

May 22, 2021

To the Commissioners:

Having monitored most of the meetings of the commission and its subcommittees since the commission was organized, I want to praise the spirit of bipartisanship and civility in which its meetings have been conducted. While the drafters of the constitutional amendment did not call for the appointment of rotating co-chairs to manage the commission's business, that has turned out to be a good solution for what could have been an early source of conflict. This approach has also contributed to the atmosphere of fairness and cooperation that the commission projects.

That's why I listened with alarm this past week as the legislator members of the Budget and Finance Subcommittee called for spending the commission's precious taxpayer dollars on hiring two sets of counsel, one watching out for the needs of each political party, rather than a single lawyer who would represent the interests of the commission—and thus the citizen of the Commonwealth. I agree with those citizen members who said this would be of grave concern to Virginia citizens who worked to ratify the amendment and all of those who voted for it. I also agree that most Virginians would consider this a waste of taxpayer money, particularly when the commission has not yet moved aggressively to improve and expand the communications capabilities of the commission and the Division of Legislative Services staff.

(As an aside, part of the problem on the communications side is that the well-meaning DLS staff traditionally must respond to the questions and needs of the General Assembly. While DLS must communicate about the business of the General Assembly, it does so in an encyclopedic way, not one designed to engage with all of the state's citizens and encourage them to become part of a complicated process. Specific attention to this would also help commission members process all of the input they have and will receive—including this comment I am submitting.)

Legislative members suggested that hunting for non-partisan legal representation would amount to searching for "a unicorn." When I first began working on redistricting reform for the League of Women Voters in 2005, the passage of a constitutional amendment to create a bi-partisan, citizen-led commission also seemed like a "unicorn." But with a lot of hard work by many people and organizations, that did not turn out to be the case.

If the legislators insist on hiring a lawyer to monitor the commission's work for fairness to their particular political party, let the state political parties or the legislature's political caucuses foot that bill. Surely there will be many people, lawyers or not, scrutinizing the commission's ultimate maps. The parties can make their case that a map is not fair to them from the vantage point of "outsiders," not people at the table. The commission will need legal advice on its process and whether the maps comply with civil and voting rights laws, not how well they reflect the concerns of the "communities of interest" of the two political parties.

If the commission votes on this issue and chooses to seek two attorneys, I hope that the commission will at least issue another Request for a Proposal for a single counsel, just to see if that proverbial unicorn is hiding in the woods. I am not a lawyer and have no one to suggest, even if it would be appropriate to do so. I will note, however, that the gerrymandering that

occurred nationwide in the last redistricting cycle fueled an explosion of non-partisan organizations dedicated to monitoring redistricting and wrestling with all of the underlying issues relating to how “fairness” is defined. Further, I suspect there are many younger lawyers who were motivated to make it their field of expertise, in the same way many of us were motivated to work to change the way redistricting had been done in the Commonwealth since the days of Patrick Henry. To cite just one example—and I’m not suggesting he be hired—a member of the College of William and Mary Law School’s map-drawing team in the 2010 redistricting map competition in Virginia was so animated by what he learned in that process that he worked for most of the rest of the decade as the executive director of OneVirginia2021 to seek a bipartisan solution.

As one commissioner noted, many eyes are on the commission this year—and not just people who live in Virginia. Amid all the partisan rancor in our country today, the commission has a chance to demonstrate clearly that there is a new way of doing redistricting than the way it has been done in the past.

Sara Fitzgerald
Falls Church, Virginia

Note: While I have been active in the League of Women Voters of Virginia and OneVirginia2021, the views expressed here are my own.



VA Redistricting <varedist@dls.virginia.gov>

Public Comments

Donna McGrath <donnamcg50@gmail.com>
To: varedist@dls.virginia.gov
Cc: Donna McGrath <donnamcg50@gmail.com>

Mon, May 24, 2021 at 1:25 AM

A few years ago, I needed to meet with and bring something to Congresswomen Comstock's office . Her district was so gerrymandered that I had to drive 45 minutes. Her 10th District goes through 3 counties here in NOVA which are all densely populated and have no other reason for wacky lines other than trying to pick voters. It flipped blue but probably should have 2-3 cycles ago. Please make our districts fair to all voters. The minority is now dictating to the majority across this Nation and is fueling unrest .

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Sent from my iPhone

VA Redistricting <varedist@dls.virginia.gov>

Incumbents' addresses and map redrawing

Dolores Dwyer <joydotter@gmail.com>
To: varedist@dls.virginia.gov

Sun, May 23, 2021 at 5:36 PM

Dear Members of the Redistricting Commission:

Here are remarks that I made as a public participant at the May 10 Commission meeting. I am sending the text in hopes that Commission Members who were absent from the meeting will have the chance to read them. Thank you for your attention and consideration.

I am a resident of rural southern Albemarle County. I represent just myself, not any group or other individuals. This is the first meeting I have been able to attend, though I have watched recorded videos of previous meetings.

Today I wish to address an issue that came up in the Redistricting 101 training video, about including addresses of incumbent officials with census and other data used to determine district boundaries.

In the video, this topic followed sequentially after other topics as they were covered by various statutory criteria deriving from either federal law or Virginia Constitution or code.

But it should be made clear that incumbency as a factor does not derive from the law, the Constitution, or regulatory code. It is not a statutory requirement.

The fact that the Joint Reapportionment Committee in October 2020 "approved ... legislator addresses" as part of data, should not confer any regulatory status upon such data, or require its use.

Neither does the fact that using such data was accepted practice in past redistricting cycles. In fact, it does the opposite. The demand for a nonpartisan redistricting commission arose from the need to do away with such past practices.

Virginia's electoral maps belong to the voters of Virginia, not the incumbents. Even the hint that even one district might be drawn to accommodate a sitting elected official smacks of the kind of back-room manipulation that plagued past practices.

The addresses of current incumbents is information that should not be considered part of any values or criteria that the Commission uses to determine how to draw a fair map.

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VA Redistricting <varedist@dls.virginia.gov>

Public Comments

Sarah Ovink <sovink@gmail.com>
To: varedist@dls.virginia.gov

Sat, May 22, 2021 at 11:20 AM

Dear Commission,

I am a Virginia resident and I'm tired of living in a non-competitive district. Our congressional representative, H. Morgan Griffith, does very little for our area (District 9) and yet there is no way to hold him accountable, because he easily wins with about 70% of the vote every time. He has even said so himself; he knows he is guaranteed a win no matter how much or how little he does. He has declined to meet with constituents, or hold town hall meetings, because he complains that the district is too large to do so. Our district IS large--it's slightly larger than the state of New Jersey, in fact. Even a key endorsement he received, from a local paper, in 2018, endorsed him only reluctantly, acknowledging the fact that he doesn't work hard for our district, doesn't bring in jobs or talk to constituents or help solve their problems, and spends most of his time posturing to demonstrate his allegiance to the Republican Party, rather than finding out what our district needs and working to help us in measurable ways. The endorsement rested only on the paper's acknowledgement that "most people in the district want a conservative representative," and his was the name with an "R" next to it on the ballot. This situation is frustrating, to say the least.

I hope that the commission will take the trouble to draw district lines that ensure that every district is competitive. Non-competitive districts are good for no one except incumbents; no one even bothered to run against Griffith in 2020, recognizing the hopelessness of the situation, and leaving voters with no choice at all. I hope the commission also makes districts physically smaller, so that politicians can't hide behind the excuse of physical size to avoid meeting with and being accountable to the public.

Sincerely,
Sarah Ovink
Resident of Blacksburg, VA



VA Redistricting <varedist@dls.virginia.gov>

Public Comments

Cary Whiteside <1950maxwell@gmail.com>
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Thu, May 20, 2021 at 4:38 PM

**Since Homo Sapien is the only living species, it means we have a little black or brown in all of us. We are all members of the same club - the Human Race. The Neaderthall was a different species of human, but they are all gone now.
-Alvin and Carylee Whiteside, Human Beings**