



2021 Proposed Redistricting Guidelines and Criteria.

1 message

Bill Millhouser <bmillhouser2010@cox.net>
To: varedist@dls.virginia.gov

Tue, Aug 3, 2021 at 4:37 PM

Dear Commissioners,

I am providing comments regarding the draft "2021 Proposed Redistricting Guidelines and Criteria." (Guidelines) included with the agenda for August 3, 2021 Commission meeting.

I find these proposed Guidelines to be extremely confusing, particularly given the absence of any Commission discussion of the existing legal criteria or the need for these Guidelines.

The legally binding criteria for drawing districts this year are already clearly laid out in the Constitutions of the United States and Virginia, and the statutory criteria found in title 24-2.3

of the Virginia code. These criteria were added to fill a huge gap in public policy which previously allowed legislators almost unlimited discretion to draw gerrymandered districts.

I see no logical reason or legal rationale why these legally binding criteria should be rewritten or altered as proposed in these Guidelines.

The proposed Guidelines appear to be an effort to prioritize the existing legal criteria but instead muddy the meaning of the existing criteria while adding no additional clarity.

The drafters of the Guidelines seem to view these legal requirements as suggestions that can be rewritten, ignored or supplemented with factors not found in law.

More specifically the Guidelines:

-- Create a grouping of four criteria labeled "Communities of Interest," a term of art which should clearly be limited to the existing Communities of Interest criterion in the code.

-- Include in this grouping a new criterion regarding "Neighborhoods...." which embodies the same concept found in the definition for "Communities of interest" in the code.

Despite the note at the bottom of the page that the communities of interest are extremely important to the Commission, these changes appear to weaken protection of such areas,

by rewording the criteria and using the language describing "neighborhoods." The standard for protection in the code is that "districts shall be drawn to preserve "Communities of interest."

The Guidelines state that Neighborhoods "shall be maintained to the extent possible." Why are these standards different?

-- Fail to include existing criteria ensuring that minorities have the ability to elect leaders of their choice, and the five percent population deviation limit for state legislative districts

-- Include a vague open-ended statement that the Guidelines are “not intended to limit the consideration of any principles or factors that the Commission deems appropriate.”

I have a hard time identifying any additional principles or factors that should be considered in order to draw fair maps, beyond those already found in the Federal and State legal criteria.

The Commission should identify in writing any such criteria it intends to apply and provide assurances that such factors will not weaken or take precedence over the already established criteria.

As noted earlier, there has been no indication from Commission that existing legal requirements needed to be rewritten and reorganized in the format presented in the Guidelines.

A Division of Legislative Services attorney provided the Commission with a detailed overview of the Federal and State legal criteria guiding redistricting on April 26, 2021.

I am not aware of any discussion during subsequent Commission meetings indicating that the Commission would be considering drafting Guidelines such as these.

Also, the Guidelines directly contravene the following guidance in the Public Hearings FAQs requesting citizen input on Communities of Interest as defined in the existing State code.

Changing the definition of “Communities of Interest” now after the close of the initial round of public hearings is confusing and illogical.

The Commission wants to hear from the public about their “Communities of Interest.” What does that mean?

The Code of Virginia defines a "community of interest" as a neighborhood or any geographically defined group of people living in an area who share similar social, cultural, and economic interests. Communities of interest

are defined by local community members and local circumstances. Criteria related to common interests or characteristics include:

- *Shared racial or ethnic background*
- *Common history or culture*
- *Common religion or language*
- *Shared socio-economic status*
- *Economic ties*
- *Transportation patterns*
- *Communication networks (media markets)*

A variety of geographic features, populations, and histories can make it difficult to define a community of interest, so it is important that the Commission hear about and understand local sentiment and circumstances in order

to identify these communities. It is recommended that you consider incorporating answers to the following questions when providing public comment.

- *What bonds your community?*
- *What do you see as the common links in your community?*
- *Where is your community located?*
- *How do you define the boundaries of your community?*

- *Why should your community be kept together?*
- *Why should your community be kept separate from another community or area?*

I also note that the posting of the proposed Guidelines approximately 28 hours before the scheduled meeting this afternoon fails to provide adequate public notice and opportunity to

comment. The public did not have sufficient time to review, analyze and discuss the guidelines prior to the meeting. Citizens working during the day likely were not able to read the comments until

Monday night and had no opportunity to provide written comments to the Commission prior to the meeting.

I urge the Commission to not approve the Guidelines and retain the language in the existing Federal and State criteria as written.

I also urge the Commission to provide adequate public notice of meeting agendas and materials for future Commission meetings, such that citizens have the opportunity to provide written comments

prior to the meeting. This should be, at a minimum, three working days prior to any Commission meeting.

Thank you for the opportunity to comment.

Bill Millhouser

Fairfax County



Comments and questions

1 message

Chris D <chris7307@gmail.com>

Mon, Aug 2, 2021 at 9:40 PM

To: varedist@dls.virginia.gov

Cc: mbabichenko@dls.virginia.gov, gharris@dls.virginia.gov, deldmcquinn@house.virginia.gov, skumar@dls.virginia.gov, rharrell@dls.virginia.gov, jabrenio@dls.virginia.gov, jfeliciano@dls.virginia.gov, bhutchins@dls.virginia.gov, sdnewman7@gmail.com, district02@senate.virginia.gov, senatorbarker@gmail.com, redistricting@ryanmcdougale.com, delmsimon@house.virginia.gov, deladamsredistricting@house.virginia.gov, delransoneredistricting@house.virginia.gov, vtrost-thornton@dls.virginia.gov

Dear Commissioners,

I am looking forward to your discussion tomorrow (August 3rd) regarding the role of the Communications Specialist (long over-due) and the hiring of map-drawer(s). As I've stated before, hiring a non-partisan map-drawer is desirable - and a mathematician or political scientist to analyze the maps is also recommended.

Regarding your upcoming schedule: I am concerned that this Commission is setting itself up to fail in its mission - I see only three "keep schedule clear" dates set for August-September. And those three meetings are only two hours long. It seems highly improbable and very unrealistic that you can complete two sets of (140) maps in six hours of work.

For the benefit of the busy members of the Commission, as well as engaged members of the public who would like to attend your meetings, it would be helpful to block out several days on our respective calendars for map-drawing. For Commissioners who must travel to Richmond for the meetings, I would suggest scheduling meetings in a block of 2 or 3 days in a row (every week), with funding provided for overnight accommodations. I recommend that you meet for 3- or 4-hour blocks of time to allow for in-depth, focused work.

Regarding the criteria: (see VA Code <https://law.lis.virginia.gov/vacode/title24.2/chapter3/section24.2-304.04/>)

(1) I agree that equal population and compliance with established laws (2) must be adhered to. You should state the deviation allowed "A deviation of no more than five percent shall be permitted for state legislative districts."

(3a) Contiguity and compactness are also important.

(3b) With regard to "integrity and priority of existing political subdivisions" :: does this refer to political boundaries such as keeping cities together in single districts without being split; and that this would apply to counties as much as is reasonable?

(3c) I am not certain what 3c refers to.

(3d) With regard to "neighborhoods or any geographically defined group of people" (3d) :: please refer to these as "Communities of Interest", as stated in the Code "**Districts shall be drawn to preserve communities of interest.**" Your statement that neighborhoods "shall be maintained to the extent possible" is not strong enough and seems to dismiss COIs as an important criteria. (although you do seem to clarify the importance in the "note" at the bottom of the page)

(4) Thank you for stating that addresses of incumbents will not be considered.

(5) It is concerning to me that stating the the criteria are "not intended to limit the consideration of any other principles or factors that the Commission deems appropriate" seems to leave the door wide open for political or partisan shenanigans.

Finally, you have neglected to include in your criteria the ability of ethnic, racial and language minority groups to elect leaders of their choice. This is critically-important to fair maps. (see § 24.2-304.04.3)

I hope these comments and suggestions will be considered during your discussion on Tuesday afternoon.

Chris DeRosa (she, her)

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Arlington, VA



Written Comments to be considered before August 3 Commission Meeting

1 message

Fran Larkins <franlarkins40@gmail.com>

Mon, Aug 2, 2021 at 7:58 PM

To: Brandon Hutchins <bhutchins@dls.virginia.gov>, Del Les Adams <deladamsredistricting@house.virginia.gov>, Del Margaret Ransone <delransoneredistricting@house.virginia.gov>, "Del. Delores McQuinn" <deldmcquinn@house.virginia.gov>, Delegate Marcus Simon <delmsimon@house.virginia.gov>, Greta Harris <gharris@dls.virginia.gov>, James Abrenio <jabrenio@dls.virginia.gov>, Jose Feliciano <jfeliciano@dls.virginia.gov>, Mackenzie Babichenko <mbabichenko@dls.virginia.gov>, Marvin Gilliam <mgilliam@dls.virginia.gov>, Richard Harrell <rharrell@dls.virginia.gov>, Ryan McDougle <redistricting@ryanmcDougle.com>, Sean Kumar <skumar@dls.virginia.gov>, Senator George Barker <senatorbarker@gmail.com>, Senator Mamie Locke <district02@senate.virginia.gov>, Senator Stephen Newman <sdnewman7@gmail.com>, VA Redistricting <varedist@dls.virginia.gov>

To our Commissioners –

Calendar –

Looking at the “Materials” for the August 3 full Commission meeting, I am very concerned about the proposed calendar which is to be considered by the full Commission on August 3, 2021.

Are you really not going to have any meetings between the delivery of Census data on August 16 and August 30? I can only hope further dates will be added as the process for map drawing is discussed at your August 3 meeting.

How will the work of map drawers be available to the public? It is very important that this be transparent and above board. Is it realistic to expect that this can be done in just three meetings of two hours each?

If maps aren't shared before the week of September 20 – 24 how can any major feedback be incorporated before the HOD/Senate maps are submitted to the General Assembly? Is it realistic to expect the public to only have “minor tweaks” if this is the first time they have seen the maps?

“2021 Proposed Redistricting Guidelines and Criteria”-

I am very pleased to see two items on the draft by legal counsel to the Commission:

3.b. “The integrity and priority of existing political subdivisions should be preserved to the extent possible by avoiding unnecessary divisions of those subdivisions.”

4. “Maps shall not favor or disfavor any political party, [but in no case will the Commission consider the residences of incumbents as part of its consideration of this factor.]

By including these two statements, it is very evident you have been listening to citizen testimony at recent hearings. Thank you!

Communications and Outreach Services –

Are you as disappointed as many are that attendance at the hearings in several areas of Virginia has been very sparse? The Communications and Outreach Services position should have been one of the first positions hired! Instead, the last hearing before the maps are drawn is this Thursday and the position is not yet filled. Please get this person on board and working quickly to enable the public to participate in the redistricting process.

Please also require the two law firms to jointly hire a nonpartisan redistricting expert to evaluate the maps. This could go a long way to restoring the public's confidence that the Commission's work will be carried out in the spirit of the Virginia Constitutional Amendment.

Thank you!

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