



## Know Your Rights! Voting with a Felony Conviction in Virginia

*Starting June 1, 2026, Virginia may no longer deny the right to vote to all people convicted of felonies; instead, only those with certain felony convictions lose the right to vote. This means that tens of thousands of Virginians who have been previously told that they cannot vote because of a felony can now register and vote for the 2026 elections.*

### Felony Disenfranchisement in Virginia

Virginia used to disenfranchise everyone with felony convictions until they received personal clemency from the Governor. But earlier this year a federal court found that Virginia's old felony disenfranchisement scheme violated federal law.<sup>1</sup> ***So, starting June 1, 2026, most felony convictions no longer disqualify a person from voting in Virginia. This means that even if you have previously been told that you were ineligible because of a felony conviction, you may now have the right to vote.***

### Who is now eligible to vote in Virginia?

Under Virginia law, you have the right to vote if: you are a United States citizen; you reside in Virginia; you are at least 18 years old; you have not been legally declared “mentally incompetent” by a court; and you have not been convicted of a *disqualifying* felony.

This means that even if you are still serving a felony sentence, including probation, parole, or even prison time (\*see note\*),<sup>2</sup> you may have the right to vote so long as you have not been convicted of a disqualifying conviction.

Common **non-disqualifying** convictions that no longer take away the right to vote include:

|                                     |                                       |                                               |
|-------------------------------------|---------------------------------------|-----------------------------------------------|
| Drug possession and/or distribution | Obtaining money under false pretenses | Non-violent, unlawful possession of a firearm |
| Forgery                             | Embezzlement                          | Felony DWIs                                   |
| Felony failure to appear            | Credit card theft                     | Prescription fraud                            |

<sup>1</sup> *King v. O'Bannon*, No. 3:23-cv-00408-JAG (Va. E.D. 2026).

<sup>2</sup> Virginia officials are currently not processing voter registrations from eligible voters who are incarcerated in prison. If you or a loved one believe you are eligible to vote and are trying to complete a registration application from prison, please contact us at [restoreyourvote@campaignlegal.org](mailto:restoreyourvote@campaignlegal.org) or (202) 857-0314 or (888) 306-8683.



### **How do I know if my felony convictions are disqualifying or not?**

*To determine whether you are eligible to vote, you should fill out the voter registration form, and Virginia election officials will determine your eligibility.*

You must disclose your felony conviction by checking “yes” when the form asks: “Have you ever been convicted of a felony or judged mentally incapacitated and disqualified to vote?” Unless you have received clemency from the Governor, answer “no” to: “If YES, has your right to vote been restored?”

Once you have submitted a voter registration application, election officials will determine if your convictions are disqualifying. As part of this determination, the state may send you a supplemental form in the mail asking for more information about your convictions. Keep an eye out for this form—if you receive it, you must return it within 30 days, filling in as much truthful information as you have available. The Attorney General’s office will then determine if you are eligible to vote. Federal and out-of-state convictions will be evaluated on a case-by-case basis for eligibility.

You can find more information about the law change, including comprehensive lists of disqualifying and possibly disqualifying convictions at <https://www.elections.virginia.gov/registration/felony-convictions-and-voter-eligibility/>.

### **What should I do if my voter registration application is denied?**

If your application is denied, the only way to restore your right to vote is by applying for clemency from the Governor. You can do so at <https://ror.solutions.virginia.gov/search>.

In November 2026, voters will get to decide on a constitutional amendment that would restore voting rights to Virginians who are not currently in prison for a felony conviction. Visit [RestoreYourVote.org](https://RestoreYourVote.org) in November for an update on the amendment and whether it affects your right to vote.

If you have questions, need help navigating this process, or believe your application has been wrongfully denied, contact us at [RestoreYourVote@CampaignLegalCenter.org](mailto:RestoreYourVote@CampaignLegalCenter.org) or (202) 857-0314 or (888) 306-8683.

### **What if I have trouble registering and/or voting on Election Day?**

Contact the Election Protection Coalition at 866-OUR-VOTE.