

LEAGUE OF WOMEN VOTERS OF VIRGINIA

Positioned for Action 2009

GOVERNMENT

DELEGATION OF POWER

Position in Brief:

Support for enhancing a balanced partnership between state and local government, including policies and incentives that promote regional coordination and local action; establishment of uniform powers and responsibilities of local governments by changing the distinctions between cities, counties and towns; and re-write the Code of Virginia to clarify the powers of local government.

The League's Position

The League of Women Voters of Virginia strongly believes that the powers and responsibilities of local government should be 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 and particularly appropriate 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 changing the distinctions between cities, counties and towns.

The 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; and
- Benefit localities by exchanging knowledge of actions of other jurisdictions.

Operating bodies should follow similar procedures and should:

- Strive to avoid proliferation of political subdivisions;
- Ensure that structure of governing boards are such that they are responsible to the citizenry. (1972 & 1991)

ELECTION LAWS

Position in Brief:

Support for recognition that voting is the right of citizens, including laws and policies that facilitate and increase registration and voting; requirements for convenient local registration places and times for all segments of the community; procedures that facilitate and expand the use of absentee ballots; mandatory training for election officials; and extension of voting period up to one month, including Saturday and Sunday voting.

The League's Position

The League of Women Voters of Virginia believes that democratic government depends on the informed and active participation of its citizens; that registration and voting should be made as easy as possible and that voting is a right and a responsibility.

Election laws should:

- Be designed to facilitate and increase registration and voting with uniform

- standards and administration;
- Require adequate mandatory training for election officials;
- Ensure availability of registered voter lists for election purposes;
- Ensure right to an absentee ballot for qualified voters;
- Provide party identification of candidates on the ballot;
- Assess cost of recount in a close election to the government.

Absentee Voting:

The LWV-VA believes that the emphasis of absentee voting provisions should expand opportunities for voting. Effective administration should be used to prevent fraud. We support the following measures to permit any eligible voter to vote an absentee ballot:

- Use of a statement, under oath, that the applicant will be unable to vote in person on election day;
- That written requests signed by the applicant should be acceptable;
- The use of Federal Post Card application or simplified VA form should be readily available.

Methods used in other states to provide last minute absentee voting in case of emergency should be considered by the Virginia Board of Elections.

Early Voting

The League believes that extending the voting period to more than one day will increase participation in the voting process and improve the turnout in elections.

The League supports:

- The extension of the voting period up to one month;
- The ability of qualified voters to vote on Saturdays and Sundays;

- Voting in person without specifying reason;
- Choice of voting locations to ensure greatest participation should consider population diversity and distance but cost should not be a primary deterrent;
- Measures to ensure secrecy, security, and integrity of the ballot.

Registration

The League believes that the primary purpose of registration should be to:

- Prevent fraud;
- Preserve an orderly system of voting; and
- Facilitate election procedures.

To prevent fraud we support:

- A system of signature identification be used with an alternative means for those unable to sign their names.

To create and preserve an orderly system of voting we support:

- A requirement for state responsibility for initiating accessible voting registration for all with uniformity across the state. State law should require local election officials to provide registration opportunities at a variety of well publicized locations and at times convenient to all segments of the community.

To facilitate election procedures we support:

- The redefinition of domicile for the purpose of voting to ensure each citizen his right to vote.
- A statement under oath, but not subject to evaluation or interpretation, should be considered a declaration of intent to vote in one locality and no other.

(1995)

FISCAL POLICY

Position in Brief:

Support for 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.

The League's Position

The League of Women Voters of Virginia advocates tax increases when necessary. We believe any changes in the tax structure should be progressive. We support continuing evaluation of all 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; and
- The use of General Obligation Bonds to finance capital outlays.

We favor keeping the corporation income tax structure competitive with neighboring states, and oppose 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 we are opposed to statutory or constitutional limitations on state/local government spending or revenue sources.

We believe that elected officials should be accountable for laws enacted and taxes levied. Representatives have a responsibility to evaluate all government programs to determine public needs as well as real and long-range costs.

State/Local Fiscal Relationship

Localities in Virginia have only the limited fiscal powers delegated to them by the state and must rely heavily on the property tax. 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.
- 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. (1964, 1977 & 1979)

REAPPORTIONMENT & REDISTRICTING

Position in Brief:

Support for a decennial redistricting plan approved by the 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.

The League's Position

The League of Women Voters of Virginia supports the establishment of a Reapportionment Commission for each decennial redistricting to prepare, with the Virginia Department of Legislative Services, a 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 Virginia constitution should be amended to provide that redistricting will occur on a decennial basis only. (2007)

TRANSPORTATION

Position in Brief:

Support for regionally balanced transportation systems 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.

The League's Position

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)

WOMEN'S RIGHTS IN VIRGINIA LAW

Position in Brief:

Support for the legal recognition of marriage as an equal partnership, including policies that recognize nonmonetary 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.

The League's Position

The League of Women Voters of Virginia believes that marriage is 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.

Until such time as the principle of equally shared marital property is obtained in Virginia Law, we believe 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)

NATURAL RESOURCES

AIR QUALITY

Position in Brief:

Support for 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.

The League's Position

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

- Adoption of the California Standards for low emission vehicles is necessary to achieve and maintain compliance with the Clean Air Act of 1990.
- Development of less polluting alternative fuels should be a high priority with preference for compressed natural gas, reformulated gasoline, electricity and hydrogen. The total environmental impact of a fuel should be considered, including tail pipe emissions and pollution produced during manufacture and disposal.
- A change in parking subsidies away from those favoring low occupancy vehicles to those favoring efficient transportation modes, and greater emphasis on local program and regulations encouraging employers to institute transportation management systems which foster efficient transportation modes. (1993)

AIR QUALITY - Smoking in Public

Position in Brief:

Support for limiting smoking in public to designated areas so that nonsmokers are not exposed to smoke.

The League's Position

Inhaling tobacco smoke voluntarily or involuntarily is a medically recognized health risk; therefore, smoking in public should be limited to designated areas in such a way that nonsmokers are not exposed to smoke. (1989)

LAND USE

Position in Brief:

Support for state policies that include creation of a state long-range comprehensive land use plan coordinated with local and regional plans, state protection of critical environmental areas through some land use controls, and assistance to and increased flexibility for localities in land use planning and control.

The League's Position

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:

We believe 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 statewide concern such as:

- Wetlands
- Crucial watersheds
- Flood plains

- Productive agricultural and forest lands
- Unique scenic and historic areas
- Shorelines of major waters and
- Unique wildlife habitats.

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 economic, environmental and social data;
- 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)

WATER SUPPLY AND DISTRIBUTION

Position in Brief:

Support for a comprehensive state effort to protect the water supplies, including recognition of the connection between ground and surface water, sharing in the use of ground water, state collection of information on water resources and planning for future use, and land use policies that guarantee protection of water resources.

The League's Position

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)

SOCIAL POLICY

ADULT DOMESTIC VIOLENCE

Position in Brief:

Support for 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.

The League's Position

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. (1992)

CHILD CARE

Position in Brief:

Support for state policies that promote quality child care 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.

The League's Position

The League of Women Voters of Virginia strongly believes that the state has a role to play in child care 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:

- Child care homes for more than five, and up to ten children;
- Child care centers of ten or more children;
- Family child care systems;
- Church-sponsored child care;
- Facilities run by hospitals for their own employees;
- Facilities run by universities/colleges for 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 child care 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 child care systems; and
- Nursery schools.

The state should provide:

- Some form of financial assistance to increase the affordability and availability of child care. 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 child care benefits to employees; and matching local funds for those jurisdictions which help fund child care;
- Free training to care givers and other staff to improve the quality of child care;
- Education to parents about quality child care, and
- Assistance to child care facilities in dealing with liability insurance.

The General Assembly should authorize local school boards and governments to provide before-and-after-school child care for school-aged children. We support central coordination of child care policies in an existing agency of the state government which is adequately funded and staffed.

(1988)**CHILDREN AT RISK**

Position in Brief:

Support for 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.

The League's Position

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.

We believe 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)

EDUCATION

Position in Brief:

Support for 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, full-day kindergarten programs, and for 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.

Support 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: four 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 students; education for students with limited English proficiency, in which emphasis is placed on teaching English, while other course content is presented in English; career education; and vocational training. Acceptable, but not necessarily essential, elements of a quality education include: school-based teamwork, goal-setting and decision making and application of learning to life experiences.

The League's Position

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:

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.

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.

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.

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; and
- 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:

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 education; and
- Vocational training.

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;
- 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)

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)

JUSTICE SYSTEM

Position in Brief:

Support for a judicial system that serves all people without discrimination, including judicial selection by the General Assembly with use of a nominating commission of lay persons and lawyers; sentencing by judges; an adequately funded corrections system that protects society and rehabilitates offenders; professionally administered local jails and community-based corrections; policies that remove juveniles from jails with a network of community services and programs for delinquency prevention.

The League's Position

Courts

The League of Women Voters of Virginia believes that good courts depend on informed and active participation of citizens who should be served without discrimination. We support mandatory training programs and uniform qualifications for magistrates. The Court of Appeals should receive additional personnel as needed.

Judicial Selection

The League believes that to maintain the dignity of the judiciary, the judicial selection process should:

- Include participation of laymen as well as lawyers;
- Use reviews of qualifications by experts;
- Minimize political pressures;
- Provide broad geographical representation, areas, minority groups and women; and
- Keep the public informed.

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;

Sentencing

The League believes that judges, rather than juries, should have the power of sentencing. 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.

Corrections

We believe the goals of a corrections system should be:

- The protection of society;
- The rehabilitation of offenders;
- To provide deterrence diversion and protection programs; and
- Restitution of offenders.

To achieve these goals we support a classification system to place the offender in the most effective treatment program at the proper level of security. We support effective vocational and educational programs and special rehabilitative programs. Adequate staffing is necessary to provide safety for the community, prison personnel, and inmates.

The League believes that the criteria for an effective correctional system includes adequate financing, effective administration, planning and coordination among related agencies; trained, competent personnel; humane, non-discriminatory, dignified treatment of inmates and personnel; and citizen volunteers in its programs.

We believe that local jails and community-based facilities should have minimum standards for hygiene, medical care and qualification and training for personnel; continued state support of 80% funding for operation costs; a professional classification program guided and funded by the state; and should be operated by a chief administrator knowledgeable in corrections who has relevant

training or professional background in criminal justice.

Jail space should be allocated in the following order: lock-in private sleeping quarters, pre-classification areas, maximum security facilities, minimum security facilities, exercise areas, recreational space, libraries, vocational and educational training space, adequate interview space for lawyers and visitors, community dining rooms and classrooms.

All available community resources should be used to the fullest extent in rehabilitation and treatment of inmates, including pre-trial and work release programs, as well as counseling through jail ministries. All localities should have reasonable proximity to regional treatment facilities for the detention of juveniles and adults, with non-system community programs available. Community-based corrections should be implemented as an alternative to incarceration in dealing with minimum security offenders. There should be community education as to the merits of community-based corrections and the needs of local jails and the use of trained citizen volunteers. (1970's)

JUVENILE-ADULT RESTORATIVE JUSTICE

The League's Position

The League of Women Voters of Virginia supports the values and principles of restorative justice for juveniles and adults and urges the commonwealth and localities to develop activities, programming and training consistent with these values and principles in responding to crime. This option should be offered at the earliest possible time in the process, with juveniles being given preference if funds are limited.

Persons to be involved: for Juveniles: victims, schools, family, juvenile justice system, community, offender, restorative justice volunteers, trained attorneys, judges; for Adults: victims, adult education programs, family, adult correction system, community, offender, trained attorneys, judges, volunteers, Restorative Justice Association of VA. Programs or practices to be offered as options: Victim-offender dialogue (variety of models):

Activities addressing anger management, accountability, empathy for the victim and the impact of crime; Mental health screening and substance abuse programs; Jobs and skills training; Family counseling.

Consider case by case the needed involvement of community and/or family members, trained volunteers, attorneys, judges, social services, family counselors, and after school programs. And, in all cases protect privacy of victims, offenders and others. Local courts, social agencies and trained volunteers should collect data from programs.

In coordination with the Supreme Court of Virginia and the Restorative Justice Association of VA the legislature or administrative agencies should develop standards and measures of evaluation. Measures of evaluation should include: victim satisfaction, offender compliance, extent harm was repaired, recidivism, benefit to the community, use of community service that develops skills. (2005)

JUVENILES

Position in Brief:

Support for a juvenile justice system, funded by both the state and local governments, that emphasizes prevention and rehabilitation, with: community education and recreation programs for young children and family parenting support; individualized treatment and training programs, including counseling, vocational and alternative education, mental health and substance abuse or community service, small group homes; removal of juveniles from jails; and the continuation of a adequately funded separate Department of Juvenile Justice.

The League's Position

The League believes that the juvenile justice system must emphasize prevention and rehabilitation as well as those general goals of the corrections system. Prevention programs should be provided for children 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 League supports:

- 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 out patient) 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 group homes; and
- Removal of juveniles from jails.

The cost of prevention, treatment and other programs for juveniles should be shared by the state and local governments under a formula which takes into account a variety of factors regarding a locality's financial capability, juvenile or overall population and nature of juvenile justice problems. The Department of Juvenile Justice should continue as a separate department and have sufficient funding to ensure varied programs of high quality. (1974, 1978, & 1997)

CIVIL RIGHTS OF FELONS IN VIRGINIA

Position in Brief:

The League of Women Voters of Virginia believes that the civil rights of felons, regardless of the nature of their crime, should be restored automatically upon their release from incarceration or upon completion of probation or parole and that the process should be easy to understand, accessible, transparent and fair with information about the process made available to all.

The League's Position

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 or 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
- information about the process should be available to felons, the justice and correction system and the general public. (2009)

MENTAL HEALTH

Position in Brief:

Support for a comprehensive state public mental health care system of quality, statewide and community based services that meets the mental health needs of all Virginians, including long-range planning, coordination among agencies and established criteria for allocation of funds; adequate and appropriate housing; comprehensive and consistent service delivery in all local communities; and advocacy programs that ensure patients' rights at all levels.

The League's Position

Organization and Management

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

- Provide quality mental health care which utilized the most current knowledge and which respects the dignity and human rights of each individual;
- Enable the mentally ill to attain their highest level of functioning -- to lead lives as normal as possible;
- Meet mental health needs of all Virginians regardless of mental

- disorder, race, creed, age, sex, or ethnic origin; and
- Endeavor to prevent mental illness and to reduce its incidence and severity. (June 1987)

A public mental health care system should include:

- Commitment to quality community-based services;
- A long-range comprehensive plan for meeting clients needs;
- Clear lines of authority and accountability;
- Coordination among the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) and other agencies providing services to mental health clients;
- Evaluation of program effectiveness and administrative efficiency; and
- Sufficient number of qualified and well trained staff. (1989)

In allocating state funds among community services boards, it is essential to maintain current programs and fill identified service gaps.

It is important to use additional factors in allocating state funds as follows:

- Total population of area served;
- Encouragement of local support;
- Economic resources of the community;
- Local tax effort; and
- Number of mental health clinics in the system. (1987)

The state should institute a data gathering and analysis system that provides uniform statewide data for planning and evaluating the mental health care system in Virginia. (1987)

The state should review the organization and structure for delivery of mental health services at the local level. (1989)

In order to recruit and retain qualified staff in the mental health care system, the DMHMRSAS should:

- Increase pay and improve work environment;
- Form linkages with universities;
- Provide stipends to students, in return for services, in fields for which there are demonstrated recruitment and retention difficulties; and
- Provide in-service training. (1989)

Housing

LWV-VA believes that in order to obtain adequate and appropriate housing for the mentally ill, the government of Virginia should:

- Provide funding; technical assistance to housing providers and public education;
- Enact statutes to affirm state responsibility;
- Encourage private/public sector cooperation to obtain housing for the mentally ill. (1989)

Clients

LWV-VA believes that it is essential that the state's mental health system serve:

- The chronically mentally ill--those suffering from a severe and persistent mental or emotional impairment that seriously impairs their functioning; and
- People suffering from an acute mental disturbance which produces serious impairment and distress in social relations and vocational functioning.

It is important to provide needed services to people under major stress and/or at risk of developing mental or emotional disorders. (1987)

The state's mental health care system should provide the specialized services and specially trained staff required to meet the mental health needs of special populations such as children

and adolescents, the elderly, people under the purview of the courts, the dual diagnosed (mentally ill/mentally retarded and mentally ill/substance abusers), and immigrants. (1987)

The DMHMRSAS should study the characteristics and needs of clients in state hospitals, especially those who are either frequently readmitted or have long-term hospital stays, and should institute suitable changes to deal with identified problems. (1989)

Patients' Rights

LWV-VA supports the rights of mentally ill persons as defined by the Supreme Court, federal and state court rulings, laws, rules and regulations; internal and external advocacy programs to ensure patients' rights, and the appointment of persons who are mentally ill to

the State Human Rights Committee, to local human rights committees for facilities and for community services boards. (1988)

Civil Commitment

LWV-VA believes that the state's civil commitment procedures should provide:

- Counsel be appointed for the patient as soon as possible to allow time to confer and consider options;
- An individual detained pending commitment hearings should be offered non-emergency treatment; and
- Training about the nature and treatment of mental illness and related issues should be provided to justice system personnel involved in civil commitment in Virginia. (1988)