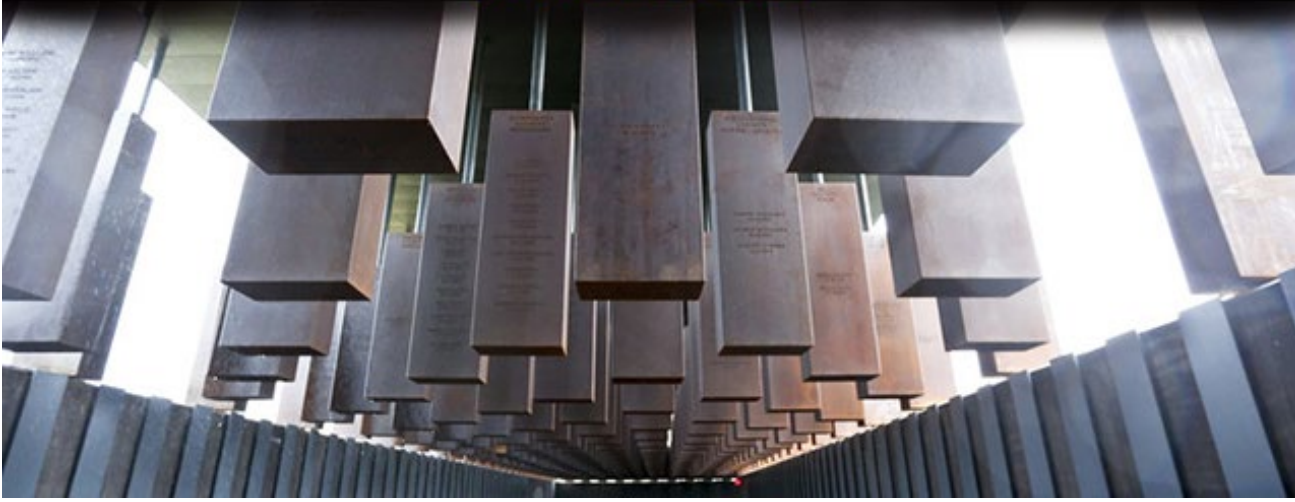


# ALEXANDRIA COMMUNITY REMEMBRANCE PROJECT NEWSLETTER



## October 2023 Edition

### Leftovers & Unjust Deserts

A legacy from the 1902 constitution has been haunting Virginians and causing trouble of late. When the Jim Crow Constitution was put in place, it culturally and legally solidified an old trope that started during enslavement and was used to keep free Black people from voting. They elevated numerous misdemeanors to felonies and then ruled that convicted felons could not vote. In recent weeks, there have been news stories about a computer glitch that disqualified a number of former felons from being able to vote. The Governor's office has been working to restore those wrongly taken off the rolls before Election Day, but not without vocal criticism.

[Virginia is the only state that disenfranchises people](#) who have served time for a felony and forces them to ask the Governor to restore their rights to vote, serve on a jury, or run for office. African Americans, who make up [more than half of the state's prison population](#), have been disproportionately affected throughout Virginia's history. Since the [Autumn of 1865](#), white Virginians have passed law after law to prevent Black Virginians from voting. Before that, during the era of enslavement, free African Americans were criminalized in order to deny them the vote.

At the turn of the 20th century, Southern States threw out the constitutions drawn up in the wake of the Civil War that acknowledged and accepted the liberation, citizenship and freedoms of African Americans in exchange for being allowed back into the union. The new charters, drafted by former confederates and a generation raised on white supremacy after the war, dismantled Black citizenship. They used tactics such as literacy tests, poll taxes and criminal records to stop African Americans from exercising their right to vote. Virginia, as it turns out, was not an exception.

As early as the 1870s, white conservatives in Virginia and Alexandria wanted to rid themselves of the Underwood Constitution that guaranteed every 21-year-old male the right to vote and limited prohibition to people convicted of treason or corruption, those who participated in duels, or those deemed to be "idiots and lunatics."

As soon as white Virginians regained home rule in 1870, they began weaving a web of state and local segregation laws that trapped African Americans into a racial hierarchy. Then two US Supreme Court decisions, made in 1896 and 1898, narrowly interpreted the 14th and 15th amendments changing their intent and allowing states to segregate public spaces and services and disenfranchise African Americans. In 1901, Virginia's conservative lawmakers called a constitutional convention with the stated purpose of ensuring Black

men - the majority of whom were republicans - could not vote.

### **Constitutional Conventions & Crime**

Virginia's constitutional convention of 1830 was called to address the underrepresentation of western counties (mainly those that later broke away to form West Virginia) and to expand suffrage to free Virginians. But there were more than 40,000 free Black people living in Virginia posing a problem for white lawmakers who only wanted to extend the franchise to white men. At the meeting, Governor William B. Giles linked free African Americans to crime, claiming they were four times more likely to be in prison than white or enslaved people.

The reason, he conjectured, was that white men were moral and virtuous.

"Once the conclusion was reached that free blacks were prone to criminal conviction and subsequent incarceration, the framers inserted a phrase allowing for disenfranchisement for "infamous crime," [according to a paper on the subject by Helen A. Gibson](#).

To sum it up, Black freedmen were kept from voting due to an assumption that they had a "proclivity for crime." The vote was then expanded to those who leased lands and heads of households.

This misguided perception was spread throughout the white population as justification for denying the vote to all free men. It also contributed to more free African Americans being incarcerated. By 1845, they made up just six percent of Virginia's population, but 40 percent of those imprisoned.

Another revision to the constitution came in 1851 and in it, delegates expanded the term "infamous crimes" to include bribery.

### **Institutionalizing Inequality**

There was a moment in time, after April 9, 1865 when Alexandria and Virginia, had an opportunity to share power equally and begin to meet the ideals set forth in the Declaration of Independence. But in the Fall of 1865, Virginia's white leaders began to enact "Black Codes" turning petty crimes into felonies and making homelessness and joblessness illegal in an effort to ["ensure the availability of Black labor."](#) (Conservative democrats won a majority on the Common Council in 1873 and seized on the vagrancy law to provide [forced labor to keep up Alexandria's streets](#).)

In 1876, lawmakers amended the state's constitution to include petit larceny among the crimes that disqualified a voter. At the time, it was a common belief that those formerly enslaved were "prone" to stealing and it was easy to both accuse and convict African Americans of the crime, according to Gibson. The charge could be levied for stealing as little as \$5 from another person or for taking any property valued at less than \$200. Again, the purpose of elevating the crimes to felonies was to fill the ranks of the Chain Gang with convicts who were forced to labor for free.

Once the laws were promulgated, police had the power to charge Black citizens with the crimes and white juries were impaneled to try them. White citizens were also empowered in that they could swear out warrants against Black neighbors for legal and cultural infractions. Jim Crow laws built upon the Black Codes and mob violence was employed to compel compliance from African Americans. Virginians had [culturally, socially](#) and legally returned Black citizens to a "second slavery" and when Black Codes and Jim Crow laws were enforced prisons were filled.

The result was a significant racial imbalance in the state's legal system. Delegates to the 1902 convention relied on this system when they crafted a constitution that would disenfranchise Black voters by expanding the crimes for which the vote could be revoked:

"The following persons shall be excluded from registering and voting: Idiots, insane persons, and paupers; persons who, prior to the adoption of this Constitution, were disqualified from voting, by conviction of crime, either within or without this State, and whose disabilities shall not have been removed; persons convicted after the adoption of this Constitution, either within or without this State, of treason, or of any felony, bribery, petit larceny, obtaining money or property under false pretenses, embezzlement, forgery or perjury; persons who, while citizens of this State, have fought a duel with a deadly weapon, or sent or accepted a challenge to fight such a duel, either within or without this State, or knowingly conveyed a challenge, or aided or assisted in any way in the fighting of such duel."

In Alexandria, on December 1, 1902, Alexandria Gazette editor Dr. Harold Snowden crowed, "The negro, politically, has seen his day!"

Unfortunately, he was right. In the 1900 Presidential election 264,095 Virginians voted. But after the 1902 constitution went into effect half that number voted in 1904 and almost all of them were white, according to J. Douglass Smith.

"By the end of 1902, determined registrars and literacy tests had eliminated all but 21,000 of an estimated 147,000 Blacks of voting age from the registration lists; three years later, the new poll tax cut that number in half. The electorate was so thoroughly eviscerated that throughout the first half of the twentieth century the Democratic Party regularly elected its gubernatorial candidates with the support of less than 10 percent of the adult population," Smith said.

The 1902 Constitution stayed in place until 1971 when Virginia finally complied with the Voting Rights Act of 1965, but even then the state disqualified convicted felons.

[That finally changed in 2013](#), when Republican Gov. Robert McDonnell automatically restored former felons rights. He tried to secure a constitutional change, but failed. He had to use an Executive Order to reform the law, leaving open the possibility that a future governor might revoke it.

"Your rights under the constitution and your civil rights as an American should not be dependent on the whim of one person that is what this change does," [Gov. McDonnell said](#) when he instituted the policy change.

In March, the current Governor changed that policy back "[greatly reducing the number of former inmates who regain the right to vote](#);" and members of the House killed a constitutional amendment that would have automatically restored voting rights.

Denying the right to vote to felons is intimately tied to more than two centuries of curtailing the civil rights of African Americans. At least now, news outlets are reporting that it is a problem when African Americans and other minorities are denied the right to vote.

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## In The News

The Alexandria Community Remembrance Project was honored by the Alexandria NAACP at their 90th Anniversary Freedom Fund Gala. On October 21, on behalf of all ACRP members the ACRP Co-Chairs Gretchen Bulova and Audrey Davis accepted the Community Service Award in appreciation for ACRP's outstanding dedicated service. Also honored were Concerned Citizens Network of Alexandria, Ebonee Davis of the Virginia Theological Seminary, and Kiki Davis and Joe Wenger who led the process and progress workshops for ACRP last winter.



At the ACRP fall meeting on Sept. 23, we shared a video summarizing ACRP activities in the past year. We hope you will enjoy [watching it](#). We also heard about the nonviolent student activists who were at the forefront of the civil rights movement from special guest speakers Joan Mulholland and her son Loki, learn more about [Joan Mulholland](#).

The City of Alexandria has [won recognition](#) for its [Equity Index Map](#), developed by the Race and Social Equity Office (RASE). Alexandria's Equity Index Map identifies disparities in key social and economic outcomes to help inform equitable and inclusive decision-making. It was launched in May as part of the City's [ALL Alexandria resolution](#), a 2021 City Council decision to recognize Alexandria's unequal past and commit to pursuing a racially and socially equitable future.

On Oct. 21, the Robert E. Lee Statue that inspired the Charlottesville Alt Right Riot in 2017 was melted. [A small ceremony marked the occasion](#). Jefferson School's Swords into Plowshares is beginning the search for an artist who will transform the bronze into a piece of public art in time for the 10-year-anniversary of the Alt Right's attack on the people of Charlottesville that rocked the nation and ended fatally for Heather Heyer and left others wounded.

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## Upcoming Events

**Hurry! One dinner is sold out - we want to fill these seats!!!**

**Tables of Conscience Fundraisers**

*Nov. 4 and 11, 6-9 p.m.*

**\$125**

Please consider attending one of the Alexandria Community Remembrance Project's Tables of Conscience fundraisers. These book/issue themed dinner parties will raise funds for scholarships in the names of Joseph McCoy and Benjamin Thomas, lynched in Alexandria in 1897 and 1899, while building relationships across communities. The dinners, hosted in the homes of members of ACRP, will provide an opportunity to discuss a social justice themed book while getting to know fellow ACRP members better. There are only a few tickets available so please purchase them sooner rather than later. [Read more here.](#)

#### **Nov. 4**

[So you want to talk about race](#), by Ljeoma Oluo

#### **Nov. 11**

[Get Back to the Counter. Seven Lessons From Civil Rights Icon Joan Trumpauer Mulholland](#) (trump-power), by Loki Mulholland

[Making Whiteness: The Culture of Segregation in the South, 1890-1940](#), by Grace Elizabeth Hale SOLD OUT.

#### **Premiere of Bloodlines of the Slave Trade at the Alexandria Film Festival**

Nov. 11, 1 p.m.

AMC Hoffman

[Tickets](#) \$15

[The Past Lives Showcase](#) of films will premier two documentaries on enslavement, Bloodlines and 1805, at the AMC Hoffman Center. Bloodlines is about two descendants (one Black and one white) of Franklin and Armfeld who learn about and struggle with their connection to the notorious men who revolutionized the buying and selling of human beings during the domestic slave trade. The film that features an interview with Audrey Davis, was written and directed by Markie Hancock and produced by Kathryn Gregorio. The other film, 1805, shares the story of an enslaved man and his secret wife who escape bondage in Virginia. Written and directed by Daniel H. Jacobson, who also produced it along with Ray Hungria and Raz Birger. Please note that 1805 (30 min.) will be shown first and will be followed by Bloodlines (73 min.).

#### **Everything Happens At Night**

Nov. 10, 11 at 7:30 p.m.

Nov. 12 at 3 p.m.

Nov. 16, 17, 18 at 7:30 p.m.

Alexandria City High School Auditorium

Tickets TBD

Please consider attending "Everything Happens At Night," a play about racial justice written by ACRP Remembrance Student Yahney-Marie Sangare.

#### **Meaningful Conversations**

November 16, 7-9 p.m.

Alexandria Black History Museum

Meaningful conversations are back! Join the conversation once a month to explore and celebrate the diversity of cultures and peoples in our area, confront the attitudes and behaviors that still divide us with the goal of finding remedies that bring us together. The conversations are facilitated and are respectful, honest, and thoughtful focused on race relations, social justice, and more.

Thursday, November 16, 2023, 7-9 PM: African Americans and Indigenous Peoples: A Shared Humanity

#### **Story Time for Young Historians**

Alexandria Black History Museum

Nov. 11, 10-10:30 a.m.

Free

A fun and educational story time geared toward children ages 5-8 years old that features stories related to Black History. Storytime will be held in the Museum's Parker-Gray Gallery. This month's story will be related to Veteran's Day.

#### **Committee Reports**

**The Alexandria Community Remembrance Steering Committee** [met on Oct. 4](#) at the Alexandria Black History Museum and discussed criteria for scholarships honoring Joseph McCoy and Benjamin Thomas, as well as the Tables of Conscience Fundraiser.

**The Alexandria Community Remembrance Marker Committee** [met virtually on Zoom](#) on Sept. 28 to discuss writing text for EJI historic markers.

**Alexandria Community Remembrance Marker Committee**, met virtually on Zoom on Oct. 26, and finalized text for the EJI historic markers.

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### Upcoming Committee Meetings

**Alexandria Community Remembrance Project Steering Committee**, Tuesday, Nov. 14, 5-6p.m. in person meeting at Alexandria Black History Museum.

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[Joseph McCoy](#) [Benjamin Thomas](#).

[For more information](#)

[Donate to the Project](#)

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*The Alexandria Community Remembrance Project (ACRP) is a city-wide initiative dedicated to helping Alexandria understand its history of racial terror hate crimes and to work toward creating a welcoming community bound by equity and inclusion.*

**Office of Historic Alexandria  
City of Alexandria, Virginia**



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