

February 9, 2022

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For Immediate Release:

Bipartisan Advocates are Urging Virginia Legislators to Pass Crucial Second Look Legislation, A Critical Step in Ending Mass Incarceration

New report highlights how Virginia's long sentences unjustly strand thousands of people in the prison system for decades

February 9, 2022 - Together, a bipartisan group of organizations, including Justice Forward Virginia, ACLU of Virginia, FAMM, Nolef Turns and Sistas in Prison Reform, are urging Virginia legislators to pass essential second look legislation. The new law is a pivotal step to decrease Virginia's high incarceration rates, especially its unconscionable and growing geriatric prison population, and take conscientious action on the disproportionate burden prison sentences have on Black and Brown Virginians. Advocates across the political spectrum agree: second look legislation and decarceration is a matter of advancing public safety, giving those who have served time for decades an opportunity to come home and build better lives, and help their communities thrive.

A new report, [The Need for a Second Look in Virginia](#), released today by the nonpartisan [Justice Policy Institute](#), analyzes the Commonwealth's heavy-handed reliance on lengthy prison sentences for nonviolent crimes and reveals how extreme sentences play a significant role in Virginia's mass incarceration crisis and surging geriatric prison population. The report notes that over half of all nonviolent offenses received a prison sentence. The *average* prison sentence in 2020 for all crimes (violent and nonviolent) was 18 years. Unnecessarily long sentences are cruel and unusual. They do not support public safety, but rather contribute to what researchers call "stacking up" Virginia's overpopulated prisons. These decade-plus sentences also contribute substantially to Virginia's aging prison population serving either *de jure* or *de facto* life sentences.

In recent years, Virginia has made vital progress on criminal justice reform and should continue this path. The new legislation would establish an opportunity for incarcerated Virginians to petition for a resentencing hearing, structured so that crime survivors and harm done are recognized and considered. Taking bipartisan action and passing second look legislation has the potential to deliver long overdue relief for those serving time, marking a critical step towards a more just and equitable criminal legal system.

"Virginia has been handing out long sentences and one-way tickets to prison for decades, and those sentences often stop making sense after 10 or 15 years. No one is safer when a prison cell holds

someone who has rehabilitated and no longer needs to be there, or is too old or sick to harm others,” said **Molly Gill, Vice President of Policy at FAMM**. “Second chances give people in prison hope and an incentive to rehabilitate. Second chances give the rest of us a way to ask if punishment is still necessary and making us safer.”

“Criminal justice reform is bipartisan, it has been in other states, and it ought to be in Virginia,” said **Brad Haywood, Arlington County and Falls Church Chief Public Defender and Executive Director of Justice Forward Virginia**. “The principles that underlie second look legislation ought to resonate with human beings, full stop. Whether you’re someone who centers your political philosophies around human rights and empathy, whether you pattern your life around faith and the belief that people should be forgiven and have a second chance at redemption, whether you’re someone who believes that government should stay out of the way and not waste money on a giant prison system that doesn’t even improve public safety, all of those people have a lot in common when it comes to second look legislation.”

The Justice Policy Institute report also highlights the disproportionate impact long prison sentences have on Black Virginians. It finds that, under mandatory minimum dispositions such as abductions, assault, larceny and fraud, and drug sales, Black people receive an average sentence 38 percent longer than white people for the same conviction. This systemic racism desperately needs legislation that puts people’s humanity first. The report also found that any “exits” for incarcerated individuals are routinely blocked by parole processes.

“People in prison are people first,” said **Santia Nance, Co-Founder of Sistas in Prison Reform**. “We must acknowledge that, and acknowledge that change is an inherent part of the human experience. Bettering one’s self can be achieved in prison, yet people continue to languish behind prison walls for decades long after they have been rehabilitated.”

Virginia’s broken prison system and track-record of long sentences does no good for our communities. With no opportunity for relief or reasonable reconsideration, the prison population is becoming more geriatric, costing our Commonwealth millions of dollars while serving no benefit to public safety. The report found that arrest rates dropped to around two percent by age 50 and nearly zero by the age of 65. Keeping these individuals locked up does no good for our communities or our state budgets. Advocates agree, Second Look resentencing helps mitigate future violence. When freed, these older, formerly incarcerated individuals so often return to their families and invest in a stronger and safer community.

“The biggest problem is once Virginia enacts a law in regards to criminal and juvenile legal systems, they have a tough time admitting their errors,” said **Sheba Williams, Executive Director of Nolef Turns**. “In the 1970s through the early 1990s, long sentences were used as a tool to deter crime. We now know that people age out of crime, grow, evolve, and take the necessary steps to become more than their conviction while housed in the Department of Corrections. People do change; people do grow and learn from their mistakes. It’s time for the system to change and grow as well.”

Across Virginia, reform advocates on both sides of the aisle know that second look legislation is critical to restoring the dignity and respect every Virginian deserves, while serving the public interest.

"This is bipartisan, transparent, smart on crime legislation that is just one piece of the puzzle to addressing mass incarceration in Virginia," said **Shawn Weneta, Policy Strategist at ACLU of Virginia**.

The full Justice Policy Institute Report is available to read [here](#). If you have any questions about the report or would like to speak to an advocacy expert, please contact Sarah Nadeau at 603-496-9417 and sarah@spitfirestrategies.com.

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Justice Forward Virginia is a non-partisan advocacy organization created to bring attention to the urgent need for criminal justice reform in the Commonwealth -- at the most fundamental level -- and to advance legislation for comprehensive reforms to Virginia's criminal justice system.

Justice Policy Institute is a national nonprofit organization developing workable solutions to problems plaguing juvenile and criminal justice systems. Our research and analyses identify effective programs and policies and we disseminate our findings to the media, policymakers and advocates, and provide training and technical assistance to people working for justice reform.

ACLU of Virginia is a private, non-profit organization that promotes civil liberties and civil rights for everyone in the Commonwealth through public education, litigation and advocacy with the goal of securing freedom and equality for all.

FAMM is a nonprofit creating a more fair and effective justice system that respects our American Values of individual accountability and dignity while keeping our communities safe.

Nolet Turns is a community-centered leader in decreasing the prison population by supporting and empowering those who are most affected by crime, trauma, and incarceration. We treat everyone with dignity and respect and do not pass judgment, as we seek justice and redemption.

Sistas in Prison Reform is a group formed by three women who believe in redemption, rehabilitation, and remorse. They believe that individuals who have served lengthy sentences deserve a second chance. Past mistakes should not define their future lives.