

IN THE MATTER OF  
THE COMMITTEE ON PRIVILEGES AND ELECTIONS

Notice of Public Meeting for Discussion of Senate  
Bill No. 5001, Bill Plans, Progress of the  
Redistricting Application

---

BEFORE: JANET HOWELL, CHAIRPERSON

PLACE: COMMONWEALTH OF VIRGINIA  
GENERAL ASSEMBLY BUILDING  
HOUSE ROOM A  
910 CAPITOL STREET  
RICHMOND, VIRGINIA 23218

DATE: APRIL 5, 2011

REPORTER: LANIEDA D. BRIGGS, CSR and Notary Public.

PANEL: JANET HOWELL, 32nd Senate District  
STEPHEN MARTIN, 11th Senate District  
R. CREIGH DEEDS, 25th Senate District  
MARY MARGARET WHIPPLE, 31st Senate  
District  
PHILLIP P. PUCKETT, 38th Senate District  
JOHN S. EDWARDS, 21st Senate District  
DONALD A. MCEACHIN, 9th Senate District  
CHAP PETERSEN, 34th Senate District

## 1 PANEL MEMBERS Continued:

2 GEORGE BARKER, 39th Senate District

3 RALPH S. NORTHAM, 6th Senate District

4 JEFFREY L. MCWATERS, 8th Senate District

5 JILL HOLTZMAN VOGEL, 27th Senate District

6 RALPH SMITH, 22nd Senate District

7 HARRY B. BLEVINS, 14th Senate District

8 MARK D. OBENSHAIN, 26th Senate District

9

## 10 SPEAKERS:

11 SENATOR JOHN MILLER

12 JOHN MCGLENNAN

13 ALEX BRAMSEN

14 DEVIN BRAUN

15 DIMELZA GONZALES-FLORES

16 THOMAS CHAPPELL

17 ERIC AMES

18

## 19 PRESENT:

20 D. HOBIE LEHMAN, Assistant Coordinator of

21 Committee Operations/Sergeant-At-Arms

22 NICK GALVIN

23 MARY SPAIN

24 DAVID COTTER

25

1 P R O C E E D I N G S

2 - - - - -

3 MADAM CHAIR: The Committee on Privileges  
4 and Elections will come to order. The clerk will  
5 call the role.

6 THE CLERK: Senator Martin.

7 SENATOR MARTIN: Here.

8 THE CLERK: Senator Deeds.

9 SENATOR DEEDS: Here.

10 THE CLERK: Senator Whipple.

11 SENATOR WHIPPLE: Here.

12 THE CLERK: Senator Obenshain.

13 Senator Puckett.

14 SENATOR PUCKETT: Here.

15 THE CLERK: Senator Edwards.

16 Senator Blevins.

17 SENATOR BLEVINS: Here.

18 THE CLERK: Senator McEachin.

19 SENATOR MCEACHIN: Here.

20 THE CLERK: Senator Petersen.

21 SENATOR PETERSEN: Here.

22 THE CLERK: Senator Smith.

23 SENATOR SMITH: Here.

24 THE CLERK: Senator Barker.

25 SENATOR BARKER: Here.

1 THE CLERK: Senator Northam.

2 SENATOR NORTHAM: Here.

3 THE CLERK: Senator Vogel.

4 Senator McWaters.

5 SENATOR MCWATERS: Here.

6 THE CLERK: Senator Howell.

7 SENATOR HOWELL: Here.

8 THE CLERK: Madam Chair, the floor.

9 MADAM CHAIR: Thank you.

10 This morning we are going to be discussing  
11 bills that are before this committee dealing with  
12 redistricting. It had been my understanding there  
13 were to be three bills. Actually, there has only  
14 been one that has been introduced yesterday. That  
15 is the bill I put in, Senate Bill 5001.

16 In addition, Senator Miller has a bill that  
17 he received after session yesterday, so he was  
18 unable to introduce it, but I would like to give him  
19 the opportunity and the people that are here to  
20 discuss it the opportunity to do so.

21 We will not be having votes today on any of  
22 the plans. The purpose is simply to have the  
23 discussion of the plans.

24 So, first, I would like to call on Senator  
25 Miller with his proposal.

1           SENATOR MILLER: Thank you.

2           Madam Chair, members of the committee, for  
3 four years I have offered legislation creating a  
4 bipartisan redistricting commission. For four years  
5 it has passed the senate and always been killed by a  
6 subcommittee in the house.

7           So once again we will be selecting our  
8 voters before the voters have a chance to select us,  
9 but this year there is an alternative. Colleges  
10 across the Commonwealth competed against each other  
11 in competition. They drew lines that created new  
12 districts using computers, census information, and  
13 common sense.

14           Today I will introduce the winning senate  
15 plan that was drawn by students from the College of  
16 William and Mary. I believe in bipartisan  
17 redistricting, and this may be as close as we get to  
18 this year.

19           These students work hard. They came up  
20 with a good product, and they will now present their  
21 work. They deserve to be heard.

22           Let me call on Professor John McGlennan who  
23 is the faculty advisor for this project for a few  
24 words, and then he will introduce the students who  
25 will outlay their plans.

1           MR. MCGLENNAN:  Senator Howell, members of  
2   the committee, thank you very much for this  
3   opportunity.  It was my privilege to serve as a  
4   sponsor for the students who participated in the  
5   competition.  They drew districts for congressional  
6   seats, for the house of delegates, and for of course  
7   for the senate.  And the William and Mary  
8   undergraduate team was selected as the winning team  
9   for the state senate plan.

10           The five students who are with me today are  
11   the ones who actually drew the plan.  I was the  
12   sponsor.  They were required to have a sponsor, but  
13   they did the work.  They produced the maps.  They  
14   generated the rationale.

15           So I am pleased to introduce to you today  
16   Dimelza Gonzales-Flores, Thomas Chappell, Devin  
17   Braun, Alex Bramsen, and Eric Ames who are all  
18   students in the Department of Government at the  
19   College of William and Mary.

20           Devin and Alex are going to explain to you  
21   the rationale behind their map and the consequences  
22   of the plan that they have drawn.

23           MR. BRAMSEN:  Thank you, Madam Chairwoman,  
24   distinguished senators for inviting us to present  
25   our plan to you today.  My name is Alex Bramsen of

1 Arlington County. With me are Devin Braun of  
2 Pennsylvania, Dimelza Gonzales-Flores of Fairfax,  
3 Eric Ames also of Fairfax, and Thomas Chappell of  
4 Henrico.

5 We are students of government at the  
6 College of William and Mary, but more importantly we  
7 are Virginians. It is our hope that we will be able  
8 to demonstrate to you today that our proposal which  
9 we developed under the auspices of the Virginia  
10 redistricting competition is a viable option for  
11 your consideration and one that is in many ways  
12 better than those as yet developed.

13 We have provided each of you with a packet  
14 for the purposes of a visual as we go. We would ask  
15 you now to turn to the second page of that packet.

16 As we set out to tackle the redistricting  
17 of the senate, the criteria set before us were very  
18 simple. Equitable population, the compliance with  
19 the Federal Voting Rights Act, compactness,  
20 contiguity, and protecting the integrity of  
21 communities of interest.

22 The first thing we did then was to look at  
23 what exists today, and ask ourselves what is wrong  
24 here, and how can we fix it? The problems were  
25 numerous and readily apparent, and included but were

1 not limited to population shifts, and growth to the  
2 north were leaving the south and southeast sections  
3 of the state with districts continuing through to  
4 people.

5 The districts in the urban areas of the  
6 Tidewater region were many times drawn haphazardly.  
7 Communities were split regularly and often without  
8 reason. Districts were non-compact and were at  
9 times continuing large sections of territory linked  
10 only by small strips of land which I call near point  
11 contiguity.

12 What we have on page three is our proposal  
13 for the new senate. In our view we mention many of  
14 the problems we have identified at the outset. In  
15 our proposal population has been reallocated to  
16 within the mandated margins of plus or minus five  
17 percent from the 200,026 goal as established by the  
18 Bureau of the Census.

19 The existing five majority/minority  
20 districts are respected in compliance of the Voting  
21 Rights Act.

22 Compactness was increased across the board  
23 and specifically promoted in the Richmond metro and  
24 Tidewater areas. Communities are restored wherever  
25 possible and splits are minimized except where

1 absolutely necessary for population reasons.

2 While this large scale image gives a good  
3 representation of the rural areas of the state, the  
4 more urban areas merit a higher scaled examination.

5 On page four in Northern Virginia our plan  
6 restores the territory of borders of Arlington  
7 County and the City of Alexandria and reduces the  
8 splits in Fairfax County that join Fairfax territory  
9 to that of other counties from six to two.

10 It dramatically increases the compactness  
11 scores of the districts in this region by producing  
12 districts that focus on reducing wander territory.  
13 Most notably, by removing the districts, it corrects  
14 population to within the mandated limits.

15 In Richmond, on page five, our plan also  
16 makes improvements. District 16, compactness and  
17 contiguity issues are reduced significantly. The  
18 Voting Rights Act requirement remain respected and  
19 strong.

20 SENATOR MCEACHIN: Madam Chair?

21 MADAM CHAIR: Senator McEachin.

22 SENATOR MCEACHIN: With respect to District  
23 16 did you remove it from the City of Richmond?

24 MR. BRAMSEN: Sorry?

25 SENATOR MCEACHIN: Did you take District 16

1 out of the City of Richmond?

2 MR. BRAMSEN: No, we did not.

3 SENATOR MCEACHIN: I just can't tell from  
4 the map. And what is the African American  
5 population of District 16 under your plan?

6 MR. BRAMSEN: I am afraid I don't have a  
7 specific number, but it remains the majority.

8 SENATOR MCEACHIN: Do you know what the  
9 voting age population is, African American, 18 plus?

10 MR. BRAMSEN: No, that is the majority that  
11 I don't have a specific number for.

12 SENATOR MCEACHIN: Thank you, Madam Chair.

13 MR. BRAMSEN: The City of Hopewell's  
14 borders are restored, and the city now votes in the  
15 single district and population was again returned to  
16 mandated margins.

17 The final area of comparison is that of the  
18 Tidewater region. The work was difficult because of  
19 the shear number of population disparities present  
20 in the current configuration and by the three voting  
21 rights districts that had to be maintained.

22 Nevertheless, our plan worked to improve  
23 the situation and it did just that. Our plan  
24 restores the borders of York County. And while it  
25 does not eliminate them entirely, it reduces splits

1 made to Newport News, Hamilton, Norfolk, and  
2 Virginia Beach.

3 While doing this, however, the VRA  
4 districts are respected and their populations were  
5 brought to within mandated margins and their overall  
6 compactness was increased.

7 Compactness was also increased in each one  
8 of the surrounding districts in concerns of near  
9 point contiguity in districts 18, 14, and 5. That  
10 is, places where the district is contiguous but only  
11 connected by a very thin strip of land were reduced.

12 Overall districts in this region were drawn  
13 to promote clear delineations.

14 On the seventh page of the packet we have  
15 provided you with the comparison with the  
16 statistical information taken from the existing  
17 districts and from those we have drawn to replace  
18 them.

19 You can see that our proposal demonstrates  
20 clear and at times significant improvements in all  
21 measurable categories.

22 I should clearly state at this point that  
23 per the instructions of the governor and the  
24 competition, this proposal is developed under a  
25 policy of political blindness.

1           That is, districts drawn without political  
2 competitiveness in mind, and for that reason we do  
3 not have information relating to how this proposal  
4 affects incumbents be it adverse or beneficial.

5           Finally, I have included on the last page  
6 of the packet the contact information for myself and  
7 for Devin Braun who developed this map and for  
8 Professor John McGlennan our faculty advisor.

9           We would be happy to answer any questions  
10 that you may have on our proposal either at this  
11 time, at the conclusion of the committee's  
12 proceedings, or at a later date. Thank you very  
13 much.

14           MR. BRAUN: Just to add a couple of quick  
15 things. Senator McEachin, with regard to your  
16 question, when working with the software to draw  
17 these districts, we were dealing with -- in the  
18 majority/minority districts, we were dealing with  
19 the voting age population, so any majority that we  
20 had is representative of that.

21           SENATOR MCEACHIN: You just are not able to  
22 tell me the exact number?

23           MR. BRAUN: I am not able to tell you the  
24 exact percentage. It's about 50, obviously.

25           A quick thing I wanted to add with respect

1 to sort of the number of community breakups with  
2 regard to county splits, you will see that it's down  
3 about 30 percent.

4 One of the areas we like to emphasize in  
5 the rural parts of Virginia in the southwest area  
6 you will notice that District 40 and Grayson County  
7 are no longer split. Grayson County and Galax City  
8 are all part of the same district. District 25 all  
9 of Augusta County is from the same district  
10 including both the cities of Williams Borough and  
11 Stanton.

12 And in District 23 Lynchburg City and  
13 Bedford City are part of the same district. So  
14 that's just sort of representative of some of the  
15 areas where we thought it was sort of natural to try  
16 to unite more of the counties and cities under the  
17 same districts where in a lot of cases it's more  
18 important than the rural areas. So, I just wanted  
19 to add that.

20 MADAM CHAIR: Are there any questions?

21 MR. BLEVINS: Madam Chair?

22 MADAM CHAIR: Senator Blevins.

23 SENATOR BLEVINS: I just want to compliment  
24 each of you that worked on this. Had you been to a  
25 lot of meetings we have been to and public hearings,

1 I think you would have been applauded by the people  
2 who were at those meetings for the changes you have  
3 made and what they had seen previously. And I just,  
4 I think it's great that we can learn from the  
5 younger among us and maybe be able to improve from  
6 it. So, thank you very much.

7 MR. BRAUN: Thank you, Senator.

8 Also, Senator McEachin, if you would like  
9 us to submit the exact numbers for all five  
10 majority/minority districts, we would be happy to  
11 submit those to you in writing.

12 SENATOR MCEACHIN: Thank you.

13 SENATOR MARTIN: Madam Chair?

14 MADAM CHAIR: Senator Martin.

15 SENATOR MARTIN: Again, it's not necessary.  
16 I believe once this is loaded into our system, if it  
17 is not already, we will actually be able to generate  
18 those specifics ourselves.

19 I too want to join and commend you. It is  
20 a lot of work. I appreciate that. And you can see,  
21 when you speak of the challenges, you can see some  
22 of the challenges we face as we go into it.

23 MADAM CHAIR: Yes, I also want to thank  
24 you, and I want to thank the people who put together  
25 the whole contest. I think, I hope, and I assume

1 you all benefited from participating, and I know  
2 that we have. We all have benefited from your  
3 suggestions, so thank you very much.

4 SENATOR PETERSEN: Madam Chair?

5 MADAM CHAIR: Yes, Senator Petersen.

6 SENATOR PETERSEN: Who is the Northern  
7 Virginia guru? Come on forward. I have a couple of  
8 questions. And just a couple, not questions, but  
9 just comments because I have just been looking at  
10 the Fairfax County map.

11 You guys have done a great job of dividing  
12 it up and sort of respecting boundaries which is  
13 very important. One thing is, though, in Northern  
14 Virginia what appears to be compact from sort of an  
15 eagle's eye view, may not be compact, because there  
16 may not be a road, or it may be difficult.

17 For example, my district is tied together  
18 from north to south by, pretty much by Route 123 or  
19 Ox Road.

20 And in this, basically you cut it off at  
21 66, sort of the northern part of the district I  
22 represent would go away. But was there any single  
23 arteriole that you were looking at when you drew  
24 this or were you just more of sort of looking at a  
25 map and saying, okay, I'm going to make this map

1 contiguous, or did you look at sort of arteriole  
2 roads and roadways and things like that?

3 MR. BRAMSEN: When I was drawing the  
4 Northern Virginia Districts, I tried to keep as many  
5 large roads moving through each district as I  
6 possibly could. I did frequently use this large  
7 arteriole roads as borders because they are a  
8 co-delineation. But wherever possible we tried to,  
9 and if we couldn't, it was just because we were  
10 trying to balance as many of the other criteria as  
11 we possibly could.

12 MR. PETERSEN: One other follow-up if I  
13 might, Madam Chair?

14 MADAM CHAIR: Yes, Senator Petersen.

15 MR. PETERSEN: And this is more of a  
16 comment than a question. In Fairfax County  
17 oftentimes people identify through their high school  
18 pyramid. And for example I represent the Fairfax  
19 High School, Woodson High School, Robinson High  
20 School pyramids.

21 And just again, looking at the district I  
22 represent, it looks like it's still sort of Fairfax,  
23 Robinson, not so much Woodson anymore, and obviously  
24 not the ones north of 66, but I would commend you  
25 that, for me, I always like to think of precincts I

1 represent what school pyramid are they with.  
2 Because that's when I get a chance to see voters at  
3 back-to-school nights and things like that. That's  
4 oftentimes a point of contact.

5 Just something for your knowledge. But,  
6 thanks again. This is very helpful.

7 MADAM CHAIR: Okay. Thank you very much.  
8 Thank you, Mr. McGlennan.

9 MR. MCGLENNAN: Thank you very much, Madam  
10 Chair.

11 MADAM CHAIR: The next bill is Senate Bill  
12 5001, and I'll give the gavel to Senator Deeds.

13 MR. CHAIRMAN: Senator Howell, would you  
14 like to explain the bill?

15 SENATOR HOWELL: Thank you. Senate Bill  
16 5001 is our proposal. As you all know, we have put  
17 it forward on the Division of the Legislative  
18 Service's Website and have had public hearings based  
19 on it. And already numerous changes have been made,  
20 and I anticipate there will be further changes made.

21 This bill meets all federal and state  
22 requirements. It gives priority to compliance with  
23 the constitutional requirement of one man one vote,  
24 and the requirements of federal law, including the  
25 Voting Rights Act.

1           In making redistricting decisions, we are  
2 required to satisfy a number of federal and state,  
3 constitutional and statutory provisions, in addition  
4 to drawing districts that are compact and  
5 contiguous. This requires us to reconcile often  
6 competing criteria. In other words, we have to  
7 consider and balance a number of factors in  
8 designing the districts.

9           We used in drawing the senate -- excuse me,  
10 the criteria we used in drawing the plan are the  
11 same criteria used by the republican-controlled  
12 senate in drawing the 2001 Senate Plan.

13           In terms of population, our figures are  
14 those used by the census. We are entirely relying  
15 on the census, as we must. And although the  
16 constitution allows an overall range of population  
17 deviation of up to ten percent, that's a plus or  
18 minus five percent. Senate Bill 5001 has an overall  
19 deviation of less than four percent plus or minus  
20 two percent.

21           Thus, the districts satisfy the  
22 equi-population requirements of the state and  
23 federal constitutions.

24           This senate bill was drawn in accordance  
25 with the laws of the United States and the

1 Commonwealth of Virginia including compliance with  
2 provisions against the unwarranted retrogression or  
3 dilution of racial or ethnic minority voting  
4 strength.

5           There are five majority black state senate  
6 districts in the current map, and our plan,  
7 likewise, contains five majority black senate  
8 districts. Each of these districts continues to  
9 provide black voters in the district with an  
10 effective opportunity to elect a candidate of their  
11 choice to the state senate and to participate  
12 effectively in the political process.

13           All the districts in this plan are  
14 comprised of contiguous territory and all districts  
15 are compact in accordance with the constitution of  
16 Virginia as interpreted by the Virginia Supreme  
17 Court in the cases of Jameson versus Womack in 1992,  
18 and Wilkins versus West in 2002.

19           The districts are also based on varied  
20 factors that can create or contribute to communities  
21 of interest. These factors include among others,  
22 economic factors, social factors, cultural factors,  
23 geographic features, governmental jurisdictions, and  
24 service delivery areas, political beliefs, voting  
25 trends, and incumbency considerations.

1           As reflected in our adopted criteria, we  
2 welcome public comment on the map. It has been and  
3 continues to be received and is being considered.  
4 It is inevitable that some interests will be  
5 advanced more than others by the choice of  
6 particular district configurations.

7           The discernment, weighing and balancing of  
8 the various factors that contribute to communities  
9 of interest, is an intensely political process best  
10 carried out by elected representatives of the  
11 people.

12           Local government jurisdiction's increased  
13 inclines may reflect communities of interest to be  
14 balanced, but they are entitled to no greater weight  
15 as a matter of state policy than other identifiable  
16 communities of interest.

17           There were 41 localities with populations  
18 split in the 2001 map that was drawn by the  
19 republicans. Our proposed map splits roughly the  
20 same number, 43. The following ten cities or  
21 counties were split in the 2001 map, but are now  
22 reunited under our proposed map.

23           Amherst County, Buckingham County, Campbell  
24 County, Cumberland County, the City of  
25 Fredericksburg, Goochland County, the City of

1 Hopewell, Lunenburg County, Polaski County and  
2 Rockbridge County all have been reunited.

3 We are very aware that competitive  
4 districts are desirable. Under this plan Governor  
5 McDonald carried 28 of the 40 districts, or  
6 70 percent of the proposed senate districts.

7 There are 17 districts in the proposed map  
8 that the republican candidates for governor carried  
9 in 2005 and 2009.

10 There are only 12 districts that the  
11 democratic candidates for governor carried in both  
12 of those elections. The remaining 11 districts  
13 voted for the democratic candidate for governor in  
14 2005, and the republican candidate in 2009.

15 We had to make shifts because of population  
16 shifts. Due to the population changes in Hampton  
17 Roads and southwest Virginia these two regions each  
18 lost one senate seat. For example, Hampton Roads  
19 planning district is home to ten senators but only  
20 has enough population for 8.1 districts.

21 To address these changes the senate plan  
22 pairs two senators into a single district in each  
23 region. In 2001 the plan drawn by republicans moved  
24 districts held by a democratic senator in southwest  
25 Virginia to Northern Virginia and paired two

1 democratic senators in another district. That plan  
2 was upheld by the Supreme Court.

3 It is always difficult to lose districts.  
4 It's probably the very hardest thing that happens,  
5 but it's absolutely required by the constitution.

6 Mr. Chairman.

7 MR. CHAIRMAN: Senator Howell.

8 Are there others who would like to be  
9 heard? Questions? Is there anyone from the  
10 audience who would like to address this bill?

11 SENATOR MARTIN: Mr. Chairman.

12 THE CHAIRMAN: Senator Martin.

13 SENATOR MARTIN: I'm under the impression  
14 there would be no vote today.

15 THE CHAIRMAN: That's correct.

16 SENATOR HOWELL: All right. Thank you.

17 THE CHAIRMAN: Are there others who would  
18 like to be heard on this bill? Thank you very much.

19 MADAM CHAIR: There being no further  
20 business, the committee will rise.

21 (Whereupon, the proceedings were concluded  
22 at 10:34 a.m.)

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CERTIFICATE OF REPORTER

I, Lanieda D. Briggs, do hereby certify that the foregoing proceedings were taken by me in stenotype 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 these proceedings were 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.

\_\_\_\_\_

Lanieda D. Briggs  
Certified Shorthand Reporter  
No. 10571