

Sealing crime convictions from view

Law approved four years ago, expected to go into effect soon

By Peter Dujardin
Staff writer

Virginia is expected to begin shield many past criminal convictions — including certain lower-

level felonies — from public view. If a person meets certain criteria, such as not committing more crimes for a certain number of years, they can have certain past convictions sealed under a law that was approved four years ago and is expected to go into effect soon.

The change will mark the first time in Virginia history that criminal convictions can be sealed from

public scrutiny. The sealed convictions and related records will still exist in the background in police and court system computer servers — and can still be accessed by state and local agencies for a variety of purposes. But they will otherwise largely be kept hidden. When such a case is sealed, the person convicted of the crime is

free to deny to any state or local government agency or to any private employer in the Commonwealth that such an arrest, charge or conviction occurred. And if someone asks a law enforcement agency about sealed cases, the agency can simply respond that no such record exists. (There are exceptions for those trying to work as police officers

and a small number of other jobs). Many of the biggest changes — initially expected to go into effect this summer — are already on the books. But lawmakers more recently passed a bill making many more crimes ineligible for sealing and delaying the launch by six months. Those changes are on Gov. Turn to Convictions, Page 4



Defense Secretary Pete Hegseth wants to ensure the cuts don't hurt military readiness. ROD LAMKEY JR./AP

Pentagon to cut up to 60,000 jobs in the coming months

Military is working to ensure reduction doesn't affect troops

By Lolita C. Baldor
Associated Press

WASHINGTON — Roughly 50,000 to 60,000 civilian jobs will be cut in the Defense Department, but fewer than 21,000 workers who took a voluntary resignation plan are leaving in the coming months, a senior defense official told reporters Tuesday.

To reach the goal of a 5% to 8%

cut in a civilian workforce of more than 900,000, the official said, the Pentagon aims to slash about 6,000 positions a month by simply not replacing workers who routinely leave.

A key concern is that service members may then be tapped to fill those civilian jobs left empty by the hiring freeze. But the official, who spoke on the condition of anonymity to provide personnel details, said Defense Secretary Pete Hegseth wants to ensure the cuts don't hurt military readiness.

The cuts are part of the broader effort by billionaire Trump

adviser Elon Musk's Department of Government Efficiency Service to slash the federal workforce and dismantle U.S. agencies.

Acknowledging that "some" military veterans will be among the civilians let go, the official would not estimate how many but agreed it could be thousands.

The department is using three ways to accomplish the workforce cuts: voluntary resignations, firing probationary workers and cutting jobs as employees routinely leave. The official said the military services and Pentagon officials are going over the personnel on a

case-by-case basis to ensure cuts don't affect critical national security jobs.

Officials would not say how many Defense Department civilians requested the voluntary resignation plan — also known as the "Fork in the Road" offer — but said more requested it than the number who eventually were approved.

The defense official said the "vast majority" were allowed but that in some cases, people were denied for national security reasons or to make sure that no

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Schools brace for cuts in funding

Va. officials raise alarms about federal government changes

By Nathaniel Cline
Virginia Mercury

Parents, educators and school officials in Virginia are bracing for the impact of sweeping federal education cuts under President Donald Trump's administration — moves that could reshape the state's accountability measures, principal training programs and the cost of key remediation tools.

The administration's decisions have raised pressing questions about whether Virginia's schools have the resources to support students adequately. Among the concerns is a proposal to shift certain education offices — such as special education — into other agencies like Health and Human Services.

"I think that the lack of vision here around what's being cut is really problematic for our communities," Virginia PTA President Jenna Alexander said in an interview with The Mercury.

In recent months, the administration has aggressively restructured federal agencies, slashing budgets and eliminating positions — nearly half of the jobs at the U.S. Department of Education. Established

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Juvenile gray seal comes ashore for a snooze in Virginia Beach. News, Page 3

Pitch perfect

Find out which boys and girls high school soccer teams will score big this season. Sports

Gaining steam

Saunas are catching on among UK 20- and 30-somethings looking for a healthy pastime. Business, Page 13

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Norfolk asks Tides fans to take public transit

Casino construction creating parking crunch in area

By Trevor Metcalfe
Staff writer

Norfolk officials hope expanding free public transportation options during Norfolk Tides baseball games will help alleviate parking challenges caused by construction of the city's casino project.

But it remains to be seen whether Tides fans will abandon their car keys for light rail and ferry tickets when Harbor Park opens for the season next week.

Norfolk Tides and city officials are asking fans to use The Tide Light Rail and the Portsmouth ferry service to travel to Tides games this season after Harbor Park lost the use of several parking lots and hundreds of spaces due to casino construction. The season begins with a home game facing the Durham Bulls at 6:35 p.m. March 28.

Norfolk Tides General Manager Joe Gregory acknowledged the changes will be an adjustment for fans used to parking and walking right into the ballpark. He said public transit would help give fans options.

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The Tide Light Rail passes by Harbor Park in 2021 prior to a Norfolk Tides game. Team and city officials are asking fans to take free light rail to this season's games due to limited parking space as casino construction begins. STAFF

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Convictions

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Glenn Youngkin's desk. "It's a monumental piece of legislation," said Kristen Howard, the executive director of the Virginia State Crime Commission. She called the law and recent changes the most challenging piece of legislation he worked on. It's a shift in how we handle crime in our courts, so it's big time," Howard said. "When you're creating something that's brand new, and that's such new concepts for everyone to implement, it's a big lift."

Lawmakers initially passed the legislation in 2023 as part of a series of criminal justice reforms. Legislators decided that past convictions and arrests can hamper people's ability to turn their lives around. The idea is that, once someone is served their time, they should not face a lifetime of repercussions. If potential employers and landlords don't know the person's record, they can't make informed decisions about the applicant's employability.

"For someone who's applying for a job, being able to get rid of an old conviction on your record can make a huge difference," said Rob Fergnush, the executive director of Justice Forward Virginia, a criminal justice reform organization. "It's something that could be sealed immediately. That law was passed when the governor and both

houses of the General Assembly were under Democratic control. It's a law that they didn't really get to have if they didn't really get to have it," Fergnush said.

The measure, signed into law by Gov. Ralph Northam, was designed to go into effect on July 1 of this year. Under the bill, certain misdemeanor convictions such as their disorderly conduct, trespassing, or willful possession of a firearm, will be automatically expunged if seven years have passed with no other convictions.

People convicted of most misdemeanor convictions to have their cases sealed from public view if they've stayed out of trouble for seven years. Lower-tier felonies, felonies punishable by up to 10 years in prison — can likewise petition to have those convictions sealed. To get a case sealed, a petitioner must have no low-level felony convictions for at least a decade, no mid-level felonies for at least 20 years, and no misdemeanor convictions resulting in aquittal or court records will be automatically sealed in most cases. And acquittal in felony cases — including murder cases — can be sealed upon a defendant's request so long as the commonwealth's attorney agrees. That opens the prospect of more people getting their records sealed immediately following a verdict.

The original law and recent

legislation are complex, with lots of provisions — and detailed caveats — to those provisions. It's a complex system of computer systems and methods of storing court and criminal records, both electronic and on paper.

The changes will have reverberations not only on the Virginia State Police — the state's primary repository for criminal records — but more than 200 circuit and general district courts and general sessions courts across the state. They will affect the Virginia Department of Motor Vehicles as well as hundreds of police departments, and sheriff's offices. They will also affect prosecutors, defense attorneys, judges, and many more.

Lawmakers pushed the implementation date out to Jan. 1 to give everyone more time to get their records updated. The seal is being rolled out in criminal and court records in Virginia largely got underway. That could create some complaints from people in their 50s and older who have old convictions in their younger days. They won't get their records updated until the end of the year.

But in perhaps the biggest change, the General Assembly sharply cut back on the convictions that can be

sealed.

The 2021 law says most misdemeanors and lower-tier felonies can be sealed if the defendant has no other convictions. But particular offenses — including DUIs, involuntary manslaughter, rape, and assault and battery involving a household member and protective order violations — would not qualify.

Lawmakers greatly expanded that list this year, including offenses that were being barred from sealing. That includes crimes involving guns, child victimization, hate crimes, threats to family members, stalking, and violations of custody orders, certain animal cruelty cases and many more.

In the end, about 2,425 convictions in Virginia — 1,000 offenses in Virginia — remain ineligible for sealing under the new bill. That amounts to about 90% of all misdemeanors and more than 62% of lower-tier felonies.

Among the records that are expected to be widely sealed are past drug possession convictions, past probation and parole violations, and trespassing and disorderly conduct. This year's bill also clears up language that could have blocked police from using investigatory files from cases that were later sealed, allowing them to be used so long as they aren't shared with the public.

In another addition, people who have been convicted of past crimes must pay their

restoration before their sealing. The resulting legislation would be effective on Oct. 1, 2025 (98-0).

"If you're applying to work for a police department or sheriff's office in Virginia, you must disclose all such information — information that has been sealed — under penalty of perjury. If federal law requires an employer to ask about all past arrests or convictions, then you must disclose that as well. The same holds for someone working in the interest of the national security of the United States."

In such cases, willfully failing to disclose information about a conviction or arrest shall be grounds for prosecution of perjury.

Many state agencies — including state police and police departments and the Virginia Department of Forensic Science and the Department of Motor Vehicles, among others — will have access to the sealed records.

The law also says that sealed criminal records can be used as part of the decision-making process for custody cases. Moreover, the sealing of felony convictions also does not restore rights that were lost by those convictions — such as the right to vote, the right to serve on a jury or the right to purchase a handgun.

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Pentagon

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good deal of trouble in determining which jobs should be eliminated. He added that Hegesh also has given the secretary of the military branches and Defense Department personnel leaders the authority to grant exemptions to the hiring freeze.

An average of 70,000 civilian employees are slated to retire in 2025, which amounts to about 6,000 a month, he said.

Funding

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In 2019, the department was talked with opening equal educational opportunity and supporting schools, teachers and research to improve learning outcomes.

Scott Barnard, executive director of the Virginia Association of School Superintendents, said his organization's clients are looking for more jobs in all parts of the state, from rural schools across the commonwealth.

"What we are monitoring very closely and very concerned about is the combination of all of the Title funds — as well as the IDEA funds that support special education students and other students with disabilities," Barnard said. "We are very concerned about the impact on those funds and the need to see those funds maintained."

warning that the Virginia Department of Education is not equipped to take on the responsibilities of a uniform regional education. "No, I don't believe the Virginia DOE is set up to do that and the Virginia DOE can do that," Kaine said during a March 6 call with reporters.

It should be to improve academic performance," Kaine said.

Virginia high schools are scrambling to administer a career readiness exam after an executive order from Trump effectively suspended the tests. The order, aimed at cutting non-essential travel for Department of Defense military top officers, has disrupted the state's administration of the Armed Services Vocational Aptitude Battery (ASVAB), a crucial tool for assessing students' academic and occupational potential — particularly for those considering military careers.

Under the state's new accountability system, schools are being ranked on how well they prepare students for life after high school. ASVAB results are one of the measures used to determine school accreditation, putting additional pressure on educators to find a solution before spring break.

Classroom support. With federal proposals for spending more on schools, the cost of a critical web-based tool that tracks student progress, the Virginia Virtualization and Analytics Solution (VVAAS) — designed to analyze state assessment data, compare students' performance across the state, and guide schools from the Virginia Association of Secondary School Principals

had been let go, finding legal problems with the way the mass terminations were being handled.

The official advised that Hegesh is confident that staffing cuts can be done without negatively affecting military readiness. The Pentagon chief last month in Germany noted that he was planning to welcome DOEZ to the Pentagon, adding that the department had 74,000 professional staff and headquarters in

Hampton Roads is home to the world's largest naval aviation fleet, and more than a dozen other major bases. According to the Department of Defense, about 40,000 civilian personnel are employed on this region's military bases.

Across the government, about 75,000 federal workers are being let go through deferred resignation programs. About 74,000 professional employees were initially

let go in the now-paused mass hirings across multiple agencies since Trump took office, according to analysts at the Heritage Foundation. The government has confirmed that number. The personnel reductions come as top Democrats on the House Judiciary and House Oversight committees have filed a lengthy Freedom of Information Act request questioning whether DOEZ Service is operating "outside the bounds of

grants rather than funding streams with strict spending requirements. They argue that giving states more flexibility would help address issues the rural school funding, achievement gaps, and workforce readiness.

But not everything is good news. "We're not on the plan, appears to come with little accountability, making it unclear whether the funds will actually reach the students and schools that need them most."

"That's what all of these (reports) that ultimately got us here are making sure that the money was being used as

retrofitted to other education expenses. The General Assembly, following Gov. Glenn Youngkin's request, has opted to fund the program with VVAAS in the state budget. Lawmakers propose replacing roughly \$5 million — initially provided through pandemic relief funds — toward other public education needs.

21, while the remaining 20% transferred or left the position, according to National Center for Education Statistics data. However, particularly in recent years, particularly after the pandemic, dozens of departures due to burnout and the pressures of overcoming learning loss, WTOP reported.

The initiative, originally financed using Title I funds, is now being funded in part by federal education dollars come under threat. Krizia Barton-Arnold, executive director for Virginia Association of Elementary School Principals, highlighted the program's value in supporting new school leaders by co-teaching workshops.

"In this year alone, it's been funded by Title II, and Title II is on the chopping block with everything that's happening nationally," Barton-Arnold said. "So that's one huge impact for the program."

But the program funding, but lawmakers did not include it in their budget amendments.

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