



COMMONWEALTH OF VIRGINIA
HOUSE OF DELEGATES
RICHMOND

C. TODD GILBERT
POST OFFICE BOX 309
WOODSTOCK, VIRGINIA 22664

REPUBLICAN LEADER

October 7, 2021

COMMITTEE ASSIGNMENTS:
FINANCE
AGRICULTURE, CHESAPEAKE &
NATURAL RESOURCES
RULES

VIA EMAIL

Dear Commissioners:

I submit the following comments.

1. At your most recent meeting, the Commission elected to solicit the Constitutionally-required public comments without identifying a Commission-proposed map for the public to review. You have additionally stated that you anticipate making additional changes to the already-posted maps. This approach makes it impossible for the public to comment on the various options available, and – most importantly -- to state whether an actual map should be endorsed or rejected. This approach also makes it impossible to review compliance with those map-drawing criteria that require consideration of a map as a whole. Therefore, any map the Commission intends to consider for final vote should — before the vote — be presented as such to the public. The public should be given enough time to consider it and an opportunity to present comments on that map to the Commission.

Since every change affects other parts of the map, if additional changes are made thereafter, this process should be repeated. Unless and until the public has an opportunity to review an actual map that is being proposed for Commission endorsement, I cannot approve the Commission's work.

2. As was noted in my last letter, the "Election Results" data being used by the Commission is incomplete and inaccurate because it excludes voters whose votes were tallied at a Central Absentee precinct. Because of historical voting trends, these Central Absentee votes are almost universally more Democratic than the other precincts in the various counties. This means that district-by-district comparisons are inaccurate, and a district that appears to be majority Republican could in fact be majority Democratic if the Central Absentee ballots were properly assigned. At a minimum, the data is inaccurate enough that it cannot be used to determine if a map meets the statutory and Constitutional criteria. To again underline the impact of omitting the central absentee voters, the Redistricting Commission vote totals would appear to show that Mark Obenshain won the 2013 Attorney General race by a total of 1,032,348 to 1,018,431. If the Commission wishes to comply with the statutory and Constitutional requirements, this issue must be addressed and rectified.

Thank you for your attention to these matters.

Sincerely,

A handwritten signature in black ink that reads "C. Todd Gilbert".

C. Todd Gilbert
Virginia House Republican Leader