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SENATE OF VIRGINIA:
PRIVILEGES & ELECTIONS REDISTRICTING COMMITTEE

PUBLIC HEARING)
LOUDOUN COUNTY,)
LEESBURG, VIRGINIA)

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A public hearing was held on Thursday,
March 31, 2011, commencing at 7:31 p.m. in the
Executive Boardroom, 1 Harrison Street, S.E.,
Leesburg, Virginia, before Paula L. Lowery, Notary
Registration No. 162073, Notary Public.

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A P P E A R A N C E S

ON BEHALF OF THE PRIVILEGES & ELECTIONS COMMITTEE:

SEN. JANET HOWELL, CHAIR

SEN. GEORGE BARKER

DEL. MARK COLE

DEL. JACKSON MILLER

DEL. DAVID ALBO

DEL. JAMES SCOTT

ALSO PRESENT:

D. Hobie Lehman, Clerk

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SPEAKERS:	PAGE
Randy Minchew	9
Michael Hobert	11
Benjamin Tribbett	16
Betsey Mayr	19

P R O C E E D I N G S

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3 SENATOR HOWELL: My name is Janet Howell.
4 I'm a member of the Senate, and I chair the Senate
5 Privileges & Elections Committee. I'd like to
6 call this public hearing to order. We are here
7 this evening to hear your comments on the
8 proposals that have been put out by both the House
9 and Senate for redistricting.

10 I'd like to thank you for coming out on
11 such an unpleasant evening, and I'm sure some of
12 you have come a great distance; and we do
13 appreciate it.

14 Over last winter we conducted hearings
15 across the state to hear from the public about the
16 redistricting process that's now before us. In
17 addition, eight public hearings on redistricting
18 are scheduled across the Commonwealth before the
19 General Assembly reconvenes next week on April
20 4th.

21 There are three public hearings this
22 evening in different parts of the state, four on

1 Saturday in different parts of the state, and then
2 one on Monday in Richmond.

3 During these hearings, we are going to be
4 in a listening mode. We've come to know what you
5 are thinking. We welcome your comments which have
6 been and continues to be received and will be
7 considered.

8 In addition to these hearings, we will be
9 reading the comments that have been sent to our
10 redistricting website. You can access that simply
11 by Googling Virginia redistricting and it will pop
12 right up. It's the Division of Legislative
13 Services website, which also has a lot of
14 information on each of the proposed districts.

15 These hearings are an opportunity for us
16 to hear from you and receive your input. We're
17 under extreme time constraints. Because the
18 elections are this year, unlike most states which
19 will hold their elections in 2012, our General
20 Assembly elections are this November, the
21 redistricting time table is short.

22 It's been only one month since Virginia

1 received corrected census data. Looking forward,
2 because we are a Voting Rights Act state, we must
3 send our plans to the Department of Justice which
4 will have 60 days to pre-clear them. We must also
5 follow state and federal law for the timing of our
6 primary and general elections. This results in a
7 compressed time frame.

8 This coming week during our redistricting
9 session bills will be introduced by legislators
10 and those bills will go through the normal
11 legislative process. Dramatic shifts in
12 Virginia's population required changes in district
13 lines.

14 Some districts, including Senate
15 Districts 29 and 33, are grossly overpopulated.
16 Others were significantly underpopulated,
17 including all of the majority black Senate
18 districts.

19 Some districts will gain representation,
20 other regions will lose representation. This is
21 due to the one person/one vote requirement of
22 federal and state law.

1 This past Tuesday afternoon, Senate
2 Democrats submitted a proposed plan to the General
3 Assembly's Division of Legislative Services. We
4 may consider making some changes to that plan, and
5 these public hearings are an opportunity for
6 members of the public to offer their views.
7 Indeed, some minor changes have already been made
8 to it. The proposed plan can be found on the
9 Legislative Services website.

10 We believe our proposed plan fully
11 complies with all applicable federal and state
12 legal requirements, including the one person/one
13 vote requirement of the federal and state
14 constitution, the Voting Rights Act, and the
15 Virginia Constitution.

16 With me, and about to make a few
17 comments, is Delegate Mark Cole, who is the
18 Chairman of the House Privileges & Elections
19 Committee.

20 DEL. COLE: I want to thank everyone for
21 coming out. Just to echo what Senator Howell
22 said, the purpose of this meeting is to get input

1 from you and to let you have your say.

2 I would encourage everyone to visit the
3 redistricting site and also feel free to contact
4 your senator and your delegate that represents you
5 to provide them with your thoughts about
6 redistricting and how you feel and think your area
7 should be represented.

8 Our stated goal for redistricting was to
9 ensure that, one, we comply with all the
10 provisions of state and federal law and all
11 related court decisions. We also wanted to make
12 sure that we adhere to one person/one vote, and
13 also we want to be fair to the voters of Virginia.

14 With that, I was wondering if you wanted
15 to have everyone introduce themselves.

16 DEL. ALBO: I'm Dave Albo, representing
17 the southern tip of Fairfax County.

18 DEL. MILLER: Jackson Miller, I represent
19 the 50th House District of Manassas, Prince
20 William, and Manassas Park.

21 SEN. BARKER: I'm George Barker of the
22 state Senate, and I represent the southern part of

1 Fairfax County and a part of Prince William County
2 as well.

3 SEN. HOWELL: We have a court reporter
4 here with us this evening. All comments are going
5 to be recorded and will be posted on the website.

6 Also, speaking with Del. Cole, we thought
7 it would be very helpful if each person spoke for
8 three minutes. Of course if you have more that
9 you want to say than three minutes' worth, we
10 would love to receive it via the web with
11 Legislative Services.

12 If you didn't sign up and you want to, we
13 have Hobie Lehman here. Just sign up with him,
14 and he'll bring up the sheet.

15 Our first person is Randy Minchew from
16 Loudoun.

17 MR. MINCHEW: Good evening, Senator
18 Howell, Senator Barker, Senator Cole, Senator
19 Miller and Senator Albo. For the record my name
20 is Randy Minchew.

21 I live near the old historic district of
22 Leesburg, only about 300 yards away, and am

1 currently honored to be a constituent of Del. Joe
2 May of the 33rd House District.

3 Under the proposed plan, I would be in a
4 new 10th District that runs in a linear fashion
5 down 15 from Leesburg, turning west on Route 15,
6 going all the way to the gates of the City of
7 Winchester. That is an open district. There's no
8 incumbent there.

9 I am a Republican. I chaired the Loudoun
10 County Republican Committee for a couple of terms
11 a few years ago, and that new 10th District is a
12 very good Republican District. John McCain even
13 won it once we counted the absentee ballots back
14 in 2008, and Governor McDonnell won it with a
15 whopping 63.5 percent of the vote back in 2009.

16 That being said, as a Republican, I urge
17 you don't approve it because that district splits
18 some community interests, divides Clark County
19 into two counties, and doesn't have the
20 compactness and continuity that I think would be
21 recommended for a district.

22 That being said, I would also urge that

1 both committees in both the House and the Senate
2 review the work products of the Governor's
3 Redistricting Commission that is either close to
4 or has wrapped up their work. I've got a draft
5 copy of the report that I've tendered to the
6 clerk, but I spent some time reading that report
7 today, and I think it's an outstanding work
8 product.

9 It has a great intellectual basis to it,
10 recommends some districts that don't have a whiff
11 of gerrymandering, and I think it deserves a good
12 hearing in both houses.

13 I yield back whatever time I have, and
14 thank you very much for this opportunity.

15 SEN. HOWELL: Thank you.

16 Next is Michael Hobert.

17 DEL. ALBO: Madam Chair, who's
18 controlling the computer up there? Would it be
19 possible for us to put up either the House or
20 Senate districts from this area?

21 That would be great, thank you.

22 MR. HOBERT: That's the announcement of

1 the public hearing that we are having in Clark
2 County in connection with the redistricting of our
3 community. I will keep my remarks brief because
4 you've told me three minutes is all we have.

5 I'm sure you and your staffs have done a
6 lot of work. It's a very complicated process. We
7 also did a lot of work in our local community of a
8 little over 14,000 people, so I'm aware of how
9 much work is involved in something like this.

10 But the fact that people do a lot of work
11 doesn't always stop some bone headed mistakes from
12 being made, and there have been some bone headed
13 mistakes being made in the proposals that I have
14 seen.

15 I must admit I agree, as I was
16 researching the Internet to find out more
17 information, information is kind of hard to come
18 by because it came up so quickly, as you all know.
19 But I came across a League of Women Voters' letter
20 by Ann Sterling, who I do not know, but she made
21 the point that unlike the independent
22 redistricting commissions which held public

1 hearings first and drew its map second, the House
2 and Senate have drawn their maps first.

3 If that is not true, I stand corrected.

4 SEN. HOWELL: No, that is not true.

5 MR. HOBERT: In any case, I think it will
6 be difficult to get any kind of substantial
7 changes made, but I would hope that you would look
8 at some small changes around the edges because
9 some of these districts are questionable.

10 I'm not going to speak to the entire plan
11 but only to my county which, unfortunately, is
12 divided by two of these proposed plans. In one of
13 the plans not only is the county divided, but the
14 county seat is divided.

15 My community strongly objects to this.
16 I've spoken in the last two days with Democrats,
17 Republicans, Blacks, Hispanics, old people, young
18 people, doctors, lawyers, farmers, and unanimously
19 they're very resentful of the fact that you would
20 take a small community like Clark County and
21 divide it in two.

22 So I would hope you would take that into

1 account as you go back and tinker with this plan.
2 I provided you with a copy of the current proposed
3 boundaries for our precincts, which I would hope
4 that you would take a look at.

5 Primarily, we would like to keep Clark
6 County a coherent unit. It's a community of
7 interest, and we're very proud of that.

8 We thank you very much for your time and
9 effort.

10 SEN. HOWELL: Thank you. The reason we
11 were shaking your heads is we went around the
12 state last November and December and held public
13 hearings prior to putting together a plan.

14 MR. HOBERT: Were maps released at that
15 time?

16 SEN. HOWELL: No, there were no maps
17 because there was no census data.

18 MR. HOBERT: So it's pretty hard to
19 relate to a proposal that didn't exist, I guess.

20 DEL. COLE: The purpose of the hearings
21 was to receive public input prior to drawing the
22 maps.

1 MR. HOBERT: It's pretty hard until
2 you've got the information in front of you to make
3 a comment about what's being proposed. I actually
4 still believe it's a good policy to have the
5 public hearings before you draw the maps.

6 DEL. COLE: That's what we did.

7 MR. HOBERT: The public hearings that you
8 had were public hearings without any information.
9 I mean, sure, we can have a public hearing next
10 year about ten years from now, but would it be
11 meaningful? Is it meaningful to have a public
12 hearing on redistricting when you don't have the
13 census data and you don't have the maps?

14 DEL. COLE: The census data was not
15 received until February during session.

16 MR. HOBERT: I understand, but the
17 independent commission apparently had its hearings
18 after the data was available. Is that not the
19 case?

20 DEL. COLE: Again, you're free -- any
21 citizen is free to contact their senator and
22 delegate with their thoughts at any time. So

1 public input was solicited and received starting
2 last fall about the whole redistricting process.

3 MR. HOBERT: I appreciate what you're
4 doing. Try not to divide counties, thank you.

5 SEN. HOWELL: Thank you.

6 Benjamin Tribbett?

7 MR. TRIBBETT: Thank you for the
8 opportunity. I especially want to thank Senator
9 Howell and Delegate Albo since I testified at this
10 hearing ten years ago, and you were both at that
11 hearing as well.

12 I wanted to testify on actually the exact
13 same topic which is: these plans -- as ten years
14 ago -- dilute young voters. The Metro lines in
15 Northern Virginia where many young voters live
16 around stations that are within walking distance
17 of Metro continued to be divided into multiple
18 districts, both in the Senate and House,
19 unnecessarily.

20 On the Blue Line alone, the House of
21 Delegates has five districts that only a few
22 stations are drawn into. Most districts only

1 having one or two stations around them which
2 dilutes the youth vote.

3 On the Orange Line the same thing is at
4 play with another five delegates representing a
5 very small, narrow community.

6 I think the House of Delegates should
7 reconsider its maps inside the Beltway and draw
8 districts around the Metro stations that provide
9 young voters an opportunity to elect candidates of
10 their choice and keep the other districts outside
11 the Beltway separate.

12 To the topic of the Senate districts, the
13 Senate districts while being -- there are less
14 Senate districts on the Metro lines, they're still
15 unnecessarily diluting the young voters by
16 splitting them on the Orange Line among three
17 districts and on the Blue Line among another three
18 districts. I think they all should be put into one
19 district.

20 Finally, on the Senate lines, I want to
21 testify on one other thing, which is my district,
22 the 31st District, which runs from Arlington

1 County all the way out here to Loudoun, just about
2 a mile from where we're having this hearing.

3 I think having a district that combines
4 neighborhoods like Great Falls and Loudoun County,
5 that have very separate commuter issues, with
6 Arlington County that has its own issues,
7 particularly with transportation, makes it
8 extremely ineffective for any representative to be
9 able to represent both community's interests in
10 the Senate. I think they should be put in
11 separate districts.

12 Thanks to other work the General Assembly
13 has done the last few years, the fastest way from
14 one end of this district to the other at rush hour
15 is probably through LaGuardia, but including both
16 National and Dulles Airports on the borders of one
17 state Senate district I think is excessive and
18 probably should be amended.

19 Thank you for your time.

20 SEN. HOWELL: Thank you.

21 DEL. MILLER: Madam Chair, I'd like to
22 say that Ben and I did call each other to make

1 sure we matched tonight.

2 SEN. HOWELL: Delegate Jim Scott has
3 joined us.

4 DEL. SCOTT: Sorry to be late, Madam
5 Chairman.

6 SEN. HOWELL: Betsey Mayr.

7 MS. MAYR: Good evening, thank you for
8 taking the time to listen to your constituents on
9 the redistricting process that takes place every
10 ten years.

11 My name is Betsey Mayr, and I live in
12 Leesburg, Virginia. I'm speaking tonight on
13 behalf of the League of Women Voters of Virginia.

14 The League has been an advocate of change
15 in the way redistricting is done. We feel an
16 electorate should elect their representatives and
17 not the representatives choosing their
18 constituents.

19 We feel we've made great strides with
20 Governor McDonnell appointing a bipartisan
21 advisory commission, and we do hope you will take
22 their work seriously. They have been through

1 public hearings and have heard the comments from
2 citizens around the state.

3 Once it was the opinion that
4 redistricting could only be done by legislators
5 and their staff, but a lot has changed over the
6 years. There is now an abundance of software
7 programs to help the ordinary citizens to produce
8 a map with the parameters set by law.

9 You have delivered your own maps, and now
10 I ask you to look at alternatives put forth by the
11 bipartisan advisory commission and the student
12 competition of which the League was a co-sponsor.

13 I had the opportunity to attend the
14 viewing of the maps put forth by the students from
15 17 colleges for a total of 55 maps. The students'
16 maps prove it is possible to make sensible,
17 understandable, non-gerrymandering districts.

18 If you have not had a chance to view
19 them, I suggest you go to the Library of Virginia
20 in Richmond and seriously look at them. I believe
21 they are better alternatives than what you have
22 put forth. In speaking to the students, they were

1 engaged in the process, took it seriously, and
2 will never look at redistricting the same way
3 again.

4 The bipartisan advisory commission also
5 produced maps that show sensible, understandable,
6 non-gerrymandered districts within all legal
7 parameters. The commission also took into account
8 the many voices of the public during the hearings.
9 Have you read the account of hearings? Have you
10 looked at their proposals?

11 I briefly looked at Loudoun's lines and
12 found we'll have seven House of Delegates and four
13 Senators for representatives, but they're also
14 split into precincts which are a nightmare for
15 those who administer elections.

16 I served on the Loudoun County Election
17 Board and also was the Deputy Registrar in
18 Fauquier County, and there was always due
19 diligence on establishing precinct boundaries so
20 as not to have split precincts.

21 Loudoun County has completed their
22 redistricting and is getting ready to provide the

1 public notice, so they have essentially created
2 their portion. It is not too late to adjust your
3 lines so they're in synch with the Loudoun
4 precinct lines.

5 Yes, we can go back and fix them next
6 year. However, the voters will have confusion
7 issues on where to vote. Yes, notification is
8 always sent to voters to advise them of any
9 changes in their precinct; but, unfortunately,
10 they do not seem to get the message until they
11 show up on election day and find they are to vote
12 in another precinct.

13 I believe it is up to all of us to make
14 voting accessible and easy with understandable and
15 sensible precincts for the voters. We understand
16 that Virginia is under more time pressure than
17 many states. We have an election this year. We
18 not only have to vote on district lines, serve
19 notices, hold public hearings, but we also have to
20 receive Justice Department approval.

21 Please don't use lack of time as an
22 excuse not to review all alternative plans before

1 voting on one which we have to live with for the
2 next ten years.

3 Thank you for your time and attention.,

4 SEN. HOWELL: Thank you. I appreciate
5 the work the League does.

6 I don't have any other names listed. Is
7 there anyone else who wanted to speak?

8 (No response.)

9 SEN. HOWELL: Thank you so much for
10 coming this evening. I assure you, we will be
11 reading all the comments and looking at all the
12 plans. Thank you.

13 (Whereupon, the public hearing was
14 concluded at 7:55 p.m.)

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CERTIFICATE OF REPORTER

I, Paula L. Lowery, do hereby certify that the forgoing proceedings were taken by me in stenomask and thereafter reduced to typewriting under my supervision; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this proceeding was taken; and further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of the action.

PAULA L. LOWERY

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