riparian doctrine,
* Exemptions in the Ground Water Act of 1973 should be tightened, and
* If the resolution of conflicts is in the Courts, expert technical advice should be provided.

The League believes that the State must fulfill its responsibility for gathering information about Virginia's water resources, planning for future supply, and giving assistance to localities about their water supplies; and that:

* The designated agency must be strengthened and adequately funded,
* The State should have a strong land use policy that recognizes that water and land-use planning are indivisible, and
* The State should take the lead, both by education and by legislation, in promoting water conservation. (1983)

Uranium Mining Affects:

The League supports the Virginia moratorium on uranium mining. The Commonwealth must establish modern, enforceable, and proven effective best practices to protect the health and safety of workers, the public, and the environment before uranium mining, processing, and reclamation occurs. The Commonwealth must ensure that tangible economic benefits exists even if industry can develop modern best practices specific to the unique environment of Virginia. Further, if the Commonwealth adopts best practices approved by an independent assessment team such as the National Academy of Science (NAS) or other independent scientific organization, it must also provide the staff and funds needed by the Department of mines, Minerals, and Energy, the Department of Environmental Quality, the Virginia Department of Health, and other state agencies to thoroughly monitor and regulate uranium mining.

According to the December 2012 NAS report “the waste from mining and milling if not adequately controlled may contaminate the local environment by seeping into water sources.” Some high population centers would most likely be affected if contaminants were inadequately isolated. Further, because Virginia is at risk of hurricanes and intense rainfall, concern exists about the effectiveness of the uranium tailings repositories to prevent surface and groundwater contamination. Tourism and agriculture, important economic drivers for the Commonwealth, depend on clean water which could be compromised by uranium mining. (2014)

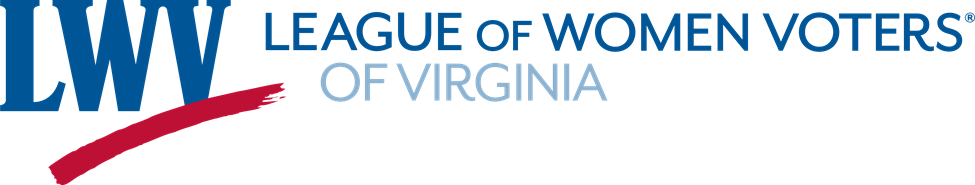
**NOTE: In April 2014, delegates to the Council approved through concurrence apposition policy on uranium mining.**

**ISSUE HISTORY**:

In 1981, the League adopted a study of water supply and distribution in Virginia. Leagues were concerned about the ability of the State laws, regulations, and procedures to protect the water supply. There were also problems and conflicts between "water rich" and "water poor" users and concerns about whether Virginia had sufficient information and adequate laws and procedures to settle these issues.

Local Leagues studied the situation in their localities and then statewide. Consensus was reached in November 1983.

**NOTE: At the end of the study, the LWV-VA published a prize-winning publication explaining in clear layman's language the doctrines governing Virginia's water laws and the complexities involved in finding solutions to the problems of supply and distribution.**



**LWV-VA POSITIONS**

**FOR**

**ACTION**

**Social Policy**

**LWV-VA POLICY POSITION**

**ISSUE**: **Adult Domestic Violence**

**ADVOCACY STATUS: Active**

**POSITION IN BRIEF**:

The League of Women Voters of Virginia supports addressing the crime of adult domestic violence through uniform law enforcement, including mandatory arrest and reporting; educational and training programs for medical, clerical, law enforcement personnel, and the public on the problem of adult domestic violence as well as conflict resolution; and assistance and training programs for victims. (Adopted 1991)

**POSITION IN FULL**:

The League of Women Voters of Virginia believes that Adult Domestic Violence should be addressed as a crime by State and local law enforcement agencies and the Judiciary with an increase in State funding for support services.

The League supports:

* A written, mandatory arrest policy as a uniform procedure used by law enforcement agencies, with reporting of adult domestic violence calls; mandatory,
* Training related to domestic violence and conflict resolution curriculum for all sectors of government involved with treatment,
* Expansion of the Family Life Education curriculum to include topics about domestic violence and conflict resolution,
* Expansion of the current Police Academy curriculum to better address the problems of adult domestic violence,
* Public education through use of public service announcements,
* Funding for job training programs for victims,
* Training for doctors and clergy in causes and issues of adult domestic violence, and
* Monitoring at local government level policies regarding shelter maintenance and services.

**ISSUE HISTORY**:

Because League positions did not address legislation that might evolve from the Governor’s Task Force on Adult Domestic Violence, the State Convention adopted a one-year study on adult domestic violence in 1991. The scope, which included the elderly and adult children living at home, uniform law enforcement, intervention before and after violence occurs, education of all persons involved in domestic violence, including victims, abusers, law enforcement personnel, court personnel, and the community in general. Local Leagues used a questionnaire to determine local and state roles in policy and procedure by interviewing shelter and service personnel who deal with adult domestic violence.

**LWV-VA POLICY POSITION**

**ISSUE**: **Affordable Housing**

**ADVOCACY STATUS: Active**

**POSITION IN BRIEF**:

The League of Women voters of Virginia supports State funding mechanisms and laws/policies that increase the supply of and equal access to safe, quality, affordable housing for all Virginians. (Adopted 2021)

**POSITION IN FULL**:

The League of Women Voters of Virginia supports funding mechanism that increase the supply of and equal access to affordable housing and to help people maintain their housing. These include, but are not limited to:

1. The Virginia Trust program, administered by the Virginia Department of Housing and Community Development (DHCD), which provides low or no interest loans to develop and preserve affordable housing and provide grants to reduce ad prevent homelessness.
2. Permanent Supportive Housing, administered by the Virginia Department of Behavioral health and Development services, which provides rental assistance and support services to individuals with serious mental illness who are either chronically homeless, discharged from state hospitals or unstably housed and frequent users of health and criminal justice systems.
3. Homeless programs and services through DHCD are targeted at reducing and preventing homelessness and getting people into permanent housing as quickly as possible.
4. Evection Prevention/Division Programs through DHCD that would provide short-term rental assistance and housing stabilization serviced for households who are behind on their rent ad in danger of being evicted.
5. A State Low Income Housing Tax Credit (LIHTC) program as a companion to the Federal LIHTC program, which has been the primary Federal funding source for the development and preservation of affordable housing. Investors in developments receive tax credits that provide developers equity in a project. A companion State LIHTC would additional equity to the project ad could potentially target households at very-low incomes.
6. A Stated-funded housing Choice Voucher (HCV) to supplement the underfunded and oversubscribed Federal HCV program, where the low-income household pays 30% of its income for rent, and the remainder is paid by the voucher.

The League of Women Voters of Virginia also supports laws and regulations/policies that ensure equal access to affordable housing, remove barriers to the creation of affordable housing, and to help people stay in their housing. Examples include, but are not limited to:

1. Ensuring tenants who hold a Housing Choice Voucher equal access to an apartment where they choose to live by requiring landlords who own four or more units to accept voucher-holders if they meet the same rental criteria as other prospective tenants, provided their tenancy is approved in 15 days.
2. Through state enabling legislation, allowing all localities in Virginia the right to adopt mandatory inclusionary zoning ordinances that provide incentives to developers to add affordable housing units in their multi-family projects.
3. Providing more tenant protections in State law to help tenants maintain their housing that include measures such as capping late fees and extending pay or quit time periods.
4. Mitigating the impact of evictions with State laws allowing an automatic expungement of an eviction from a record if the case is dismissed and setting a reasonable timeframe for expunging a record in all evictions.

ISSUE HISTORY:

At the May 17-19, 2019 Convention, delegates adopted the recommended study to Review a State-wide Affordbale Housing Position. The Study to focus its efforts on affordable housing for people at very-low income (VLI) or 50% Median Income and below and would mainly focus on rental housing (State maximum income for 50% AM is $29,000 for a household of one and $42,350 for a household of four).

Specific housing issues that the study could examine and make advocacy recommendations about would include the following:

1. Increasing the study and preserving existing VLI housing through increases in the State’s Housing Trust Fund (DHCD), funding for additional Permanent Supportive Housing for persons with serious mental illness (DBHDS), and potential changes to proffers and affordable dwelling unit laws.
2. Researching the possibility of creating a State Low-Income Housing Tax Credit that would mirror the Federal LHITC program targeting households with VLI.
3. Removing barriers to siting affordable housing through law changes such as inclusionary zoning.
4. Reviewing landlord/tenant law changes that mainly protect landlords resulting in extremely high eviction rates.
5. Fair Housing law changes, such as source of income that would enable tenants with voucher s to rent in any neighborhood.

**LWV-VA POLICY POSITION**

**ISSUE**: **Childcare**

**ADVOCACY STATUS: Active**

**POSITION IN BRIEF**:

The League of Women Voters of Virginia supports State policies that promote quality childcare that is affordable, accessible, and available, including minimum comprehensive state license standards for care facilities, incentives for development of programs, financial assistance for low-income families, coordinated resource and referral systems, and training for care givers and parents. (Adopted 1985; Amended 1987, 2013)

**POSITION IN FULL**:

The League of Women Voters of Virginia strongly believes that the State has a role to play in childcare in the Commonwealth to ensure that children in these services receive the quality of care consistent with their developmental needs. The State’s role should include licensing all of the following care facilities:

* Childcare homes for more than five, and up to ten children,
* Childcare centers of ten or more children,
* Family childcare systems,
* Church-sponsored childcare,
* Facilities run by hospitals for their own employees,
* Facilities run by universities/colleges f o r staff and students,
* Facilities run by governmental units,
* Drop-in centers,
* Before and after school programs, and
* Nursery schools (no more than four hours per day per child).

The state should have a role in monitoring an up-to- date listing of childcare facilities. The following minimum standards should be required for licensing and should cover:

* Space and physical facilities, including equipment,
* Health and sanitation,
* Staff/child ratios,
* Qualifications of staff (training, experience, absence of criminal record),
* Admissions policy (health and immunization records,
* Identifier and locator information, and
* Written statements to parents (on operations policies and procedures).

Minimum standards should be required for licensing for group size in:

* Centers of ten or more children,
* Family childcare systems, and
* Nursery schools.

The state should provide:

* Some form of financial assistance to increase the affordability and availability of childcare. Such assistance could include direct subsidies to low-income parents; direct subsidies to providers to allow enrollment of low-income families; start up or improvement loans to providers; tax relief to parents; incentives to employers offering childcare benefits to employees; and matching local funds for those jurisdictions which help fund childcare,
* Free training to care givers and other staff to improve the quality of childcare,
* Education to parents about quality childcare, and
* Assistance to childcare facilities in dealing with liability insurance.

The General Assembly should authorize local school boards and governments to provide before- and after- school childcare for school-aged children. The League supports central coordination of childcare policies in an existing agency of the State government which is adequately funded and staffed. (1988)

Further, the State shall ensure that all professionals involved in providing full-time or part-time childcare for pay on a regular basis or persons associated with or employed by and private (profit or non-profit) or public organization responsible for the care, custody, or control of children report child abuse or neglect. (2013)

**ISSUE HISTORY**:

With the increase in the number of employed mothers and single parent families and the reported difficulties parents have in finding good, available, and affordable childcare, many Leaguers thought the time had come for the League of Women Voters to study what role, if any, the state should have in childcare. At the 1985 State convention, delegates adopted a two-year study of the issue. The final report along with consensus questions was sent to the local Leagues early in the fall of 1986. Consensus reports were returned by mid-December of 1986 with 17 of 19 local Leagues reporting. The board developed and approved complete consensus in February 1987 with modifications for clarity approved the following April. The League’s position was updated in 2013.

**LWV-VA POLICY POSITION**

**ISSUE**: **Children at Risk**

**ADVOCACY STATUS: Active**

**POSITION IN BRIEF**:

The League of Women Voters of Virginia supports State and local policies that recognize the basic needs of all children, including shelter, family/community support, health care, food, education, and personal safety, including funding of preventive services, rehabilitative programs, family support programs, crises services, court costs and detention; evaluation of programs and services; State mandated case planning and management systems; and internal and judicial grievance procedures. (Adopted 1987; Amended 1989, 2013)

**POSITION IN FULL**:

The League of Women Voters of Virginia believes that the State government shares with other levels of government the responsibility to meet the basic needs of at-risk children. The State government should establish a policy defining and supporting a minimum quality of life, with the legislators defining standards to meet the basic needs of these children.

The league believes the basic needs to be: shelter, family/community support, health care (including mental health care), food, education (including vocational training) and physical safety.

The League supports:

* Funding priorities in the following order of importance: preventive services (including rehabilitative programs), family support services, crises services, court costs and detention (secure and other),
* Evaluation of services and program effectiveness, determination of overlapping services, gaps in services, or unmet needs of children by citizens committees/task forces,
* A state mandate directing communities to develop case planning and case management systems to assure timely access to services. The case management process should include representatives of local and state agencies, guardian/ parent, court intake officers, court child advocates, and the non-profit sector; and
* The continued use of internal grievance procedures for persons who feel mistreated by agency decisions or judicial remedies. (1989)

Further, the State shall ensure that all professionals involved in providing full-time or part-time childcare for pay on a regular basis or persons associated with or employed by and private (profit or non-profit) or public organization responsible for the care, custody, or control of children report child abuse or neglect. (2013)

**ISSUE HISTORY**:

As stated by Virginia Governor Gerald L. Baliles, at-risk children are often conceived in poverty and are delivered into a world of hunger, inadequate health care, poor housing, and even homelessness. As these children struggle through adolescence, they begin to feel alienated from their communities. Many become underachievers in school, substance abusers, teen parents, and delinquents. As at-risk youth grow into adulthood, they may pose political, economic, and social threats to society.

The 1987 LWV-VA convention delegates adopted this issue for a two-year study. The committee began their work with three regional workshops in the fall. Local Leagues interviewed caregivers of the children at risk. The reports from the local Leagues, together with information gathered from state agencies, U..S. Congress and other states, provided the background information used. A 1988 fall workshop and leaders guide were provided for our local League leaders in early October to prepare them for their consensus meetings. The board adopted the position in February 1989.

**LWV-VA POLICY POSITION**

**ISSUE**: **Education**

**ADVOCACY STATUS: Active**

**POSITION IN BRIEF**:

The League of Women Voters of Virginia supports State funding for public schools that insures a high-quality education with equal educational opportunities for all children, including:

* + Full funding for the Standards of Quality and state mandates,
  + Increasing the state’s share of education costs,
* Funding for half-day pre-kindergarten programs for at-risk children, and full-day kindergarten programs,
* funding some portion of capital costs, and
* Improving the funding formula for determining local ability to pay, using it as a basis for distribution of state education funds.

The League supports a challenging curriculum, high expectations of students and teachers in mastering that curriculum, and appropriate assessments of student achievement for a quality education in the public school system K-12. Essential curriculum elements include:

* Core disciplines (English, Math, Science, History and Social Studies),
* Art, Music, Physical Education, Health, and Foreign Languages,
* Analytical skills,
* Integrated technology; strong remedial programs,
* Programs for at-risk, gifted, and special needs student,
* Education for students with limited English proficiency, in which emphasis is placed on teaching English, and
* Career and technical education.

The League supports professional education for principals and teachers and on-going staff development; class size appropriate to instructional goals; a safe environment for students and staff; and discipline, preventative programs and a consistently enforced, well-defined system of rules; guidance counseling for academics and support services; and parental and community support and involvement. Support opportunities to select a specific program or school. These opportunities should be based on a system of equity so that all qualified students have equal access.

Elements of a quality education should also include: school- based teamwork, goal setting and decision-making, and application of learning to life experiences.

The League supports K-12 public schools should prevail as the highest priority for school choice in Virginia because public schools

* + Sustain democracy by being open to all children,
  + Serve the public and prepare citizens to maintain our government,
  + Allow the public to vote on school governance and school policy, and
  + Allow the exchange of ideas and participation in decision-making.

To support this priority the League supports all K-12 school programs that receive public funds should be required to meet certain standards and criteria for their approval, administration, accountability, oversight, transparency, nondiscrimination, assessment, fiscal management, and operations.

* + LWV-VA supports no public funds should go to sectarian schools.
  + LWV-VA supports the option of public charter schools that follow the extensive regulations in the 2018 Virginia Code for their establishment and administration.
  + LWV-VA opposes “tuition tax credit” programs that provide scholarships to private schools (EISTC).
  + LWV-VA opposes “vouchers” (“Parental Choice Education Savings Accounts”)
  + LWV-VA supports virtual online programs provided by public schools that follow the 2018 regulations and requirements for oversight by the Department of Education and local public-school administrators.
  + LWV-VA opposes private profit-making providers of virtual online programs.

(Adopted 1979; Amended 1991, 1993, 1997, 1999, 2002, 2009, 2018)

**POSITION IN FULL**:

The League of Women Voters of Virginia believes that state funding for elementary and secondary public schools should insure a high-quality education with equal educational opportunities for all children.

* **PART I: Funding**

In order to accomplish this goal, the League supports the following:

1. Funding for Standards of Quality (SOQ)

* Funding the SOQ by including all actual costs to localities,
* Establishing the SOQ to exceed the average level of practices in school divisions when evidence exists that the average level is inadequate, and
* Adopting a per-pupil cost figure which represents actual costs per pupil for school systems in Virginia.

1. Local Effort

* Improving the formula for determining the measure of local ability to pay and using it in the distribution of all state school funds,
* Increasing the state's share of the costs of education,
* Providing state funds to local school divisions for capital outlay, using an improved measure of local ability to pay and priorities of educational need, and
* Requiring at least a minimum local effort in funding school costs.

1. Kindergarten and Pre-Kindergarten Funding

* Providing state funding for half-day pre- kindergarten programs for all at-risk- children; and
* Providing funding for full-day kindergarten programs provided at the option of localities.

1. Other Funding

* Funding fully the actual costs to local school division of state and federal mandates which are not included in the SOQ,
* Continuing the current methods of financing capital costs by low-interest loans and bonds,
* Continuing state funding of a share of the employer costs in local school budgets for Social Security, retirement, and group life insurance.

We oppose placing a limit on the amount of local education funding which exceeds the cost of state requirements. (1993)

* **PART II: Quality Education**

The League of Women Voters of Virginia believes the following elements are essential to quality education in the public-school system, K-12:

1. A challenging curriculum, high expectations of students and teachers in mastering that curriculum, and appropriate assessments of student achievement. The following elements of the curriculum are essential:

* Four core disciplines: English, Mathematics, Science, History and Social Studies,
* Art, Music, Physical Education, Health and Foreign Languages,
* Analytical skills, application of knowledge and decision-making,
* Technology integrated throughout the curriculum,
* Strong remedial programs implemented at the earliest indication of a student’s academic weakness,
* Special offerings for at-risk and gifted students and educational programs for students with special needs, using specified minimum standards,
* Education for students with limited English proficiency, in which emphasis is placed on teaching English, while other course content is presented in English,
* Career and Technical Education,
* Professional education of principals and teachers, and on-going staff development; Class size appropriate to instructional goals; A safe environment for students and staff; and
* discipline, providing preventative programs and a well-defined system of rules, consistently enforced, Guidance Counselors for academics and support services,
* Parental and community support and involvement; and
* Opportunities to select a specific program or school. These opportunities should be based on a system of equity so that all qualified students have equal access. (2003)

1. The LWV-VA believes that the following are important elements of quality education in the public system, K-12:

* School-based teamwork, goal setting and decision-making,
* Application of learning to life experiences in further education, work, and leisure activities, and
* Incentives, recognition, and awards for both students and teachers. (1999)
* **PART III: School Choice Options; Standards and Criteria (2018 Council)**

1. The League of Women Voters believes that K-12 public schools should prevail as the highest priority for school choice in Virginia because public schools:
   * Sustain democracy by being open to all children,
   * Serve the public and prepare citizens to maintain our government,
   * Allow the public to vote on school governance and school policy, and
   * Allow the exchange of ideas and participation in decision-making. (2018)
2. The League of Women Voters believes that Public Funds should go to Public Schools, not to Private Schools.
3. The League of Women Voters of Virginia believes that any programs that may provide public funds for school choice options should be required to meet certain standards and criteria for approval, funding, and operations.

The status, in 2018, of the League’s approval for current school choice options or proposals are these:

1. Charter Schools: Support the current (2018) extensive regulations in the Virginia Code for establishment and administration of these Public schools.
2. Tuition Tax Credit Programs: Oppose this type of program, oppose any expansion from the current parameters (2018), and support limits to decrease the loss of revenue for public schools.
3. Vouchers: Oppose vouchers *aka* “Parental Choice Education Savings Accounts” (ESAs)
4. Virtual Schools: Support public school providers with the current (2018) regulations and oversight by the Department of Education and local public-school administrators. Oppose profit-making providers.

### Standards and Approval Criteria for School Choice Options

The League of Women Voters of Virginia believes that these standards and criteria should be required for school choice options.

1. Charter and Virtual Schools [NOTE: All Virginia Charter Schools are Public Schools.]
   1. Require (the elected) Local School Board authorization for establishing a Charter School as required and stated in the current (2018) Virginia Code (§ 22.1-212.5 through § 22.1-212.16).
   2. Require local monitoring of administration and management as in current (2018) Virginia Code. (§ 22.1-212.5 through § 22.1-212.16).
2. All School Choice Option Requirements
   1. Fair and legal funding No public funds shall go to sectarian schools.
      1. Require Separation of church and state. (See U.S. and VA Constitutions)
      2. Oppose unconstitutional “Educational Savings Accounts” *aka* ESAs *aka* Vouchers that would allow public funds for private schools and schooling, especially sectarian schools.

*(See VA Constitution Article VIII, Section 10)*

* + 1. Prohibit for-profit operations and profiteering.

### Nondiscrimination

### 

* + 1. Uphold Federal Civil Rights law.
    2. Uphold Virginia non-discrimination law:

*Shall not discriminate against any individual on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services:*

*(Virginia Charter School Law (current in 2018)*

* + 1. Ensure equity in choices

(*Note: Transportation problems can limit participation by low-income students).*

* + 1. Require a non-biased student selection process such as,
       1. by lottery,
       2. by criteria (for a special purpose school option)
          1. need
          2. ability
          3. at or below a certain Federal Poverty Level (FPL) percentage.
    2. Prevent re-segregation.

### Standards for School Climate

* + 1. Require proper and effective student retention processes *in order to prevent easy removal of problem students that would return a student to public school.*
    2. Require a proper and fair discipline policy. (e.g. “Classrooms not Courtrooms”)
    3. Provide health and safety measures by following Virginia laws.
    4. Provide a “positive”, “proactive” role in meeting the needs of children.

### Accountability, oversight, and transparency

* + 1. Require proof of a well-maintained, monitored financial/fiscal management system.

Show proof of fiscal soundness and budget accountability with these procedures:

(a) Annual audit by an independent licensed accounting firm with no personnel from the receiving agency/individual,

(b) Tracking in the budget of designated gifts,

1. Tracking of public money in the budget by line item,
2. Require Board of Directors of agency receiving funds to be legally responsible for ensuring that all funds are used as designated.
   * 1. Require open meetings and public access to records.
     2. Evaluate periodically with minimum frequency established.
     3. Report attendance often, track students’ participation and their completion of the program.
     4. Assess student achievement in all schools and report to the Virginia Department of Education.
     5. Establish methods and parameters for closing, discontinuing, or denying recertification.
     6. Comply with Federal requirements including the ADA, IDEA, Titles I, VI, IX, FAPE, ESSA.
     7. Notify parents, prior to enrollment, of any loss of rights protection, particularly for students with disabilities.

### Credentialed and qualified teachers; personnel support

* + 1. Maintain adequate number of personnel -- in both “brick-and-mortar” and virtual schools.
    2. Provide Human Resource quality for employee pay, benefits, and grievance processes.
    3. Provide a fair pay scale with incentives to succeed that are not based on a monetary bonus.
    4. Require continuing professional education and re-certification.
    5. Require substantial initial mentoring of teachers.
    6. Require background checks of all personnel.

1. Virtual Schools– Public, charter, and private
   1. Require robust Virginia Department of Education oversight, accreditation, and accountability Follow current (2018) **M**ulti-division **O**nline **P**rovider Guidelines.
   2. Require best student to teacher ratio. (Currently at least 150:1 or better for high schools.)
   3. Require in-person monitoring of testing for validation, accountability, and reporting.
   4. Require method to determine actual time at computer, to prevent signing-in and leaving.
   5. Assure integrity and purpose of providers. Motive must not be for profit.
   6. Require counseling that meets the Virginia Standards for Academic, Career, and Personal/social School Counseling:
      1. Academic counseling, that assists students and their parents to acquire knowledge of the curricula choices available to students, to plan a program of studies, to arrange and interpret academic testing, and to seek post-secondary academic opportunities,
      2. Career counseling, that helps students to acquire information and plan action about work, jobs, apprenticeships, and post-secondary educational, and career opportunities,
      3. Personal/social counseling, that assists students to develop an understanding of themselves, the rights and needs of others, how to resolve conflict and to define individual goals, reflecting their interests, abilities, and aptitudes.
   7. Require records and reports of the amount of teachers’ instruction and assessment time.
   8. Assure fair funding statewide.

Payment to the MOP should be based on the per-pupil Standard of Quality (SOQ) of the student’s resident jurisdiction; not the current (2018) practice that pays the MOP based on the per pupil SOQ of the school jurisdiction where the MOP has been established.

1. Non-Public schools that receive specific public funds
   1. Assure that a “tuition tax credit” program, if established, is well-managed.

*(Virginia currently has a tax credit scholarship program: Education Improvement Scholarship Credit Program (EISTCP)). (LWVUS opposes Tuition Tax Credits.)*

* 1. Assure that a Tuition Tax Credit program is not a fiscal detriment to public schools
  2. Limit or oppose the Virginia Education Improvement Scholarship Tax Credit Program
  3. Support lowering the EISTCP annual donation cap and/or lowering the per cent credit allowed.
  4. Prohibit private schools that may receive public funds from using the funds for religious training.
  5. Prohibit establishing Educational Savings Accounts (ESAs) or other voucher-like programs where families receive local school funds for private education purposes.

**ISSUE HISTORY**:

According to the 1970 Virginia Constitution, the state must provide quality public school (K-12) education, set Standards of Quality (SOQ), and share the cost with the local governments. As local Leagues studied their own school systems, they questioned whether the formulas to distribute the State monies were fair. In 1979, a LWV-VA study of financing education in Virginia was adopted. The 1991 Convention adopted a new statewide study on Financing Public Education.

The 1997 Convention approved a study “of the essentials of quality education, including alternatives, initiatives, vouchers, charters, contracts, etc., in the public schools.” The study coincided with new state legislative and administrative initiatives to improve the quality of public schools in Virginia.

In the 1999-2001 biennium, the LWV-VA Board recommended a review of current state positions. The position was derived from combining Financing Public Education and the Education positions.

At the recommendation of the LWV-VA Board, Delegates to the 2018 LWV-VA Council approved an update that added Section III to the Education position.

**LWV-VA POLICY POSITION**

**ISSUE**: **Health Care: Behavioral**

**ADVOCACY STATUS: Active**

**POSITION IN BRIEF**:

The League of Women Voters of Virginia supports comprehensive behavioral health care that includes both mental illness and substance use disorder.

* + Access for all people to affordable, quality in- and out-patient behavioral health care, including needed medications and supportive services.
  + Coordination of comprehensive and integrated care among Health and Human Services (specifically Behavioral Health) and other State departments such as Medical Assistance Services (Medicaid), Public Safety (re-entry planning, identification of behavioral health needs in jails/prisons, patient’s rights, substance abuse, and drug/mental health courts), Housing (Transitional and Permanent Supportive Housing), and Education (health education from early childhood through adult). These agencies must provide this care along with a focus on community-based services such as Community Service Boards (CSBs).
  + Realignment of the funding equation so that a higher proportion of funds to CSBs rather than state institutions. This will result in more cost-effective care that is more responsive to client’s needs.
  + Adequate funds and other incentives to ensure sufficient trained staff at all levels of service.
  + Continued efforts to decrease the stigmatization of behavioral health problems and care. (Adopted 1985; Amended 1987, 1989, 2017)

**POSITION IN FULL**:

The League of Women Voters of Virginia believes that the goals of the state's behavioral health care system should provide:

1. ACCESS, DIAGNOSIS, AND INTEGRATION OF CARE

Access for all Virginians with behavioral health issues (including opioid abuse) to early, affordable, and timely community-based in-patient and out-patient care and diagnosis including:

* + Case management, counseling, care-coordination services, and medication management,
  + Behavioral health care for Virginians that is integrated with, and achieves parity with, physical health care,
  + Community-based and family-focused behavioral health screening, diagnosis and treatment for children and adolescents in Virginia,
  + Community Service Boards (CSBs) that reduce wait time for services by adopting “same day access/assessment” statewide, sharing best practices and hiring more licensed behavioral health providers,
  + An alternative transportation model to reduce demands on law enforcement for transporting patients to hospitals,
  + Expansion of tele-mental health infrastructure, especially for rural counties, and
  + Vocational services to promote self-sufficiency and a positive self-image.

1. DIVERSION FROM THE CRIMINAL JUSTICE SYSTEM

The League acknowledges that there is an intersection between of behavioral health and the criminal justice systems. Accordingly, we urge implementation of the following:

* + Behavioral health screening of jail inmates,
  + Specialty behavioral health and drug courts and dockets in all judicial districts in an effort to decriminalize addiction related arrests,
  + Therapeutic drop-off centers,
  + Expansion of Crisis Intervention Teams (CIT) programs,
  + Decriminalizing the reporting of overdoses or drug abuse so friends and family do not fear retribution,
  + Civil commitment procedures that provide the client with legal counsel and treatment,
  + Training about the nature and treatment of mental illness and related issues for justice system personnel involved in civil commitment in Virginia, and
  + Excluding from the death penalty those who suffer from serious mental illness at the time of their crime.

1. HOUSING

The League recognizes the need for affordable and permanent supportive community-based housing and residential services. These services would enable Virginians with a wide-range of behavioral health needs to live as independently as possible in their home communities. Some required initiatives are:

* + Enhanced funds for the Virginia Housing Trust Fund,
  + Private/public partnerships to obtain housing for the mentally ill,
  + Consider a waiver for Medicaid to pay for counseling for housing options,
  + Establish tax credits or other financial incentives for landlords and developers who build affordable housing, and local government policies that increase affordable housing stock,
  + Provide training in independent living skill, and
  + Offer case management which will coordinate needs for food, clothing, and medical care for those in housing to include homeless shelters.

1. BEHAVIORAL HEALTH WORKFORCE DEVELOPMENT

The League urges the Commonwealth to adopt the following practices to correct, high turnover, insufficient staffing, and inadequate training:

* + Sufficient qualified and well-trained staff in public and private settings, at all levels, from certified peer specialists to psychiatrists,
  + Promotion of full use of internet technology for communications and secure information sharing, and
  + Enhancement of pay scales for providers in state institutions to compensate for dealing with challenging patients.

1. OPIOID ABUSE

The League recognizes that the resolution of the opioid crisis requires cooperation among community stakeholders such as CSBs, law enforcement (see Section B -Diversion from Criminal Justice), and non-profit organizations. We urge educational programs that de-stigmatize addiction. The league supports:

* + Treatment and Recovery
    - Reducing overdose deaths by increasing access for first-responders and laypersons to medications that counteract opioids,
    - Expanding the use of research-based, medication-assisted treatments (MAT) as part of a recovery program to counteract addiction, and
    - Reducing the supply of both prescription and illicit opioids.
  + Prevention and Education
    - Encouraging non-pharmacological research and improved training for medical professionals in pain management,
    - Promoting of proper storage and disposal of prescription drugs,
    - Monitoring the prescription and distribution of opioids,
    - Establishing effective health education programs in schools and community organizations to educate students, parents, and community leaders on the dangers of opioid abuse and how to recognize the signs of addiction, and
    - Health education from early childhood throughout life that integrates all aspects of social, emotional, and physical health and wellness.

1. FINANCING

LWV-VA supports the continuing partnership between federal, state, and local governments in financing behavioral health programs and services as follows:

* + Use Medicaid as an important component of funding along with money from the state’s general funds and from local communities,
  + Undertake a gradual fiscal realignment of the current behavioral health system so that a higher percentage of funds will be allocated to CSBs. (STEP-VA),
  + Provide full funding to enable all 40 CSBs to provide “same day access” and primary care screening,
  + Allocate funds for schools (K-12 and college) and public health departments to work with CSBs in coordinating diagnosis and treatment,
  + Provide additional resources for first-responders, to better respond to an emergency situation that involves opioids, and
  + Align DMAS and DBHDS so that services will be managed using standardized managed care practices and data reporting tools.

**ISSUE HISTORY**:

At its 1985 convention, the LWV-VA adopted a two-year study of mental health services in Virginia. As a first step, in March 1986, the League prepared a document describing the public mental health care system in Virginia its history, organization, financing, and clients. A second resource document was distributed in December 1986 dealing with goals for the mental health system, who the system should serve, factors for use in allocating state funds to communities, and a statewide comprehensive management information system.

Additional issues warranting study, identified during the first two years, resulted in a two-year extension by the 1987 convention delegates. In March,1988 a resource document on involuntary civil commitment and patients' rights was issued. Issues of the 1988 and 1989 *Virginia Voter* provided resource material on housing for the mentally ill and on organization, management, personnel, and hospitalization issues.

At its 2017 convention, the LWV-Virginia approved a study to update to its existing mental health position, adopted in 1987 and 1989, that would also integrate the current language of the LWVUS Behavioral Health Position adopted at the 2016 LWVUS Convention. “Behavioral health” is today’s nationally recognized terminology. It includes both mental illness and substance use disorder.

**LWV-VA POLICY POSITIONS**

ISSUE: **Immigration**

ADVOCACY STATUS: **Active**

LWVUS POSITION: Statement of Position on Immigrtion as announced by the LWVUS National Board (*Impact on Issues: A Guide to Public Policy Positions* April 2008, pp 134-135).

The League of Women Voters believes that immigration policies should promote reunification of immediate families; meet the economic, business, and employment needs of the United States; and be responsive to those facing political persecution or humanitarian crises. Provision should also be made for qualified persons to enter the United States on student visas. All persons should receive fair treatment under the law.

The League supports Federal immigration law that provides an efficient, expeditious system (with minimal or no backlogs) for legal entry of immigrants into the United States.

To complement these goals the League supports Federal policies to improve economies, education, job opportunities, and living conditions in nations with large emigrating populations. In transition to a reform system, the League supports provisions for unauthorized immigrants already in the country to earn legal status.

The League supports Federal payments to impacted communities to address the financial costs bore by states and local governments with large immigrant populations.

-- Criteria for Legal Admission to the United States

The League supports the following criteria for legal admission of persons into the United States:

* Family reunification of spouses or minor children with authorized persons into the United States,
* Flight from persecution or response to humanitarian crises in home countries,
* Economic, business, and employment needs in the United States,
* Education and training needs of the United States,
* Educational program opportunities, and
* Lack of a history of serious criminal activity.

-- Administration and Enforcement

The League supports due process for all persons, including the right to a fair hearing, right to counsel, right of appeal, and right of humane treatment. The League also supports programs allowing foreign workers to enter and leave the United States to meet seasonal or sporadic labor needs:

* Improved technology to facilitate employer verification of employee status,
* Verification documents, such as status cards and work permits, with secure identifiers,
* Significant fines and penalties for employers who hire unauthorized workers,
* Improved technology for sharing information among Federal agencies,
* More effective tracking of individuals who enter the United States, and

increased personnel at borders.

Unauthorized immigrants already in the United States. In achieving overall policy goals, the League supports a system for unauthorized immigrants already in the country to earn legal status, including citizenship, by paying taxes, learning English, studying civics, and meeting other relevant criteria. While policy reforms, including a path to legal status, remain unachieved, the League does not support deporting unauthorized immigrants who have of history of criminal activity.

**LWV-VA POLICY POSITION**

**ISSUE**: **Justice System: Adult**

**ADVOCACY STATUS: Active**

**POSITION IN BRIEF**:

The League of Women Voters of Virginia supports an adequately funded judicial and corrections system that serves all people without discrimination and incorporates restorative justice practices; provides judicial selection by the General Assembly with the use of a nominating commission of lay persons and lawyers; sentencing by judges; an effectively administered corrections system that protects society and rehabilitates offenders; professionally administered local jails and community-based corrections; and policies that include alternatives to incarceration and use of community volunteers. (Adopted 1971; Amended 1972, 1973, 1974, 1978, 2013)

**POSITION IN FULL**:

The League of Women Voters of Virginia believes that the system of justice within the Commonwealth should be conducted in a just and dignified manner, incorporate effective restorative justice practices, and minister to all people without legal, economic or administration discrimination. It requires efficient administration, competent personnel who are given a clear assignment of responsibility and compensation reflecting their training and responsibilities, adequate financing and facilities, and coordination among levels of government and components of the justice system; and the active and informed participation of citizens.

* Courts

The League believes that transparency within our court system fosters the active and informed participation of citizens who should be served without discrimination. We support mandatory training programs and minimum qualification requirements for state magistrates. All courts in the Commonwealth should have sufficient personnel to provide efficient disposition of cases. (2013)

* Judicial Selection

The League believes that to maintain the objectivity and independence of the Judiciary, the judicial selection and reappointment process should:

* Include opportunities for participation by laymen as well as lawyers,
* Consider the review of qualifications and endorsements from State and Local Bar Associations,
* Minimize politically partisan decision-making,
* Provide broad geographical representation for Statewide appointments,
* Reflect the ethnic, cultural, and gender diversity of the citizenry, and
* Provide timely and thorough information to the public.

We support the present system of election and re- election of judges by the General Assembly with a nominating commission to present a slate of names for each judicial office. (2013)

* Sentencing

The League believes that judges, rather than juries, should have the power of sentencing. Judges should have discretion in choosing punishment appropriate for the crime. The LWV-VA recognizes the importance of keeping citizens safe but urges discretion in legislating more mandatory minimum sentences. Mandatory minimum sentences usually lead to longer periods of incarceration which can have negative economic effects on state budgets and negative societal effects on the families of incarcerated individuals. The LWV-VA supports alternatives to prison for non-violent crimes. A pre-sentencing report, including a victim impact statement and the opportunity for presentation of testimony and argument should be available to the judge or jury charged with sentencing. Restorative justice practices should also be available to the court prior to sentencing. (2013)

* Corrections

The League believes that the goals of Virginia’s corrections system should be to protect society and to punish and rehabilitate offenders.

To achieve these goals, the League believes that an effective correctional system requires adequate financing; effective administration, planning and coordination among related agencies; an adequate number of trained, fairly- paid and competent staff to provide the appropriate programs, services and safety for the community, prison personnel and inmates; humane, non-discriminatory, dignified treatment of inmates and personnel; and the participation of citizen volunteers in its programs.

The League believes that corrections systems at all levels in the Commonwealth – State, regional and local – should include deterrence, re-entry, restitution, and diversion, programs, including community-based alternative and probation programs:

* Reflect and implement restorative justice principles and practices,
* Use a classification system to place the offender in the most effective treatment programs at the proper level of security,
* Provide appropriate alternatives to incarceration, both before and after the trial, for the accused and convicted offender—especially for first-time offenders, misdemeanants, and those charged with offenses classified as victimless crimes,
* Use all available community resources in the rehabilitation and treatment of inmates, including pre-trial, alternative, and work release programs, and
* Provide the number and types of effective vocational, educational, counseling, mental health, and rehabilitative programs to meet the needs of the inmates. Programs should periodically be evaluated for effectiveness.

The League believes that the Commonwealth should meet all national standards and maintain and enforce regulations establishing minimum standards for facilities, inmate care, personnel, training, and programs for corrections systems at all levels and ensure full funding to meet these standards, paying all state costs and allowing localities to supplement with local monies.

The League believes that the Commonwealth and local communities should educate the public to the merits and needs of alternatives to incarceration, the financing and other needs of local jails, and the use of trained community volunteers. (2013)

**ISSUE HISTORY**:

In 1971, the league adopted "Study and Evaluation of the System of Justice in Virginia;" a study which led to consensus on court reform. In 1972, the study was of judicial selection and jury sentencing in Virginia. In 1973, reorganization and consolidation of the Courts of Record passed the General Assembly, and a unified district court system with full time judges was phased in; justices of the peace became salaried magistrates. At the 1978 state convention, when these changes were nearly all in place, it was decided to drop those portions of the consensus that had been accomplished. The rest remain as part of the justice position.

The 1974 scope read, "To study the Virginia State Correction System, including all facilities, practices, standards, programs, philosophy, financing, and related programs." In that year, the Department of Corrections was separated from the Division of Welfare and Institutions, becoming an independent department answerable to the Secretary of Public Safety instead of the Secretary of Human Resources. The second part of the study concerned local jails and community-based corrections facilities and diversion from the state system, with consensus following.

Through the years the League has supported a commitment to community needs and worked for adequate funding and improvement of the State correctional system. In 1984, the General Assembly passed legislation setting up an Intermediate Court of Appeals. At the 2013 LWV-VA convention, the delegates approved the integration of restorative justice practices into the adult justice position.

**LWV-VA POLICY POSITION**

**ISSUE**:  **Justice System: Civil Rights of Felons**

**ADVOCACY STATUS: Active**

**POSITION IN BRIEF**:

The League of Women Voters of Virginia supports the civil rights of felons, regardless of the nature of their crime, to be restored automatically upon their release from incarceration or upon completion of probation or parole. The 2007; Amended 2009, 2015)

**POSITION IN FULL**:

The League of Women Voters of Virginia believes that:

* The civil rights of felons in Virginia should be restored automatically either upon their release from incarceration or upon completion of probation and parole,
* The procedure should be identical for all felons, regardless of the nature of their crime,
* The process should be easy to understand, accessible, transparent, and fair, and
* Information about the process should be available to felons, the justice and correction system and the general public. (2009)

The League of Women Voters of Virginia supports the removal of barriers to employment for persons with criminal records. This includes support of what are known colloquially as “Ban the Box” efforts. (2015)

**ISSUE HISTORY**:

In 2005, the Voters Service Committee of the LWV of Lynchburg held a series of informational meetings to better understand the process by which felons could regain their civil right to register to vote. The process was neither predictable, consistent, nor transparent. Some members were concerned about the large number of citizens ineligible to register and its depression of voting, others were concerned with the unfairness of someone who had “paid their debt to society” not being allowed to participate. It became apparent that it was a State-wide problem, and those changes could only be made at the direction of the Governor or by a Constitutional amendment.

At the 2007 LWV-VA Convention delegates voted to adopt a “Study of the Restoration of Civil Rights of Felons in Virginia as a state study. The state study committee met in Charlottesville. The core group consisted of about 8-10 members although over 20 members participated at one time or another. Fourteen local Leagues participated in the study. Thirteen versions of an informational brochure were written that could be distributed to the general public with information specific to each area where there was a local LWV. The LWV-VA Board approved the consensus statement early in 2009.

In 2015, an offender re-entry position statement was proposed by LWVFA and was recommended by the LWV-VA board as a concurrence at the May 2015 Convention. Convention delegates approved the statement.

**LWV-VA POLICY POSITION**

**ISSUE**: **Justice System: Juvenile**

**ADVOCACY STATUS: Active**

**POSITION IN BRIEF**:

The League of Women Voters of Virginia supports an adequately funded and separate Department of Juvenile Justice that emphasizes prevention and rehabilitation, to include: individualized treatment and training programs, with vocational and alternative education opportunities, family planning support, mental health and substance abuse counseling, community education and recreation programs for young children, alternatives to incarceration such as community service and residence in small group homes, and the removal of juveniles from adult jails and their placement in a juvenile detention facility as necessary. (Adopted 1976; Amended 1978, 1993, 1995, 2013)

**POSITION IN FULL**:

The League believes that responsible government shares in the solution of economic and social problems that affect the general welfare. Accordingly, LWV-VA supports a separate Department of Juvenile Justice with sufficient funding to meet the unique needs of this age group. The League believes that the juvenile justice system must emphasize prevention and rehabilitation as well as those general goals of the corrections system. Juvenile delinquency cases are cases involving a minor under the age of 18 who has been accused of committing an offense that would be considered criminal if committed by an adult.

Prevention programs should be provided for children identified with certain risk factors such as: parent incarceration, household history of sexual or drug abuse, child history of behavioral difficulties at an early age. Rehabilitation programs at juvenile facilities should be designed to provide treatment and training specific to the needs of each child and should include counseling, vocational training, and accredited academic programs. The LWV- VA also urges the Commonwealth to develop activities, programming, and training consistent with the values and principles of restorative justice in responding to crime. (2013)

1. Courts

The LWV-VA supports having all cases involving juvenile defendants assigned to Juvenile and Domestic Relations District Court, where such cases are heard by a judge rather than a jury. (2013)

1. Sentencing

Sentencing should take into account a youth’s age, maturity, family circumstances, and potential for rehabilitation. Whenever feasible, juveniles sentenced to a period of incarceration should serve their sentences in a juvenile detention facility, rather than an adult jail. Judges rather than juries should have the power of sentencing. The LWV- VA believes that a mandatory life sentence without parole for a juvenile is cruel and unusual punishment, even when the crime is violent. (See U.S. Supreme Court Decision – *Miller vs. Alabama* – June 2012). (2013)

1. Corrections-Incarceration

* Assignment of juveniles to juvenile detention facilities whenever possible and removal from adult jails.
* Banning and/or minimizing solitary confinement of juveniles.

1. Corrections-Alternatives to Incarceration

* Community delinquency prevention programs.
* Adequately staffed and structured alternative education programs or community service for all juveniles who have been expelled or suspended from school or paroled from correctional facilities, Mental health, and substance abuse programs (in and outpatient) oriented to the special needs of juveniles for those identified as needing services. They should include early assessment, evaluation, treatment, and follow- up by qualified personnel.
* A variety of pre and post dispositional community-based services as mandated by the Virginia Juvenile Community Crime Control Act.
* Establishment of small therapeutic group or foster homes for juveniles (2013).

**ISSUE HISTORY**:

The 1975-76 Justice study looked at the Department of Corrections and Division of Youth Services, its philosophy, organization, function, and all levels of state administration of programs; state facilities; financing; the Juvenile Code; and the predisposition and post-disposition handling of juvenile cases. The second part of the study covered local programs, including alternatives to institutionalization (such as community-based programs) and diversion from the state system. In 1976, a major revision of the Juvenile Code passed, which removed status offenders from court jurisdiction.

The primary legislative focus in 1978 was passage of the *Delinquency Prevention and Youth Development Act*, which provides 75% state funding for local youth service boards and offices on youth to administer prevention efforts. The League also worked for passage of the *Comprehensive Service Act for At-Risk Youth and Families* in 1993 and the *Virginia Juvenile Community Crime Control Act* in 1995, to increase services for juveniles. At its 1995 Convention, LWV-VA delegates voted to examine current issues in the (juvenile) justice system and new positions were established. At the 2013 LWV- VA convention, the delegates approved the integration of restorative justice practices into the juvenile justice position.

**LWV-VA POLICY POSITION**

**ISSUE**:  **Justice System: Offender Reentry**

**ADVOCACY STATUS: Active**

**POSITION IN BRIEF**:

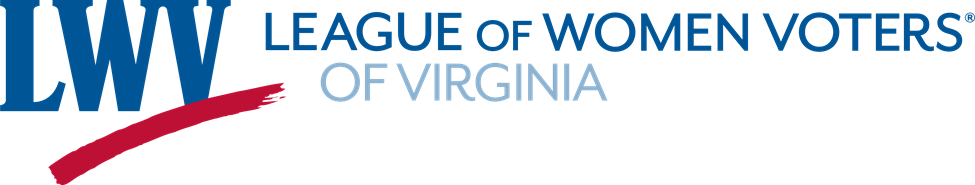
The League of Women Voters of Virginia supports the removal of barriers to employment for persons with criminal records. This includes support of what are known colloquially as “Ban the Box” efforts. (Adopted 2015)

**POSITION IN FULL**:

The League of Women Voters of Virginia supports the removal of barriers to employment for persons with criminal records. This includes support of what are known colloquially as “Ban the Box” efforts.

**ISSUE HISTORY**:

The position statement was proposed by LWVFA and was recommended by the LWV-VA Board as a concurrence at the May 2015 Convention. Convention delegates approved the statement to be added to LWV-VA Social Policy positions.



**LWV-VA POSITIONS**

**FOR**

**ACTION**

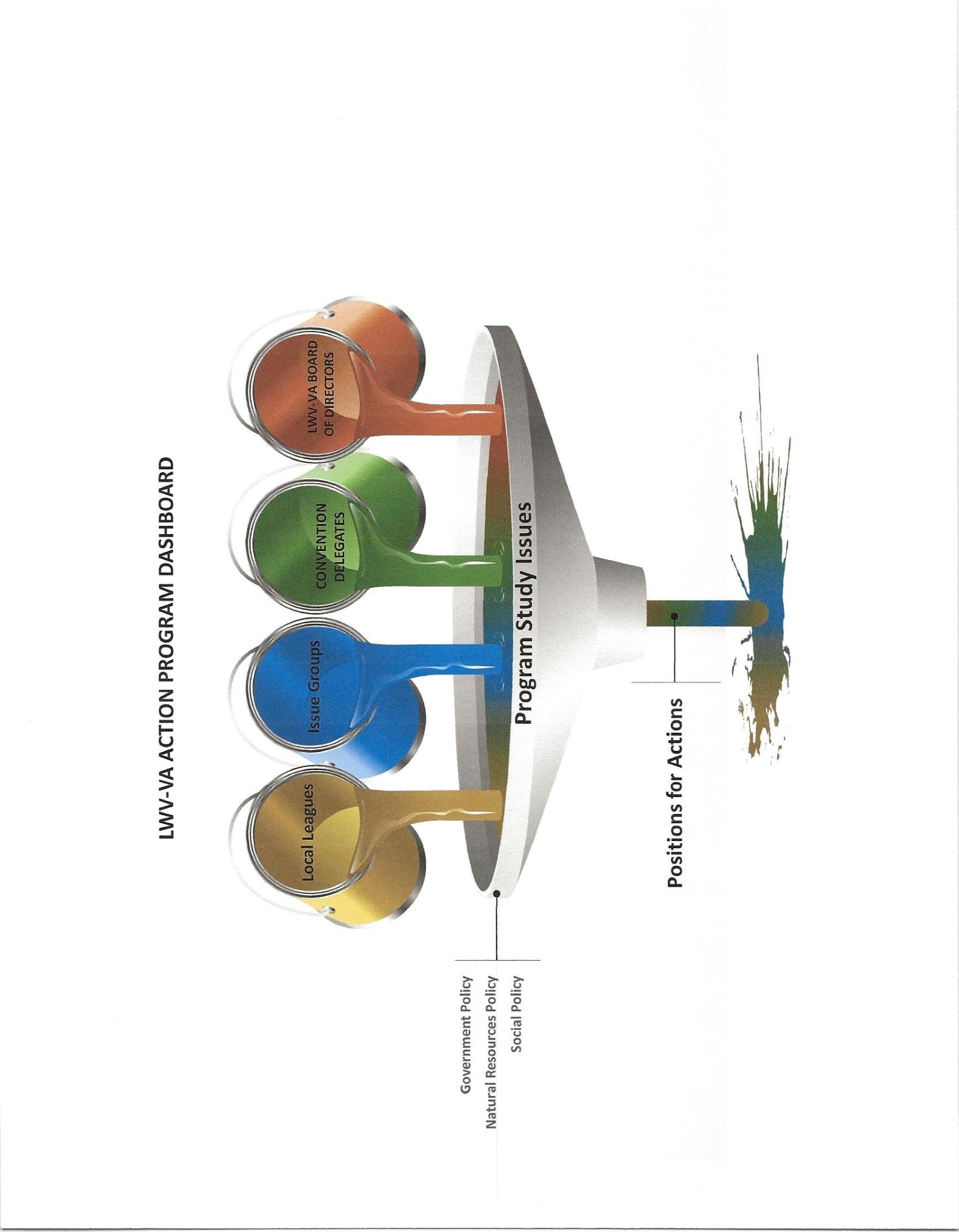
**Appendix**

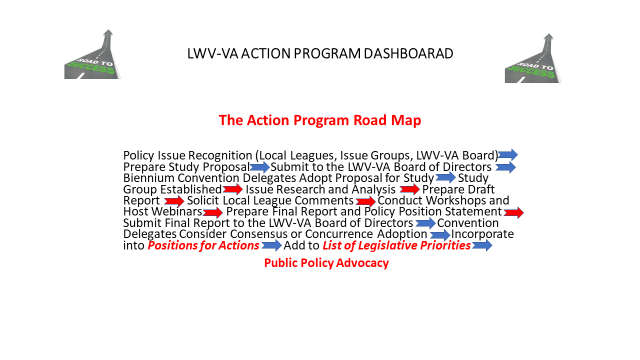
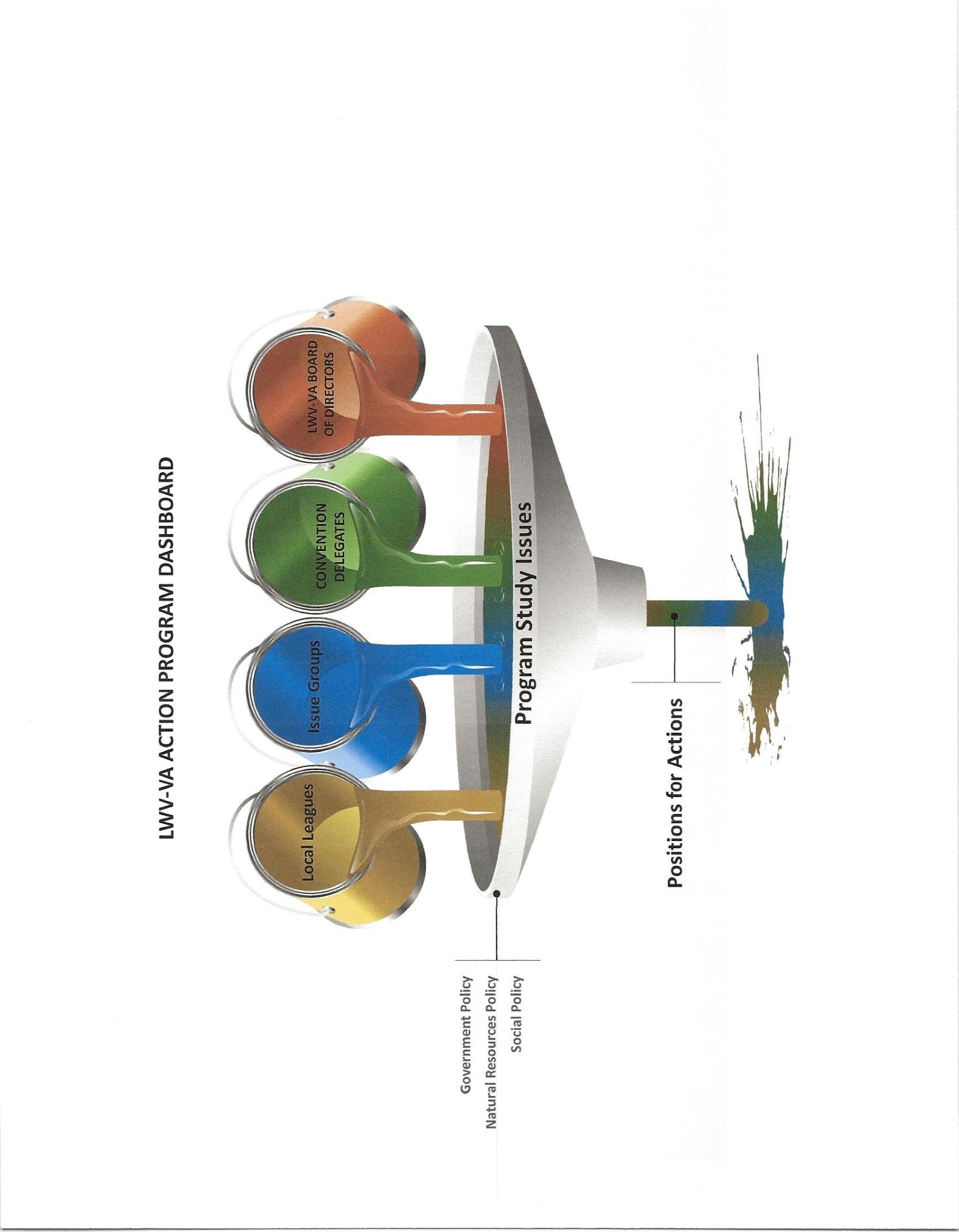
***LWVUS Governing Principles***

* The League of Women Voters believes in representative government and in the individual liberties established in the Constitution of the United States. The League of Women Voters of the United States believes that all powers of the U.S. Government should be exercised within the Constitutional framework of a balanced among the three branches of Government: Legislative, Executive, and Judicial.
* The League of Women Voters believes that democratic government depends upon informed and active participation in government and requires that governmental bodies protect the citizen’s right to know by giving adequate notice of proposed actions, holding open meetings, and making public records accessible.
* The League of Women Voters believes every citizen should be protected in the right to vote; that every person should have access to free public education that provides equal opportunity for all; and no person or group should suffer legal, economic, or administrative discrimination.
* The League of Women Voters believes efficient and economical government requires competent personnel, the clear assignment of responsibility, adequate financing, and coordination among the different agencies and levels of government.
* The League of Women Voters believes responsible government should be responsive to the will of the people; that government should maintain an equitable and flexible system of taxation, promote the conservation and development of natural resources in the public interest, share in the solution of economic and social problems that affect the general welfare, promote a sound economy, and adopt domestic policies that facilitate the solution of international problems.
* The League of Women Voters believes cooperation with other nations is essential in the search for solutions to world problems and that development of international organization and international law is imperative in the promotion of world peace.

[*LWV Governing Principles* revised and Social Policy Positions reordered, February 2017]

NOTE: The *LWVUS Governing Principles* are “concepts of government” to which the League subscribes. These concepts are a direct descendant of the Platform, which served the League from 1942 to 1956 as the national repository for “principles supported and positions taken by the League as a whole in fields of government to which it had given sustained attention.” By 1956, the Platform had disappeared from the League vocabulary, but the principle survived as “The Principles.” Since that time, the Principles have served two functions, according to the LWVUS bylaws: (1) Authorization for adoption of national, state, and local Program (Article XII), and (2) as a basis for taking action at the national, state, local levels (Article XII). The principles are rather broad when standing alone, so it is necessary to exercise caution when considering using them as a basis for action.



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***POSITIONS FOR ACTIONS***

**ADOPTON AND AMENDMENT CHRONOLOGY TABLE**

**GOVERNMENT POLICY**

Delegation of Power: State and Local Government Partnerships: 1972, 1979, 1989, 1991

Election Laws: State of Virginia: 1947, 1965, 1967,1973, 1975, 1977, 1979, 1993, 2001, 2009, 2011, 2013, 2015, 2021

State Fiscal Policy: 1949, 1961, 1965, 1966, 1971, 1975, 1977

Gun Licensing and Regulation: LWVUS 1990, 1994, 1998

Reapportionment and Redistricting: Redistricting Plan: 1983, 2005, 2007, 2020

Transportation: Regional Systems: 1995, 2013

Women’s Rights in Virginia Law:1979, 1981, 2019

Equal Rights Amendment (ERA): 2017 LWV-VA Resolution

**NATURAL RESOURCES POLICY**

Air Quality: Vehicle Admissions: 1993,2013, 2016

Environmental Protection: Pollution Control: LWVUS 1960s, 1980s, 1990s, 2000s

Extractive Industries: Hydraulic Fracturing: 2013, 2015

Land Use (Government Comprehensive Planning): 1972, 1975, 2013

Mining: Uranium Mining Moratorium (Inactive): 1983, 2014

Water: Ground Water Supply and Distribution: 1981, 1983

**SOCIAL POLICY**

Adult Domestic Violence: 1991

Affordable Housing: 2021

Child Care: 1985, 1987, 2013

Children at Risk: 1987, 1989, 2013

Education: 1979, 1991, 1993, 1997, 1999, 2002, 2009, 2018

Health Care: Behavioral: 1985, 1987, 1989, 2017

Immigration: LWVUS 2008

Justice System: Adult: 1971, 1972, 1973, 1974, 1978, 2013

Justice System: Civil Rights of Felons: 2007, 2009, 2015

Justice System: Juvenile: 1976, 1978, 1993, 1995, 2013

Justice System: Offender Reentry: 2015

**2021-2023 Biennium**

**LWV-VA Policy Issue Studies**

At the May 22-23, 2021 Convention, Delegates adopted four (4) recommended studies: 1) “Child Care”, 2) “Education Equity,” 3) “Environmental Justice, and 4) “Money in Politics”

1. **Child Care**.

The CORVID-19 epidemic shined a strong spotlight on the inadequate nature of our state’s childcare system with hundreds of private facilities unable to remain open. Women are leaving the workforce in record numbers, and counties are left to figure out on their ow how to offer emergency child are to residents who need it.

1. **Education Equity**.

First, articulate quantitatively and qualitatively a definition of a high-quality education. This definition needs updating in the LWV-VA positions ad education has changed rapidly in regard to technology, broadband, special needs, etc. Second, determine the cost of providing that defined high-quality of education to all students in the Commonwealth’s school divisions. Does the state provide local school divisions sufficient funds to ensure that “educational programs of high quality are available to all students: This will require an in-depth analysis of the capacity of each local school division to determine how costs should be apportioned between the state and the localities to compensate for vast differences in local capacity. The goal is to assure equity for all students. Third, document how Virginia’s capacity and effort to provide high-quality education compare to other states’ funding for K-12 education. This will also include studying how other states fund school construction and modernization. In Virginia, this is the responsibility of each locality resulting in wide discrepancies in the quality of school buildings and educational technology statewide.

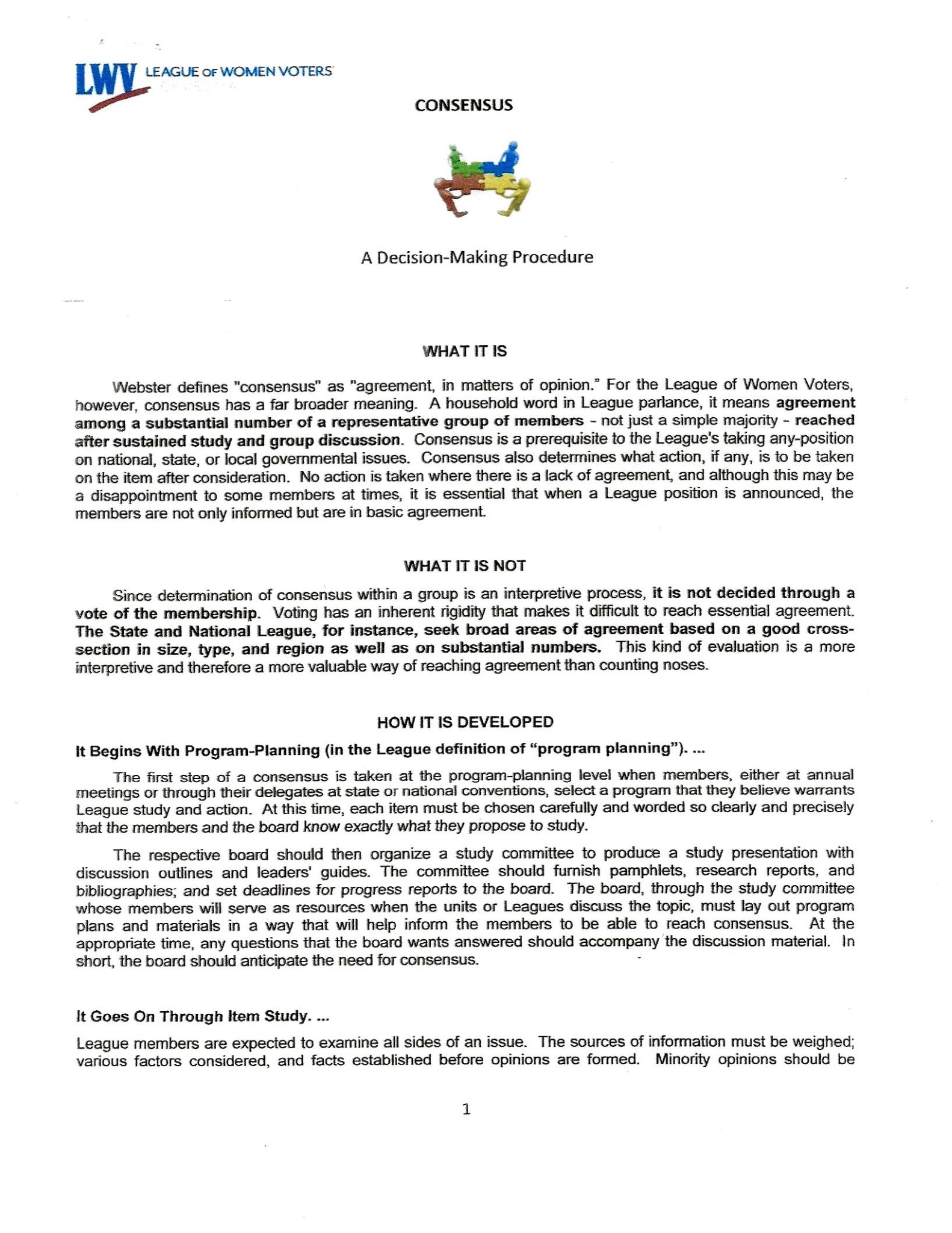
1. **Environmental Justice.**

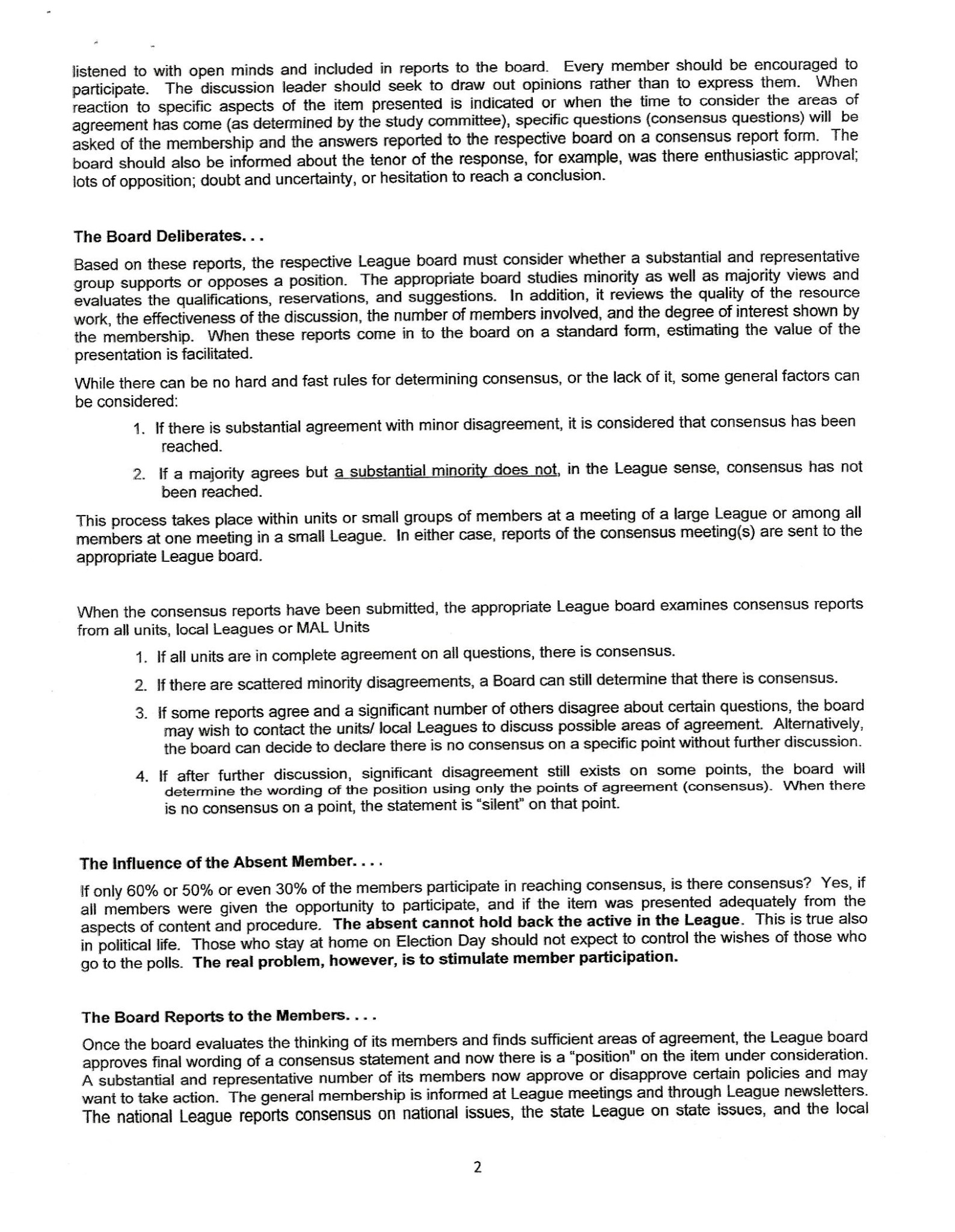
The EPA defines “environmental Justice” as the fair treatment and meaningful involvement of all people regardless of race, color, national or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. This study will review how Virginia can best implement environmental justice to promote fairness and halt and prevent future racial and economic inequities.

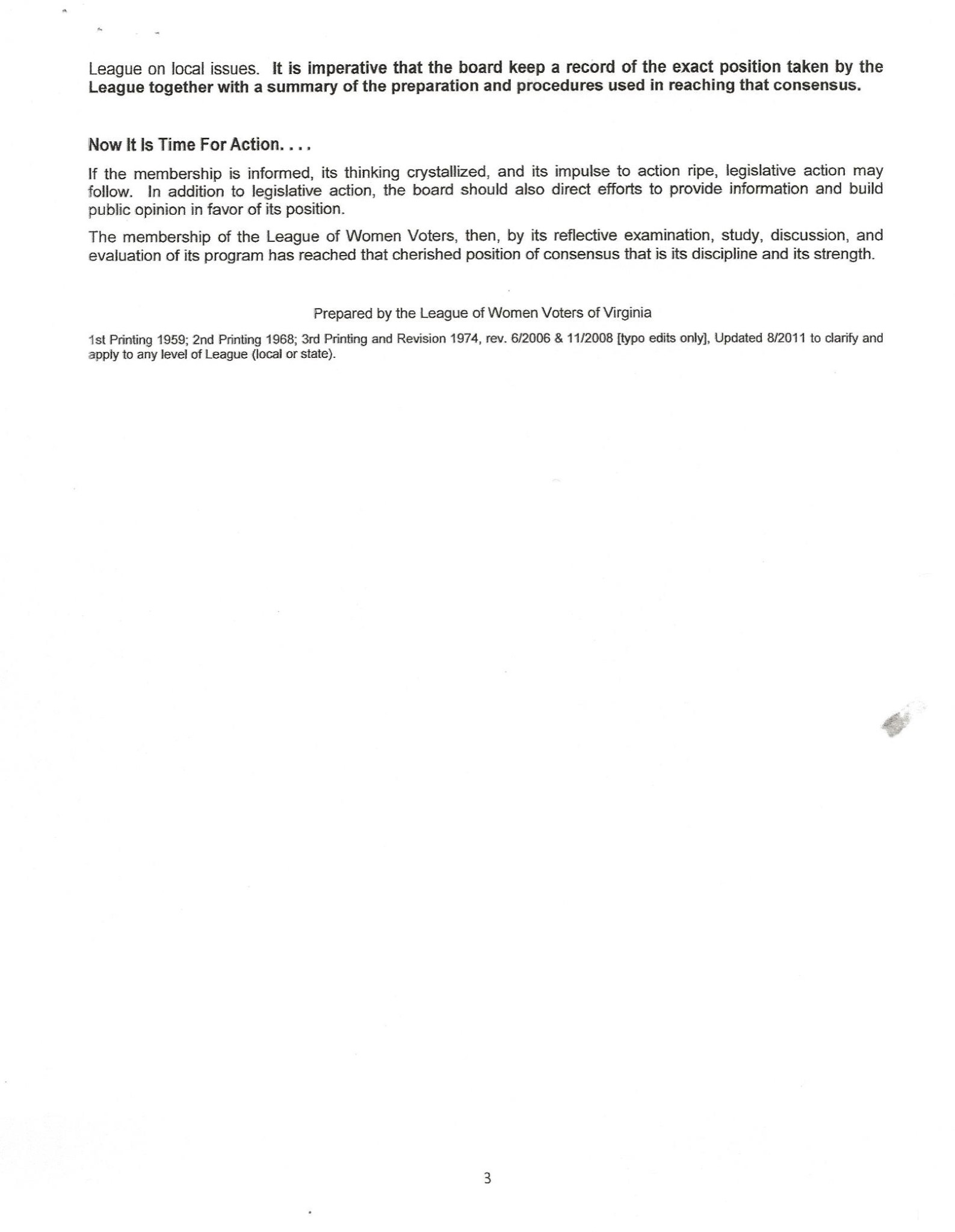
1. **Money in Politics.**

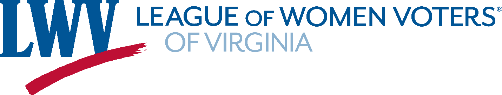
The analysis and proposed positions developed by the Campaign Finance Reform Study will cover the full scope of financing from a donation through the expenditure including:

* Public disclosure of the door,
* Transparency in actual use of funds before and after the election,
* Limits on personal use, and
* The Virginia executive branch structure to conduct effective oversight enforcement.







 **CONCURRENCE**

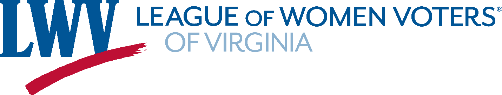
A Decision-Making Procedure

**CONURRENCE** is the act of agreeing with or concurring with a statement or position. A decision-making technique used by the League of Women Voters for some time. Concurrence can work in several ways. Groups of League members or League boards can concur with (1) recommendations of a resource committee, task force, members, or unit group; (2) decision statements formulated by League boards; or (3) positions reached by another League or Leagues. (*League Basics* pp 9-17) The revised LWV-VA Bylaws, adopted at the 2013 Convention, expanded the process by which concurrence can be used in adopting or amending he program. (*Bylaws*, Article X, Section 3) This change recognized the fact that the LWV-VA has many support positions which are due for updates, and which can most likely be achieved through a concurrence process. The revised Bylaws opened the process of proposing and adopting updated positions, while retaining the oversight of the State Board and role of the League’s membership.

**Concurrence Process**

1. Any League board, LWV-VA study committee, task force, or voting member that plans to propose the adoption, elimination, or amendment of a State League position by concurrence of the convention or council shall give notice to the State Board its intention to do so at least three months (3) before the council or convention.
2. Background information on the issue, including the timing, need, and importance of the issue and rationale for using this method, must be submitted to the State Board with the proposal. Copies of the material may be sent to local Leagues and members-at-large (MALs) units for their information.
3. The State Board will consider the proposal and include or exclude it from the proposed program, which will be sent to the Presidents of local Leagues and Inter-League Organizations (ILOs) and to the Chairs of the MAL units at least four (4) weeks before the council or convention.
4. A majority vote of those present and voting at the council or convention is required to amend, eliminate or adopt a State League position recommended by the State Board for concurrence by the council or convention.
5. A properly submitted concurrence proposal not recommended by the Board for consideration by delegates at the State Convention may be adopted if it is ordered for consideration by a majority vote and is approved by a three-fifths (3/5th) vote of the convention delegates present and voting at a subsequent session of the convention. (NOTE: A subsequent session allows time for the delegates to consider the proposal.) According to the bylaws, delegates to State council may consider only those proposals that are recommended by the State Board.
6. There is the possibility that a LWV-VA Board, study committee or task force will determine that a concurrence rather than a consensus process is more appropriate to determine member support for a new or amended position. In such a situation, the Board will seek the agreement, disagreement, technical edits and comments from local Leagues and MAL units regarding the proposal of the committee or group. Following receipt of the aforementioned feedback, the State Board will determine whether concurrence has been reached and approve the wording of the new or revised support position. Pursuant to *Bylaws,* Article X, Section 4, the position is thereby adopted as a LWV-VA position upon which it may take action and can only be amended by following the procedures of the *Bylaws*, Article X, Section 3.

Adopted/Revised: 5/3/1996; 6/199; 3/2008; 4/2011; 7/2012; and 7/2013





**Defining “*Advocacy*” vs “*Lobbying*”**

It is common for Leagues to support their advocacy with only non-charitable contributions. However, this is unnecessary. Leagues may, and are encouraged, to use charitable contributions to support their non-lobbying advocacy activities. **Advocacy encompasses pleading for or against causes, as well as supporting or recommending positions**.

LWVUS policy recommends against using charitable funds for any lobbying even though it is legal within strictly defined limits. Therefore it is important to understand the difference between the broad concept of advocacy and lobbying which is a specific advocacy technique.

**Lobbing is defined as an attempt to influence specific legislation, including both legislation that has already been introduced in a legislative body and specific legislative proposals that the League may oppose or support**. There are two types of lobbying a) “**Direct” Lobbying** and b) “**Grassroots” Lobbying**.

To constitute **Direct Lobbying**, a communication must either:

1. Be directed to a legislator, their staff or other governmental employee who may participate in the formulation of legislation, and
2. Refer to; and
3. Express a view on specific legislation; or
4. Be directed to the general public, and
5. Refer to, and
6. Express a view on a specific referenda or other ballot measure.

To constitute **Grassroots Lobbying**, a communication must be:

1. Directed to the general public, and
2. Refer to, and
3. Express a view on specific legislation, and
4. Include a statement that directs readers to contract their legislators or include the contact information for a legislator or employee of a legislative body.

Most other activities promoting League positions that do not fall within the strict definition of lobbying noted above are **General Advocacy** and may be funded by charitable contributions. One important caveat is Leagues are advised to keep clear lines between voters’ service activities an advocacy activities. For example, Leagues that have taken a position on a ballot measure should not include that position in their Voters’ Guide.

Source: LWVUS

 **2020 Legislative Priorities**

**Top Priorities**

* Same day registration
* No excuse absentee voting
* Redistricting constitutional amendment and strong enabling legislation
* GVP: universal background checks; extreme risk prevention order (red flag) laws
* Join Regional Greenhouse Gas Initiative (RGGI)

**Detailed Priorities**

**Voting and Elections**

* Same Day registration and voting
* No excuse absentee voting
* Elections integrity and security
* Fail-proof online voter registration
* Proper counting and timely review of absentee ballots
* Right sized polling places; fund where needed
* Expand accepted IDs

**Redistricting**

* Constitutional amendment & strong enabling legislation
* Criteria: contiguous & compact Respect local municipal boundaries, communities of interest, and natural geographic boundaries, and comparable populations
* No political favoritism
* No dilution of racial or ethnic minority groups’ voting power

**Gun Violence Prevention and Safety**

* Universal background checks
* Strong Extreme Risk Protection orders
* Child Access Prevention Laws
* Strengthen protective orders
* Strengthen State and local authority to regulate firearms in public places

**Human Rights**

* Ratify the Equal Rights Amendment
* Nondiscrimination equal rights under law
* Right to reproductive choice
* In-person workplace harassment training

**Education**

* Sufficient public school funding, including infrastructure support
* Nondiscriminatory, effective discipline practices

**Criminal Justice**

* Alternative to incarceration
* Reduced confinement while awaiting train
* Bail data collection
* Oppose additional mandatory minimum sentences; cash bail

**Immigration**

* Immigrant protection and resource for support

**Environment**

* Long range planning to protect critical environmental areas
* Join Regional Greenhouse Gas Initiative (RFGGI)
* Acceptable air quality
* Protection of water supplies
* Oppose expanded oil and gas drilling in public waters of Virginia coasts

NOTE: The LWV-VA formulates its Biennium “*List of Legislative Priorities*” based on the adopted Issue Policy Statements in the *Positions for Action.* The League’s Legislative Priorities advocacy can only include those issues the League has studied and adopted a position statement.

**LWVUS Diversity, Equity, and Inclusion Policy**

The League of Women Voters is an organization fully committed to diversity, equity, and inclusion in principle and in practice. Diversity, equity, and inclusion are central to the organization’s current and future success in engaging all individuals, households, communities, and policy makers in creating a more perfect Democracy.

There shall be no barriers to full participation in this organization on the basis of gender, gender identity, ethnicity, race, native or indigenous origin, age, generation, sexual orientation, culture, religion, belief system, marital status, parental status, socioeconomic status, language, accent, ability status, mental health, education level, or background, geography, nationality, work style, work experience, job role function, thinking style, personality type, physical appearance, political perspective or affiliation and/or any other characteristic that can be identified as recognizing or illustrating diversity.