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IN RE: SENATE PRIVILEGES AND ELECTIONS
REDISTRICTING SUBCOMMITTEE PUBLIC HEARING

Tidewater Community College
120 Campus Drive
Portsmouth, Virginia
December 2, 2010

Before: Senator Janet Howell, Chairman
Senator Creigh Deeds
Senator Ralph Northam
Senator Harry Blevins
Senator Frederick Quayle

TAYLOE ASSOCIATES, INC.

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Norfolk, Virginia

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1 SENATOR HOWELL: Good evening, everyone.
2 Thank you for coming for the Senate's redistricting
3 public hearing. I am Janet Howell. I am chairman of
4 the Senate Privileges and Elections Committee.

5 We are expecting two or three other
6 senators and that is why I have been sort of waiting
7 but I think we will begin and hope that they are going
8 to make it. And Senator Northam was just sitting here
9 and he is on call, since he is also a doctor, so he is
10 going to take it and then he will be right back. But
11 I would like to introduce Creigh Deeds.

12 (Applause.)

13 We tried to get geographical distribution
14 on this special subcommittee and he and I are pretty
15 far apart in this state. I am from Reston, and he is
16 from Bath County. And, of course, you all know
17 Senator Northam who is from this area.

18 This is the third of four public hearings
19 we are having this year on the subject of
20 redistricting. We have already been to Roanoke, and
21 we have been to Herndon. And now we are in
22 Portsmouth. We have gone to great lengths to
23 publicize these meetings. The press has been notified
24 multiple times. The schedule is on the redistricting
25 website. And for the first time in my memory every

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1 single person and organization listed as an interested
2 party for any legislative committee or commission has
3 been e-mailed. That is over 5,000 people and groups.
4 The two political parties were also notified. I know
5 the Democrats have e-mailed over 20,000 notices
6 statewide and I hope the Republicans have done the
7 same with their list.

8 Senate P&E committee, Privileges and
9 Elections, along with House Privileges and Elections,
10 has the primary responsibility for redistricting
11 bills; however, a redistricting bill or plan may be
12 introduced by any member of the General Assembly and
13 the General Assembly and the Governor must ultimately
14 enact the bills that establish the new redistricting
15 plans.

16 We find it is very important that we have
17 public input. This redistricting is going to affect
18 every voter, and the General Assembly is responsible
19 to you, our constituents.

20 We will be accepting comments in person,
21 by mail and by e-mail. Significantly, all the
22 comments from these hearings, including the one
23 tonight, will be posted on the Internet.

24 As you know, redistricting is the process
25 of redrawing the boundaries of legislative districts.

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1 It is conducted every ten years after the national
2 census. It is designed to reflect population shifts
3 that have taken place since the last census.

4 Why do we redistrict? Well, we want to
5 but more importantly we have to. We are required by
6 the U.S. Constitution to redistrict the House of
7 Representatives. And the Virginia Constitution
8 requires us to redistrict the Senate and the House.
9 Localities are responsible for redistricting for local
10 offices such as school board, boards of supervisors,
11 county commissions and so on.

12 The U.S. Supreme Court has held the
13 Constitution requires one person, one vote. Districts
14 must be as equal as practicable in population.
15 Districts with slower growth or actual population loss
16 must expand geographically. Districts with faster
17 growth must shrink geographically. If district lines
18 did not change, population shifts would dilute the
19 vote of persons in districts with more people. And
20 the courts will not allow that.

21 Even though we do not have detailed data
22 from census yet, we know from estimates that there
23 will be significant shifts throughout this state. It
24 is a zero-sum gain. Shifts in any district will
25 impact others.

1 Let me give you an example of the last --
2 from the last redistricting in 2001. And it is kind
3 of personal for me because the example I will give you
4 is the 32nd Senate district, which is what I
5 represent. Ten years ago, the 32nd district had
6 precisely the right number of people. We were only
7 off by 300 people. But because Northern Virginia was
8 gaining in population, there were major shifts. So my
9 perfectly configured district lost 40 percent of my
10 constituents and gained a different 40 percent. That
11 is going to happen statewide. Changes in one district
12 will cause changes in others. Population shifts are
13 going to create changes. And I think we need to
14 expect most districts are going to be changed.

15 Here is the schedule of what we expect.
16 Last April 1st was census day, and the population was
17 enumerated. We are expecting, on December 31st, that
18 we will get our first official population count from
19 census. That will tell us how many people live in
20 Virginia. In February, or possibly March of next
21 year, we will get detailed population data and that is
22 the data that we need to draw new maps. So we have
23 not been drawing maps. We can't be drawing maps. We
24 don't have the data yet. We only have some estimates.

25 Virginia is on a very, very tight time

1 frame to do this. Although every state has to
2 redistrict, we have to do it quicker than most. That
3 is because all members of the General Assembly will be
4 running in 2011, next year, in the new districts that
5 we are going to draw during the redistricting process.
6 Any redistricting plan enacted by the General Assembly
7 and the Governor must be submitted to the Department
8 of Justice for preclearance. This is because Virginia
9 is covered by Section 5 of the Voting Rights Act.

10 Ten years ago, the Department of Justice
11 took 59 days to approve the plan. They are allowed
12 60 days.

13 Generally, primaries are held in June but
14 they are going to be delayed this year because we
15 won't have the plan approved probably in June. When
16 the primaries will be is still not determined. The
17 Senate passed a bill last year with a specific date
18 but the House failed to act. So we don't know when
19 the primaries are going to be.

20 We face a lot of complex legal issues.
21 We have to comply with the U.S. and Virginia
22 Constitutions, state law and Federal Voting Rights
23 Act. We have to do one person, one vote under the
24 U.S. Constitution. In the House of Representatives,
25 the U.S. House of Representatives, we essentially have

1 to have strict mathematical equality between the
2 various districts. And by the way, we expect Virginia
3 will still have 11 districts. We won't gain and we
4 won't lose. We expect we are going to stay at 11.

5 There is -- the courts have permitted
6 some deviation from strict population equality for
7 General Assembly districts but they haven't told us
8 what the magical number is. So we can have some
9 variation but we don't know what it is.

10 Districts under the Virginia Constitution
11 have to be contiguous and compact, and the Voting
12 Rights Act prohibits redistricting plans that would
13 deny or abridge the right to vote on account of race,
14 color or being a language minority.

15 We expect that both the Senate and the
16 House Privileges and Elections Committees will adopt a
17 criteria for redistricting prior to creating our
18 plans. We are interested in what you think this
19 criteria should be.

20 There are three subjects I wanted to
21 touch on that -- where the Senate has differed from
22 the House. The first is nonpartisan redistricting.
23 Each of the last three years the Senate, on a
24 bipartisan basis, has passed nonpartisan redistricting
25 legislation. Unfortunately, when it got to the House

1 of Delegates it was defeated. So we will not have
2 nonpartisan redistricting commissions.

3 We had hoped to have joint hearings. I
4 am sorry if some of you came to the House hearing and
5 then had to come back again tonight. I really am
6 sorry about that. We offered to have joint hearings
7 and the speaker said no.

8 And then, again, the primary date. We
9 don't know when the primary date is.

10 So we are here to hear from you. We
11 really value your input. We will be having another
12 series of public hearings following the receipt of the
13 data from census probably in March, maybe February if
14 they give it to us earlier but we will have another
15 round going across the state.

16 Your comments are being transcribed and
17 will be posted on our legislative services website.
18 And we have staff, some senate staff, here I would
19 like to point out to you. We have Mr. Eyon Miller,
20 who is over here. He is in charge of the Division of
21 Legislative Services. We have Ms. Mary Spain, who is
22 here. She is a true expert, a lawyer, a true expert
23 on election law. And we have Hobie Lehman, who he is
24 from the clerk's office and I don't know where he
25 went. Here he is. He is right in front of me. You

1 signed up with him to speak.

2 We would ask if you possibly can to keep
3 your comments to five minutes but we would love -- if
4 you, you know, have more than that to say, you can
5 e-mail us and expand and do whatever you want with
6 additional comments but we would appreciate the five
7 minutes. Okay.

8 So we do have senators still trying to
9 get in is what he is saying.

10 First up is Dr. Terry Jones who is
11 provost here. Thank you, Dr. Jones.

12 DR. JONES: Senator Howell and members of
13 the committee, I want to welcome you, on behalf of
14 President DiCroce, to the Tidewater Community College,
15 Portsmouth campus. We are delighted that you have
16 selected this place to have this hearing and we
17 welcome you to this site.

18 On behalf of President DiCroce, the
19 faculty, staff, administration but most particularly
20 the students, I also want to thank you for the support
21 that you have shown for the college and for building
22 this new campus. We are completing our first year
23 here. It has been a most successful year. And we
24 welcome you here and hope that you enjoy the hearings
25 tonight. Thank you very much and welcome.

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1 SENATOR HOWELL: Thank you. We were
2 here, actually, about a little over a year ago and
3 there were no students.

4 DR. JONES: Correct. That has changed.

5 SENATOR HOWELL: It was a beautiful
6 building with no people in it. This is so much
7 better.

8 DR. JONES: Thank you. Much has changed.

9 SENATOR HOWELL: Okay. John Stone.

10 MR. STONE: Senator Howell, Senator
11 Deeds, Senator Northam, and guests, nice -- and staff,
12 nice to see you.

13 My name is John Stone. I reside in the
14 City of Chesapeake, in Hampton Roads, and have the
15 privilege of serving on the board and executive
16 committee of an organization called the Future of
17 Hampton Roads, Incorporated. For more than 15 years I
18 had the privilege, also, of serving as vice-president
19 for government relations for one of our major health
20 care systems in Hampton Roads before my retirement on
21 August 31st of last year. And in that capacity, I had
22 the opportunity to work closely with many members of
23 the Virginia General Assembly, see what goes on in
24 the -- in Richmond and formed, I hope, some lasting
25 friendships. I am convinced that most members of the

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1 General Assembly, be they Democrat, Republican or
2 independent, do have the Commonwealth's best interest
3 at heart and do try to do the right thing.

4 The Future of Hampton Roads, Incorporated
5 is a nonpartisan, apolitical organization that was
6 created in 1982, by a group of civic community and
7 business leaders committed to improving the quality of
8 life to the people of Hampton Roads. Recognizing the
9 undeniable benefits of regional cooperation, the
10 Future of Hampton Roads has, as its primary mission,
11 to encourage, support and sustain activities and other
12 organizations, which promote regionalism.

13 The Future of Hampton Roads began looking
14 closely at the concept of reforming the legislative
15 redistricting process back in 2007. Our interest was
16 prompted by what members of the board felt was an
17 increasing and toxic level of partisanship in
18 Richmond. It seemed to us that part of the problem
19 was that redistricting by the legislature had created
20 a large number of districts with safe seats for one
21 political party or the other.

22 Because of this it was increasingly
23 evident to us that there were fewer members willing to
24 compromise or to reach across the aisle to work with
25 members of the other party. This development was

1 largely responsible, in our view, for the General
2 Assembly's failure to pass state budgets on time and
3 for its failure to adequately address major issues
4 involving transportation, education, health care and
5 other core priorities of government.

6 Welcome, Senator Blevins.

7 We were among the first organizations to
8 join what has become the Virginia redistricting reform
9 coalition, which now includes, among others, the
10 Virginia Interfaith Center, the AARP and the League of
11 Women Voters.

12 We have supported several of the
13 redistricting reform bills introduced in the past
14 three sessions and have been disappointed that while
15 some of this legislation has, indeed, passed the
16 Senate was not even able to get out of subcommittee in
17 the House to receive a full hearing in the full
18 Privileges and Elections Committee. And we salute the
19 members of the Senate of both parties who have
20 supported efforts at reform.

21 We understand, as we have been repeatedly
22 reminded, that legislative redistricting was, is and
23 always will be a political process. We still think
24 there are better and more transparent ways to conduct
25 the process and to achieve better outcomes for our

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1 citizens. The objective of this exercise should be to
2 come up with competitive districts to provide voters
3 with meaningful choices, more comprehensive and
4 literate debate on the issues and which reduce the
5 number of so-called safe seats and increase the
6 public's interest in turning out for state,
7 legislative and congressional elections.

8 On August 24, 2010, the board of
9 directors of FHR unanimously approved a resolution,
10 which I am submitting to the subcommittee this
11 evening. And Hobie has copies for all of the members
12 of the committee.

13 With your permission, I would like to
14 read just a couple of highlights -- a few of the
15 highlights of this resolution, which essentially calls
16 for the creation of a bipartisan commission either by
17 the legislature or by the Governor to draw new
18 district boundaries.

19 Whereas, Virginia is one of a number of
20 states which permits state legislators of the party
21 or parties in power to redraw their own House and
22 Senate district boundaries following each census, in
23 effect, selecting their voters, rather than the other
24 way around; and, whereas, such partisan legislative
25 and congressional redistricting designed to favor

1 incumbents and the parties in power is not in the
2 public interest and, in fact, is demonstrably a major
3 factor in reducing competition and voter interest in
4 the electoral process; whereas, George Washington,
5 Thomas Jefferson, James Madison and others among our
6 country's founders repeatedly warned of the dangers of
7 failing to control the partisan excesses of political
8 parties; and, whereas, at least 14 states have adopted
9 redistricting processes which remove the actual
10 drawing of new districts from the state legislature
11 and have placed the process in the hands of a
12 bipartisan or nonpartisan commission; therefore, be it
13 resolved that the board of directors of the Future of
14 Hampton Roads reaffirms its strong support for
15 bipartisan redistricting in Virginia; further, that
16 the board urges the creation of a bipartisan
17 commission to draw the new lines and ask for the
18 outside redistricting experts be consulted as
19 appropriate; and, further, that objective and
20 equitable criteria be used to guide the commission in
21 its work and that the desired outcome be a system
22 which primarily benefits the citizens and voters of
23 the Commonwealth.

24 And whether or not a commission is
25 actually appointed or not, we do ask that there be

1 some minimal criteria used to determine the districts,
2 which would include maximizing the public input at
3 every opportunity with public hearings, as you are
4 doing, and with a website to facilitate ideas from
5 ordinary citizens, which we also have, maximizing
6 transparency and accountability but certainly
7 excluding the protection of incumbents or political
8 parties as a goal of the process.

9 We think that the voters in this -- in
10 the country and in Virginia are demanding a greater
11 voice in their governance and greater accountability
12 from their elected officials, and a responsible reform
13 of the redistricting process we feel can go a long way
14 towards satisfying those desires.

15 And I thank you for the opportunity to
16 comment.

17 SENATOR HOWELL: Thank you, Mr. Stone.
18 As I am sure -- as you mentioned and I mentioned, the
19 Senate has passed bills three times. I should have
20 mentioned that they were Senator Deeds' bills. Also
21 Senator Blevins has joined us. Would you like to
22 describe your district?

23 SENATOR BLEVINS: Well, yes, Madam Chair.
24 My district is the 14th Senate district, which
25 consists of part of Chesapeake, a large part of

1 Chesapeake, a small part of Virginia Beach. And let
2 me, Madam Chair, apologize for being late. I was in
3 another meeting in Virginia Beach, and most everyone
4 knows, who lives in this area, knows that you can't
5 get from Virginia Beach here in 20 minutes. And so I
6 apologize for that.

7 SENATOR HOWELL: I am from Northern
8 Virginia, and we can never get anywhere but in trying
9 to get here you are almost as bad, I am sorry to say.
10 Carl Wright.

11 MR. WRIGHT: Good evening. Thank you,
12 Senator Deeds, Senator Howell, Senator Northam,
13 Senator Blevins. You are my senator. This is the
14 first time I have ever met you. So how are you doing,
15 sir?

16 SENATOR BLEVINS: Let me shake your hand.
17 Good to meet you, sir.

18 MR. WRIGHT: My name is Carl Wright. I
19 reside at 1144 Mondrian Loop, Virginia Beach,
20 Virginia. I have been there -- I have been in Hampton
21 Roads all of my life, but I am a resident of Virginia
22 Beach. I consider myself as a strong civic-minded
23 person in Virginia Beach. Voted every election.
24 Participate.

25 My concern tonight is the fact that as an

1 African-American in the City of Virginia Beach there
2 is no representation when it comes to my community.
3 And Senator Northam and I have had discussion before.
4 And I want you all to, when it comes time to draw
5 these districts, to understand the impact that it has
6 on certain communities in the City of Virginia Beach.

7 And I understand partisanship. I
8 understand everybody wants the biggest -- the bigger
9 chunk. Everybody wants to be the big dog. But a lot
10 of times what happens is people get caught in the
11 middle of all of the bickering and they are hurt.
12 When you draw those lines, when those districts are
13 drawn, particularly in the City of Virginia Beach,
14 there is a big group of folk that are totally left
15 out.

16 I know Senator Northam because I have
17 worked with him. He has two precincts in Virginia
18 Beach. I think, on the House side, the minority
19 community might have two. And I believe on the civic
20 side, again, we may have three with Senator Miller.
21 All of this is because of the bickering and the
22 fighting of partisanship and that hurts us down to the
23 local level. Here we here -- here we are in the year
24 2010 and we can't get an African-American elected on
25 city council because of the districts that have been

1 drawn have actually cut out a lot of the folks because
2 folks are saying, Well, listen, these folks aren't
3 going to vote for me so I need to cut them out and put
4 them somewhere else. You never know until you go to
5 the folks and talk to them and find out what their
6 issues are.

7 Now, I know -- I know that a lot of folks
8 will say, Well -- and I appreciate you all having this
9 because a lot of folks will say, They have already
10 made their minds up, they are not going to do
11 anything, you know. Let's get me now my chunk and
12 that is it. But I say to you seriously consider the
13 effect not just on myself or those that are here but
14 on the impact that it will take on our children and
15 our grandchildren because these things come up every
16 ten years.

17 We have been fighting forever in the City
18 of Virginia Beach to get just a little bit of
19 representation there. I mean, we just -- and it
20 doesn't matter. And I want to be honest with you.
21 And I am not going to -- as they say, tell the truth
22 or shame the devil. It really doesn't matter now
23 which party you are with when you look like me in
24 Virginia Beach. And I am not saying people are doing
25 it intentionally. A lot of times it is field and it

1 is partisanship.

2 What I am saying is when you draw those
3 districts consider the constituency there. You know,
4 people are there that really want to take part in the
5 political process but it is so much bickering and
6 one-sidedness that they don't get involved. So when
7 you draw these districts, please, if you don't
8 consider us, think about how it affects those that come
9 behind us, our children and our grandchildren, because
10 they don't need to be caught up in this mess. They
11 deserve better.

12 So I wanted to come here tonight from the
13 City of Virginia Beach. And I want to say, again,
14 Senator Blevins, you are my senator and I will be
15 calling you because this is the first time I have ever
16 met you, you know.

17 SENATOR BLEVINS: My aide has got my
18 phone number.

19 MR. WRIGHT: So I will definitely be
20 calling you. But I want you to take in higher
21 effects. Everybody, everybody in that city. So thank
22 you all for having this forum, and thank you for
23 hearing me out.

24 SENATOR HOWELL: Thank you, Mr. Wright.
25 Melanie Perez-Lopez.

1 MS. PEREZ-LOPEZ: Good evening. My name
2 is Melanie Perez-Lopez. I am president of the League
3 of Women Voters of South Hampton Roads. Our league
4 encompasses the Cities of Chesapeake, Norfolk,
5 Virginia Beach, Suffolk and Portsmouth. Thank you for
6 the opportunity to speak to you today.

7 The league recognizes that
8 reapportionment and redistricting are an integral part
9 of our system of representative government. Our
10 members have agreed that a reapportionment commission
11 should be established to prepare a plan for
12 legislative approval. The commission needs to be
13 politically and geographically balanced and
14 demographically diverse. It needs to be a bipartisan
15 and composed of individuals who are not elected
16 officials.

17 Our members were encouraged that both
18 candidates for Governor in the last election supported
19 the establishment of a bipartisan commission to
20 prepare the plan. We are concerned that the
21 principles to be applied in the process of
22 redistricting adhere to constitutional and legal
23 requirements for equal population, contiguity,
24 compactness and the protection of the voting strength
25 of minority groups.

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1 We recognize the importance of natural
2 geographic boundaries, jurisdictional boundaries,
3 communities of interest and competitiveness. We
4 vigorously support the drawing of lines for voting
5 districts so that the voters, and not the mapmakers,
6 have the maximum impact in the selection of their
7 representatives.

8 We want our Commonwealth to avoid cracked
9 districts, which are spreading out voters of a
10 particular type among many voting districts in order
11 to deny them a sufficiently large voting block in any
12 particular district. We want our Commonwealth to
13 avoid packed and diluted districts, which is
14 concentrating voters of one type into a single
15 electoral district to reduce their influence in other
16 districts. We want our Commonwealth to respect
17 jurisdictional boundaries. Drawing districts that are
18 separated by water as if they were contiguous destroys
19 the political impact of the localities.

20 Safeguarding our democracy is important
21 work. The structure of the electoral districts at all
22 levels of government is important to the outcome. We
23 urge the General Assembly to establish a commission to
24 conduct the descending on redistricting in an open,
25 fair and impartial process. Thank you.

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1 SENATOR HOWELL: Thank you. Cliff Hayes.

2 COUNCILMAN HAYES: Good evening, Madam
3 Chair, Senator Howell, Senator Deeds, Northam, and,
4 Senator Blevins. Good evening. My name is Cliff
5 Hayes. I am a member of the Chesapeake City Council
6 as well as the chair of the Chesapeake Democratic
7 Committee. And just wanted to say how much we
8 appreciate the fact that you all are having these
9 hearings here in our area and across the state as we
10 go through this process.

11 Just wanted to make a few points, one on
12 savings, synergy as well as true representation. And
13 in the way of savings -- and I understand the process
14 is pretty much started and it is on the way -- but
15 just to be a part of the record to say how much as
16 citizens we would have appreciated one process with
17 the House and the Senate working well together to have
18 and hold these hearings across the Commonwealth I
19 think would have saved the citizens of the
20 Commonwealth a lot of time as well as resources,
21 financially, personnel, et cetera, that goes on.

22 In the way of synergy, I think if we just
23 rewind just a few years ago, governors in place at the
24 time, Governor Warner, following him I think Governor
25 Tim Kaine, Former Governor George Allen, former

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1 senator, the list goes on and on, both -- all
2 candidates running for Governor this time have all
3 said that they wanted to work well together and to
4 have a bipartisan process through this redistricting
5 process. And so whatever we can do to bring that
6 together. As I said, I know a lot has already been
7 started. The House jumped out and started their
8 schedule and so the Senate had to follow suit. But
9 wherever we can come together to kind of bring that
10 process together, we certainly would appreciate it
11 because it is just a matter of the voters and the
12 citizens of the Commonwealth benefitting from a
13 process that is not partisan but rather by working
14 together we all can benefit from it.

15 In a way of true representation, we would
16 like to see a process in which the voters at the end
17 of the day are able to select and choose who they want
18 their representatives to be versus a process where the
19 representatives are sitting down drawing lines and
20 choosing who they would like to represent them.

21 Those are just a few points that I wanted
22 to make on this evening. Thank you so much for this
23 opportunity.

24 SENATOR HOWELL: Thank you, Mr. Hayes.

25 SENATOR BLEVINS: Madam Chair.

1 SENATOR HOWELL: Yes, Senator Blevins.

2 SENATOR BLEVINS: Councilman Hayes is
3 here and also from Chesapeake we have Councilman Ella
4 Wards along with him. And I take great pleasure to be
5 able to introduce to you our mayor from the City of
6 Chesapeake, Alan Krasnoff, who is back over here on
7 this side. So I think I have caught everyone who is
8 here but that is elected. Anyway, thank you for being
9 here.

10 SENATOR HOWELL: Thank you. And I am so
11 glad you are here. And I am sorry I didn't recognize
12 you since I am not from here. Thank you for coming.

13 Senator John Miller.

14 SENATOR MILLER: Madam Chair, members of
15 the committee, welcome to Hampton Roads. I am John
16 Miller. I represent the 1st senatorial district on
17 the Peninsula.

18 Long before I ever thought of running for
19 office, I wrote an op-ed in The Daily Press calling
20 on the General Assembly to approve a bipartisan
21 redistricting commission. That was nearly a decade
22 ago. It was the right thing to do then. It is the
23 right thing to do now.

24 The current system draws districts to
25 protect incumbents. That is unhealthy both for our

1 communities and for our democracy.

2 Virginia is the third least competitive
3 state in the country when it comes to elections. The
4 preordained outcome leads to citizen apathy, it
5 depresses voter turnout and it entrenches incumbents.
6 The results of having a safe seat is that legislators
7 can take extreme positions because they know it is
8 very unlikely they are going to be defeated. There is
9 no incentive to reach across the aisle, no incentive
10 to compromise, no incentive to get anything done
11 because their seat is that safe. This contributes to
12 the growing gridlock and the political polarization we
13 have seen across our country and especially in
14 Washington.

15 We need a political system that thrives
16 on the competition of ideas, not the protection of
17 politicians. Under the current system, politicians
18 get to choose their voters long before the voters get
19 to choose them.

20 This is the last opportunity we have for
21 a decade to take the redistricting pen out of the
22 politicians' hands, out of the hands of people who
23 have a vested interest and give it to some people who
24 have common sense and can draw lines that make sense
25 that keep communities together and create districts

1 that are compact and contiguous. Nearly 20 states
2 have already approved redistricting authority to some
3 type of a commission. Virginia ought to join them.

4 So I urge you to, once again, pass
5 legislation creating a bipartisan redistricting
6 commission. Senate is for it. The Governor is for
7 it. The people of Virginia are for it. Elections
8 should be decided on a candidate's vision for Virginia
9 and not just because they have an "R" or a "D" after
10 their name. Thank you very much.

11 SENATOR HOWELL: Thank you, Senator
12 Miller. And I think you really well articulated the
13 position that we were taking in the Senate. Thank
14 you.

15 Lawrence Glanzer. Good evening.

16 MR. GLANZER: Good evening, Senator, and
17 the committee. Thank you for this opportunity to
18 address you. I am one of another of Senator Blevins'
19 constituents. I live in Great Bridge, in Chesapeake.
20 And I attended the House's meeting at the Roper Center
21 in Norfolk earlier this fall.

22 And, Senator Howell, I have to say, I am
23 dismayed to hear you begin your remarks by saying that
24 there will be no commission. It sounds like the
25 battle has already been lost. And I understand it is

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1 not entirely under your control. You have another
2 House of the General Assembly with which to deal. But
3 I ask you, as Senator Miller did and as other speakers
4 have done, to try again because it is that important.

5 And I think that the Governor needs to
6 lend more support to the process than he has shown so
7 far. He supported it when he ran for office, and he
8 should exercise some moralization and politicalization
9 with the House to get this done. I think it is
10 unrealistic to think of a nonpartisan commission
11 redistricting as a political process but to take it
12 out of the hands of elected officials and put it into
13 at least a bipartisan commission is extremely
14 important.

15 The impulses to protection of
16 incumbencies and to partisanship on the part of
17 politicians is irresistible. It is nothing wrong with
18 being a politician. It is important. We value the
19 contributions that you make. But this is one process
20 which should not be political. It is causing
21 disaffection among voters. It is -- we have heard it
22 expressed tonight. And I ask you to try again and see
23 if we can't get this process done the way the Senate
24 has indicated it should be done on at least a
25 bipartisan and nonpolitical basis. Thank you.

1 SENATOR HOWELL: Thank you, Mr. Glanzer.
2 Pete Burkhimer.

3 MR. BURKHIMER: Good evening --

4 SENATOR HOWELL: Good evening.

5 MR. BURKHIMER: -- Senator Howell,
6 Senators Deeds, Northam and Blevins. Senator Harry
7 Blevins is my senator, and it is good to see you this
8 evening. I had a little better luck with the trip
9 from Virginia Beach but I had a head start on you. I
10 am Pete Burkhimer, and I am chair of the Chesapeake
11 City Committee of the Republican Party of Virginia.
12 My remarks are on behalf of the city committee and all
13 members of our party in Chesapeake. As Senator
14 Blevins noted, our mayor, Dr. Alan Krasnoff, is here
15 tonight should there be any questions of him from
16 the -- from the committee or the subcommittee.

17 I apologize not to the senators but to
18 some of the members here because my remarks will
19 closely mirror what they were at the House's hearing a
20 couple of months ago and mine will be more narrow than
21 some of my predecessors. I am going to focus just on
22 the point of geographic and community contiguity.

23 Our city, Chesapeake, has almost 230,000
24 citizens. We will see just how many in a very short
25 time. That is about 1 out of every 30 or 35 citizens

1 of the Commonwealth are Chesapians. It makes us the
2 second or third largest in Virginia. We will see how
3 that goes, too. We are an important and cooperative
4 member of the Hampton Roads community but also a
5 proud, independent city in our own right with our own
6 unique character and heritage. We also have some
7 unique challenges. We, therefore, believe strongly
8 that Chesapeake's districts for the U.S. Congress and
9 for both houses of the Virginia General Assembly
10 should leave Chesapeake whole to the maximum extent
11 possible. And we know that the mathematics of the
12 process may require some sharing of representation as
13 there is now. That should be minimized we believe.
14 Certainly the 4th congressional district should
15 contain all of Chesapeake.

16 Allow me just to take a couple of minutes
17 and cite some examples in support of my contention
18 that Chesapeake is unique and is deeply -- and
19 requires somebody who is deeply committed to its
20 interests and understands its uniqueness. For my
21 example I will just cite a couple of points of
22 transportation. Chesapeake is the roundhouse of the
23 region. Travelers to and from all of the cities in
24 Southside Hampton Roads, along with a tremendous
25 amount of interstate traffic, must move through the

1 roadways of Chesapeake. There are four, four
2 different interstate route numbers in the City of
3 Chesapeake. There are whole states of the Union that
4 don't have that many. We bear a huge transportation
5 burden disproportionate to our population; yet, we
6 have had to spend a much higher percentage per capita
7 on transportation because of that than many other
8 jurisdictions in the Commonwealth.

9 Really unique is the way water
10 transportation affects Chesapeake. We have over
11 75 miles, 75 miles, of Intracoastal Waterway frontage
12 in the city, 2 routes, 75 miles of Intracoastal
13 Waterway shoreline and 4 expensive drawbridges to
14 maintain. We had 5 until we had to take the Jordan
15 Bridge out of service a couple of years ago.

16 To the best of my knowledge, not a single
17 other city or county in the Commonwealth maintains
18 even 1 drawbridge and we have got 4 of them. We are
19 in a close running with VDOT itself on how many
20 drawbridges it maintains. That is a uniqueness. We
21 need somebody representing Chesapeake at every level
22 that understands our water heritage and the impacts
23 that it brings to us.

24 We operate many miles of highways that
25 functions as interstates with a lower case "I" even if

1 they don't bear the pretty blue and red sign and that
2 official designation. We carry this burden for the
3 good of the region and for all of Virginia but we need
4 representatives who can carry the Chesapeake flag and
5 assure that we have the means and tools to deal with
6 unique transportation and other challenges like this.

7 On a different and closing note, the
8 current great recession, my term, deeply worries
9 everybody in this room, everybody in the Commonwealth
10 and I would hope everybody in the nation or it should.
11 Our concerned citizens in Chesapeake must know that
12 government is about solving our problems and hastening
13 our recovery. We may disagree about how to do that
14 but we must know that everybody has that on their
15 heart and mind. Our citizens will not have that
16 confidence and their fears and concerns will only
17 increase if they were to see their General Assembly
18 slicing up their beloved Chesapeake for political
19 expediency. Please, don't do that. And thank you,
20 again, for holding this series of hearings.

21 SENATOR HOWELL: Thank you,
22 Mr. Burkheimer. Trey Clifton.

23 MR. CLIFTON: Good evening, Senator
24 Howell, and other members of the committee.

25 For the first two days of my life I was a

1 temporary guest in the City of Norfolk. Ever since
2 then I have been a proud resident of the City of
3 Chesapeake, which is where I live and work and play
4 and pray.

5 Since the first election I was eligible
6 to vote for I haven't missed one. I registered ahead
7 of time and filled out my absentee ballot since I
8 would be in boot camp during the 2000 election. Since
9 then I have made all and I have made it my priority to
10 meet my legislators. Senator Blevins, I have met you
11 because you represent me and I made it a priority to
12 meet you. I have met my delegate, my congressman, as
13 well.

14 Just like Mr. Burkhimer, who was up here
15 before, I ask you to keep Chesapeake as one. Every
16 city or county, just like anything, has its pros and
17 its cons. Some may say I am partial but I think
18 Chesapeake's pros vastly outweigh their cons. And
19 that is why I am asking you to help us keep one
20 representative and one district to represent us.

21 SENATOR HOWELL: Thank you. Adam Perry.

22 MR. PERRY: Hello, everybody. Thank you.
23 My name is Adam Perry. I am from Chesapeake. And I
24 am going to make it short because the Cavaliers are
25 playing LeBron James tonight.

1 I am from Chesapeake, and I love
2 Chesapeake. And that is why I am here. That is why I
3 am missing the game. Because I think it is so
4 important to tell you guys how much I love Chesapeake.
5 Is there anybody here from Chesapeake?

6 (Hands raised.)

7 And I am sure they love Chesapeake, too.
8 Chesapeake is different. We have a great education
9 system, thanks to Ms. Ward, Mr. Hayes, Mr. Krasnoff.
10 We don't have a lot of the problems that a lot of the
11 other cities around us have. We are unique. And we
12 are represented with at large school system, we have
13 an at large elected city council and we are in one
14 congressional district. We know who is responsible
15 for all of Chesapeake. And if you cut up our city,
16 that would take away the uniqueness that we have. If
17 you take away Western Branch you are taking away part
18 of Chesapeake. If you take away South Norfolk you are
19 taking away part of Chesapeake.

20 Don't break us up. We want to stay
21 together. We want to fight together for the things
22 that our city needs. We hope a representative will do
23 the same.

24 SENATOR HOWELL: Thank you. Greg Moore.

25 MR. MOORE: Good evening. I also want to

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1 thank you all for holding this hearing tonight. As
2 the gentleman a moment ago, I also was born in
3 Norfolk. The difference is I have lived there all my
4 life so far. I have also attended or voted in every
5 election I have had the opportunity to do so.

6 The thing is I have never voted for an
7 unopposed candidate and never intend to even if it
8 comes to writing in my own name. I would like to not
9 have to worry about that situation.

10 I would like to ask one question before I
11 go on with a couple of brief comments. Will the
12 census detail data you were talking about earlier also
13 be available online when you receive it?

14 SENATOR HOWELL: Yes.

15 MR. MOORE: Terrific. Thank you.

16 SENATOR HOWELL: And I should mention
17 there is also going to be a free program that is
18 coming out of George Mason University, which will make
19 it very easy for individuals to create your own
20 districts, which then you can send to us.

21 MR. MOORE: That is fantastic.

22 SENATOR HOWELL: It will contain already
23 and it is a free service that they are doing there.

24 MR. MOORE: That is great. You will be
25 hearing from me.

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1 SENATOR HOWELL: Okay. Good.

2 MR. MOORE: I agree with what has been
3 said here tonight so far and I don't want to repeat it
4 all but I would like to offer four suggestions for
5 your consideration in this process the first being
6 work without information on prior voting results. I
7 don't see the need to know what precinct voted
8 democratic or republican or voted for whom or not.

9 I mean, it is too simplistic but it seems
10 to me we are a triangular state. How about starting
11 in the three corners and work your way in, maybe
12 coming down the Eastern Shore from its northern end to
13 get to the eastern point. And please forget about
14 this concept of contiguity by water. I don't think
15 the Northern Neck and Chincoteague have a lot in
16 common. They may be in the same district now but
17 please keep that in mind.

18 Even though you said there won't be any
19 nonpartisan panel, or such, this year, I understand
20 maybe that can't be done because of the House, which
21 irritates me as well as everybody else, maybe consider
22 making your own informal panel for some input even if
23 it can't be official. Maybe that would help keep you
24 in mind of all of the things that have been said.

25 And last, as you go through this process,

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1 please focus on giving us back the power our vote is
2 supposed to have. Thank you.

3 SENATOR HOWELL: Thank you, Mr. Moore.
4 Mark Geduldig-Yartofsky. I am sorry I am butchering
5 that. Good evening.

6 MR. GEDULDIG-YARTOFSKY: Good evening,
7 Senator Howell, distinguished panel. None of you
8 represent me directly but as a Virginian the actions
9 that you take in the General Assembly affect me and in
10 some ways will change my life. So I consider you all
11 representatives of all of us.

12 Senator Deeds, if the election had gone
13 the other way, I would have expected you to be
14 representing me directly. But another time.

15 I would like to, as a proud citizen of
16 Portsmouth, welcome you again to our crown jewel,
17 Tidewater Community College, Portsmouth Campus,
18 actually in the City of Portsmouth. And I would like
19 to recognize another elected official, Dr. Ernest
20 Reid, member of the school board from the City of
21 Portsmouth.

22 I am not going to repeat the remarks that
23 I made to the House committee. I believe that you-all
24 are literate people and you can read the transcript.
25 Mr. Stone, Ms. Perez-Lopez and Senator Miller all

1 struck notes that are consistent with the remarks that
2 I made back in September so they don't need to be
3 repeated.

4 I would like to say, though, that if you
5 can't be nonpartisan, be multi-partisan because
6 politics have evolved in this country. When Ross
7 Perot ran for president, it was a significant event.
8 Although the history of our country reflects the fact
9 that there have been at various times third-party
10 movements, right now we have what seems to be a very
11 strong multi-party movement. So any drawing of
12 district lines should reflect the diversity of the
13 political thought within the Commonwealth even if that
14 thought is not completely reflected in the General
15 Assembly.

16 I would urge you, as a previous speaker
17 did, not to throw in the towel on having this done
18 outside the legislature. When I addressed the
19 question to Governor McDonnell when he was a
20 candidate, he was on our local NPR affiliate on
21 Hearsay, and I asked him about a nonpartisan
22 commission and he expressed at least a modicum of
23 support for that idea. I would remind him of that
24 when you are in Richmond and let him twist some arms
25 over in the lesser -- lower house.

1 Lastly, I would like to say to the
2 gentleman from Virginia Beach, if you are feeling
3 lonely over there, we have lots of fine homes and
4 great neighborhoods in Portsmouth. We have -- we have
5 a great many capable African-American representatives
6 in our city at all levels. So if you are feeling kind
7 of marginalized in Virginia Beach, come out to
8 Portsmouth. Thank you.

9 SENATOR HOWELL: Thank you very much.
10 Lynn Gordan. Good evening.

11 MS. GORDAN: Actually, it is Lynn Gordan.

12 SENATOR HOWELL: I am sorry.

13 MS. GORDAN: It is okay, Senator.
14 Somebody else wrote my name in so it is very possible.

15 SENATOR HOWELL: Yes. There was no "D."

16 MS. GORDAN: Chairman Howell, Senators
17 Deeds, Northam, wherever, and, Blevins, Mayor
18 Krasnoff, and fellow citizens, my name is Lynn Gordan
19 and I live in Virginia Beach. I am here on behalf of
20 the League of Women Voters of Virginia to advocate for
21 a bipartisan approach to redistricting and
22 reapportionment.

23 First, thank you for holding these public
24 hearings and for your efforts to engage the public in
25 this process. Thank you, too, for the leadership you

1 have shown in attempting to get a bill passed for a
2 bipartisan redistricting commission during the past
3 three regular sessions of the General Assembly.

4 The League of Women Voters of Virginia
5 supports the creation of a bipartisan redistricting
6 and reapportionment commission composed of individuals
7 who are not elected officials and who represent the
8 geographical distribution and demographic diversity of
9 the state. Ideally this bipartisan commission should
10 consist of an uneven number of members.

11 Such a bipartisan commission will be
12 charged with creating a redistricting plan for
13 submission to the legislature as specified by the
14 Virginia Constitution. The charge of the bipartisan
15 commission would also include consideration of natural
16 geographic boundaries, jurisdictional boundaries and
17 competitiveness in addition to the requirements of
18 equal population, contiguous and compact districts and
19 the requirements of the Voting Rights Act.

20 Without a bipartisan redistricting and
21 reapportionment commission, the League of Women Voters
22 of Virginia is concerned that Virginia will retain the
23 current system in which elected officials, in effect,
24 choose their voters instead of the voters choosing
25 their elected officials. A bipartisan redistricting

1 and reapportionment commission can stop the cycle of
2 gerrymandered protection of seats that has been
3 occurring in this state.

4 I have only lived in Virginia since early
5 2003 but during that time I have had the opportunity
6 to speak with and hear from elected officials on both
7 sides of the aisle. From what I have learned, it
8 seems that whoever is in power at the beginning of
9 each decade has wanted to essentially stick it to the
10 other party simply because the other party stuck it to
11 them previously. As we were taught growing up, two
12 wrongs do not make a right. It is time to put an end
13 to this practice.

14 The League of Women Voters of Virginia
15 asks that members of this committee continue your
16 attempts to pass a bill for a bipartisan redistricting
17 and reapportionment commission despite the brick wall
18 you keep encountering with the other house. Perhaps
19 with significant encouragement the Governor will act
20 to see that it is established.

21 Bipartisan redistricting and
22 reapportionment will protect voters from unfair
23 partisan gerrymandering and help ensure that every
24 Virginian's vote is equal in Richmond. Working in a
25 bipartisan manner to accomplish redistricting in

1 Virginia might even help to ease the lack of civility
2 we have been experiencing in recent election cycles.

3 Members of the League of Women Voters of
4 Virginia are not the only voters, as we have heard
5 tonight, who are sick and tired of partisan wrangling
6 and whining from both sides of the aisle. It appears
7 that every issue comes down to the best interests of
8 the party and not the best interests of the citizens.
9 Please, a bipartisan redistricting and reapportionment
10 commission may not stop all of that but it would
11 certainly be a step in the right direction.

12 SENATOR HOWELL: Thank you, Ms. Gordan.
13 I think it is safe to say that the Senate will keep
14 sending bills over to the House. Carol -- I am sorry.
15 Senator Quayle has arrived. Welcome. Thank you for
16 coming. Carol Garrison.

17 MS. GARRISON: Senators, my name is Carol
18 Garrison, and I am the president of the Virginia
19 Peninsula League MAL unit of the League of Women
20 Voters. We represent Hampton, Newport News and
21 Poquoson. And I wish to thank you for holding these
22 public hearings on an issue that is so vital to the
23 citizens.

24 Franklin D. Roosevelt said, Nobody can
25 ever deprive the American people of the right to vote

1 except the American people themselves and the only way
2 they can do this is by not voting. I respectfully
3 disagree with his belief. While society has not taken
4 away the right to vote, previous legislators used
5 gerrymandering to ensure that some voters -- citizens'
6 votes do not matter.

7 When the elected officials draw partisan
8 districts to pick their voters all the citizens of
9 Virginia lose. Citizens are less likely to run for
10 office if there is an incumbent or they are not part
11 of the controlling party of the district. The lack of
12 contested and competitive districts has contributed to
13 the low voter turnout in Virginia.

14 In 2003, the number of competitive seats
15 was 4 out of 40 in the Senate and only 9 out of 100 in
16 the House of Delegates. In 2005, more than half of
17 the seats of the House of Delegates ran unopposed. In
18 2009 elections, 32 of the 100 members of the General
19 Assembly faced no opposition and only 12 of those
20 races were considered competitive.

21 Lyndon B. Johnson said, A man without a
22 vote is a man without protection. I believe this.
23 This is why I support the creation of a bipartisan
24 redistricting commission composed of individuals who
25 are not elected officials. It is a legacy passed to

1 us to ensure that all citizens have a right -- a voice
2 in the election of our government.

3 My hope is that you will all support a
4 bipartisan commission for the good of the
5 Commonwealth. Thank you for your time.

6 SENATOR HOWELL: Thank you, Ms. Garrison.
7 Jim Flincham. Good evening.

8 MR. FLINCHAM: Chairman Howell, thank you
9 for this opportunity to speak with you tonight. My
10 name is Jim Flincham. I am managing principal of Bay
11 Capital, which is in Virginia Beach.

12 Unfortunately, redistricting is about as
13 exciting as watching paint dry. Even more
14 unfortunately, this boring stuff is really important.

15 I would like to talk about a personal
16 hero, Edmund Ross. Also going to mention one of the
17 participants in the Roanoke meeting, a good book and
18 just make an observation.

19 Edmund Ross is somebody a few people know
20 about but history knows him and has been very kind to
21 him. In fact, he was one of the Profiles in Courage
22 written by President John Kennedy. Edmund Ross
23 was the deciding vote, which prevented President
24 Andrew Johnson from being impeached in 1868. He had
25 the courage to vote against his own party because he

1 wanted to do, as he said, what was right. As he made
2 that vote, he said he looked down into his open grave.
3 Because his party turned against him, he lost his next
4 election but he never regretted doing what was right.

5 Secondly, one of your speakers in Roanoke
6 was Molly McClendon, a board member of the Central
7 Virginia's League of Women Voters. I thank her for
8 her comments and I concur with her comments as well as
9 the other three ladies from the League of Women Voters
10 tonight. I thought they were excellent. And I also
11 concur with their things they said -- from the
12 Peninsula said.

13 Ms. McClendon raised some good questions.
14 In the 2000 election, 17 of 40 Senate races had no
15 challenger. Why? Only 9 of the remaining 23 races
16 were really competitive. Why? For the House of
17 Delegates, 57 incumbents had no challenger. Why?
18 Only 12 of the remaining 43 seats were competitive.
19 She posed even more questions but the point is made.

20 What bothers me is the lack of answers
21 from legislators. Like an alcoholic cannot be helped
22 until he admits he has a problem, I suspect
23 legislators will not be able to fix this problem until
24 they articulate it themselves and admit they have a
25 problem, which is called partisanship. Partisanship

1 is so bad that even the Republican House -- that the
2 Republican House cannot even hold hearings with the
3 Democratic Senate. What would Edmund Ross say?

4 All our nation has always had
5 partisanship, sometimes nasty partisanship. Most
6 agree it has now become toxic. Something has made it
7 worse.

8 A few years ago there was an excellent
9 book, *The Tipping Point*, describing how one small
10 thing can finally tip the scale resulting in a very
11 big change. I think our political system reached that
12 point when politicians began picking their voters
13 instead of voters picking their politicians. Given
14 the earlier abuses of redistricting, which were
15 usually race based, an unintended consequence of
16 correcting that wrong is now called safe districts,
17 which has eliminated people like me, moderates.

18 I submit that politicians elected in a
19 safe Republican district will not be moderate
20 Republicans. I further submit that Democrats elected
21 in a safe Democratic district will not be moderate
22 Democrats. The effect of designing safe districts has
23 eliminated moderates, the legislators who actually get
24 things done. I am a moderate but I feel
25 gerrymandered. I don't want to be represented by a

1 safe Republican nor a safe Democrat. I want to hear a
2 moderate Republican debate a moderate Democrat. I
3 want to struggle to make up my mind between the two
4 candidates. Isn't that really what we all want?

5 While I am sure each of you will agree
6 with these polite sentiments, I do hope you will
7 remember the example of Edmund Ross from history
8 because he was not just another political pack loyal
9 only to his party, he actually voted for what is right
10 regardless of the party and I know each of you will do
11 the same and I thank you for your attention.

12 SENATOR HOWELL: Thank you, Mr. Flincham.
13 Dr. Ella Ward. Good evening.

14 DR. WARD: Good evening, Madam Chair,
15 and, Senator Deeds, and, Senator Northam, and, Senator
16 Blevins, and, Senator Quayle, and I think we have
17 Senator Miller in the back. Thank you so very much
18 for having this forum this afternoon. And I will be
19 brief in my remarks because a lot of what I wanted to
20 say has already been said two, three or four times.
21 But I hope the message hits home.

22 I, too, was dismayed that we had to have
23 separate or you had to have separate forums because we
24 didn't make that choice, that the House and the Senate
25 could not come together for these forums. It is a

1 waste of money, costly to the citizens, costly to us
2 and it is very unfortunate that we could not come
3 together.

4 The second thing, I was very dismayed to
5 hear you say already that the nonpartisan commission
6 will not be commissioned. I have a problem with that,
7 and I hope that that changes. And there are several
8 reasons and you have heard them tonight. The women --
9 League of Women Voters, which I am a member, and
10 several of the other citizens have spoken about the
11 need to have such a commission. It needs to be
12 bipartisan, nonbipartisan or any other partisan you
13 want it to be but that is what needs to be done and
14 citizens need to be included on that committee and an
15 unequal number should be the total number, whatever
16 that number is. But I think you need to send that
17 home to the members of the House and to the Governor
18 because the citizens are not being represented.

19 And what we have, and it has already been
20 stated, all of these elections in the last ten years
21 since the past census, most of them have gone with
22 elected officials being unopposed. The citizens don't
23 feel as if they have a choice. And this is what you
24 are telling us right now, there will be no choice. I
25 have a problem with that.

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1 We have a bit of an inequity
2 divided, House and the Senate. People didn't choose,
3 you choose them, and you stay safe. It is very
4 unfortunate this has happened.

5 Virginia Beach, I do understand what you
6 are going through. We all must act that way in
7 Chesapeake. Very unfortunate. We certainly hope that
8 things will be considered, the people will be
9 considered so that it will be fair, so that it will be
10 equal geographically, racially. We need diversity,
11 and we need a choice.

12 And people don't vote because they don't
13 have any choices. They really feel like they don't
14 have anybody to vote for or at least they don't have
15 any competition. I will say that. I won't say nobody
16 to vote for. But they need a choice, and you have
17 not -- they have not been given a choice. Please,
18 please, take it to the Governor, go back to the House
19 and work with them, let them know the people care.

20 And I am sorry Senator Lucas is not here
21 tonight but certainly I can speak on her behalf. She
22 is my senator. And I think that she would agree.

23 And I hope that you will go back and take
24 the concerns of these -- this group of people today.
25 We want a commission that will listen to us and allow

1 us some choices and some reasons for voting so we can
2 end this voter apathy not only in Chesapeake but
3 throughout the State of Virginia. Thank you.

4 SENATOR HOWELL: Thank you. Senator
5 Lucas did, indeed, vote for the bill. And I
6 understand she is ill.

7 A SPEAKER: Yes. She is.

8 SENATOR HOWELL: Eileen Huey.

9 MS. HEUY: Good evening, Senator Howell.
10 And welcome back, Senator Deeds, and, Senator Northam.
11 These are two Chesapeake representatives. Senator
12 Blevins, who is my senator, as well as Senator Quayle.
13 Thank you so much for coming.

14 We have already said -- most of the
15 people that have come up here have already said all
16 that needs to be said or it couldn't be said too many
17 times but I know that you are all agreeing -- in
18 agreement with us. The one thing I would like to
19 mention with regard to this situation with the
20 bipartisan commission -- I am here for a limited
21 purpose like Chairman Burkimer, to talk about the 4th
22 district -- but is it not possible to call out, if it
23 is just a small committee on the general -- they won't
24 let it out of the subcommittee, these people have
25 faces and names, call them out, you know, and ask them

1 to -- to be accountable for this.

2 One of the things that the citizens care
3 about, Republicans, Democrats, tea partyers,
4 independents, moderates, everybody, is accountability.
5 So if they have a good reason why they don't want to
6 do this they should stand up and tell us. Okay. And
7 I hope the press is here because nobody can call them
8 out better than you folks can.

9 SENATOR DEEDS: Can I jump in real quick?

10 MS. HUEY: Yes. Please do.

11 SENATOR DEEDS: Because your editorial
12 page has done a pretty good job of doing that, calling
13 them out in the past three years -- three or four
14 years they have filled the bill.

15 MS. HUEY: They are. They are.

16 SENATOR DEEDS: And the other side. Even
17 if we pass the bill this year, nonpartisan
18 districting -- and we will, in the Senate, we will
19 pass something -- under the Constitution it doesn't
20 become effective until July 1.

21 MS. HUEY: So it is too late for this
22 year, that is what you are trying to tell me.

23 SENATOR DEEDS: So the reality is last
24 year was the year we could have gotten something
25 passed --

1 MS. HUEY: We tried.

2 SENATOR DEEDS: -- that would have
3 affected this year's redistricting.

4 MS. HUEY: Thank you, Senator Deeds,
5 because that clears up why everybody is still saying
6 why is it over, why is it over.

7 Now, I came for a specific reason and
8 that has to do with the 4th district because we are in
9 Chesapeake so we in the 4th district and there is all
10 this talk about chopping Chesapeake up and everybody
11 from Chesapeake is saying, Please don't do that. I am
12 also saying, Please don't do that.

13 But I also want to correct something that
14 was done ten years ago. The City of Portsmouth, lock,
15 stock and barrel, the whole city, was taken out of the
16 4th district. The City of Portsmouth goes back to the
17 Civil War with the City of Chesapeake. A history of
18 the -- of Norfolk County and Suffolk County go that
19 far back. They were taken out completely, and the
20 City of Chesterfield was divided in half and they put
21 Chesterfield County in one district and they put the
22 city -- and they divided -- took them out.

23 Now, this continuity, I believe in this.
24 And all of you understand it that if you can keep your
25 communities together -- I don't care if it is Reston.

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1 I don't care what the city is. I don't care if it is
2 Roanoke. I don't care if it is -- as much as you can
3 keep them together, then people can really be involved
4 in the process. I am with that on the City of
5 Chesapeake. I understand that. But we need to be
6 just as conscientious about all of the localities not
7 just Chesapeake and everybody else can get chopped up
8 to make the numbers. Okay.

9 So I am just bringing that point up
10 because leave the 4th district. I mean, fix it, put
11 Portsmouth back. But if you don't -- I mean, first of
12 all, Portsmouth doesn't need to get chopped up. That
13 is the latest thing I have been hearing. At least
14 they are still together but they are in the 3rd
15 district.

16 But whatever you do, please -- you are
17 going to be doing this. Let's face it. The
18 bipartisan committee is not going to. You are going
19 to be doing it. Take those principles. I appreciate
20 every principle that you have adopted. And take those
21 principles and really use them.

22 I can trust these two senators. I know
23 they are from the other side of the aisle. I am a
24 major Democrat. But I know I can trust them to do the
25 right thing. But I want you to talk to your fellow

1 party members to do the right thing, all of you.

2 Thank you.

3 SENATOR HOWELL: Thank you. Betsy
4 Powell.

5 MS. POWELL: Hi. I am Betsy Powell.
6 Madam Chairman, I am Betsy Powell from the Norfolk
7 City Democratic Committee.

8 I accidentally put my name on that list
9 because I am so used to signing in everywhere I go.
10 But I think that everyone here tonight has said
11 exactly what we all feel across the state that we need
12 a nonpartisan commission, we need to have our cities
13 protected so that we are all one voting district. And
14 if you can work on that, I would be happy. Thank you.

15 SENATOR HOWELL: Great. Thank you,
16 Ms. Powell. Paul Forehand.

17 MR. FOREHAND: I think I am a bit like
18 Betsy. I didn't know I was signing.

19 As I was listening, I had just several
20 notes. I thought some quotes were apropos while I
21 reference the redistricting committee. Was it the 14
22 most feared words in the English language are, Don't
23 worry, we are from the government and we are here to
24 help you. And I share Mr. Wright's situation over in
25 Virginia Beach. And being in Portsmouth, which is the

1 3rd district -- and I am a novice at the politics of
2 these things but as I understand it in 1993, the
3 Department of Justice set up the 3rd district. Is
4 that true? False?

5 SENATOR DEEDS: 1991 it was drawn -- it
6 was drawn as a result of the 1991 redistricting. It
7 was approved by the justice department.

8 MR. FOREHAND: Okay. So as I understand
9 it, then, almost -- inasmuch as it was set up by the
10 Department of Justice, is there anything can be done
11 or is it a permanent and concrete --

12 SENATOR HOWELL: No. It is not --

13 SENATOR DEEDS: The 3rd district existed
14 before 1991 but the 3rd district was Chesterfield,
15 Henrico and the City of Richmond. 1991 we got the
16 11th district. Is this right, Mary? Correct me if I
17 am wrong. We got the 11th district and the district
18 was drawn in general the way it was but I don't think
19 it crossed into Portsmouth until 2001.

20 MS. HUEY: It didn't.

21 MR. FOREHAND: I appreciate the history
22 lesson. And, again, I am just kind of getting in
23 there.

24 And the other thought that occurred to me
25 as we were going across this was that -- I think it

1 was Churchill that said, what is it, democracy is the
2 worst form of government of all except all the others.
3 That keeps cropping up here.

4 But I want to close with all politics is
5 local. And if you are from a locality -- you know, I
6 don't really -- I don't want to say I don't care about
7 the people in Richmond but if I am sharing a
8 representative with folks in Richmond that is a
9 stretch for me. It is about what is going on in
10 Hampton Roads and my city on my block. I really have
11 a hard time relating. Thank you.

12 SENATOR HOWELL: Thank you. Andrew
13 Jackson.

14 MR. JACKSON: I am back.

15 SENATOR HOWELL: Good evening.

16 MR. JACKSON: Good evening. Thank you
17 for coming out, and I am going to be a little tough on
18 you.

19 My name is Andrew Jackson and that is
20 significant. And I am looking at you telling you my
21 name is Andrew Jackson. And there is a purpose for
22 that if you know the history of Andrew Jackson.

23 1955. I got off a bus in Norfolk,
24 Virginia. Full dress uniform because I had held up my
25 hand.

1 This is about we, not you. This is about
2 we, the people. We. We are the people. We do not
3 work for you. You work for us at our desire.

4 And I held up my hand and said, I will
5 defend that. And I didn't care what you look like,
6 what party you were, where you came from or anything.

7 Why are we having this discussion about
8 nonpartisanship? This isn't about you. This is not
9 about your ideology. This country is not founded on
10 what party you belong to. What is this? We are
11 having this discussion about a democracy and we are
12 asking you to do something for us? No. We are
13 telling you, we want nonpartisan bickering to stop or
14 partisan bickering. We want nonpartisanship. That is
15 all. That is not a request.

16 We voted for you and you held up your
17 hand and said you would uphold. Uphold what? Your
18 own personal interest? Your party interest? That
19 wasn't what you held up your hand for. Excuse me.

20 1970. After my little run in Vietnam, I
21 made a speech. Arlington. Roughly 15 senior
22 officers, most of them admirals, and I was asked to
23 come there.

24 I went to Vietnam prior to that and some
25 Vietnamese officer asked me, "What are you doing

1 here?" Said, "You are not free at home." I had to
2 answer that question not just to him but to me.

3 Excuse me, sir. I am not moving to
4 Portsmouth to be free. I am not moving anywhere. I
5 am staying in Virginia Beach. Do you understand that
6 Virginia Beach, as we know it now, there was a county
7 and there was this one section that is now Virginia
8 Beach, the only thing there was a -- was a community
9 called Seatack. Free black folk. That was Virginia
10 Beach. And we are standing here in 2010 talking about
11 how can we get representation because the lines are
12 all crooked because of partisanship?

13 But I made that speech in 1970, and what
14 I said to them, my boss included because I had just
15 reported to submarine force, Vice-Admiral Williams was
16 there, and I said, "America has never been American
17 me." And as a chief petty officer you think that
18 didn't quiet the room? Because all of those were my
19 seniors. But at the end of that, after I went through
20 the whole spiel about why, I said, "Someday America
21 will be."

22 And so I am here to tell you draw the
23 lines right. Draw the lines right.

24 My name is Andrew Jackson. Don't let me
25 have to come to Richmond.

1 (Laughter and applause.)

2 SENATOR HOWELL: Thank you, Mr. Jackson.
3 He was the last person to sign up. Is there anyone
4 who didn't sign up and would like to speak?

5 A SPEAKER: I will speak. My --

6 SENATOR HOWELL: Okay. You go first and
7 then you can go and anyone else just get sort of in
8 line.

9 MS. HURST: I really didn't sign up to
10 speak because I didn't want to embarrass my senator.
11 I have a -- I have a way of saying things and coming
12 out with things that don't usually --

13 SENATOR HOWELL: I am going to need to
14 have you identify yourself for the record.

15 MS. HURST: I am sorry. Irene Hurst.

16 SENATOR HOWELL: Okay. Thank you.

17 MS. HURST: And I am a citizen of
18 Chesapeake. And Senator Blevins is my very dear
19 senator. And Senator Quayle is one of my favorite
20 people, too. So anyway -- and I don't know the other
21 two of you.

22 I want to talk about partisan politics
23 because when I became a citizen of Chesapeake there
24 was no two-party system. The representatives in
25 Chesapeake were all Democrats. Harry can -- Senator

1 Blevins can vouch for that. A few of us that decided
2 that we needed a two-party system began to work and
3 put people up to run for office and we were very much
4 laughed at because we didn't have people that had
5 money. We didn't have people that were well known.
6 But we never gave up. So as a result of that, up
7 until now, we have built a party and built a party.

8 I didn't hear people complaining about
9 partisan politics when I was a member of maybe 10 or
10 12 Republicans. I didn't hear a big fuss about that.
11 But we went ahead and decided that the only way we
12 were going to build a two-party system was to keep
13 working and keep voting and going to the polls.

14 We now, in Chesapeake, have nonpartisan
15 elections. And just to give you an example, we have
16 the majority and that is because we persevered and we
17 got our people out to vote. The secret to getting
18 people that you want to represent you is going to the
19 polls and voting. And in Chesapeake for our local
20 elections we sometimes don't have but maybe 16 percent
21 of the people that vote.

22 So the point of redistricting in my
23 opinion doesn't mean that you can't have good
24 representation. You just need to have what it takes
25 to persevere. So as far as the two-party system, I

1 happen to like it. And I am a proud Republican.

2 Thank you.

3 (Applause.)

4 SENATOR HOWELL: Thank you. Good
5 evening.

6 MS. PAGE: Senator, I told you I wasn't
7 going to say anything unless my point wasn't made.

8 SENATOR HOWELL: Can you just identify
9 yourself for the record.

10 MS. PAGE: Vivian Page. I am from
11 Norfolk. My senator, Ralph Northam, sitting up there.
12 Gentlemen, Senator Deeds, we are going through
13 redistricting again here in the next year, and I would
14 like to ask my Democratic senators to step up to the
15 plate.

16 We have lived now in Virginia with
17 partisan redistricting and the party in charge always
18 makes sure that the rate that the -- that the contests
19 are not competitive. They did it to us. We did it to
20 them. Now we are going to do it to them again. I am
21 going to ask my Democrats to do it for us. And in the
22 Senate, you-all can't control the lines that are drawn
23 in the House. There is nothing you can do about the
24 House. I am asking you in the Senate, please give us
25 competitive districts. That is all I ask. I don't

1 want anything else. I don't care that they did it
2 before. I only care about us now.

3 Ten years from now I won't be -- I don't
4 want to be doing this fight again in ten years, I
5 really don't. I have been doing it for five years
6 now. Senator Deeds has been doing it for eight years.
7 I think we -- I went back through and he looked, you
8 introduced that first bill in 2002. You know, it is a
9 long time coming. It is time for you all to stand up
10 and do what is right for us. Thank you.

11 SENATOR HOWELL: Thank you. Yes.

12 SENATOR DEEDS: One piece of history I
13 just want to clear up. In 1991, the Democrats had the
14 Governor, the House and the Senate. After
15 redistricting, the Democrats lost six seats in the
16 Senate and one in the House. So it doesn't -- it is
17 not always the gamesmanship you suggest.

18 SENATOR HOWELL: And at the last
19 redistricting the Senate was redistricted by the
20 Republicans for districts for Republicans and, yet,
21 now the Democrats are in control. So you can't
22 predict. Yes.

23 MS. KILABREW: My name is Pixey Kilabrew.
24 I am from Newport News, and John Miller is my senator.

25 I can't speak to the parties because I am

1 an independent and I work real hard to be independent.
2 I support real good candidates of both parties. I am
3 hopeful that this will be an opportunity for us to do
4 three things. I think we need to have competitive
5 districts and I think that can only be done if we --
6 if we align them in a nonpartisan way. And I think it
7 is important that we do have the same numbers of
8 people represented as much as we can in each district.

9 And I think it would be just absolutely
10 wonderful if we could do contiguous districts. I
11 think it is almost impossible for a representative to
12 have to drive five hours and maybe take a helicopter
13 to get from one district to the other and have to
14 drive across two other people's districts to get
15 there. I do think we can do a better job at that.

16 Several people have spoken fairly well
17 about how important it is to recognize our
18 neighborhoods and really have representative --
19 representative people from our neighborhood who know
20 us, who we know. Virginia is not that big a state.
21 It is a beautiful state. But I think it is awfully
22 hard to run a competitive race if you are going to
23 have to drive 150 miles to get from one end to the
24 other.

25 So I would ask you please keep those

1 things in mind. I think it is important for all of us
2 because I think if we do that and we do have
3 competitive districts our numbers of people voting
4 will go up and I think that will mean a whole lot for
5 all of us whether it goes to one party or to the
6 other. I do think we can have competitive districts
7 and I think it will be good for us. Thank you for
8 your time.

9 SENATOR HOWELL: Thank you. Is there
10 anyone else? Well, if not, I would like to thank you
11 all for coming and just say this is the beginning of
12 the dialogue. We will be having more public hearings.
13 We would love to hear from you via e-mail. Send in
14 any suggestions you have. And keep letting us know
15 what you are thinking because it is going to make it a
16 lot easier for us to do the right districts if we know
17 what is important to people in each area. So thank
18 you very much for spending your evening with us.

19 (Applause.)

20 (The proceedings were concluded at
21 8:27 p.m.)

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COURT REPORTER'S CERTIFICATE

I, REBECCA L. BANKS, RMR, a court reporter and Notary Public, certify that I recorded verbatim by Stenotype the proceedings in the captioned cause before SENATOR JANET HOWELL, Chairman, Portsmouth, Virginia, on December 2, 2010.

I further certify that to the best of my knowledge and belief, the foregoing transcript constitutes a true and correct transcript of the said proceedings.

Given under my hand the _____ day of _____, 2010, at Norfolk, Virginia.

Rebecca L. Banks, RMR