



**Date of Council Meeting: November 10, 2014**

**TOWN OF LEESBURG  
TOWN COUNCIL**

**Subject:** Non-partisan Redistricting

**Staff Contacts:** Keith Markel, Deputy Town Manager

**Council Action Requested:** Consider the request of Council member Hammler to adopt a resolution in support of non-partisan redistricting for state legislature districts.

**Staff Recommendation:** Staff supports adoption of the proposed resolution in support of VML's policy position on state redistricting.

**Commission Recommendation:** Not Applicable

**Fiscal Impact:** Not Applicable

**Executive Summary:** Adoption of this resolution would show support for non-partisan redistricting of Virginia House of Delegate and Senate Districts and United States Congressional Districts in the Commonwealth. This initiative is being led by the group *OneVirginia202: Virginians for Fair Redistricting*.

The non-partisan redistricting issue is also supported by the Virginia Municipal League (VML). However, the organization has not taken official action to endorse the OneVirginia 2021 plan.

**Background:** At the Town Council meeting of October 28, 2014, Council member Hammler requested that the Town Council consider the adoption of a resolution in support of non-partisan redistricting for state legislature districts. The issue of removing heavy partisan politics from the process of redistricting is an issue that is supported by VML in the 2015 Legislative Position Statement that was adopted at the VML business meeting in Roanoke on October 7, 2014 (excerpt attached).

The group OneVirginia2021 has organized to bring attention to this issue and to support a state constitutional amendment that would change how redistricting is achieved. Currently, Virginia adjusts State Legislature and U.S. Congressional District boundaries every ten years, following the U.S. Census. Although the General Assembly approves the revised districts, the political party in power at the time of redistricting has a significant advantage in deciding the composition of the districts. The creation of "safe" districts utilizing impractical geographic boundaries that often favor one political party is commonly referred to as "Gerrymandering". According to OneVirginia2021, creating non-competitive districts can reduce voter turnout, encourage voter disenfranchisement, create odd-shaped districts that split communities, and prevent legislators from working to address significant issues in communities.

OneVirginia2021 has asked that localities pass resolutions in support of their redistricting initiative. Their hope is that the General Assembly will pass legislation that will allow for a public referendum to approve a state constitutional amendment that will transfer the authority of redistricting from the General Assembly to an independent, impartial commission to apply a fair and transparent process in drawing political districts following the 2020 Census.

**Attachments:**

- (1) Draft Town Council Resolution
- (2) Excerpt from VML's adopted Legislative Position Statement
- (3) OneVirginia2021 Informational Documents



# Who We Are

OneVirginia2021: *Virginians for Fair Redistricting* is a group of dedicated Virginians from across the political spectrum that believe that Congressional and state legislative districts belong to the citizens of our Commonwealth, and not to any legislator, special interest or political party.

## Our Mission

Our Mission is to advocate for the adoption of an amendment to the Virginia Constitution that will establish an independent, impartial commission to apply a fair and transparent process in drawing political districts after the 2020 census.

## Our Deadline: 2021

The General Assembly will sign the state and Congressional maps into law in 2021.

## Our Principles

We believe districts should be drawn with citizens' interests in mind, encouraging healthy debate and public participation through a redistricting process that is:

**Independent.** Reform proposals need to remove conflicts of interest, and have the primary task of creating district maps through an impartial body that is independent from the General Assembly.

**Objective, using non-partisan criteria.** District boundaries need to be drawn on the basis of legal, demographic and commonsense criteria that ignore political interests.

**Transparent.** The process must be open to public inquiry and input. Citizens deserve to know the decisions behind the creation of their districts and have the opportunity to make their opinions known in the process.

# The Issue

**Gerrymandering:** 1. the deliberate manipulation by the majority party to divide legislative and congressional districts to give one political party a majority in most districts while concentrating the voting strength of the opposition party into as few districts as possible; 2. the manipulation of boundaries to favor one party or class unfairly; 3. the practice that attempts to establish a political advantage for a political party or group by manipulating district boundaries to create partisan advantaged districts.

Sources: Terry Cooper Political Research and Mirriam & Webster Dictionary



## How Does the Process Work?

In Virginia, state legislators redraw district lines for U.S. Congress, Virginia House of Delegates and Senate of Virginia after every 10-year census. Under the current system, the party in power in the House and the party in power in the Senate can draw the lines to serve their own interests, not those of our communities.

Virginia is ranked as one of the most gerrymandered states in the country both on the congressional and state levels based on lack of compactness and contiguity of its districts.<sup>1</sup> Virginia is ranked between 4<sup>th</sup> and 13<sup>th</sup> worst in the country. Throughout the Commonwealth, counties and cities are being broken in half or into multiple pieces to create heavily partisan districts.

Forty-six localities are split in the Virginia Senate district maps and 59 localities divided in the House of Delegates' maps.<sup>2</sup> In 2013, 56 candidates in the House of Delegates faced no real competition in the general election, with 22 Democrats and 34 Republicans facing no major-party challenger. Of the remaining 44 races, only 19 were considered competitive to some degree. In the end, only two seats changed parties.<sup>3,4</sup>

Massachusetts Governor Elbridge Gerry may get the credit for being the first to use political maps as a tool to influence elections, but "gerrymandering" as the method has been coined, is believed to have originated in our Commonwealth much earlier. Scholars point to Gov. Patrick Henry as the first example of political redistricting in the United States. In the 1780s he attempted to fix an election by creating a district to force Federalist James Madison to face Anti-Federalist James Monroe.

The practice of gerrymandering has not changed much of the past 228 years ... What has changed is the technology used to draw the lines more ruthlessly and effectively, and the large amounts of money behind this subtle practice.

Bob Gibson, Matt Scobie  
Virginia Town & Country  
June, 2014

<sup>1</sup>Governing: By the Numbers, October 2012

<sup>2</sup>Virginia Public Access Project VPAP

<sup>3</sup>Center for Politics, University of Virginia

<sup>4</sup>Virginia State Board of Elections

# Why Does Gerrymandering Matter

**Partisan redistricting is a root cause of polarization, gridlock in the U.S. Congress and in our state legislature, and our government's inability or unwillingness to solve problems.**

Virginia is Case Study in Electoral Gridlock, Bloomberg News, June 2014  
The Road to Better Redistricting: Empirical Analysis / State-Based Reforms to Counter Partisan Redistricting, 2013

*If mandate of one-person-one-vote was the generational issue of the 1960's, then eliminating political gerrymandering may be the issue of our time.*

*Redistricting, Why Wait? A.E. Dick Howard, Virginia Business, December 2013*

*This once-a-decade process may not receive the sustained public attention generated by the economy, taxes and healthcare policies, but the line-drawing exercise of determining districts affects the outcomes of these and many other policies.*

*Benjamin M. Harris and Stephen Farnsworth  
The Virginia News Letter  
Weldon Cooper Center for Public Policy*

When districts are manipulated or gerrymandered to protect incumbents and promote political parties, there can be a multitude of serious consequences:

- Legislators create "safe" districts, actually choosing their voters rather than citizens choosing their elected officials, "turning democracy on its head."<sup>5</sup>
- There is little competition in elections and little accountability for our citizens.<sup>6</sup>
- Voters feel left out of the process, resulting in low participation and apathy.
- Gerrymandering is a major form of disenfranchisement.<sup>7</sup>
- Districts are distorted to be hyperpolarized, which encourages legislators to only listen to their base while discouraging them from reaching across the aisle, addressing the serious issues or debating ideas.<sup>8</sup>
- Districts are drawn with bizarrely shaped boundaries that split communities of interest, diminishing or silencing the voices of citizens.<sup>8</sup>
- Elected officials do not seek solutions to the critical issues we face.<sup>8</sup>

*When incumbents get to pick their voters rather than constituents picking their elected officials, [you are] turning democracy on its head.*

*I don't think that the framers of the Constitution had in mind that each decade, whoever was lucky enough in the general election would get to gerrymander districts to solidify their power*

Gerry Herbert  
Former Acting Chief,  
US Dept of Justice Voting Section

<sup>5</sup>Gerry Herbert, Former Acting Chief, US Dept. of Justice Voting Section

<sup>6</sup>Gridlock and Key: Exploring redistricting - and its reforms - in Virginia. Jesse Tuel and Ashley Nicole Reynolds, Winter 2011-2012

<sup>7</sup>The Great Gerrymander of 2012, Sam Wang, February 2, 2013

<sup>8</sup>Virginia is Case Study in Gridlock, Bloomberg News, June 2014

# A Solution

**An independent commission, using objective, nonpartisan criteria, that invites public participation and is fully transparent.**

*According to a survey released by the University of Mary Washington, Virginians believe that an independent commission, not the General Assembly, should be responsible for drawing district lines by a margin of 74 percent to 15 percent.*

*University of Mary Washington  
Princeton Survey Research Associates International  
March 2013*

*In a poll released by Christopher Newport University, only 26 percent of Virginians believe the current redistricting process should be left as it is.*

*Dr. Quentin Kidd  
The Judy Ford Wason Center for Public Policy  
January 2014*

Expert studies of more than 4000 thousand district-level elections over the course of a twenty-year period conclude that the roadmap to real reform is **non-partisan redistricting, with citizen participation and limited legislative oversight.**<sup>9</sup>

This reform, however, will require a change to the Constitution of Virginia. Specifically, we must amend **Article II, Section 6**. The amendment must be approved by both Chambers of General Assembly in two consecutive sessions, with an intervening election before it can be submitted to voters in a referendum.

Creating reform requires a movement by citizens across Virginia – a movement that inspires grassroots and political pressure that will encourage legislators to pass an Amendment to the Virginia Constitution before the next census in 2020.

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<sup>9</sup>The Road to Better Redistricting: Empirical Analysis / State-based Reforms to Counter Partisan Gerrymandering, 2012

# Will Reform Work?

## Yes. It already has.

The National Conference of State Legislatures reports that 21 states have enacted some version of redistricting reform. According to Terry Cooper, a national political researcher and a member of OneVirginia2021, there are five states that have enacted what he describes as "honest" maps – those that are "governed by and respect non-partisan, commonsense redistricting criteria such as compactness, contiguity and natural boundaries such as cities, towns and voting precincts."

Those states are: **Arizona, Montana, California, Washington and Iowa.** Iowa's legislature gave authority to draw the maps to its Legislative Services in 1980, while the other four Redistricting Commissions were created by an amendment to State Constitution that originated with a Citizens' Initiative.

**CASE STUDY: IOWA** - The state with the longest history of redistricting reform.

**Results:** Highest levels of electoral responsiveness<sup>10</sup>  
Near elimination of political bias<sup>11</sup>  
All four Congressional seats are competitive<sup>12</sup>  
More governance, more compromise, less gridlock<sup>13</sup>

**CASE STUDY: CALIFORNIA** - Formerly the most gerrymandered state in the country.

A Constitutional Amendment through a Citizens' Initiative was passed in 2008. While the maps were just drawn following the 2010 Census, the headlines are reading, "California Sees Gridlock Ease in Governing." NYT, October 18, 2013

*We can already see that these reforms are improving the function of the Legislature and forcing people to come out of their partisan boxes and talk to the broader electorate... We are seeing, almost against odds, a more centrist Legislature, at least when it comes to jobs and budget issues.*

Sam Blakelee (R), former Representative in the California Assembly

**CASE STUDY: Virginia** - A better Commonwealth by 2021.

<sup>10</sup>The Road to Better Redistricting: Empirical Analysis/State Reforms to Counter Partisan Redistricting, 2013

<sup>11</sup>U.S. News, Iowa Hosting Four Fierce Congressional Races Thanks to Redistricting, July 2012

<sup>12</sup>AP, The Big Story, November 2013

<sup>13</sup>Ballotpedia

# Our Plan

The OneVirginia2021 strategy is guided by the timeline of legislative and political events necessary to pass a Constitutional Amendment. Because Virginia does not allow Citizen Ballot Initiatives, we are a leader in the United States for advocating the passage of a Constitutional Amendment directly through the General Assembly.

## Timeline

Phase I			Phase II		Phase III		
2014	2015	2016	2017	2018	2019	2020	2021
January Legislative Session	January Legislative Session	January Legislative Session	January Legislative Session	January Legislative Session	January Legislative Session	January Legislative Session	January Legislative Session
Prepare draft constitutional amendment	First bill for GA	If passed in 2015, 2 <sup>nd</sup> vote on same bill.  <b>Voter Referendum</b>	If 2015 bill not passed, reintroduce bill to GA	Pass same bill 2nd time for GA  <b>Voter Referendum</b>		CENSUS Commission convenes Public hearings Drafting of maps	Maps voted into law by General Assembly
November Elections for <b>US SENATE &amp; US HOUSE</b>	November Elections for <b>VA SENATE &amp; HOD</b>	November Elections for <b>PRES. &amp; US HOUSE</b>	November Elections for <b>VA GOV &amp; HOD</b>	November Elections for <b>US SENATE &amp; HOUSE</b>	November Elections for <b>VA SENATE &amp; HOD</b>	November Elections for <b>PRES. &amp; US HOUSE</b>	November Elections for <b>VA GOV &amp; HOD</b>

### 1. Educate Our Citizens

Our effort is based on research of redistricting efforts across the United States, the consequences of gerrymandering and the best solutions.

Surveys show that most people do not understand the connection between the government we have and our current process of redistricting. We intend to make that connection: media, public service announcements, speakers bureau, town halls, forums, website and social media.

## **2. Engage Leaders, Promote Civility and Trust in Government**

Success of our effort will require the support of Republicans, Democrats, Independents, Libertarians and members of the Tea Party. We are committed to making this effort inclusive and multi-partisan, respecting the legacy of "The Virginia Way."

## **3. Build a Strong, Agile Organization**

We have created a 501(c4) Board, Foundation, Policy Council and Advisory Board. We are in the process of applying for our 501(c3) status. We have also identified our first five Regional Chairs in Northern Virginia, Hampton Roads, Richmond, Charlottesville and Roanoke/Christiansburg. Shenandoah Valley and Southside will follow in the fall of 2014.

## **4. Achieve Sustainable Funding**

Since our launch in February 2014, we have been conducting an aggressive fundraising effort that includes identifying a finance chair, assembling an experienced statewide committee, initiating personal presentations and hosting fundraising events chaired by bipartisan leaders.

## **5. Draft Language for a Constitutional Amendment**

Our Principles Committee is drafting language for a model constitutional amendment(s) codifying an impartial redistricting commission, and the objective criteria by which district lines would be drawn. This model will be used to work with legislators, business leaders and citizens, seeking their input as we build consensus and support.

## **6. Establish a State and National Presence**

By focusing on research, engaging colleges and universities, and exploring the idea of a "think tank," we will continue to build credibility as the source for redistricting information in Virginia and across the country.

## **7. Launch a Statewide Field Network**

Through seven Regional Councils, we will support grassroots efforts with research, toolkits, petitions, town halls, and collaborative relationships - all working together.

## **8. Develop Strategic Partnerships**

Knowing that success will require a coalition of organizations working together, we are reaching out to businesses, corporations, associations, civic and community groups to partner with us across the Commonwealth.

## Board Structure

Founder: Leigh Middleditch  
Executive Director: Matt Scoble  
Chair of Statewide Student Initiative: Ann Laurence Baumer

### OneVirginia2021 Board

President: Grant Tate  
Treasurer: Greg Lucyk  
Secretary: Hon. Dave Nutter  
Co-Chair Statewide Plan  
Michael Signer

### OneVirginia2021 Foundation

President: Jim Fernald  
Treasurer: Kerin Yates  
Secretary: Tyson Janney  
Member: Bob Gibson  
Meg Heubeck

### Advisory Board

Hon. Bill Bolling      Hon. Shannon Valentine  
Jim Ukrop              Hon. Sandy Bowen  
Judy Ford Wason      Bryce Powell  
Tom Kramer

### Policy Council

Lettie Bien  
Terry Cooper: Chair of Research  
Greg Lucyk: Chair of Principles  
Randy Marcus, Co-Chair of Statewide Network  
Leigh Middleditch: Chair of Fundraising  
Linda Perriello: Chair of Internship Program  
David Posner: Chair of Communications  
Karen Raschke  
Mildred Robinson  
Justin Stanton: Chair of Finance  
Anne Sterling: Chair of Partnerships

### Regional Chairs

Hampton Roads: John Stone  
Charlottesville: Linda Perriello  
Richmond: Anne Sterling  
Northern Virginia: Jeremy McPike

[www.OneVirginia2021.org](http://www.OneVirginia2021.org)

Matt Scoble, Executive Director  
[director@OneVirginia2021.org](mailto:director@OneVirginia2021.org)

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Charlottesville, VA 22902

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## 2015 GENERAL LAWS POLICY STATEMENT

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2  
3 The basic purpose of local government is to provide essential services and protection for the  
4 community that citizens cannot provide for themselves. Local governments should decide which  
5 services and programs are of primary importance to the community. Virginia has hamstrung its  
6 cities, counties and towns with 19<sup>th</sup>-century legislation. The financial ability of municipalities to  
7 survive is threatened.

### I. EFFECTIVE GOVERNMENT

#### GOVERNMENT STRUCTURE

11  
12  
13 The General Assembly should allow  
14 significant diversity among municipal  
15 charters and not impose uniformity.

16  
17 The General Assembly should promote the  
18 sharing of the economic, social, cultural,  
19 fiscal and educational benefits and burdens  
20 of urbanization among all local governments  
21 involved.

22  
23 The addition of sub-state and special district  
24 governments should be controlled. New  
25 districts should not be created unless  
26 services cannot be furnished by local  
27 governments. In addition, no sub-state  
28 districts, including planning district  
29 commissions, should be granted real or  
30 quasi-legislative authority to undertake other  
31 functions except when expressly directed by  
32 their member jurisdictions, including those  
33 towns not directly represented in the entity.

34  
35 VML urges a careful review of the statutes  
36 concerning consolidation of local  
37 governments to ensure (a) that citizen-  
38 initiated petitions are signed by a reasonable  
39 number of affected citizens who reside in  
40 the jurisdiction, and (b) adequate periods of  
41 time elapse between consolidation or  
42 annexation actions. The Virginia Municipal  
43 League supports the General Assembly's  
44 provision of financial incentives to promote  
45 consolidation of local government services

46 and cooperative agreements among local  
47 governments.

48  
49 VML recognizes that while redistricting is a  
50 political process, the process should be  
51 conducted with the end goals of ensuring a  
52 strong and responsive representative form of  
53 government that enables citizens with  
54 communities of like interests to influence  
55 election outcomes through participation in  
56 the political process.

#### INTERGOVERNMENTAL ISSUES

57  
58  
59 Local governments have a vital role in the  
60 Commonwealth. They must have sufficient  
61 powers and flexibility to meet this role. The  
62 General Assembly should adopt legislation  
63 to promote and expand, to the extent  
64 necessary, municipal powers, to (a) enhance  
65 the ability of local governments to provide  
66 services required by their citizens, and (b)  
67 allow local governments to meet their  
68 responsibilities in state/local partnerships.  
69 VML opposes intrusions into the way local  
70 governments conduct their business,  
71 including burdensome regulations relating  
72 to:

- 73 1. meetings of governing bodies;
  - 74 2. purchasing procedures;
  - 75 3. matters that can be enacted by resolution  
76 or ordinance;
  - 77 4. procedures for adopting ordinances; and
  - 78 5. procedures for filling vacancies on local  
79 governing bodies.
- 80

PRESENTED \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

ADOPTED \_\_\_\_\_

A RESOLUTION: ONEVIRGINIA 2021 REDISTRICTING

WHEREAS, the organization OneVirginia2021 supports the belief that Virginia's historical practice of redistricting by the majority party in each legislative chamber is an outdated practice that stifles political competition, discourages compromise and ensures continued control by the party in power; and,

WHEREAS, OneVirginia2021 believes that Virginia's state and congressional districts belong to its citizens and not to any legislator, interest group or political party; and,

WHEREAS, OneVirginia 2021 believes the redistricting process should not be a tool used by those in power to protect and bolster their power, but should be designed with the best interest of Virginia's democracy and its citizens; and,

WHEREAS, the need is critical to restore trust, compromise and fair competition to Virginia politics; and,

WHEREAS, the Town of Leesburg, the most populous town in Virginia, lobbied successfully to keep its Town Council elections non-partisan when it amended its charter to move its elections from May to November; and,

WHEREAS, the Virginia Municipal League has adopted language in its 2015 Policy Statement that recognizes that redistricting is a political process, but supports a process that should be conducted with the end goals of ensuring a strong and responsive representative form of government that enables citizens with communities of like interests to influence election outcomes through participation in the political process.

THEREFORE, RESOLVED, that the Town of Leesburg, fully supports the goals of OneVirginia2021: Virginians for Fair Redistricting to depoliticize the redrawing of legislative district lines with an approach that advocates for fairness, transparency and accountability and keeps the citizens' interests in mind, encourages healthy debate and participation by the public in the process.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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Kristen C. Umstattd, Mayor  
Town of Leesburg

ATTEST:

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Clerk of the Council