



VA Redistricting <varedist@dls.virginia.gov>

Watersheds as a 'Community of Interest'

1 message

Richard Mr Zimermann <richardzimermann@verizon.net>
To: varedist@dls.virginia.gov

Tue, Jun 1, 2021 at 3:40 PM

Commissioners:

- Each WATERSHED is a 'community of interest' by its geography:
for (1) colonial county boundaries for Rs, and (2) 21st century climate change for Ds.
- VA-09 The 'Fighting Ninth' CAN BE the Southwest counties draining into the New River.
- VA-05 CAN BE anchored on the 'hubs' of Roanoke, Lynchburg & Danville.
- Watershed: all but L'hbg-part drain into the ROANOKE-DAN RIVER.
- Planning: all are in contiguous Planning Districts 4-5-11-12.
- SMA: the Roanoke SMA crosses the Blue Ridge SE following the Roanoke River.
- Highways: north-south by US-220 (ROA-DAN) & US-29 (LYH-DAN);
- Highways: east-west by US 460 (LYH-ROA) & US-58 (DAN).

Sincerely,

Richard Zimermann, [1226 Brookside Landing, Chesapeake VA 23320](#).

June 4, 2021

To the Virginia Redistricting Commission:

Following its meeting this past week, I was concerned that the commission's Budget and Finance Subcommittee voted, 5-3, to recommend that the commission issue RFPs seeking legal counsel only from lawyers affiliated with each of the political parties. While I have previously submitted public comments on this issue, I am concerned about how this divided decision could be perceived by the public—and opinion leaders throughout the Commonwealth—at this important point in the commission's process.

As Sen. Newman said, the commission will take a vote and it will be time to move on. But up to now the commission has worked hard to take a bi-partisan approach. It should continue to search for compromise among all the sides that are represented at the table. Hiring partisan counsel may make it easier to sell a redistricting plan to legislators. It may, however, make it more difficult to sell a plan to the citizens of Virginia, some of whom remain deeply cynical about whether our voter-approved redistricting process can work. In addition, political commentators will likely point to the decision as a victory for the same old supporters of political gerrymandering.

Some observations:

- 1) The subcommittee rejected the idea of issuing an RFP for non-partisan or neutral counsel. Issuing these RFPs would be the easiest way to confirm, as some of the legislators insist, that there is no such thing as a non-partisan redistricting expert. However, by refusing to even issue the RFPs, the commission is sending a message that its mind is already made up, and it's not open to any other approach. What kind of a message does that send to Virginia citizens before the commission has even scheduled its first public hearing? Are your minds already made up? Are you willing to even consider approaches other than those taken in the past by commission members, who, as members of the General Assembly have now set themselves up as the "experts" on redistricting?
- 2) The commission has been more than happy to accept non-partisan legal advice from the lawyers who work for the Division of Legislative Services and/or the Office of the Attorney General. Why is this legal question so different? Can't you at least pose the question to the legal profession and see who offers their services?
- 3) Over the past decade, Virginia taxpayers have been forced to bear many of the costs associated with legal battles over gerrymandered districts. As some commissioners noted, hiring two counsels to represent the parties' views may make it easier to sell a plan to partisan legislators, but it will amount to a continued waste of taxpayer money. If the parties need to hire counsel to provide advice from a partisan perspective, let their respective caucuses foot the bill. If helpful, let those lawyers testify before the commission—or submit public comments--just like the rest of us will have to if we want our views to be considered. If the partisan lawyers raise valid points, the commission, can, as a whole, consider their opinions and respond.

So far, the commission has come up with many creative ideas for preserving its bi-partisan approach, and has done an admirable job of keeping politics out of its deliberations. The judicial selection panel did the same thing with the applicants that it reviewed. As a matter of course, you should always ask yourselves: is a compromise possible? While decisions on RFPs were delegated to the Budget and Finance Subcommittee, this is, in fact, a “bigger” decision than just a procurement document, and one the whole commission should discuss thoughtfully.

May I offer a compromise approach that will keep YOUR options open for a brief period of time and communicate that you are more open-minded than your initial vote suggested:

- 1) Issue the RFPs for neutral or non-partisan legal counsel (as well as the partisan RFPs).
- 2) Try to make a choice from among the respondents to the first group of RFPs. If the choice cannot be unanimous, at least follow the same guidelines that you will have to follow when you approve your ultimate plan, namely that the lawyer or law firm must be the choice of a super-majority of commission members.
- 3) If no lawyer responds, or responders to the non-partisan RFP are not qualified, then proceed to award contracts to two party-affiliated firms.
- 4) If commissioners don’t feel they have the time to scope out the partisan leanings of lawyers purporting to be non-partisan, publicize their names and let other partisan activists do it for you.
- 5) If the commission still cannot decide on a single counsel, let commission members affiliated with each of the parties pick a firm from those that responded to the non-partisan RFP.

While time is of the essence, this decision is important enough that it should not be rushed through the full commission on June 7. There will still be time to make a decision from a bigger pool of respondents by early July. This approach will provide commission members with two more weeks to reflect on the issue and hear from the public, and to more carefully determine what kind of legal advice is actually available.

In the end, the commission may still end up hiring partisan counsel. Following this kind of approach, however, will at least communicate to the public that members are trying to keep an open mind on the issue—and still trying to seek a consensus. In all of your deliberations, that should be your ultimate goal.

Sara Fitzgerald

Falls Church, VA.



Citizen Engagement - Hearings and Guidelines

1 message

Fran Larkins <franlarkins40@gmail.com>
To: VA Redistricting <varedist@dls.virginia.gov>

Sun, Jun 6, 2021 at 3:39 PM

Commissioners -

1. The draft RFP for Communications and Outreach Services asks for a workplan that would identify "Appropriate hours for meetings for each target community to accommodate all residents (e.g., regular business hours, on weekends, or during evening hours)." **The proposed hearing schedule does not allow for consideration of weekends.**
2. The Note under the schedule for "Virtual Public Hearings" states "Virtual public hearings provide members of the public from all regions the opportunity to speak." I don't believe this was the intent of the Citizen Engagement Subcommittee. There was much discussion at their May 26 meeting about the importance of focusing on each region. I agree with Del. Adams who suggested having the in-person not confined to region because map lines may make it easier to get to another site. However, he would make the virtual hearings regional and use libraries for online access. Mr. Harrell added "if virtual meetings are open to all, the same people could speak every time." He also suggested priority be given to the locality in virtual meetings.
3. **Signs at hearings?** The "Rules of Conduct" under "Public Participation Guidelines" prohibit "Banners, Signs, bullhorns, or similar devices . . ." There may be members of the public who would like to use a sign to indicate their "Community of Interest" or suggestion for districts. (For example: I have an 24" x 18" map on a sign to accompany my presentation.) Signs of this type should be allowed.
4. Please ensure there is a method for persons who sign up to speak to know when their time is approaching. We could then be ready to quickly come to the podium. This would also be much more efficient for virtual hearings.
5. There should also be a way for all commissioners at the virtual hearings to be viewed at the same time. It has been less than ideal for those of us who are now watching the live-streaming of Commission meetings. Unless we are signed up to speak in person, the live-stream shows only the speaker, not the full commission.

Thank you for your consideration of these points.

Fran Larkins
Fredericksburg, VA



VA Redistricting <varedist@dls.virginia.gov>

Map Drawing Services and Starting Point for Maps

1 message

Fran Larkins <franlarkins40@gmail.com>
To: VA Redistricting <varedist@dls.virginia.gov>

Sun, Jun 6, 2021 at 3:51 PM

Commissioners -

Budget for Map Drawing Services -

1. As you consider the line item in the budget for “map drawing services,” I hope you will not see this as a place to cut pennies.
2. There are many very qualified experts to guide you through the various components of map drawing from concise population demands to requirements of the Voting Rights Act to prioritizing criteria such as Communities of Interest.
3. From the very first meeting of the Commission, there has been discussion about the process of map drawing.
4. Some legislators have considerable experience with drawing maps and feel the Commission can “come up with maps fair to everybody.”
5. While several citizen commissioners have taken advantage of an opportunity to train on Citygate software, their experience seems to have been mixed.
6. The Commission needs to hire as many experts as would be necessary to ensure all commissioners – citizens and legislators - are comfortable with the map drawing process.
7. Most importantly – citizens should feel that their voice is heard as maps are drawn. Legislators that have drawn maps in the past have not made the interest of voters their top priority.

What should be the starting point for map drawing?

1. While it would perhaps be considered less expensive and time-consuming to “tweak” existing maps, fair redistricting for Virginia must begin with a fresh map.
2. The problems of gerrymandering, e.g. split precincts have resulted from simply shifting lines every ten years just enough to benefit a particular party or incumbent.
3. As Communities of Interest, our counties need more cohesive representation. I reside in Stafford County which has three House Districts and three State Senate districts. The Commission should use this historic opportunity to divide counties into fewer districts.
4. Many Virginia cities also want to no longer be divided into multiple districts.
5. The needs of these and other citizen-drawn COI would be much easier to accommodate if the map was started from a blank slate.
6. If current districts are just “tweaked”, it would be too easy to draw the map to accommodate a single legislator. If created with COI as a priority, there would be no need for legislator addresses.

Thank you for your consideration.

Fran Larkins
Fredericksburg, VA

June 6, 2021

Ms. Greta J. Harris
Co-Chair
Virginia Redistricting Commission
gharris@dls.virginia.gov

Ms. Mackenzie K. Babichenko
Co-Chair
Virginia Redistricting Commission
mbabichenko@dls.virginia.gov

Dear Ms. Harris and Ms. Babichenko,

We applaud and appreciate the time and effort on the part of all Commissioners and Division of Legislative Services staff to address needed contractual and budget issues and to develop Public Participation Guidelines during the seven subcommittee meetings held over the last three weeks.

We are writing today to address several concerns regarding the Communications and Outreach Services Request for Proposal (RFP), improvements to the Commission website, and the need for an effective public outreach campaign to maximize public participation in the public hearings proposed to be held beginning in July.

The draft RFP describes a broad “scope of services” including traditional press/public relations, social media presence development/management, public input compilation/maintenance in a database/periodic reporting and analysis to the Commission and public hearing management. *(see draft Request for Proposal – Communications and Outreach Services, pp. 3-4)*

The RFP also requires a work plan that will include strategies to increase public engagement and input in the development of draft redistricting maps, with particular focus on communities of interest, underserved communities and communities historically disengaged from the redistricting process, appropriate translation services, website enhancements to maximize interest, user friendliness, traffic and engagement, a media and public relations strategy, a variety of tools to solicit broad and diverse community input and a methodology for producing useful and appropriate data for drawing district maps from public comment and other sources of information *(see draft Request for Proposal – Communications and Outreach Services, p. 6)*

This is a significant portfolio, a broad range of responsibility. And the work starts, at the very earliest, on July 12, one day before the first public hearing is to be held, according to the draft public hearing schedule.

The work of the Citizen Engagement Subcommittee should continue in earnest between now and July 12. And much of the focus should be on the Commission website.

Capability to receive comments and proposals from citizens on the Commission website

The content and design of the Commission website needs to be improved to more effectively meet the statutory requirements to receive and consider public comments.

To make a live public comment: There are two ways website visitors can currently accomplish this –

1) From the website Home page, click ‘About Us’, then click on ‘FAQ’ . If the website visitor does not know where to find this, they will probably click on several of the top level links until they find it. Then they must click back to the Home page, select ‘Meetings and Hearings’ and follow the instructions provided in ‘FAQ’.

2) To actually register to make a public comment, from the website Home page, a visitor clicks on ‘Meetings and Hearings’, locates the specific meeting date, clicks on the Agenda and selects the link to register. (Occasionally, there will be a separate link to register to speak without opening the Agenda, but this option is not available on a regular basis).

To submit a written comment:

There is no explanation of how to make a written comment on the ‘FAQ’ page.

The only location that offers guidance on how to make a written comment is within the Agenda for each meeting:

Members of the public who wish to comment on an agenda item may also do so by sending an email to varedist@dls.virginia.gov. The comment will be posted on the Division's website at: <https://virginiaredistricting.org/>. Please note that comments will be posted in full including the name of the commenter and any contact information provided.

Written comments are then attached only to the meeting dates proximate to the date of their submission; they are not organized by content. Also, timely posting of written public comments is crucial.

Adoption of Public Participation Guidelines and their inclusion on the website and in public notices will provide much needed clarification. However, these guidelines should be amended to describe how citizens can provide place-based geographic recommendations regarding community of interest (COI) or State or Congressional election district(s) in the form of shape files. Public comments in the form of shape files need to be compatible with the map-drawing software to be used by the Commission. This gap needs to be addressed as the Commission will rely on citizen input to assist in meeting the community of interest criterion contained in the Virginia code.

Also, citizens can provide COI input at any time; such input does not need to be based on new census data, as COI input is an individual or a group’s definition of their community. Therefore, citizens can provide meaningful COI input now and throughout the summer, including during the first round of public hearings scheduled to begin on July 13.

We also urge the Commission to enhance the website to include a module or portal dedicated to accepting and organized citizen comment and proposals and address the concerns noted above. We fully support the recommendations of previous commenters that the Commission

implement a function similar to the Michigan Redistricting Commission's "Public Comment Portal" <https://www.michigan-mapping.org>.

The Michigan portal is a well-organized user-friendly process for submitting text comments as well as shape files for either communities of interest or election districts. Public comments are uploaded in real time, are searchable by tags and are not linked solely to a particular commission meeting. Although it would be beneficial if this feature is available at the earliest possible date, we urge the Commission to make sure that the development of such a module is one of the key tasks of the Communication and Outreach specialist.

Update and reorganize other parts of website

The website needs a basic overarching narrative of the process and description of the Commission's core activities as well as a detailed timeline of events and milestones. Both are necessary to effectively inform citizens about the redistricting process, and how and when citizens can participate. This is particularly important for providing information to interested citizens who may be unfamiliar with the new redistricting process in Virginia.

The website also needs regular updates to keep citizens informed of major developments and future milestones. For example, the most recent item in the "News" tab is dated February 12, 2021.

Significant news items such as the announcement of the July public hearings should be prominently featured on the Home page of the website and not under a tab. The 'FAQ' section of the website also needs to be updated on a regular basis and more prominently featured on the Home page.

Other sections of the website such as 'Publications', 'Criteria', 'Maps and Data' and 'Plan Reports' are basically files from previous redistricting cycles; they are of limited value to the 2021 redistricting cycle. These should be organized under a heading/title that so indicates to avoid confusion with current law and criteria.

In conclusion, we urge the Commission to pursue a robust public outreach effort, including targeted website improvements, to maximize citizen participation in the July public hearings and the overall redistricting process. To that end, we suggest the Commission work closely with the Communications and Outreach Services contractor to fully implement the work plan elements laid out in the RFP.

We appreciate your consideration of these points,

Bill Millhouser, Falls Church VA
Candace Butler, Annandale VA

cc:

Commissioner Hutchins
Commissioner Feliciano
Commissioner Abrenio

Commissioner Barker
Commissioner Locke
Commissioner McDougle

Commissioner Kumar
Commissioner Gilliam
Commissioner Harrell
Commissioner Les Adams

Commissioner Newman
Commissioner McQuinn
Commissioner Simon
Commissioner Ransone

Claire Waters, DLS Staff



Public engagement and transparency

1 message

Chris D <chris7307@gmail.com>
To: varedist@dls.virginia.gov

Mon, Jun 7, 2021 at 12:45 AM

06.07.21

I have spoken and written to you before, but I think it's important to share my ideas again as you make some key decisions today.

Transparency is a key strength of this new redistricting process. Virginians voted – they clearly want this process to be fair, open and as non-partisan as possible.

Public Engagement

- We are pleased that a **listserv** has been created to improve communications with the public; however, I have received only one email so far. I hope we will receive them more frequently in the future.
- **The stand-alone Commission website** is a step in the right direction, but it definitely needs improvement. Please consider **hiring a webmaster** to create and maintain a high quality website. Michigan's redistricting website is, in my opinion, the "gold standard". I know that at least two Commissioners have visited the website and agree that it is an effective one. One key feature is the public input portal which is like a Google form -- it is so easy to submit comments, shapefiles and Comm of Interest maps; there is no need to use an email address. The comments appear to be automatically uploaded into a "Gallery" in "real time. In the Gallery, Commissioners and the public can sort comments by region, date, or topic, and view every submission. There is no need to wait until a couple hours before a meeting begins to read the comments.
- I recommend that the Commission **hire a communications director** who can determine how best to reach all Virginians - whether it's print media, radio, or social media. Use our tax dollars wisely. It should not be necessary to spend \$160,000 on print media (which most of us never saw). Keep in mind, too, that the League of Women Voters, OneVirginia2021, the NAACP, VCET and other organizations are ready to help inform the public of important hearings, etc.
- **Schedule as many public hearings as possible** to hear from Virginians. I hope that you will consider using the 21 Planning Districts, rather than the 8 Weldon Cooper regions as you schedule hearings. I urge you to consider holding 8 in-person hearings **before map drawing begins**. It's vitally important to hear citizens' input and respect that input as you begin to draw lines. **In-person hearings should also allow for virtual participation as well.**
- Keep in mind that some regions are dense in population, so be prepared for many hours of testimony. (Note that Michigan held its first or 16 public hearings in May – over 150 people signed up to speak!) Other regions may have fewer people, but in-person hearings are very important for the many residents who have broadband and/or transportation issues.
- **Consider adding evening and weekend hours**, which would allow working Virginians to attend hearings. Many people cannot "attend" Commission hearings because they are working at 10 am and 2 pm. Do not shut them out from the hearings as well.
- I think it is important that **all Commissioners attend every public hearing** either in-person or virtually (as is required of Commissioners in Michigan and California). In order to understand what Virginians want, you must listen to us.

Drawing the maps

- The Commission should **hire a special master** to draw the maps for the House, Senate and Congressional districts. It's important for those maps to be **drawn "from scratch"** – incumbent protection should not be a consideration (which it will be if partisan (legislator) Commissioners take control of the map-drawing process). Because of the 45-day time constraints, a special master may be more efficient in this new map-drawing process.
- Just **one special master (or two if necessary)** (rather than 3 separate map drawers) should be responsible for drawing all 3 sets of maps. This would allow the House, Senate and Congressional districts to be coordinated as much as possible so that precincts, municipalities, cities and counties are not split unnecessarily.

Legal Counsel

6/7/2021

Virginia Legislative Information Systems Mail - Public engagement and transparency

I have written about my disappointment in the highly-partisan discussion about hiring two sets of legal counsel. I still hope that RFPs can be issued for a neutral, non-partisan legal team – as well as two RFPs for Democrat and Republican legal teams.

Thank you for your consideration and attention. And thank you for your dedication and hard work!

Christine DeRosa (she, her)

Arlington, Virginia