

## **Local Precincts, Legislative Districts, and the Code of Virginia**

The purpose of this note is to clarify the easily misunderstood "Precincts" listings in the sections of the Code of Virginia that set out congressional, State Senate, and House of Delegates districts.

### Why do precincts in the Code not match the current precincts in my locality or district?

The purpose in the Code is not to maintain a current list of precincts contained in each district. Rather, the Code identifies the Census Bureau's 2010 census voting districts (VTDs) that are part of the district. (See the explanation of census geography below.) This fact is stated in Subsection C of each of the sections of the Code that set out districts. These are the units that the General Assembly used in establishing legislative and congressional districts. For reasons that will be explained, the Code of Virginia must continue to define districts by using the census VTDs.

With just a few exceptions, precincts in Virginia matched these VTDs at the time the census was taken in 2010 and the redistricting population numbers were released in February 2011. The situation becomes complicated because counties and cities changed a number of their precincts when they conducted local redistricting in 2011, and some will continue to do so throughout the decade.

### Why are some "precincts" split between two districts in the Code when all the voters in a precinct by that name now vote in only one district?

For the reason stated above, that the Code refers to the boundaries of a 2010 census VTD and not the current precinct. Consider the following hypothetical example. Washington Precinct and Jefferson Precinct are contiguous County A precincts. The 2010 census redistricting report gave the population of each precinct, identifying it as a VTD. The General Assembly subsequently divided County A between House of Delegates Districts 101 and 102, the line between the two districts following the boundary between Washington and Jefferson VTDs/Precincts.

At about the same time, County A had to redistrict its supervisor districts and moved an area that had been in the Washington Precinct to the Jefferson Precinct and the local precinct boundary changed. The House of Delegates line did not change, however, and the "new" Jefferson Precinct now is split between the two House districts. The original part is in House District 102 and the part that came from the old Washington Precinct is still in House District 101. (Note also that the boundaries of the 2010 VTDs do not change. Washington VTD is still entirely in House District 101 and Jefferson VTD entirely in the District 102.)

To adjust the boundary between the House Districts 101 and 102 to follow the new Washington-Jefferson Precinct line, the General Assembly splits the 2010 Washington VTD, leaving part in House District 101 and moving the other part (the part that the county has moved to the new Jefferson Precinct) to House District 102. The Code section that describes the districts will now provide that part of Washington Precinct, meaning the 2010 VTD, is in District 101 and part of the precinct is in District 102. But all the voters in what is now locally identified as the Washington Precinct will vote in District 101 and all the voters of Jefferson Precinct will vote in District 102.

Why not simply maintain a list of current precincts for each district?

The 2010 census redistricting report is the only universally available source of maps and data. The Census Bureau does not revise the boundaries and populations of its VTD/precinct boundaries once the census is over. The General Assembly would have to create its own data and map files and recalculate precinct population data, and then maintain and update them throughout the decade as local precincts change. Further, the state would have to set up a program to provide access to the data and map files to any entity or individual who wanted information about districts and precincts, since no one would be able to use the actual Census Bureau report based on 2010 VTDs to determine the composition of Virginia's districts.

Further, the General Assembly would need to carefully amend the Code sections each year to incorporate any precinct changes made by localities in the last year and ensure that the precinct lists for

each district remain accurate. Failure to update annually, or mistakes in making updates, could give rise to serious confusion or challenges with regard to candidacies for office, voter participation, election returns, and similar issues.

#### What is a Voting District (VTD) as used in Census Bureau Geography

The census block is the smallest geographical unit for which the Census Bureau reports population. A city block bordered by four streets is the simplest example. In rural areas, block boundaries may include roads, water features, power lines, and other physical features that can be used to enclose a piece of geography. There were more than 285,000 census blocks in Virginia for the 2010 census.

The Census Bureau also reports population by, in census terminology, voting districts or VTDs to simplify the process of state and local redistricting. VTDs overlay a group of census blocks and the combined population statistics for those blocks are reported as the VTD statistics. This enables a legislature to use larger geographical areas for which the population is known in constructing districts instead of listing each census block individually.

In 2009, Virginia provided the boundaries of all then current voting precincts in the state to the Census Bureau for use as VTDs in reporting the 2010 census redistricting population. Local precinct boundaries were "frozen" by State law from February 1, 2009, to May 15, 2011, so that the geographical precincts and census VTDs would be identical. Virginia received the census redistricting data on February 3, 2011, and the VTDs by which the Census Bureau reported Virginia's 2010 population did match local precincts in all but a few cases. The VTDs carry the names of the local precincts to which they corresponded at the time of the 2010 census. The General Assembly used the names and populations of the VTDs when it was necessary to split localities in establishing the new legislative and congressional districts. These are the "precincts" listed in the Code of Virginia descriptions of districts.