

Fairfax VOTER

September 2021

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Virginia's New Cannabis Laws

On July 1, 2021, Virginia became the first state in the South and 16th state to legalize marijuana. Adults 21 and older can possess up to one ounce of cannabis and home-cultivate up to four plants per household. This month, we highlight key aspects of the legislation, briefly discuss Virginia's history with cannabis, go over League positions on sentencing of drug offenses, and discuss what still needs to be addressed in cannabis legalization.

Separately, we look at the status of the National Popular Vote movement in Virginia, and opportunities to help with voter registration.

Calendar

Note: LWVFA Unit Meetings resume

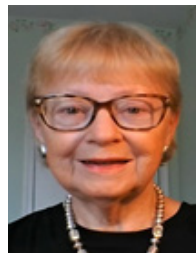
- 1-30 Virginia Voter Registration Month*
- Ongoing Capital Area Food Bank Voter Registration Drives throughout the County all month
- 2 At-Large Unit / Discussion Briefing, 7 p.m.
- 3 *Fairfax Voter* Deadline for October
- 3 LWVNCA Board Meeting, 10 a.m.
- 8-13 LWVFA Unit Meetings
- 11 Patriots' Day / 9/11
- 13 LWV-VA Board Meeting, 4 p.m.
- 15 LWVFA Board Meeting, 10 a.m.
- 17 Constitution and Citizenship Day
- 17 First Day of In-Person Absentee Voting begins (extends through Oct. 30th)
- TBA Fairfax Cable Access Corp. Community Election, 2929 Eskridge Road, Suite S, Fairfax
- 26-2 Northern Virginia Voter Registration Week
- 28 National Voter Registration Day; Kick Off for 5th Annual FCPS High School Voter Registration Challenge; Voter Registration events at Fairfax County Public Libraries throughout the County

Inside This Issue

Presidents' Message	2
Program Scheduling	3
National Popular Vote Advances in Virginia	3
Adopt a Library for National Voter Registration Day	4
Voter Outreach at Food Banks	4
Virginia's New Cannabis Laws	EF-1
Discussion Questions	EF-6
Environmental Update: Drive Clean CEDV and Domestic Violence: 2021 and Beyond	5
Leaguers Send a Letter to the Future	6
LWVFA Donors and Supporters	8
Membership Report	8
September Unit Meetings	9



Presi- dents'



Hello, Fellow Leaguers,

Welcome to another year of supporting the mission of the League of Women Voters. We hope everyone had a fabulous summer. It was such a relief to be able to get out and meet family and friends after months of being confined to our bubbles. Unfortunately, some of us are still unable to step out due to having immuno-compromised family members and young children who are yet to be vaccinated. We remain hopeful that the virus will be conquered, and we will be able to regain our normal lives.

We are excited to have a new leadership team guiding our Fairfax League. We will miss Carol Bursik and Judy Helein at our board meetings although they will still be contributing and doing other league duties. A big shout out to Arina Van Breda, Donna Blake, and Don Craig who are new members of the Executive Board. They are already making fantastic contributions to our work.

This fall we will be holding 12 candidate forums, all virtual. Please try to attend as many as possible and share information about them with family, friends, and colleagues. More information will be coming on our website and in our newsletters. If you belong to other like-minded nonpartisan organizations, tell us about them. We believe in the power of working together to achieve our common goals.

September 17 is Constitution Day. On that day in 1787, our Constitution was signed. This day is an opportunity for us to reflect on the values that our Constitution embodies and how we, as Leaguers, can preserve and protect those values. The Constitution as originally created was not perfect, but it is a flexible document that can be changed. The League of Women Voters believes that an additional change to the Constitution is needed and supports the adoption of the Equal Rights Amendment as the 28th Amendment to the Constitution.

One way to protect the values of the Constitution is by helping citizens register to vote. Did you know that approximately 25 percent of U. S. citizens are not registered to vote? If citizens are not registered, they have limited ability to influence their government. September 28 is National Voter Registration Day, and we are organizing voter

registration events at all Fairfax County Public Libraries. This will be a great opportunity to volunteer. Please look for information on our website and in the newsletter. You can volunteer to help with voter registration using Sign-Up Genius on our website.

The League is the sum of all our members, and we need our members to be engaged and involved. Life is busy and it may be difficult to find time, but you can volunteer in many ways. Some volunteer work can even be done at home. If you are a person who enjoys social media, we need you. Perhaps you would enjoy contributing an hour or two a week helping our PR chair in managing our Facebook page or our Instagram account. You could work with other members of our board and various teams, such as Voter Services, Action and Advocacy, and Programming. Volunteering is a way to assist the mission of the League, support democracy, and have fun working with other League members.

"Volunteering is the ultimate exercise in democracy. You

**Fairfax County 24-hr.
Domestic & Sexual Violence Hotline:
703-360-7273; 711 TTY**

LWVFA Fairfax VOTER 2021 - 2022

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The League of Women Voters of the Fairfax Area
4026-B Hummer Road
Annandale, VA 22003-2403
703-658-9150 (Info/fax/answering machine)
www.lwv-fairfax.org league@lwv-fairfax.org

Co-Presidents: Anu Sahai 703-303-8498
President2@lwv-fairfax.org
Pat Fege Pat.Fege@lwv-fairfax.org
Editor: Katherine Ingmanson 571-265-9745
kmingmanson@yahoo.com
editor@lwv-fairfax.org

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Please e-mail address corrections to the office
or call 703-658-9150.

vote in elections once a year, but when you volunteer, you vote every day about the kind of community you want to live in. ~Author Unknown

Anu and Pat

Program Schedule 2021-22

By Jessica Storrs

- September: New Virginia Marijuana Law Overview
- October: White Privilege: Unpacking the Invisible Knapsack
- November: LWVFA Action/Advocacy Forum
- December: LWVUS & LWVFA Program Planning
- January: Book Club *Invisible Women: Data Bias in a World Designed for Men* by Caroline Criado Perez
- February: Native American Voting Rights
- March: To be determined
- April: LWVFA Annual Meeting
- May: Reparations
- June: “Do your own thing”

A copy of this schedule and unit meeting information may be found on the League’s website at www.lwv-fairfax.org/units. Please contact Jessica Storrs, Program Chair, with any questions at jessica.storrs@lwv-fairfax.org.

National Popular Vote Advances in Virginia

By Andrew Henry

Americans value the principle of “one person, one vote” and believe that everyone’s vote should matter and count equally toward the results.

For Presidential elections, we have a system that disrespects these principles. We have a state-by-state winner-take-all electoral vote system in which the candidate who wins the Presidency is sometimes not the candidate who wins the popular vote. This doesn’t make sense to most voters.

Consequently, in recent elections, we have seen dissatisfaction and even disbelief from members of both major political parties over election results. Confidence in the system has been shaken.

Moreover, in presidential elections, there are just a few

“battleground” states where the candidates focus all their attention, and they pretty much ignore the rest. Not surprisingly, the policy agenda becomes skewed to cater to only a few special interests and states. In 2020, for example, Virginia was ignored in the general election campaign for President because it, like 37 other states, was clearly in the bag for one candidate or the other.

A few “hot button” issues that motivate voters in a few “swing” states take over presidential campaigns. The candidates ignore how voters in non-swing states feel about those issues because those voters really don’t matter to the election outcome, which divides us further.

The National Popular Vote, a proposal under which states commit to assign their electoral votes to the candidate with the most votes *nationwide*, would encourage the candidates and parties to appeal for votes from as many people as possible from across the country—in all 50 states.

In January 2021, Virginia Senators Adam Ebbin and Louise Lucas introduced the National Popular Vote bill as chief patrons, Senator Majority Leader Richard Saslaw and Senators Janet Howell, Jennifer Boysko, and Scott Surovell as co-patrons, and Ghazala Hashmi as a patron. In addition, eighteen Delegates were patrons on the Senate bill.

Delegate Mark Levine introduced the bill in the Virginia House as chief patron, with House Privileges and Elections chair Marcus Simon and Marcia “Cia” Price as chief co-patrons. Twelve additional Delegates were patrons on the House bill.

The bill will be introduced in the Virginia House and Senate every session until it passes.

More information about National Popular Vote is available at <https://www.nationalpopularvote.com/>.

Andrew Henry is a Master’s student at George Mason, a student member of the LWVFA, and an intern for National Popular Vote in the Fairfax area.

Over the summer, longtime LWVFA member and volunteer Nancy Miller moved to be closer to her family. You can now contact her at:

*Nancy Miller
Holbrook of Decatur
Apt. 244
Decatur, GA 30033*

Adopt Your Local Library for National Voter Registration Day!

By Arina van Breda

National Voter Registration Day is September 28 and the LWVFA will be celebrating in a County-wide effort with the Fairfax County Public Library (FCPL). Amy Leeson, a new member volunteer to the Voter Services Committee, is spearheading this great cooperative program which is asking volunteers to “adopt your local library” on September 28 for a few hours of in-person voter registration and education efforts. This is a great way to represent the League in your community.

The LWVUS is a national partner with the umbrella organization **NationalVoterRegistrationDay.org** which will provide some of the materials we will be using. The FCPL’s response was enthusiastic and they will assist in helping us organize events at your local library. All volunteers are welcome to sign up for a short 2-hour shift via our Sign Up Genius page:

<https://www.signupgenius.com/go/20f0d48afa82fa7f94-national1>

Voter Outreach at Food Banks Reaches New Audience

By Arina van Breda

This past July, the League of Women Voters of the US announced a new programmatic focus, **Women Power Democracy**. One of the four components of this new program includes growing our electorate and increasing voter participation with a focus on underrepresented populations and low-propensity voters. Over the last two years, LWVFA has worked extensively toward this important goal. A year ago, in the midst of the COVID crisis, we focused on expanding voter education to an underserved population, recipients of food assistance. We forged relationships with multiple organizations in the Fairfax area which sponsored food banks, including churches, schools, mosques, and community organizations. We designed, printed and delivered 15,000 pieces of bilingual educational material and the community organizations distributed this information in bags and boxes at the food banks. Staff from many of these organizations were thrilled with this initiative and asked us to consider doing Voter Registration tables once the COVID epidemic subsides.

This year, we are providing voter education in a stepwise

fashion, with the first bilingual flyer focusing on reasons to vote and voter empowerment. The second flyer emphasizes the important upcoming elections in Virginia and reinforces the importance of voter participation, while the final flyer will provide information about voting basics, such as Voting-by-Mail and early voting. We plan to have Voter Registration events in conjunction with several food banks. At this writing, 11,000 of the first flyers have been delivered by our volunteers and are being distributed by the food banks.

In addition to our preexisting food bank program, this year the LWVUS received a grant from Feeding America with the goal of reaching and registering potential voters among food bank clients. Grant programs will take place in Virginia and New Jersey. LWVFA and LWV-Arlington were chosen to participate in this grant in the Northern Virginia area in collaboration with the Capital Area Food Bank (CAFB), the local division of Feeding America. We will conduct Voter Registration at five sites selected by CAFB beginning in August through October. The sites are in Annandale, Alexandria, Fairfax, Falls Church and Reston. This project is a true collaborative effort; CAFB designed and printed Voter Pledge cards for our use and worked with the sites to provide tables, chairs and shelter for us. League volunteers will provide voter education and registration at the CAFB sites. A report of the impact on the voters contacted through our grant-funded program will be submitted when the project is completed.

We would like to extend a special thank you to all the members of LWVFA who have volunteered to support these programs. Leaguers designed flyers, translated flyers into Spanish, delivered flyers to collaborating organizations, and wo-manned many Voter Registration tables at our food bank sites enthusiastically - even in the heat of summer! Special thanks to Meggie Sheehan for her excellent design skills and to Lola Quintela who did much of our translation work.

We need many more volunteers to help with the food bank outreach. Please check the LWVFA website for links to the Sign up Genius to help with a few hours of your time or use this link: <https://www.signupgenius.com/go/20f0d48afa82fa7f94-food>.



Virginia's New Cannabis Laws

By Andrienne Konstas

On July 1, 2021, Virginia became the first state in the South and 16th state to legalize marijuana. Under S.B.1406/H.B.2312, adults 21 and older can possess up to one ounce of cannabis and home-cultivate up to four plants per household. In this article we will highlight key aspects of the legislation, briefly discuss Virginia's history with cannabis, go over League positions on sentencing of drug offenses, and discuss what still needs to be addressed in cannabis legalization. As additional legislation and regulations are implemented in Virginia and elsewhere, we have the opportunity to advocate for policies that uphold the core principles of the League.

Part I: Introduction: Virginia Laws and Penalties

While it is permissible to possess up to an ounce, purchasing recreational marijuana in Virginia will not be legal until January 1, 2024. The Virginia Cannabis Control Authority (CCA), established in S.B.1406/H.B. 2312, will legalize, tax, and regulate recreational marijuana use. Additionally, this legislation fundamentally changes expungement rules related to past marijuana convictions. Previously, the only offenses eligible for expungement were acquittals, certain dismissals, and charges formally not pursued by prosecutors. Now, all misdemeanor violations are expunged and the Virginia State Police is directed to determine no later than July 1, 2025, which marijuana-related offenses will be automatically expunged from the State's record. Felony marijuana charges are also implicated by the new law. Any person can petition to expunge a felony marijuana conviction, and, if successful, the conviction is permanently erased. Finally, workers are protected from employer discrimination for the use of medical marijuana. This State-level legislation does *not* prohibit employers from maintaining a drug-free workplace -- employers can continue to drug test and prohibit marijuana use under Federal law. It's important to remember that marijuana is a Schedule I drug under the Comprehensive Drug Abuse Prevention and Control Act of 1997.

Virginia's cannabis legalization bill is close to 300 pages long -- quite a lengthy document. Let's go over the main points of S.B.1406/H.B.2312 and clarify where, when, and for whom marijuana use is permissible.

1. § 40.1-27.4 Discipline for employee's medicinal use of cannabis oil prohibited.

a. *As used in this section, "cannabis oil" means the same as that term is defined in § 54.1-3408.3.B.*

b. *No employer shall discharge, discipline, or discriminate against an employee for such employee's lawful use of cannabis oil pursuant to a valid written certification issued by a practitioner for the treatment or to eliminate the symptoms of the employee's diagnosed condition or*

disease pursuant to § 54.1-3408.3.C.

c. *Notwithstanding the provisions of subsection B, nothing in this section shall (i) restrict an employer's ability to take any adverse employment action for any work impairment caused by the use of cannabis oil or to prohibit possession during work hours, (ii) require an employer to commit any act that would cause the employer to be in violation of federal law or that would result in the loss of a federal contract or federal funding, or (iii) require any defense industrial base sector employer or prospective employer, as defined by the U.S. Cybersecurity and Infrastructure Security Agency, to hire or retain any applicant or employee who tests positive for THC in excess of 50 ng/ml for a urine test or 10 pg/mg for a hair test.*

2. § 4.1-1100. Possession, etc., of marijuana and marijuana products by persons 21 years of age or older lawful; penalties.

a. *A person 21 years of age or older (born on July 1, 2000 or before) may lawfully possess on his person or in any public place not more than one ounce of marijuana or an equivalent amount of marijuana product as determined by regulation promulgated by the Board [Virginia Cannabis Control Authority (CCA)].*

b. *Possessing an excess amount of one ounce is subject to a civil penalty of no more than \$25.*

c. *Any person who possesses on his person or in any public place more than one pound of marijuana or an equivalent amount of marijuana product as determined by regulation promulgated by the CCA is guilty of a felony punishable by a term of imprisonment of not less than one year nor more than 10 years and a fine of not more than \$250,000, or both.*

d. *Penalties are not applied to members of federal, state, county, city, or town law enforcement agencies, jail officers, or correctional officers and certified as handlers of dogs trained in the detection of controlled substances when possession of marijuana is necessary for the performance of their duties.*

3. § 4.1-1101. Home cultivation of marijuana for

personal use.

a. A person 21 years of age or older may cultivate up to four marijuana plants for personal use at their place of residence; however, at no point shall a household contain more than four marijuana plants. For purposes of this section, a “household” means those individuals, whether related or not, who live in the same house or other place of residence. A person may only cultivate marijuana plants pursuant to this section at such person’s main place of residence.

b. A person who cultivates marijuana for personal use pursuant to this section shall:

i. Ensure that no marijuana plant is visible from a public way without the use of aircraft, binoculars, or other optical aids;

ii. Take precautions to prevent unauthorized access by persons younger than 21 years of age; and

iii. Attach to each marijuana plant a legible tag that includes the person’s name, driver’s license or identification number, and a notation that the marijuana plant is being grown for personal use as authorized under this section.

c. A person shall not manufacture marijuana concentrate from home-cultivated marijuana.

4. § 4.1-1101.1. Adult sharing of marijuana.

a. For the purposes of this section, “adult sharing” means transferring marijuana between persons who are 21 years of age or older without remuneration. “Adult sharing” does not include instances in which

i. marijuana is given away contemporaneously with another reciprocal transaction between the same parties;

ii. a gift of marijuana is offered or advertised in conjunction with an offer for the sale of goods or services;

iii. a gift of marijuana is contingent upon a separate reciprocal transaction for goods or services.

b. Notwithstanding the provisions of § 18.2-248.1, no civil or criminal penalty may be imposed for adult sharing of an amount of marijuana that does not exceed one ounce or of an equivalent amount of marijuana products.

5. § 4.1-1105.1. Possession of marijuana or marijuana products unlawful in certain cases; venue; exceptions; penalties; treatment and education programs and services.

a. No person younger than 21 years of age shall consume or possess, or attempt to consume or possess, any marijuana or marijuana products. Such person may be prosecuted either in the county or city in which the mari-

juana or marijuana products were possessed or consumed or in the county or city in which the person exhibits evidence of physical indicia of consumption of marijuana or marijuana products.

b. Any person 18 years of age or older who violates subsection A is subject to a civil penalty of no more than \$25 and shall be ordered to enter a substance abuse treatment or education program or both, if available, that in the opinion of the court best suits the needs of the accused.

c. Any juvenile who violates subsection A is subject to a civil penalty of no more than \$25 and the court shall require the accused to enter a substance abuse treatment or education program or both, if available, that in the opinion of the court best suits the needs of the accused. The court shall treat the child as delinquent.

6. § 4.1-1107. Using or consuming marijuana or marijuana products while in a motor vehicle being driven upon a public highway; penalty.

a. For the purposes of this section:

i. “Open container” means any vessel containing marijuana or marijuana products, except the originally sealed manufacturer’s container.

ii. “Passenger area” means the area designed to seat the driver of any motor vehicle, any area within the reach of the driver, including an unlocked glove compartment, and the area designed to seat passengers.

iii. “Passenger area” does not include the trunk of any passenger vehicle; the area behind the last upright seat of a passenger van, station wagon, hatchback, sport utility vehicle or any similar vehicle; the living quarters of a motor home; or the passenger area of a motor vehicle designed, maintained, or used primarily for the transportation of persons for compensation, including a bus, taxi, or limousine, while engaged in the transportation of such persons.

b. A judge or jury may make a permissive inference that a person has consumed marijuana or marijuana products in violation of this section if

i. an open container is located within the passenger area of the motor vehicle,

ii. the marijuana or marijuana products in the open container have been at least partially removed

iii. the appearance, conduct, speech, or other physical characteristics of such persons, excluding odor, is consistent with the consumption of marijuana or marijuana products. Such person may be prosecuted either in the county or city in which the marijuana was used or consumed, or in the county or city in which the person exhibits evidence



of physical indicia of use or consumption of marijuana.

c. Any person who violates this section is guilty of a Class 4 misdemeanor

7. § 4.1-1108. Consuming marijuana or marijuana products, or offering to another, in public place; penalty.

a. No person shall consume marijuana or a marijuana product or offer marijuana or a marijuana product to another, whether accepted or not, at or in any public place.

b. Any person who violates this section is subject to a civil penalty of no more than \$25 for a first offense.

c. A person who is convicted under this section of a second offense is subject to a \$25 civil penalty and shall be ordered to enter a substance abuse treatment or education program or both, if available, that in the opinion of the court best suits the needs of the accused. A person convicted under this section of a third or subsequent offense is guilty of a Class 4 misdemeanor.

8. § 4.1-1109. Consuming or possessing marijuana or marijuana products in or on public school grounds; penalty.

a. No person shall possess or consume any marijuana or marijuana product in or upon the grounds of any public elementary or secondary school during school hours or school or student activities.

b. In addition, no person shall consume and no organization shall serve any marijuana or marijuana products in or upon the grounds of any public elementary or secondary school after school hours or school or student activities.

c. Any person convicted of a violation of this section is guilty of a Class 2 misdemeanor.

9. § 4.1-1110. Possessing or consuming marijuana or marijuana products while operating a school bus; penalty.

Any person who possesses or consumes marijuana or marijuana products while operating a school bus and transporting children is guilty of a Class 1 misdemeanor.

10. § 4.1-1112. Limitation on carrying marijuana or marijuana products in motor vehicle transporting passengers for hire.

The transportation of marijuana or marijuana products in any motor vehicle that is being used, or is licensed, for the transportation of passengers for hire is prohibited, except when carried in the possession of a passenger who is being transported for compensation at the regular rate and fare charged other passengers.

11. § 4.1-1121. Issuance of summonses for certain offenses; civil penalties.

Any violation under this subtitle that is subject to a civil penalty is a civil offense and shall be charged by summons. A summons for a violation under this subtitle that is subject to a civil penalty may be executed by a law-enforcement officer when such violation is observed by such officer. The summons used by a law enforcement officer pursuant to this section shall be in a form the same as the uniform summons for motor vehicle law violations as prescribed pursuant to § 46.2-388. Any civil penalties collected pursuant to this subtitle shall be deposited into the Drug Offender Assessment and Treatment Fund established

Part II: What Does an Ounce of Marijuana Look Like? & Key Terms

A. An Ounce of Marijuana¹:



B. Key Terms:

- **Bud** - Bud refers to the actual flower of the marijuana plant. These are the fluffy parts that are harvested and used for recreational or medicinal purposes as they contain the highest concentrations of active cannabinoids.
- **Cannabis Control Authority (CCA)** - Sets the rules

¹ Leafy.com, A Visual Guide to Cannabis Quantities

for how retail marijuana is made, sold, handled, and used in Virginia. Ensures producers, sellers, buyers, and workers follow the law, including standards for health, safety, diversity, and equity. Oversees the business licensing process to ensure fair and equitable opportunities for underrepresented minorities and people harmed by marijuana prohibition.

- **Cannabinoids** - Cannabinoids are the chemical compounds unique to cannabis that act upon the human body's cannabinoid receptors, producing various effects such as pain relief, paranoia, short-term memory impairment, and relaxed muscles.
- **Cannabis** - Cannabis is a plant genus that produces three species of flowering plants: *Cannabis sativa*, *Cannabis indica*, and *Cannabis ruderalis*. *Cannabis sativa* and *Cannabis indica* are used to produce both recreational and medical marijuana. Cannabis is native to Asia, but grows almost anywhere and has long been cultivated both for the production of hemp and to be used as a drug.
- **CBD** - CBD is the abbreviation for cannabidiol, one of the at least 85 cannabinoids found in cannabis. Recently, CBD has gained support for its use as a medical treatment as research has shown it effectively treats pain, inflammation, and anxiety without the psychoactive effects (the "high" or "stoned" feeling) associated with THC.
- **Concentrates** - Concentrates are a potent consolidation of cannabinoids that are made by dissolving marijuana in its plant form into a solvent. Referred to by a variety of slang terms, the classification of concentrates is often dependent on the manufacturing method and the consistency of the final product.
- **Hash/Hash Oil** - Hash is short for hashish, which is derived from cannabis plants and can be used for consumption or medication. Hash ranges in potency, but is generally stronger than straight flowers since everything but the active part of the plant has been removed. A similar concentrated product can also be produced chemically using a solvent; however, this product is commonly referred to as hash oil or "honey oil."
- **Hemp** - Hemp is a fibrous product that can be produced from the male cannabis plant and can be used in the manufacture of rope, paper, beauty products, and a vast array of other products. Hemp plants have no value as a drug since they are males. However, they are still considered illegal in the United States.
- **Marijuana** - Marijuana is the general term for female cannabis plants or their dried flowers. Females are distinct from male plants in that they are the ones that produce flowers which contain the high percentage of cannabinoids that hold both their medicinal

and psychoactive properties.

- **THC** - THC is an abbreviation for tetrahydrocannabinol. It is the most well-known and most abundantly available cannabinoid in marijuana plants. THC is also the component in marijuana that is responsible for the psychoactive effects, or the "high." Also known as delta-9-tetra-cannabinol.

Part III: A Brief History of Cannabis in the Commonwealth

Cannabis regulation for industrial, medical, or recreational use dates back to the colonial era in Virginia. Cannabis was introduced to Virginia in 1606 for hemp production. Hemp is made from male cannabis plants, primarily the stalk portion of the plant. It grows quickly and its fibers are lightweight and durable. Before the use of synthetic fibers most clothing, ropes, sails, and household textiles were made from hemp. Cannabis was cultivated almost entirely for its fibrous properties.

In 1619 the Virginia Assembly mandated that all colonists grow and maintain cannabis for hemp production. In fact, Thomas Jefferson penned the original draft of the Declaration of Independence on hemp paper.² Four hundred years later that same legislative body has now decriminalized and legalized cannabis. Like most of the U.S., Virginia must still reconcile its past with marijuana as it moves forward to justly regulate it.

By the mid-1800s, American medicine was transitioning from homemade elixirs and tinctures to retail outlets selling precise doses, making it lucrative for Virginia farmers to continue to cultivate cannabis. Virginia farmers cultivated cannabis for patent medicines (also called nostrums) throughout the 19th century. In fact, Virginia would become one of the first states to legalize medical marijuana after the U.S. federal government's prohibition of it.

Virginia passed a law in 1979 allowing doctors to prescribe marijuana to treat glaucoma and to help cancer patients cope with the side effects of chemotherapy. The law didn't outline a process for how those patients could obtain it and was virtually unnoticed by anyone in an official capacity. It wasn't until 1997, when California sought to become the "first to legalize it [marijuana]" for medical use that the Virginia Assembly tried to repeal the law. Instead, the House of Delegates would establish a six-member joint subcommittee to study the economic benefits of, and barriers to, the production of industrial hemp in Virginia.

In 2015, industrial hemp production and manufacturing

was legalized with House Bill 1277. That same year the General Assembly expanded medical marijuana access. Allowing patients with symptoms of intractable epilepsy to possess marijuana in the form of cannabidiol oil (CBD) or tetrahydrocannabinol oil (THC-A). Additionally, State Senator Adam P. Ebbin introduced legislation that would have decriminalized marijuana that ultimately failed.

Between 2015-2019 cannabis legalization in the Commonwealth expanded the legal medical uses of CBD and THC oils and made inroads into decriminalizing cannabis. Specifically, H.B. 2051 in 2017 reversed laws that would suspend driver's licenses for six months of an adult (21 years of age or older) for simple possession while operating a vehicle, setting up legislative pathways for decriminalizing marijuana bit by bit. In 2019, Attorney General Mark Herring called for marijuana legalization stating: *"We are needlessly creating criminals and getting a lot of convictions. . . . And this whole system — the weight of it — falls disproportionately on African Americans and people of color. There is a better, smarter way to approach cannabis, and it starts with decriminalizing simple possession of small amounts, addressing past convictions and moving thoughtfully toward legal and regulated adult use."* This put the emphasis of future cannabis legalization on social justice rather than medical use.

In March of the following year, Governor Ralph Northam signed S.B. 2, decriminalizing simple marijuana possession (one ounce or less) and providing a civil penalty of no more than \$25. As COVID-19 exposed inequities in our social infrastructure and the Black Lives Matter (BLM) movement further exposed racial disparities of our justice system, legalizing marijuana became a priority as a social justice issue. In the 2021 Legislative Session the General Assembly introduced legislation that would legalize simple possession and set up a regulated market for recreational marijuana on January 1, 2024. Governor Northam amended S.B. 1604 and H.B. 2312, legalizing simple marijuana possession for adults on July 1, 2021, and the amendments were accepted by the General Assembly and passed.

While marijuana possession is now legal in Virginia, sales of marijuana for recreational use are still prohibited. And it's important to note marijuana, at the federal level, remains a Schedule I drug under the Comprehensive Drug Abuse Prevention and Control Act of 1997. Legalization at the state level has created many more laws for regulating marijuana use in Virginia. Moving forward State officials will have to budget for public health education on the risks and safety of marijuana use, as well as expedite expungement and sealing of criminal records on marijuana -- comprehensive expungement reform is slated for 2025 due to

aging state agency computer systems and processes. How marijuana will affect the Commonwealth's economy, criminal justice, and health remains to be seen.

Part IV: Marijuana and the League of Women Voters

The League of Women Voters of the United States (LWVUS) does not have a position on marijuana. In general the League has studied drug abuse as it relates to behavioral health and the prosecution of drug offenses. Let's look at what League positions there are and how they might be applied to future advocacy efforts.

The League of Women Voters of Virginia (LWVVA) position on behavioral health:

"Support for comprehensive behavioral healthcare that includes both mental illness and substance use disorder.

- *Access for all people to affordable, quality in- and out-patient behavioral health care, including needed medications and supportive services.*
- *Coordination of comprehensive and integrated care among Health and Human Services (specifically Behavioral Health) and other state departments such as Medical Assistance Services (Medicaid), Public Safety (re-entry planning, identification of behavioral health needs in jails/prisons, patient's rights, substance abuse, and drug/mental health courts), Housing (Transitional and Permanent Supportive Housing), and Education (health education from early childhood through adult). These agencies must provide this care along with a focus on community-based services such as Community Service Boards (CSBs).*
- *Realignment of the funding equation so that a higher proportion of funds to CSBs rather than state institutions. This will result in more cost-effective care that is more responsive to client's needs.*
- *Adequate funds and other incentives to ensure sufficient trained staff at all levels of service.*
- *Continued efforts to decrease the stigmatization of behavioral health problems and care."*

Looking at the local League, in LWVFA's March 2017 edition of the *Fairfax Voter*, marijuana use is discussed in the context of the opioid epidemic, *"OPIOID EPIDEMIC: The United States, Virginia & Fairfax County."* Leaguers Sheila Iskra and Kathleen Pablo question whether marijuana is a "gateway drug" to opioids. They concluded that, "research is suggestive rather than definitive," so maybe. Moreover, Iskra and Pablo highlight that cannabis research is biased and inconsistent among government agencies: "There has been professional disagreement among governmental agencies involved in research and enforcement. In

2016, for example, multiple studies were released which found ‘. . . that access to medical marijuana is associated with reductions in prescription painkiller abuse and overdose rates.’ But the Drug Enforcement Agency refused to reduce restrictions on marijuana use, arguing insufficient evidence.”³ This makes studying cannabis as medicine and applying it to the League’s consensus process difficult.

Based on sentencing policy studies conducted by LWV of Washington D.C., LWVUS adopted a position on Sentencing Policy at the 2012 convention which states:

“The LWVUS believes alternatives to imprisonment should be explored and utilized, taking into consideration the circumstances and nature of the crime. The LWVUS opposes mandatory minimum sentences for drug offenses.”

The League of Women Voters of Fairfax Area lists the above position in their *Here We Stand: Full Position Statements* [Edited 2019] under Judicial Systems Positions, sub-section: Programs. This position allows the League to speak to the penalties of marijuana laws and advocate for the removal of mandatory minimum sentences components in future cannabis legislation.

Part V: Equity in Virginia’s Cannabis Market

The driving force for passing legalization in 2021 was a desire to reconcile Virginia’s past use of marijuana prohibition to criminalize people of color, particularly Black Americans. In the General Assembly’s Joint Legislative Audit And Review Commission’s (JLARC) report on marijuana legalization they found that “From 2010–2019, the average arrest rate of Black individuals for marijuana possession was 3.5 times higher than the arrest rate for white individuals (and significantly higher than arrest rates for other racial or ethnic groups). Black individuals were also convicted at a much higher rate—3.9 times higher than white individuals.”⁴ To redress this, S.B. 1406 includes social equity provisions, particularly the Cannabis Equity Reinvestment Fund (referred to as “the Fund”), that would provide scholarships, workforce development services, and low- or no-interest loans for qualified cannabis businesses to those who have been historically and disproportionately targeted and affected by drug enforcement. Whether this is enough to provide equity in Virginia’s cannabis industry depends on the legislature’s commitment to social equity.

*** It should be acknowledged that without the advocacy

³ Christopher Ingraham, “Prescription painkiller use tops that of tobacco,” *The Washington Post*, September 21, 2016.

⁴ JLARC, Report to the Governor and the General Assembly of Virginia: Key Considerations for Marijuana Legalization, page ii.

efforts of the ACLU of Virginia, Marijuana Justice, RISE for Youth, and Justice Forward Virginia’s legalization of simple possession may have been postponed to 2024. Moreover, these organizations should be credited with providing the General Assembly and Governor’s office with a framework for addressing social equity in cannabis legislation. They emphasize the following is needed in cannabis legislation: stop disproportionate enforcement, promote marijuana business ownership or employment, and direct tax revenue into communities that have been harmed.



Discussion questions

1. What are your thoughts on this new law? Are there any positive or negative outcomes you foresee coming from this law?
2. Do you feel the new law addresses the issue fairly, goes too far or does not go far enough? In what way?
3. Did you find any information in this report surprising or unexpected? In what way?
4. Are the current League positions adequate for advocacy or is more needed?

Environmental Update: Drive Clean

By Elizabeth Lonoff

President Biden has set a goal of at least halving U.S. greenhouse gas (GHG) emissions by 2030. Tailpipe emissions are the single largest U.S. contributor to climate change. Upcoming federal rules likely will build upon California's 2019 framework agreement on emissions standards reached with Ford, Volkswagen, Honda, BMW, and Volvo to increase the mileage standard and cut GHG emissions by 3.7% per year. In July, Mercedes-Benz announced plans to invest about \$47 billion in research and development projects to transition to solely manufacturing electric vehicles by 2025, if market conditions allow.

According to the International Council on Clean Transportation, only fuel cells and battery electrics can limit climate change to 1.5-2 degrees Celsius since emissions from the global transport sector would need to be reduced 80% by 2050. Its July report confirms that electric cars generally emit less GHG than gasoline cars on a life-cycle basis. You can be part of this transition by switching to an electric vehicle (EV).

Learn about the importance and benefits of driving an EV. The LWV of California is co-hosting educational and inspirational gatherings encouraging EV adoption to improve air quality and reduce carbon emissions per LWVUS' declaration of a climate emergency. With personal vehicles accounting for 37% of total GHG emissions in Virginia, the biggest step a typical resident can take to reduce their carbon footprint is to switch to an EV.

Invite friends and family to hear EV and e-bike experts and drivers:

- share their experiences, the latest trends in vehicles, costs, and considerations when moving to electric;
- discuss government incentives, solutions for residents who live in apartments, and additional financial incentives for disadvantaged communities;
- debunk common EV myths; and
- answer your questions.

Join us on Zoom on Saturday, October 16 from 8-9 p.m. or Wednesday, October 20 from 9-10 p.m. Register at <https://drivecleancalifornia.org/league-of-women-voters/#signup>

The availability of EV inventory at new-car dealerships is a significant barrier to wider adoption. This year, the General Assembly passed the Clean Car Standards, requiring manufacturers to deliver more EVs to Virginia dealers.

Other transportation actions included approving, though not yet funding, an EV rebate program and directing the State Corporation Commission to report on ways to electrify transportation while ensuring access to more charging stations.

Local Opportunities: Stream Monitoring

- The Friends of Accotink Creek is holding a stream monitoring workshop at Lake Accotink Park on Saturday, September 11 from 9:30-11:30 a.m. Volunteers will assess ecological conditions in streams, based on the presence and abundance of bottom-dwelling invertebrates. See <https://www.accotink.org/Stream-Monitoring.htm> for additional information and to register.
- Loudoun Wildlife's Stream Team will conduct simulated stream monitoring surveys at the Goose Creek 50th Annual Family Festival at Aldie Mill Historic Park (39401 John Mosby Highway, Aldie) on Sunday, September 19 from 12-4 p.m. The free celebration also will include wildlife and other environmental exhibits, an art show, children's games, and food trucks.
- The Loudoun Wildlife Conservancy's Stream Team will catch and count creek critters at the Chapman DeMary Trail in Purcellville on Sunday, September 26 from 1-3 p.m. Sign up to help determine the health of the South Fork Catoctin Creek at <https://loudoun-wildlife.org/event/catch-and-count-creek-critters/>.
- The Izaak Walton League is offering the introductory parts of its stream monitoring certification training online. See <https://www.iwla.org/water/stream-monitoring/upcoming-water-monitoring-workshops/online-certification>.
- Use the Audubon Naturalist Society's Creek Critters® app to find and identify small organisms living in freshwater streams and create stream health reports based on your findings. Learn more at <https://anshome.org/creek-critters/>.

CEDV and Domestic Violence: 2021 and Beyond

By Theresa Brion

The Fairfax County Council to End Domestic Violence (CEDV) held its quarterly meeting virtually on July 15, 2021, with Chairman Supervisor James Walkinshaw (Brad-dock District) presiding. Chair Walkinshaw explained that a local state of emergency remained in effect, requiring that the CEDV continue to meet virtually but that the an-

nual meeting and regular quarterly meeting for October 2021 is likely to be in person.

A policy for remote attendance via electronic communication media in the future was adopted, allowing members to request remote attendance as long as certain requirements are met. CEDV subcommittees also may adopt similar rules for their respective meetings.

Toni Zollicoffer, Director, Fairfax County Department of Family Services—Domestic and Sexual Violence Services (DSVS), described the Equity Workgroup’s engagement in a root cause analysis to determine appropriate recommendations for purposes of achieving greater equity within the DSVS. CEDV member Kader Gumus assisted in explaining the root cause analysis approach as well as the rationales.

Next, Jonathan Yglesias, Policy Director, Virginia Sexual and Domestic Violence Action Alliance, provided a summary of some of the sexual and domestic violence legislation adopted at the 2021 virtual session of the Virginia General Assembly. Highlighted legislation provides for the following:

- \$750K annual funding for the Virginia Sexual and Domestic Violence Prevention Fund;
- Virginia Department of Health to continue to award funding from the Federal Rape Prevention and Education Fund to six sexual and domestic violence (SDV) organizations;
- Criminalization as Class 1 misdemeanor of the possession, purchase or transport of firearms within three years of a person’s conviction of assault and battery of certain family/household members (Note: the definition of family/household member currently is narrower than under certain other SDV statutes);
- Adult Protective Services (APS) workers are authorized to request a protective order on behalf of incapacitated adults subjected to violence, injury or financial exploitation;
- Expansion of waiver of the 120-hour requirement for all victims (not just minors) to report a crime to law enforcement for eligibility for compensation under the Criminal Injury Compensation Fund;
- Procedures by which victims of sex trafficking may have certain SDV convictions vacated and providing for trafficking to be an available affirmative defense; and
- Requirement of a response to a properly completed U Visa or T Visa application within 120 days.

Yglesias also reported that the U. S. Senate approved time during the following week for floor discussion of S. 611,

Victims of Crime Act (VOCA) Fix to Sustain the Crime Victims Fund Act of 2021. (Note: President Biden signed the VOCA Fix to Sustain the Crime Victims Fund Act of 2021 into law on July 22, 2021.)

The annual meeting of the CEDV will occur in person on October 21, 2021, beginning at 8:30 a.m. Although historically the CEDV frequently does not also hold a quarterly meeting in October, Chair Walkenshaw proposed that the CEDV continue to meet in October; the meeting will occur on a date to be determined.

Toni Zollicoffer then presented CEDV goals for 2022 and beyond, with the primary goal of DSVS offering a coordinated response to interpersonal violence and appropriately engage the community in its work. Pre-pandemic goals for 2019 focused on four programmatic areas: streamlining the court process; improving partner abuse intervention; underserved and underrepresented populations; and the Step Up 4 Kids program. Zollicoffer explained that future work includes an evaluation of the pre-pandemic goals, making any needed modifications; and determining the vision for 2022 and beyond. Discussion reflected a desire to improve collaboration as well as assure regular communication with the Board of Supervisors.

Leaguers Send a Letter to the Future

By Kathleen Pablo

On July 21, several LWVFA members attended the dedication of the Turning Point Memorial in Occoquan. As part of the ceremony, a time capsule was placed in the base of the Memorial, watched over by the Silent Sentinels, who took four-hour shifts, standing motionless in long skirts, petticoats, long sleeves, hats. On behalf of LWVFA Maggie Luca and Lois Page inserted a package of artifacts, educational materials, a copy of “Iron-Jawed Angels” and a statement describing our activities, initiatives, and our role as a founding partner in the Memorial. The capsule will be opened in 25 years – hope many of you will attend!

The text of the letter follows on the next page, with pictures by Maggie Luca.



“Greetings from 2021!

In 2021, we are beginning to move towards electric cars, but we are also beginning to see the effects of climate change with vast forest fires and high temperatures in the Pacific Northwest and flooding in Germany and Indonesia. Two billionaires just launched their own private rockets into space. Are you now traveling in your own private rockets – electronically powered by renewable materials, we hope?

Lately, we have had a pandemic with COVID-19. That caused a shutdown nationwide, so we all pivoted to Zoom. “You’re on mute” became one of the most common phrases. Our programs, however, have not been on mute:

- Run the Fairfax County Public High School Voter Registration Challenge that has registered and educated thousands of young voters. Our work has inspired a state law requiring high school voter registration at all public schools in Virginia;
- Outreach to voters via social media, including Instagram, Twitter, Facebook, Snapchat, and TikTok;
- Run informative candidate forums that are available on social media;
- Hold voter registration drives at the Capital Area Food Banks, Farmers Markets, festivals in Annandale, Fairfax, Reston, Vienna, and more;
- Advocated for voting rights legislation, transforming Virginia into a bastion of voting rights;
- Advocated for the passage of the Equal Rights Amendment, becoming the 38th and final state to pass the ERA;

- Advocated for the successful passage of the Constitutional Amendment on Redistricting Reform in Virginia.

Turning Point Suffragist Memorial Project

In 1982, the Fairfax League teamed with a descendent of a suffragist incarcerated during the “Night of Terror” at the Occoquan Workhouse in November, 1917 to erect an historic highway marker commemorating that infamous event. (Currently, 2021, that marker is located a few hundred feet north of the Occoquan Park entrance, on Rt 123.) In 2008, The League and NoVA Parks cooperated in building a plaza next to the brick kiln, with large plaques recounting the events culminating in the passage of the 19th Amendment, giving women the right to vote. By the time



of its completion, in 2010, plans were already underway to erect what has become a national memorial to the courageous women who were imprisoned and brutalized at Occoquan, and to tell the larger story of the 72-year American Suffrage Movement. The League of Women Voters of the Fairfax Area was a founding partner of this initiative, and has worked tirelessly to assist the Turning Point Suffragist Memorial Association, and many individuals and organizations across this country, to build a park which would not only honor those who gave so much in this cause, but would also continue to tell their story, and to inspire others to re-dedicate themselves, pick up the suf-

fragists’ banners, and to work to ensure, protect, and expand the precious right to vote.”



LWVFA Donors and Supporters

The LWVFA Board extends an overwhelming thank you to the following individuals and organizations for their amazing support!
May 1 – June 30, 2021

Anne Andrews
Laurie Corkey
Marilyn Geldzahler
Claudia Hottenstein
Mary Melley
Jill Altman & Daniel Meyer
Jane Plum
Winifred Shapiro
Gloria Suslow

* * * * *
Members of:
Mt Vernon Evening Unit
Springfield Unit

* * * * *
Amazon Smile

League of Women Voters of the U.S. Education Fund

LWV-FA Membership Report

By Donna Blake

If you have not yet renewed for the 2021-2022 membership year, please do so now! Our year runs from July 1 through June 30. The membership form appears on our web site at <http://www.lwv-fairfax.org/join> and on the back page of the *Fairfax VOTER*. Payment may be done through PayPal or by personal check; there is an option on the web site to set up automatic renewal. Although student memberships are free, we would like to have students send a renewal form to indicate their intention to remain active in LWVFA in the coming year.

This year it is possible to donate to the General Fund at the new Membership Plus levels. Please consider adding \$25 for an individual at the Suffragist level or \$50 for an Advocate Household. The basic membership fees are covered in either case. Two higher levels, Champion and Founders' Circle, will provide an even greater contribution to the GF. We plan to use donations to support members of limited income, to invest in enhancements to web site technology, and to pay for priority projects that we did not anticipate. Please note that donations to the General Fund are not tax deductible, but they contribute to a very good cause.

Our membership stands at 497. The following individuals joined LWVFA over the summer:

Angel Brown (Student)
Ann Connell
Elizabeth Diliberti
Greg Harvey
Shyamali Hauth
Angela Lewis

Alison Rivard
Sakati, Elizabeth
Schubert, Jo Ann
Sheerin, Nancy
Stewart, Dana
White, Sarah

Welcome!!

Unit Discussion Meeting Locations

Topic: Marijuana Legislation

Members and visitors are encouraged to attend any meeting convenient for them, including the “At Large Meeting” and briefing when one is listed. As of August 1, 2021, the following information was correct; please use phone numbers to verify sites and advise of your intent to attend. The September Unit meetings will be in person, except where noted.

Thursday, September 2

7:00 p.m. At-Large Unit Meeting / Briefing

Virtual meeting via Zoom
Meeting to be recorded for those who cannot attend
Contact: Jessica, 301-704-7854 or Jessica.storrs@lwv-fairfax.org

Wednesday, September 8

9:30 a.m. McLean Day (McL)

StarNut Café
1445 Laughlin Ave., McLean
Contact: Peggy, 703-772-4939, peggyknight49@gmail.com

10 a.m. Mount Vernon Day (MVD)

Mt. Vernon Government Center
2511 Parkers Lane, Alexandria
Contact: Diana, 703-704-5325 or jfdw1111@gmail.com

10 a.m. Fairfax Station (FXS)

8739 Cuttermill Place, Springfield
Contact: Bev, 703-451-4438, rb-dahlin@verizon.net or Sue, 703-266-0272, sueoneill1@hotmail.com

Thursday, September 9

9 a.m. Reston Day (RD)

Virtual meeting via Zoom
Contact: Barbara (703) 437-0795 or bseandlte@earthlink.net

10 a.m. Springfield (SPF)

Packard Center
4026-B Hummer Road, Annandale
Contact: Jane, 703-256-7834, patchwork1@verizon.net

11:30 a.m. Centreville-Chantilly (CCD)

Lunch at Food Court, Wegman's
14361 Newbrook Dr., Chantilly
Contact: Susan, 703-391-0666, sadill@cox.net

1 p.m. Oakton/Vienna (OV)

Oakton Public Library
10304 Lynnhaven Place, Oakton
Contact: Mary, 703-932-3665; mmvalder@aol.com

7:30 p.m. Reston Evening (RE)

Virtual meeting via Zoom
Contact Wendy, 703-319-4114, wendy.foxgrage@gmail.com

7:45 p.m. Mount Vernon Evening (MVE)

Virtual meeting
Contact: Jane, 703-960-6820, jane@hilderwilliams.net or Susan, 703-587-4790, scash5002@email.vccs.edu

Monday, September 13

1:30 p.m. Greenspring (GSP)

Hunters Crossing Classroom
7430 Spring Village Drive, Springfield
Contact:
Pat, pmcgrady308@gmail.com or Judy, jjsmith64@earthlink.net, 703-342-3353

October Meetings:

White Privilege: Unpacking the Invisible Knapsack



The League of Women Voters® of the Fairfax Area (LWVFA)
 4026-B Hummer Road, Annandale, VA 22003-2403
 703-658-9150. Web address: www.lwv-fairfax.org

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**The LWVFA Fairfax VOTER®
 September, 2021**

Anu Sahai, Co-President
 Pat Fege, Co-President
 Katherine Ingmanson, Editor

The League of Women Voters® is a nonpartisan political organization that encourages the public to play an informed and active role in government. At the local, state, regional and national levels the League works to influence public policy through education and advocacy. Any person at least 16 years old, male or female, may become a member.

The League of Women Voters® never supports or opposes candidates for office or political parties, and any use of the League of Women Voters® name in campaign advertising or literature has not been authorized by the League.

Please Support Our Work! The LWVFA Education Fund is supported by donations from our members and the public.
<https://www.lwv-fairfax.org/donate>



LWVFA MEMBERSHIP/RENEWAL FORM

Dues year is July 1 – June 30

Name: _____ Unit (if renewing): _____
 Name of Second Household Member (if one): _____
 Street Address: _____ Condo/Apt No: _____
 City: _____ State: _____ Zip Code +4: _____
 E-mail: _____ Phone: (C) _____ (H) _____

Membership Status: _____ New _____ Renewal

Membership Level (please check one):

Basic Membership:

Individual (\$75); Household (two members who share the same mailing address) (\$100);
 Limited Income (suggested donation: \$10); Student (Free!)

Membership Plus:

Suffragist (\$100); Advocate Household (two members who share the same mailing address) (\$150);
 Champion (\$300); Founders' Circle (\$500)

Membership Plus levels include basic membership PLUS a donation to the LWVFA General Fund. This money will support members of limited income, help invest in LWVFA web site technology, and support other priority projects. General Fund donations are not tax deductible.

Volunteer Interests:

Please visit surveymonky.com/r/LWVFAFairfaxVols to let us know your interests.

Please mail this completed form along with payment to:
 LWVFA, 4026-B Hummer Road, Annandale, VA 22003-2403