

July 19, 2021

Good morning,

My name is Liz White, I'm the executive director of OneVirginia2021, a nonpartisan organization focused on fair and representative redistricting in the Commonwealth.

As Virginia enters this new phase in the journey toward fresh legislative maps, I applaud your work on the in person and virtual public hearings held last week and look forward to those in the upcoming weeks. But time is flying and the Census data's projected arrival date is just about a month away.

You all and DLS staff published a very helpful timeline back in the Spring that outlined your work plan for those preparatory months. I encourage you to do the same for the remainder of this process - the more the public can understand your schedule and see when you intend to make some big decisions, the more secure they can feel in this process and the more they can focus on giving you input about their communities.

In the early Spring, OneVirginia2021 and several of our partner organizations sent you a letter that contained a list of questions. You've answered many of them throughout the past few months, and some are still relevant today.

I leave you with a new, shorter, list of questions to consider in the coming days, many of which you've touched on today. I want to clarify that OneVirginia2021 is not advocating for specific answers to these questions at this time, but rather attempting to help guide your thought process.

1. How will you organize all incoming public feedback?
2. If you use map drawers hired by both partisan law firms, will that result in two sets of maps and how do they get reconciled?
3. Whether you choose to employ map drawers or not, do you plan to start from scratch or merely adjust existing lines?
4. Will you engage an outside consultant, such as the team at Tufts University, to evaluate the maps?
5. When will you determine the priority order of the existing legal criteria for the maps, as they aren't ranked in the code?
6. How and when in the process, if at all, do you plan to consider incumbent addresses?

We will send these questions in writing to follow up, but I didn't want to miss the opportunity to speak with you all today. Thank you for your time and all of your hard work.

Sincerely,

Liz White
Executive Director, OneVirginia2021

Good morning, Commissioners and DLS staff. My name is Chris DeRosa – am the co-chair of the Redistricting Issues Committee of the League of Women Voters of Virginia. It's my pleasure to be with you this morning, to see you in person, and to thank you personally for your service. We are placing our trust in you to prove that this Commission can work together and produce fair maps for the people of Virginia. The League is trying to inform the public of your hearings and encourage them to participate.

Thank you for listening to your constituents and responding to some of their requests.

Today may I suggest 3 ways you can improve the process further:

#1] As you know, there are several criteria that this Commission must consider when drawing maps – including compactness, contiguity, population, communities of interest, and fairness afforded racial, ethnic, and language minorities to elect candidates of their choice. What the Constitution and the Code do not state is which criteria have the highest priority. As the Brennan Center for Justice wrote, "... just as important (as who draws the maps), if not more so, are the rules that map drawers have to follow. ... Providing clear rules in order of priority can go a long way in ensuring that maps reflect community input and preferences, protect minority communities, and are free from political manipulation." I hope that your next agenda will include a robust discussion of criteria that you will follow.

2] With the release of the Census data less than four weeks away, you will be challenged to create new maps within 45 days – While we would have preferred

that you hire an independent mapping expert to draw the maps, we acknowledge that you plan to use the two legal teams. Your decision raises some questions: Will map drawing sessions involving these legal teams be open to the public? What is your plan to reconcile the two sets of maps that are produced? It would still be a good idea to hire a mathematician/analyst who can evaluate the maps that are created.

#3] Please start from scratch as you draw the maps, rather than using current maps and tweaking them here and there. We know that often maps are gerrymandered to protect incumbents. **In fact, in 2015**, of the 91 Delegates who ran for re-election, 90 of them won. More than half of them had no opponents in the general election. Voters want to choose their representatives, not the other way around. Please try to ignore incumbents' addresses when you draw the maps.

Thank you for listening – and I wish you good luck as you move forward in this process.

Chris DeRosa
Co-chair, LWV-VA Redistricting Issues Committee

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07.19.2021

Members of the Redistricting Commission,

My name is Ankit Jain and I am a volunteer with OneVirginia working to ensure the state passes fair maps. I write to you to ask that you hire a third-party to either draw the district maps or to consult closely with you as you draw them. I further ask that you issue a Request for Proposals (RFP) for this position as soon as feasible, and that you ultimately select Moon Duchin from MGGG Redistricting Lab at Tufts University to draw or support you in drawing the district maps.

Most members of the Commission have no experience drawing district maps using the redistricting software. It is of course possible for members to learn, but there is no need for that. Members of the Commission were selected so they could imbue the new maps with their values, their understanding of their communities, and their ability to combine that knowledge with what they learn during public hearings. This can be done without members literally drawing the maps themselves. Members can easily lay out the parameters and guidelines of what they are looking for and leave the actual map-drawing to an outside expert. I am worried that if the Commission tries to draw the maps themselves, then the few members who *do* have a lot of experience in map-drawing will dominate the process. This would result in those members' values and understandings having an outsized influence on how the maps are drawn. If the Commission feels strongly that its members should actually draw the maps, it should hire an outside expert to at least consult with as it draws the maps to ensure the Commission is on the right path.

The Commission should hire Moon Duchin and MGGG Redistricting Lab as its outside expert. They are some of the foremost experts in drawing district maps. Ms. Duchin already has experience analyzing district maps for a government entity—she was hired in 2018 to analyze maps in Pennsylvania for fairness after the previous maps were struck down by the state

Supreme Court. She has run a program training others to become expert witnesses in redistricting lawsuits. And she has done groundbreaking research on how to use mathematics to make fair maps. Her reputation as nonpartisan map-drawer is unquestioned—if the Commission hires her, Virginians can rest assured that truly fair maps will come out of this process. If the Commission does not hire Moon, they should hire someone with similar qualifications who has a clear nonpartisan track record and who has not worked with a specific political party in the past to draw proposed maps.

The Commission needs to begin the process of selecting an outside expert to draw the maps ASAP. Census data will be released in less than a month, and the Commission must submit its first set of maps within 45 days of the release of the data. In order to hire an expert in time to actually support in drawing the maps, the Commission should put out an RFP for the position immediately. At the very least, the Commission needs to discuss and decide within the next few weeks who will actually be drawing the maps.