



## CRIMINAL JUSTICE REFORM

---

### LEGISLATIVE PROPOSALS

- ✓ **De-criminalize Marijuana Possession**
  - This bill de-criminalizes simple possession of marijuana, creating a \$50 civil penalty instead.
  - Studies show marijuana arrests have disproportionately impacted people of color—this legislation clears the records of individuals who have been previously convicted of simple possession.
- ✓ **Considering Age in Parole Decisions**
  - An individual would be eligible for consideration of parole if they are at least 50 years old and have served 20 years, or are 55 years old and have served 15 years.
- ✓ **Considering Medical Condition in Parole Decisions**
  - An individual would be eligible for consideration of parole if they are permanently incapacitated or terminally ill, and pose no threat to public safety.
- ✓ **Fairness in Sentencing: Fishback v. Commonwealth**
  - This bill would make individuals sentenced by juries between 1995 and 2000 eligible for parole consideration. Virginia abolished parole in 1995, but juries were not instructed about this until five years later, following a court ruling. Juries did not fully understand the sentences imposed during this period.
- ✓ **Raising the Threshold for Felony Larceny**
  - This legislation would raise the threshold for felony larceny to \$1,000, from \$500.

- ✓ **Ending Suspended Driver's Licenses – Unpaid Fines & Fees**
  - The current two-year budget eliminates driver's license suspensions for unpaid fines & fees, but that expires when the new budget starts. This bill makes the change permanent.
  
- ✓ **Ending Suspended Driver's License – Non-Driving Related Offenses**
  - This bill eliminates driver's license suspensions for drug crimes. It also removes the suspension of licenses for failing to pay jail fees and for driving off without paying for fuel. Those violations will continue to be enforced through the criminal code.
  
- ✓ **Trying Juveniles as Adults**
  - This legislation raises the age to 16 for when a juvenile can be tried as an adult without court approval. Currently, juveniles age 14 or older charged with certain crimes can be tried as adults without court approval.
  
- ✓ **Fairness in “Writs of Actual Innocence”**
  - This proposal expands the category of individuals who can petition for Writs of Actual Innocence. This is possible now only in very narrow circumstances, which limits the ability of innocent people to clear their record or produce evidence of wrongful conviction.
  
- ✓ **Credit for Community Service**
  - This legislation would allow offenders to earn credit for community service during incarceration, which could be used to cover fines and court costs. This will reduce the amount of debt people have after they have served their sentence, which will ease their transition back into the community.

## **BUDGET PROPOSALS**

- ✓ **Funding Public Defenders**
  - The Governor's budget includes funding for 59 new public defenders as well as \$2.7 million to establish a public defender office in Prince William County.

✓ **Reducing Incarceration**

- \$4.6 million over the next two years to support an expansion of pretrial and local probation services across the Commonwealth.

✓ **Supporting Returning Citizens**

- \$2 million over the next two years for pre-release and post-incarceration services to enhance public safety by supporting reintegration of adult offenders from local and state correctional facilities.

✓ **Increasing Accessibility and Responsiveness**

- \$5.6 million for additional district court clerk positions, to ensure a more accessible, efficient, and responsive criminal justice system

✓ **Parole Reform**

- \$1.3 million for the Virginia Parole Board to develop release plans for offenders who are eligible for parole, to ensure returning citizens have stable support.
- This funding also supports additional part-time investigators to conduct investigations related to petitions for pardon and writs of actual innocence, medical conditional release, and geriatric conditional release.