



COMMONWEALTH of VIRGINIA

Office of the Governor

Kay C. James
Secretary of the Commonwealth

March 22, 2023

The Honorable Lionell Spruill
Post Office Box 5403
Chesapeake, VA 23324
Delivered Electronically to: district05@governor.virginia.gov

Re: Follow-up from our call on Friday, March 17, 2023

Dear Senator Spruill:

Thank you for your emailed letter and for your time on Friday afternoon discussing the Restoration of Rights process for individuals convicted of felonies in Virginia. The Governor firmly believes in the importance of second chances for formerly incarcerated individuals as they look to become active members of their community and citizenry.

The Constitution places the responsibility to consider Virginians for restoration in the hands of the Governor and to the Secretary as delegated. After Inauguration, the Governor charged me and our team with ensuring our application and deliberation were legal and fair – that every applicant be considered individually as required by the Constitution and underscored by the Supreme Court of Virginia in 2016.

Every applicant is different and we utilize our partners at the Virginia Department of Corrections, Virginia State Police, Virginia Department of Elections, Virginia Department of Behavioral and Developmental Services, and the Compensation Board to research each application and provide further information to be used in the consideration process.

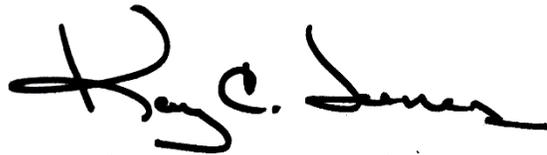
As we updated this process to ensure Constitutionality, we worked with the Secretary of Public Safety and the Department of Corrections to ensure that every discharged felon be provided with an application for restoration and explained its significance. Each inmate signs to attest to receiving this application. The Department of Corrections has indicated that roughly 12,000 people are released each year which includes individuals found guilty of misdemeanors and felonies.

Our website was updated to include that applications are considered individually and not granted on an automatic basis. As noted earlier, individuals are informed upon release the recommendation of applying and given a paper application. Applicants use this same website to apply and to check the status of their application and advocates use this website to help individuals

apply or to share the PDF paper application to be submitted by mail. We have scheduled a roundtable for advocates in April to discuss the process.

Virginians trust the Governor and his Administration to consider each person individually and take into consideration the unique elements of each situation, practicing grace for those who need it and ensuring public safety for our community and families. I appreciated the opportunity to discuss with you this important operation of the Secretary of the Commonwealth on behalf of the Governor of Virginia. Best wishes to you as you prepare to return to Richmond for the Reconvened Session.

Sincerely,

A handwritten signature in black ink, appearing to read "Kay C. James". The signature is fluid and cursive, with a large initial "K" and a long, sweeping underline.

Kay Coles James
Secretary of the Commonwealth