



BULLETIN

Founded in 1925

Meeting Continuously Since 1946

November 2006

4026 Hummer Road #214 Annandale, Virginia 22003

Volume 59 Issue 3



Redistricting in Virginia

Is the topic of November unit meetings when members will consider and develop consensus on whether the current LWVVA position on Reapportionment and Redistricting should be modified and, if so, in what way. Part II of the two-year study is published in this *Bulletin*. Read it and participate in a unit meeting—make your voice heard.

See “Piece of the Action” page 9 for how you can help defeat the Proposed Marriage Amendment.
Urge everyone you know to READ the whole Proposed Marriage Amendment before Voting.

Calendar

November (Important Dates)

01 Dec Bulletin Deadline

01-07 Voters Service Phones

04 Briefing - Redistricting (Large Conf. Room)

06-07 FCP Schools Closed

07 Election Day

8,9,13,14 Units - (Redistricting Consensus)

10 Veterans Day/Board Agenda Deadline

14 Sequoyah Condo Election

15 Board Meeting/ Briefing for Dec Units

15 Dec. UC Letter Deadline

22 FCP Schools Close 2 Hours Early

23-24 Thanksgiving - FCP Schools Closed

December

05 January Bulletin Deadline

06 Pre-Session Richmond WRT

11-14 Units (LWVVA & NCA Program Planning)

15 Board Agenda Deadline

16 First Day of Hanukkah

20 Board Meeting/Jan U.C. Letter Deadline

23 Last Day of Hanukkah

25-Jan 2 FCP School Vacation/LWVFA Office Closed

25 Christmas Day

26 Kwannzaa/Boxing Day

Inside this Issue

President's Letter	2
Debates Schedule	2
Board Notes	3
Com. Elections/Membership/Not Ready	3
Action Faction	4
Bagging Plastic	4
LWVVA News	5
LWVUS/Fall for Fairfax	5
Redistricting Consensus Questions	6
Program - Redistricting/Reapportionment	S1 - S8
Virginia Happenings	7
Why Have our Centrist Legislators Gone	7
Superintendent's Advisory Council	8
Piece of the Action	8
Justice News/Best State for Business	9
Piece of the Action	9
Women and Juries	10
Corporate Giving	10
Unit Meeting Locations	11





President's Letter

And now it is November! Are you keeping up with what the League is doing? I know it is overwhelming (to me, anyway!), but here is a tip – check out the website: www.lwv-fairfax.org - thanks to Pam Koger-Jesup.

Did you know that through the LWVFA website, you can find: the current month's *Bulletin* and study, meeting places (with a link to a map!), events, election information including dates for debates, the current *Voters Guide*, *What's On The Ballot*, and links to the registrar's offices-local & state? ALL the League studies for the past 2-3 years are there and can be downloaded, as well as Action items and a membership form you can fill out online!

AND our website links directly to the state (<http://virginia.va.lwvnet.org>) and national League (www.lwv.org) websites. The LWVFA website has a wealth of information pertinent to Fairfax, as well as other Leagues in the state—there is even a “Members Only section” where we can post Fairfax positions, discussion outlines, etc. The MEMBERS-ONLY section requires a different address to access it—contact the LWVFA office or Leslie Vandivere, Membership Director (lvandivere@cox.net) to obtain the address.

For those of you who are not yet (or maybe, never will be!) on the Internet, ask one of your “connected” friends to get this information for you!

OK, if you are still reading this (and not online yet!), be sure to attend one of the unit meetings in November. We will be practicing the time-honored and very League process of “taking consensus” on the Redistricting process in Virginia. From your input (if you are a member) will come the statement of what League believes to be the best method of drawing the district lines for our elected officials to Congress and the General Assembly. The more input from members, the better the statement will be.

In closing, I want to mention how satisfying was the turnout for September's and October's debates—the 11th District debate had “standing room only” and was covered in the *Washington Post* (Metro Section), *Connection* and *Times Newspapers*! The 10th District Forum was also covered by all the media. Go League!

Sherry

LEAGUE DEBATES ON TELEVISION

The 11th **Congressional District Debate** (held Sep. 19) was aired on Channel 10 (Fairfax Public Access). Check their website at (www.fcac.org) for reruns in late Oct./early Nov. Comcast aired the tape on Channel 28 in Reston and on Channel 2 or 3 in Prince William. Check at www.comcast.com for rerun dates & times.

The 10th **Congressional District Forum** (held Oct. 17) was broadcast on News Channel 8. Check their schedule for rerun dates & times.

The **U.S. Senate Debate** (on Oct 9) was carried live (at 8 PM) on C-SPAN, WJAL (Channel 7, Washington) and WETA. Check those program listings for rerun dates & times.

Good News!

Drinking Cabernet Sauvignon may help prevent Alzheimer's disease, according to new animal research. Reporting in the November issue of the FASEB Journal, researchers observed the effects of feeding the red wine to mice with Alzheimer's disease-type brain changes. Compared to mice that received ethanol or water, the mice that were given Cabernet Sauvignon experienced significantly reduced Alzheimer's disease-type brain deterioration of memory function. **Source:** Health Day, *The Examiner*, 9/28/06

LWVFA Bulletin © 2006

This newsletter is published 10 times from September to June each year by the League of Women Voters of the Fairfax Area, 4026 Hummer Road, Suite 214, Annandale, VA 22003. Subscriptions to the newsletter are available **only** to other than Fairfax League members for \$15.00 per annum. Send your check to the above address and request a subscription.

703-658-9150 Information/fax/answering machine
www.lwv-fairfax.org E-mail: lwvfa@ecoisp.com

President Sherry Zachry 703-730-8118 szachry@aol.com
 Editor Lavinia Voss 703-257-1831 Fax-call first
 Proofing Bernice Colvard 703-978-3227

Address corrections, please email the office or call 703-658-9150



Board Notes

Lavinia Voss

At the September 20, 2006, board meeting, **Leslie Vandivere** presided and was appointed to FCPS-HRAC (Human Relations Advisory Committee). Other appointments made were **Judy Leader** as alternate to CJAB (Criminal Justice Advisory Board), **Ginger Shea** reappointed to FCPS-SCAC (Superintendent's Community Advisory Council), **Lynne Garvey-Wark**, was appointed Clifton Town Council Observer, and **Bill Thomas** as Director of RCC Preference Poll.

The board accepted the Audit Committee report FY 04-06 given by committee member **Diane Hardcastle**. Approved up to \$700 each for the 10th and 11th Congressional District Debates for video and broadcast expenses.

The 11th District Congressional Debate held on September 19 was considered a huge success. Every seat was taken, and they were standing 2 deep all the way around the back of the BOS Auditorium. 167 questions were received from the audience but time allowed only ten of them to be asked. The rest were sent to the candidates. Their responses will be posted on our website.

Program Co-Director **Lois Page** updated the board on the feedback on the September unit meetings, on the Proposed Virginia Marriage Amendment; The Jury System program for October; and a grant from LWVUS for a program on the United Nations in the People Speak Series also in October; and November's topic a Consensus meeting on Redistricting.

Monthly written reports were accepted on Action, PR, Membership, Justice and Community Elections. Discussion followed by the attendees of the LWVVA Workshops in Charlottesville. The unit report materials collected at the office for the month of September were passed out to the Directors' who need them.

Seen and Heard Around Fairfax and Beyond-

For a copy of any testimony or action taken by LWVFA, contact the office 703-658-9150 or lwvfa@ecoisp.com

1. President Zachry attended the Chamber of Commerce debate/luncheon meeting at McLean Hilton for U.S. Senate on September 18, 2006.
2. President Zachry organized, prepared agenda and programs with rules etc. for 11th Congressional Debate.



Community Elections Projects

Una White 703-922-8721
unawhite@earthlink.net

Thank you to all who worked at the **Fairfax Cable** election in September and **RCC** in October. You did a great job. An extra special thanks go to those who directed and ran these events for LWVFA. Now we have **Sequoyah** on November 14, 2006, an all day event. If you would like to volunteer for this project, please contact me to find out if help is still needed.



Membership Update

Leslie Vandivere - 703-222-4173
LVandivere@cox.net

Please welcome Amy Feldstein (GSP), who joined at the local level and Rick Bently, a new national member.

Not Ready!

Less than half of the nation's communities have begun preparing to deal with the needs of the elderly whose ranks will swell dramatically with the aging of the baby boomers. A survey of more than 1,790 towns, counties and other municipalities found that just 46 percent are looking at strategies to deal with aging America.

The issue is critical because the baby boomers—those born between 1946 and 1964—began turning 60 this year and are rapidly approaching retirement age. By 2030, the number of people over age 65 in the United States will exceed 71 million double the number in the year 2000, according to the Washington-based National Association of Area Agencies on Aging.

The report "The Maturing of America—Getting Communities on Track for an Aging Population" looks at health care and nutritional programs, transportation, public safety and emergency awareness, volunteer opportunities, and other services.

Source: AP [The Examiner](#) 9/28/06

Action Faction

Jane Hilder, Action Director

jc.hilder@verizon.net 703-960-6820

The **Virginia General Assembly** convened in Richmond the last week of September but did not manage to pass any legislation to fund transportation needs. The House even rejected a proposal by Northern Virginia and Hampton Roads area Republicans to increase taxes only in those areas for local transportation projects. Republican leadership in the House supported allocating \$2.4 billion dollars for transportation funding statewide over five years. But since they opposed raising any taxes, they advocated diverting \$900,000 million in existing revenues, that is currently allocated for expenses like public safety and schools, to pay for roads. They also wanted to borrow \$1.5 billion dollars via bond sales with no designated source of income to pay for the bonds. The Republican-led Senate considered that irresponsible and refused to pass that legislation.

The September 25 meeting of the **Fairfax County Board of Supervisors** featured a review of gang prevention efforts by Bob Bermingham, Gang Prevention Coordinator and P.D. O'Keefe, Fairfax County Public Schools' Violence Prevention Specialist. These two men emphasized the ongoing collaboration of the police and the public schools with the business community, nonprofits, faith-based organizations, and civic groups.

Prevention, intervention, and suppression are the three prongs of the Fairfax County effort to rid the county of gang violence. Bermingham noted that all 52 middle and high schools now have a school resource officer assigned who has been through gang prevention training. These officers also teach the Healthy Choices curriculum to middle school students which helps them to get to know the students and to be more a part of the school staff. O'Keefe reported that all middle schools have now implemented an after-school activities program. (The LWVFA testified in support of funding for this program at the county budget hearings in April.)

O'Keefe noted that the schools will soon have a gang and youth violence prevention resource line available that is multi-lingual. There will be a staff member assigned to each school to coordinate school and social services because future gang members are usually students who are struggling with a lot of issues in school and outside school. Other ongoing efforts

include a commitment by Cox Cable to partner with the Boys and Girls Clubs of Washington to expand services into Fairfax County, with a focus on Culmore, Lower Route 1, and Huntington areas. Bermingham noted that suppression efforts by the police had been good before, but that now the prevention and intervention aspects were falling into place. Many other nonprofits and county offices are involved.

Statistics suggest that the efforts are making an impact. There was a 39% decrease in regional gang activity in the past year, and an 83% reduction in violent gang crime from 1st quarter of 2005 to 1st quarter 2006. The most recent FCPS youth survey showed a 50% decline in youth self-reporting having been in a gang from 2003 to 2005.

Found: A navy blue unisex all-weather nylon jacket, size large, "Cabela's" brand, was found after the Annual Meeting at the restaurant. Please claim by calling the office and leaving a message.



Bagging

Plastic

The days of the ubiquitous plastic bag are numbered—at least in San Francisco. With residents each year using upwards of 50 million of the flimsy throw-aways, which routinely clog sewer drains and kill marine life, city officials struck a deal with grocery chains to give shoppers 10 million fewer bags by the end of 2006. And how did the city get grocers to agree to kick in \$100,000 for the program? By first proposing a tax of 17¢ a bag.

Source: Locke, Laura A. Time 11/14/05



Happy

Thanksgiving



LWVVA NEWS

The Board met on Friday evening, 9/15/06 in Charlottesville. The U.S. Senate debate budget and plans were reviewed. They agreed to seek an attorney during the planning. It was decided that local Leagues would receive one ticket for their President, the remaining tickets to be shared by LWVVA and LWVUS. Their two questions will be in the areas of (a) secrecy and decreased access to public information and (b) the federal deficit.

The board continued to urge members to accept electronic copies of the *Voter*. If you are willing, let the office know. It reduces their expenses.

Approved plans for the 25th Women's Legislative Roundtable in Richmond on Wednesday, December 6. The day begins at the Patrick Henry Building, Senate Room 1, from 9:30 AM to 12:30 PM and then on to St. Paul's Church for Luncheon. The price is \$25; reservations must be received no later than November 21. WRT founders will be invited guests.

A "Facts for Voters Virginia" publication will be offered to the CheckSmart Corp. to sponsor. A mock-up will be prepared for Board approval in December.

An official Reapportionment/Redistricting Consensus Form was sent out. It must be used to report consensus.

Action Priorities and the Report Form were sent out for Local League Boards to return no later than **10/18/06**. Following receipt of the reports, the LWV VA Board will discuss and approve the priority action issues. They will be sent to local Leagues and can be used to interview legislators in November or December. **Legislator interview forms** should be returned by **January 3rd**.

Fifty-six League leaders attended the 9/16/06 Training Workshop in Charlottesville. Twelve local Leagues were represented. Participants gained much from our speaker, were eager to use handouts, and felt the day was very worthwhile.

President Lulu Meese wrote to Speaker Howell Aug. 21, requesting that he consider a change to the House of Delegates organization rule 18 adopted last year. There was no response. A second letter was sent on 9/18/06 asking that he respond to a copy of it.

LWVUS Web Site

Leslie Vandivere

The LWVUS Web site (lwv.org) is now easier than ever to access. Most information in the "For Members" section no longer requires a password.

But, members still need a password to subscribe to League-sponsored e-mail lists. The lists are online grassroots networks of League members interested in discussion, sharing ideas, and exchanging resources. List topics include civil liberties, No Child Left Behind, campaign finance reform, health care, ERA, reproductive choice issues, United Nations, Voters Service, fund raising, membership and outreach, and webmasters. Choose the lists that fit your roles at the local level or try a list that highlights an area of interest.

If you have a password, sign in and join the discussion. Members who don't have a password can follow the links to log in for the first time by entering first name, last name and e-mail address. If your e-mail is in the League database, you will be sent an e-mail. Another reason to make sure we have your correct e-mail address.

Fall for Fairfax Outreach



L to R: Sherry Zachry, Kristi Zappie-Ferradino, Tracy Van Duston

The American Dream is not to own your own home but to get your kids out of it.

Dick Armey

Redistricting/Reapportionment Consensus Questions

- 1.** In addition to the Virginia constitutional requirements of equal population and contiguous and compact districts and the Voting Rights Act requirements for protecting the voting strength of minority groups, what importance should be given to each of the following considerations in reapportionment and redistricting? Rate each category and circle the response of your choice.

	<u>Essential</u>	<u>Important</u>	<u>Not important</u>	<u>Not to be considered</u>
a. Natural geographic boundaries	4	3	2	1
b. Jurisdictional boundaries	4	3	2	1
c. Communities of interest	4	3	2	1
d. Existing election district boundaries	4	3	2	1
e. Partisan voting history	4	3	2	1
f. Competitiveness	4	3	2	1
g. Incumbency	4	3	2	1

- 2.** The Virginia Constitution includes direction regarding the timing and frequency of redistricting. Should the Constitution be amended:

To provide that redistricting will occur on a decennial basis only?

Yes _____

No _____

- 3.** Who should be responsible for drafting the redistricting plan?

Legislature _____

Governor _____

State agency (e.g., Legislative Services) _____

Commission _____

Combination of above _____ If this item is checked, please explain your answer.

Other:
specify _____

- 4.** If a commission is used, what criteria or restrictions should be applied to selection of its members?

- No elected officials _____
- No federal or state elected officials _____
- No persons who have served in elected federal or state office in the past 2 years _____
- No appointed federal or state officials _____
- Geographic distribution _____
- Demographic diversity _____
- Uneven number of members _____
- Bipartisan _____
- Nonpartisan _____
- Independent _____

The following is a LWVVA study issued in September 2006. It is reproduced in its entirety, as received, hence the date and website listed on each program page does not match the rest of LWVFA *Bulletin*. Ed.

Does Your Vote Really Count? (Part II)

Committee Members: Dianne Blais (chair), Pat Brady, Sue Campbell, Sara Fitzgerald, Rita Koman, Judith Leader, Mary Grace Lintz, Diane Lowenthal, Therese Martin, Sally Ormsby, Lois Page, Sue Worden

I. Introduction

This is the second of a two-part study on the redistricting process in Virginia. Part I was published in September 2005 and addressed a number of issues, including U.S. Supreme Court decisions, types of gerrymandering of election districts, the Voting Rights Act of 1964, and a brief survey of redistricting commissions in some states.

Part II presents results of recent Virginia legislative elections and a more detailed look at redistricting commissions in other states. It also presents information on the Virginia redistricting process and a comprehensive look at criteria that could be considered during the redistricting process.

The Constitution of Virginia, Article II, Section 6, provides, in part, "Members of the House of Representatives of the United States and members of the Senate and of the House of Delegates of the General Assembly shall be elected from electoral districts established by the General Assembly. Every district shall be composed of contiguous and compact territory and shall be so constituted as to give, as nearly as is practicable, representation in proportion to the population of the district. The General Assembly shall reapportion the Commonwealth into electoral districts in accordance with this section in the year 2011 and every ten years thereafter."

II. The Redistricting Process in Virginia

The Constitution of Virginia (see box above) requires reapportionment and redistricting to occur *every ten years* following publication of the national census results. It also states that members of the U.S. House of Representatives and the Virginia Senate and House of Delegates "shall be elected from electoral districts *established* by the General Assembly."

Responsibility for determining congressional and state legislative districts in Virginia lies with the legislature. The Code of Virginia, §30-263, provides for a Joint Reapportionment Committee of the General Assembly (GA) to oversee the redistricting process. The Committee consists of five members of the Committee on Privileges and Elections (P&E) of the House of Delegates and three members of the P&E Committee of the Senate, appointed by the committee

chairmen. The purpose of the Reapportionment Committee is to supervise activities required for the tabulation of the census population data, the timely receipt of precinct population data for reapportionment, and sponsorship of reapportionment and redistricting guidelines. The P&E Committees submit to the House and Senate the proposed redistricting plans for Congress and the Virginia Senate and House of Delegates that they recommend for approval.

Virginia does not have any specific statute that states precisely how congressional and GA redistricting is to be carried out. Rather, every ten years, a legislative resolution of guiding principles is adopted. In contrast, Iowa law dictates a timetable; describes the structure, role and functioning of the nonpartisan group selected to prepare the redistricting plans; defines the criteria; and specifies the approval process.

In practice, the Virginia Division of Legislative Services (DLS) does the staff work, communicating with the Census Bureau and establishing a computerized database of the census population estimates. Public hearings are held early in the process during the regular GA session to receive public comment on the process, potential redistricting criteria, and suggestions for redistricting plans. Following the end of the regular GA session about mid-March, a special session is convened during which delegates and senators receive the official census data, develop criteria, and propose their redistricting bills (plans) to the appropriate P&E Committee. More public hearings are then held. After that, the usual procedure for the reporting and approval of bills is followed. Following signature by the governor, the plans are sent to the Justice Department for pre-clearance, as required by the Voting Rights Act.

III. Redistricting Process Changes

Since the Constitution of Virginia requires only that the legislature *establish* the electoral districts, it would be possible for the legislature to revise the Code of Virginia to delegate to another entity, such as a commission, the responsibility for drafting the redistricting plans for the legislature's approval. The revised Code would have to delineate the process for selection of members of such an entity and detail any special requirements for plan approval. The Virginia Constitution would need to be amended if final approval were granted to an entity other than the legislature.

IV. The Possible Need for Reform

In recent years, a number of political trends have been cause for concern among those who support the ideal of a vibrant American electoral process. Two arguments in favor of reform are the lack of competitiveness and a low voter participation rate in many legislative districts.

Recent races for congressional seats across the nation and for legislative seats in Virginia show a demonstrable lack of competitiveness. Generally, political scientists consider elections decided by ten points or fewer (e.g., a margin of 55 to 45 percent) to be competitive. In 2004, only 27 of the 435 races for the U.S. House of Representatives reached this threshold and only seven House incumbents across the country lost to challengers. In Virginia, only one of the 11 races for a U.S. House seat turned out to be competitive.

In the 2002 congressional election cycle, a full 18 percent of House incumbents had *no* opposition. Five months before the 2006 congressional elections, respected election tracker Charles Cook counted only 35 truly competitive House districts, compared with 100 in 1994.¹

The story was the same—if not worse—for Virginia legislative districts. In 2005, 60 percent of candidates for the Virginia House of Delegates had no significant opposition, only three incumbents lost their seats, and only 12 of the 100 races turned out to be “competitive.” These results continued a trend from 2003, when only four of the 40 races for the Virginia Senate and only nine of the 100 races for the Virginia House were competitive.

“In most [state] House districts, if you win the primary, you are going to Richmond. So instead of worrying about being in the moderate camp, all you really need to do is win your Democratic or Republican primary. The most ideological extreme—10 percent of the electorate—are the ones who make the decisions in these one-sided contests.”

Stephen J. Farnsworth, Associate Professor,
Political Science, University of Mary Washington
The Washington Times, June 5, 2006

This lack of competitiveness may also contribute to a decline in voter turnout as voters perceive that their vote won’t make a difference. In 1997, 49.5 percent of Virginia voters went to the polls to vote for state legislative candidates. By 2005, turnout dropped to 45 percent. And in 2003, without a close statewide contest to encourage voters to go to the polls, turnout plummeted to 31 percent.

Redistricting plans that are perceived as overly partisan are considered to be one factor that may contribute to this lack of

competitiveness, along with the power of incumbents to raise campaign funds and take advantage of certain perquisites of their offices.

These trends play out against a backdrop of increased political polarization, which may both contribute to the lack of competitiveness as well as result from it. If districts are redrawn in such a way that candidates perceive their seats to be “safe,” there will be a natural tendency for them to cater to their party supporters and donors rather than to the political center. And as they do, it would not be surprising for persons of opposing viewpoints to become even more cynical about the political process and to further dismiss the value of their individual votes.

In mid-2006, some commentators pointed to redistricting as a contributor to the GA’s deadlock over budget and transportation issues. The impasse marked the legislature’s fourth special session this decade and the fourth time this decade it failed to produce a budget within its regular 60-day session.²

The National Voter of June 2005 stated, “Redistricting reform is no panacea, but it is a start. . . .” The article presented three options for those “seeking to reduce the partisan and incumbent manipulation of the redistricting process: (1) persuade Congress to adopt additional standards for redistricting by the states, prohibiting more than a single round of congressional redistricting after the decennial apportionment; . . . (2) convince the courts to find gerrymandered plans unconstitutional; . . . and (3) change the process by which states draw legislative maps.”

V. Frequency of Redistricting

One question that has arisen in recent years is how frequently redistricting should occur.

In the recent U.S. Supreme Court case brought by the League of United Latin American Citizens (*LULAC v. Perry*), the Court upheld the Texas legislature’s mid-decade redistricting even though Texas had already redistricted after the 2000 election.³ The Court stated that neither the Constitution nor Congress explicitly prohibited mid-decade redistricting. In Virginia, the state Constitution provides for reapportionment . . . “in the year 2011 and every ten years thereafter.” However, according to Mary Spain, senior DLS attorney, the Constitution does not specifically prohibit redistricting more frequently than that.

Certain areas of Virginia have grown rapidly in recent years, and some have suggested that redistricting more frequently than every ten years would better preserve the principle of one person, one vote.

Mary G. Wilson, LWWUS president, called the Texas decision “extremely disappointing,” saying it would encourage politicians to become serial mapmakers. “We now can expect an even more vicious battle between the political parties as they redraw district lines every two years for partisan gain.”

Los Angeles Times, June 29, 2006

For instance, between the 2000 census and July 1, 2005, the estimated population of Virginia increased by nearly half a million (7 percent), reaching 7.5 million.⁴ Northern Virginia accounts for 60 percent of this growth. Loudoun County heads the list with a phenomenal population increase of 82,700, followed by Prince William County with 74,500 and Fairfax County with 52,400 new residents. Stafford and Spotsylvania Counties each gained close to 25,000 while the Richmond suburban counties of Chesterfield and Henrico gained 26,600 and 21,000, respectively.

But others have raised issues, both political and practical, about more frequent redistricting. Foremost among the concerns raised in the Report of the Redistricting Reform Conference sponsored by The Council for Excellence in Government in June 2005⁵ is the lack of official population figures between the decennial censuses. Without current official population data, what statistics could be used that would be acceptable to a court?

Secondly, at what point during the decade would redistricting be most appropriate? The Constitution of Virginia complicates this question because it specifies that a legislator in office at the time of redistricting shall complete his term of office representing that district as long as his residence remains in that district. Any vacancy during this term would be filled from the same district. Therefore, mid-decade redistricting would go into effect with the next regularly scheduled election.

Another consideration is the administrative and related costs of redistricting more than once between decennial censuses. In addition to the time spent by the DLS and state legislators, the State Board of Elections and local Electoral Boards would be required to change the records of all voters affected by changes in districts and polling places and notify those voters in writing.

VI. The Timing of Redistricting

Because Virginia’s Constitution requires reapportionment in the odd-numbered year following the decennial census and because the Code of Virginia (§24-2.214 and §24-2.215) requires legislators to be elected in those same years, the Virginia redistricting process faces severe time constraints.

For example, Virginia received its official 2000 census figures on March 8, 2001, and the GA began a special redistricting session the next day. Many draft redistricting plans were presented, debated, and amended during the ensuing six weeks. The P&E Committees conducted three joint public hearings and, on April 21, 2001, then-Governor Gilmore signed into law the redistricting bills as passed by the House and Senate. Fortunately, the U.S. Department of Justice cleared the plans within the requisite 60 days. Even so, primaries that year had to be delayed until August.

This extremely compressed timetable raises the question of whether it would make more sense to extend the time allowed for redistricting following the decennial census to no later than June of the years ending in “2” instead of the years ending in “1,” such as in 2012 instead of 2011.

VII. Drawing the Lines

Legislative redistricting, by its very nature, is a highly political and often contentious process. Thirty states now follow the traditional legislative process whereby the state legislature establishes the guidelines and creates the new election districts following the decennial census. The other states use a variety of procedures, some involving the legislature and some using elected state officials, courts, or commissions in some combination. In Virginia, the Constitution gives the GA the authority for “establishing” the lines, but the Code of Virginia could be amended to allow a different entity to draft the redistricting plans.

“The Founders envisioned a system where the people would select the representatives, but what happens now is the elected officials that draw the lines are actually picking the people.”

Stephen Farnsworth, Associate Professor,
Political Science, University of Mary Washington,
The Washington Times, June 5, 2006

A. Redistricting Commissions

Since the landmark Supreme Court decisions of the 1960s that established the “one person, one vote” principle, 12 states have shifted responsibility for redistricting state legislative districts from the legislature to a commission. Idaho and Arizona were the most recent states to join this group, using a commission for the first time in the redistricting following the 2000 census. These states (see chart next page) give first and final authority for state legislative redistricting to a group other than the legislature; six do the same for congressional redistricting. Note that these 12 state commissions vary in many ways, such as the appointment process and composition. In most cases, legislative leaders appoint the commission members.

While the commissions detailed in the chart are responsible for the entire procedure, others are advisory groups that submit plans to the legislature for final approval or are only a backup in case the legislature fails to agree on a plan by the deadline. Very few commissions of any sort could be described as strictly non-partisan.

The chart outlines Arizona's unique process for selecting commission members. The state's commission on appellate court appointees creates a pool of 25 nominees, ten from each of the two largest parties and five independents or representatives of other parties. The majority and minority leaders of the two houses then take turns choosing one each from the pool. These four members then choose the chair from a party that is not already represented.

State legislatures appear reluctant to allow *congressional* redistricting to slip out of their control and be turned over to commissions, as only six states follow that model: Arizona, Hawaii, Idaho, Montana, New Jersey, and Washington. A seventh, Indiana, sets up a commission only if the legislature fails to adopt the required plan. Of the six, all except New Jersey use the same commission to draw lines for both congressional and legislative districts. In New Jersey, the commission for drawing state legislative boundaries is composed of ten members. The commission for drawing congressional district lines has 13 members; the chair must be "independent."

The track record of commissions is inconsistent. Most state commissions have produced plans that are as likely to be considered partisan and designed to protect incumbents as the plans prepared by legislatures. Also, the record has shown that the plans produced by commissions are as likely to be challenged in the courts as plans produced by the legislature.⁶ However, Arizona's approach appears to provide for greater independence from the legislature, not only in the composition of the commission but also in the insistence on specific criteria, such as fostering competitive districts.

Distancing line-drawing decisions even a little from those whose political futures will be affected has the potential to increase fairness and competitiveness. However, just as important as creating a commission are such factors as the transparency of the process and the criteria the commissions are required by law to use.

B. Iowa's Solution

Ironically, the one state process that seems more successful in reducing the influence of partisan officials is one that, like Virginia's, requires the legislature to vote on the plan. Iowa's current process came about because a 1970 plan drawn up by its legislature was struck down by the Iowa Supreme Court in 1972 for having too wide a population variation among districts. The plan also was judged as inappropriately

States with Commissions (No. of Members)	Bi-partisan Commission Members	Non-partisan Commission Members	Non-elected Officials Required	Members Selected by Legislative Body	Governor can Veto Plan	Chair Selected by Commission Itself
Alaska (5)	Maybe*	No	Yes	Yes	No	No
Arizona (5)	Pool of nominees is at least 4/5 partisan	Chair from neither major party	No	No (see text for details)	No	Yes
Arkansas (3)	Not likely**	No	No	Yes	No	No
Colorado (11)	Yes	No	No	Judiciary selects 4 of 11	No	No
Hawaii (9)	Yes	No	Yes	Yes	No	Yes
Idaho (6)	Yes	No	Yes	Yes	No	No
Missouri (H 18, S 10)	Yes (both commissions)	No	Yes	Yes	No	No
Montana (5)	Yes	No	Yes	Yes	No	Yes
New Jersey (10)	Yes	No	No	Yes	No	Yes
Ohio (5)	Yes, but favors party in power	No	No	Yes	Yes	No
Pennsylvania (5)	Yes	No	Chair only	Yes	No	Yes
Washington (5)	Yes	No	Yes	Yes	No	Yes, non-voting

SOURCE: Minnesota Legislative Information Service, updated 2000, and Website of FairVote (www.fairvote.org).

*Alaska's commission provides for appointees selected by different elected officials (president of Senate, speaker of House, Chief Justice) with no assurance of bi-partisanship.

**Arkansas' "commission" is the governor, secretary of state, and attorney general.

protecting incumbents. The Iowa League of Women Voters joined in the lawsuit filed against the plan. To demonstrate that a fair plan could be prepared, the League used rented computer time to draw up its own plan, which had a population deviation of only 0.07 percent and did not protect incumbents.

The process that the Iowa legislature put in place in 1980 calls for the state's Legislative Service Bureau (LSB) to draw up a plan using fairly specific constitutional and statutory guidelines that, among other things, do not protect incumbents. The LSB is not allowed to discuss the plan with any legislator during its drafting process. Once the plan is presented, the LSB holds public hearings.

A unique aspect of the process is that the Iowa legislature gets three chances to vote on a plan. The first time it must vote the plan up or down with only technical changes allowed. If it rejects that plan, another version will be presented and then it must vote for either the first or second plan, as submitted. If it rejects the second one, the LSB prepares a third plan that is subject to amendment. According to Jean Lloyd-Jones, former Iowa League president and state legislator, "In the three decades since that process was adopted, the legislature has never gotten to the third plan. They have always taken either the first or second plan. That's because once you start to amend, it is clear that the motive is to protect incumbents, and they know that the LWV and others will challenge the plan in court."⁷

"The result in Iowa has been good for democracy. . . . Three of Iowa's five congressional seats were hotly contested—as opposed to just one of California's 53."
Roanoke Times Editorial, June 7, 2006

The Redistricting Reform Conference concluded, however, that the Iowa example might not be easily transferable to other states that have "more combative political cultures, less tradition of professional nonpartisan legislative staffing, more convoluted political-subdivision lines and more Voting Rights Act issues."⁸

VIII. Criteria and Principles to Guide Redistricting Plans

Regardless of the entity that does redistricting, certain "traditional" principles and criteria are generally used to guide the process, to justify plans to constituents and, if necessary, to defend the plans in court. Obviously, equal weight cannot be given to each principle; the resulting district lines reflect the interplay of principles and the relative weight given to each.

A. Constitutional and Voting Rights Act Requirements

Atop nearly every list of principles are the requirements of the U.S. and state Constitutions and the federal Voting Rights

Act (VRA). The "one person, one vote" requirement appears in both the Virginia Constitution and in U.S. Supreme Court decisions since 1964.

"The interaction of this constraint [use of race in redistricting decisions] and the Voting Rights Act is one of the most confusing and hotly contested issues in redistricting. . . . A plan can be invalidated either because it fails to take race sufficiently into account or because it takes race too much into account."

Report of the Redistricting Reform Conference,
June 2005

The VRA requirements have also been fairly well established through court decisions, though they are not as straightforward. Impermissible racial gerrymandering has been defined to include packing minority voters into as few districts as possible ("packing") or breaking up a concentration of such voters so that they had little chance of controlling any one district ("cracking"). Since 1993, in *Shaw v. Reno* and subsequent cases, states have not been required to ignore race altogether in drawing district lines as long as traditional districting principles are not subordinated.

The criteria used by the Virginia legislature in its 2001 redistricting plans required adherence to both of these principles, including compliance with protections against unwarranted dilution of racial voting strength.

B. Compactness and Contiguity

These two concepts are usually discussed together and are redistricting requirements in many state laws and constitutions. Article II, Section 6, of the Constitution of Virginia (see box on page 1), for example, specifies that every electoral district "shall be composed of contiguous and compact territory." In 2001, the GA adopted criteria requiring that districts be "contiguous and compact in accordance with the Constitution of Virginia as interpreted by the Virginia Supreme Court in *Jamerson v. Womack*, 222 VA 506 (1992)."

1. **Compactness.** Because there are varying measures of geographic compactness and the U.S. Supreme Court has never set a compactness standard, there is some ambiguity about this concept. In *Jamerson*, the Virginia Supreme Court stated that the compactness requirement refers to territory and not to communities of interest. (See section D, below.)

There are many ways to determine compactness: when every point along a district's boundary is of equal distance from its center,⁹ has the smallest perimeter,¹⁰ or has a tightly defined area. Iowa law includes two measures of compactness, one based on the squareness of a district and the other comparing

the population center with a district's geographic center.¹¹ Applying these measures is possible only in a state with straight boundaries and few bodies of water within its boundaries—certainly not the case in Virginia.

"Without some requirement of compactness, the boundaries of a district may twist and wind their way across the map in fantastic fashion in order to absorb scattered pockets of partisan support."

Dr. Ernest Reock, Jr., Rutgers University
quoted in the *Karcher v. Daggett* decision, 1983

While some believe that the ideal shape of a district is neat and geographically compact, others believe that the ideal of compactness persists largely as a matter of political habit and tradition, not because it actually enhances the process of representation. There may be more important goals than compactness, such as enabling sizeable racial and ethnic minorities to have a fair chance of electing officials from their same group.¹²

2. Contiguity. According to the George Mason University's United States Election Project, contiguity is the most widely accepted criterion for drawing districts.¹³ But determining what is meant by contiguity can be just as confusing as determining compactness, and the role of geographic features, especially in Virginia, can add to the complexity of such determinations. In her paper prepared for the 2001 Virginia redistricting process, Mary Spain, Virginia DLS senior attorney, stated, "The contiguity requirement means that a district must be composed of one geographic area and not two or more separate pieces."¹⁴ In the 2002 *Wilkins v. West* decision, the Virginia Supreme Court upheld the redistricting plans for the House and Senate enacted in April 2001, in particular with regard to possible violations of compactness and contiguity.¹⁵

"Article II, Sec. 6 [of the Virginia Constitution] speaks in mandatory terms, stating that electoral districts 'shall be' compact and contiguous. This directive, however, does not override all other elements pertinent to designing electoral districts. In making reapportionment and redistricting decisions, the General Assembly is required to satisfy a number of state and federal constitutional and statutory provisions in addition to designing compact and contiguous districts. To do this requires the General Assembly to exercise its discretion in reconciling these often competing criteria."

Virginia Supreme Court
in *Wilkins v. West*, November 2002

The criteria used in 2001 referred to the need for districts to be comprised of contiguous territory; however, considering Virginia's geography, the court deemed contiguity by water was sufficient. For example, Virginia's 2nd Congressional District includes the state's eastern peninsula plus all or part of the Cities of Virginia Beach, Norfolk, and Hampton on the other side of the Chesapeake Bay. Because of its relatively sparse population, the peninsula had to be combined with a geographically separate area on the mainland.

The issue of contiguity was addressed quite extensively in *Wilkins*, with the Virginia Supreme Court ruling that:

- A district that contained two sections completely severed by another land mass clearly would not meet the constitutional requirement;
- The geography and population of Virginia required some electoral districts to include water, and in certain circumstances land masses separated by water may satisfy the contiguity requirement; and
- Contiguity does *not* require that land masses within a district that are separated by water must provide for every part of the district to be accessible to all other parts of the district without having to travel into a second district.

C. Geographic Considerations

Closely tied to compactness and contiguity are geographic features although, historically, geographic considerations in redistricting have been secondary to—and may compete with—others.¹⁶ Courts have more often addressed geographic features in terms of compactness and contiguity rather than the feature itself. In referring to the criteria used in Virginia's 1991 redistricting, the *Jamerson* decision noted, "Irregular district shapes may be justified because the district line follows a political subdivision boundary or significant geographic feature."

The history of Virginia and its geographic components provide a good example of how communities of interest, another redistricting criterion, can often be geographically based. At one time, the ability of a representative to serve his district was often determined by the ease of his travel to all parts of his district. However, today electronic communication makes geographic features a less compelling basis for drawing boundaries, especially in the absence of a related community of interest. The legislative criteria used to draw Virginia's district lines in 2001 included the concept of geographic features as one factor in determining communities of interest.

The Redistricting Reform Conference of 2005 found that geographic considerations can help ensure that a district comprises an area that is rationally shaped, physically coherent and practically serviceable by a representative.¹⁷ Of course, when looking at geographic features, those drawing the lines must determine which features are significant.

D. Communities of Interest and Political Jurisdictions

In 2001, the criteria adopted for redrawing GA districts required consideration of communities of interest. The resolutions noted that a community of interest may include economic, social, cultural, and geographic factors as well as "...governmental jurisdictions and service delivery areas, political beliefs, voting trends and incumbency." Although the courts have never really defined "community of interest," it is generally believed that a sensitivity to communities of interest helps ensure that various social and political entities have some representation in the legislature.¹⁸ The concept of community can vary, depending on whether congressional, county government or state legislative districts are being drawn.

How much attention should be paid to city and county boundaries as well as cultural and socioeconomic groups during the redistricting process? Having political or social communities within a legislative district has some importance in Virginia where localities, particularly counties, must rely on legislative permission to levy additional taxes or enact new land use strategies. In such cases, having a legislator represent a specific locality may be more beneficial if the area is not split among several districts. However, the GA criteria said, "...Local government jurisdiction and precinct lines may reflect communities of interest to be balanced, but they are entitled to no greater weight as a matter of state policy than other identifiable communities of interest."

The "one person, one vote" principle often forces divisions across political boundaries and these divisions can be made to favor whatever political party is controlling the redistricting. Indeed, in large jurisdictions having several representatives, it is advantageous to the party in power to disperse the opposing party's adherents into several districts.¹⁹

The recent Texas redistricting decision (*LULAC v. Perry*), which included appeals under the Voting Rights Act, illustrates how a socioeconomic group may have its political clout diluted. The Republican-controlled legislature removed 100,000 Mexican-American residents living in Laredo from the 23rd Congressional District, where a Republican representative was becoming increasingly vulnerable. The remaining Latino population was not large enough to control the result of the election, and consequently, the Republican incumbent was subsequently able to win handily.²⁰ The U.S. Supreme Court ruled that this district had to be redrawn to meet the VRA requirements.

E. Fairness and Competitiveness

While most people agree that both fairness and competitiveness are appropriate goals for redistricting, there is significant disagreement about how to define those terms

and how to apply the definitions to the real-world task of redistricting.

Typically, fairness refers to both major political parties being treated in a roughly symmetrical manner.²¹ Thus, seats in the legislature should be awarded in a pattern that matches the popular vote. If, for example, a party wins 60 percent of the popular vote, then it should be rewarded with a proportionate share of the legislative seats. Some refer to partisan fairness as the opposite of partisan bias (the goal of crafty "gerrymanderers"). The appropriate level of bias in redistricting is none.

Beyond fairness, another principle to consider is competitiveness—the notion that districts are drawn so that shifts in the popular vote are reflected in shifts of the legislature's makeup. Sometimes called responsiveness, this principle is somewhat more controversial. Experts disagree on how much responsiveness is desirable and to what extent it should be factored into redistricting plans.

Ignoring competitiveness and allowing partisan bias can produce undesirable results. As the Redistricting Reform Conference noted in its final report, "If all districts are gerrymandered to be lopsided and noncompetitive, political power shifts from the voters to the mapmakers. And if the voters can never 'throw the bums out,' eventually their legislatures may be filled with them."²²

"Noncompetitive districts lead to entrenched, polarized legislatures."

Kelly Buck, Centrists.org,
Quoted in editorial, *Roanoke Times*, June 7, 2006

The recent string of congressional scandals suggests that the country may already be headed down this road. And, it is noteworthy that the representatives embroiled in recent scandals represent districts that have been considered safe for the incumbent's party.²³

Some people dismiss recent concerns about partisan gerrymandering by noting that our democracy has a long history of such actions. But it is important to note that modern technology—including advanced computers and more sophisticated databases—has made it much easier to draw districts in a partisan manner if one is intent on doing so.²⁴

Several political scientists have examined the popular notion that declining competition has been the result of partisan gerrymanders aimed at protecting the incumbents of both parties. However, some have found that redistricting is not the only reason for diminished competition and that redistricting receives a disproportionate level of blame for reduced competitiveness.²⁵

Concerned with the non-competitive nature of the mid-decade Texas partisan redistricting, the LWVUS filed an *amicus curiae* (“friend of the court”) brief in *LULAC v. Perry*, arguing that the redistricting was unconstitutional because it was carried out solely to achieve partisan advantage, i.e., to solidify the Republican majority in the U.S. House. The U.S. Supreme Court had indicated in the past that gerrymandering can be so egregious that it violates the Constitution’s Equal Protection Clause. But the Court has never defined a test to determine what constitutes such a violation, and it failed to do so in this decision.

F. Incumbency

The U.S. Supreme Court has ruled, in *Karcher v. Daggett*, that the goal of protecting incumbents can be a legitimate one in redistricting, and many states, including Virginia, have chosen to recognize it. In 2001, the GA resolutions emphasized that redistricting is an “... intensely political process best carried out by elected representatives of the people.”²⁶ The problem is that the legislators can draw the lines to ensure that they remain incumbents.

Two arguments can be made for recognizing incumbency as a redistricting criterion: the advantage of seniority and the benefits of experience. Seniority can translate into increased funding and advantageous decisions for a particular district. The benefit of an experienced representative can be important, given the complexity of issues facing legislative bodies. Experience may also diminish the reliance on lobbyists and strengthen the legislature as the branch of government that remains closest to the electorate.

Political polarization and partisan redistricting have resulted in districts that are more strongly Republican or Democrat. Therefore, fewer seats are competitive, which leads to fewer turnovers. This polarization, combined with the value of incumbency during a political campaign, has made challenges to the political status quo all the more difficult. Incumbency provides name recognition, subsidized constituent contact and media opportunities, but the ability of incumbents to raise campaign funds trumps all these advantages. In an era of high-cost campaigning, the incumbency advantage becomes a sizable obstacle to competition.²⁷

IX. Conclusion

The ideal redistricting process is yet to be determined. Several states have instituted a variety of approaches, none of which seems perfect. Some are better because they are more removed from political influence, but even those can result in plans that are contested in courts. The timing and frequency of the process are also important questions that need to be discussed and resolved.

Endnotes

- ¹ VanderHei, Jim, and Babington, Charles, “Technology Sharpens the Incumbents’ Edge; Redistricting Also Complicates Democrats’ Effort to Take Control of the House,” *The Washington Post*, June 7, 2006, p. A1.
- ² McLaughlin, Seth, “Political Middle Lost in Legislature with Redistricting,” *The Washington Times*, June 5, 2006.
- ³ *League of United Latin American Citizens v. Perry*, No. 05-204, June 28, 2006, www.supremecourtus.gov.
- ⁴ O’Connell, Renee, Weldon Cooper Center, email to R. Koman, Jan. 25, 2006.
- ⁵ “The Shape of Representative Democracy,” Report of the Redistricting Reform Conference, Airlie, VA, June 2005, p. 21.
- ⁶ Storey, Tim, “Redistricting Commissions and Alternatives to the Legislature Conducting Redistricting,” National Conference of State Legislatures, 2006, www.ncsl.org.
- ⁷ Lloyd-Jones, Jean, email to Therese Martin, Aug. 8, 2004.
- ⁸ Op. cit., “The Shape of Representative Democracy,” p. 14.
- ⁹ “Glossary of Terms,” <http://redistricting.state.md.us>; and “Beyond Party Lines: Principles for Redistricting Reform,” The Reform Institute, May 2005.
- ¹⁰ http://www.westmiller.com/fairvote2k/in_prop.htm#Principles.
- ¹¹ Iowa Code, Section 42.4, 2003 Supplement, www.legis.state.ia.us.
- ¹² Amy, Douglas J, “Fair Representation in North Carolina,” www.fairvote.org.
- ¹³ United States Election Project, George Mason University, www.elections.gmu.edu.
- ¹⁴ Spain, Mary R., “Process, Population and Law,” Drawing the Lines 2001, Redistricting in Virginia, December 2000, dlsgis.state.va.us.
- ¹⁵ dlsgis.state.va.us, “Redistricting Cases.”
- ¹⁶ www.fairvote.org.
- ¹⁷ Op. cit., “The Shape of Representative Democracy.”
- ¹⁸ Ibid., p. 28.
- ¹⁹ Ibid., pp. 28-30.
- ²⁰ Lane, Charles, “High Court Reviews Texas Redistricting,” *The Washington Post*, March 2, 2006, p. A8.
- ²¹ Op. cit., “The Shape of Representative Democracy,” p. 25.
- ²² Ibid, p. 25.
- ²³ Details on the investigations and members involved are available at www.CQPolitics.com.
- ²⁴ Op. cit., “The Shape of Representative Democracy,” p. 26.
- ²⁵ Abramowitz, Alan, Brad Alexander, and Matthew Gunning, “Incumbency, Redistricting, and the Decline of Competition in U.S. House Elections,” *Journal of Politics* 68(1): 75, 2006. Brunell, Thomas and Bernard Grofman, “Evaluating the Impact of Redistricting on District Homogeneity, Political Competition, and Political Extremism in the U.S. House of Representatives, 1962-2002,” 2005. Meetings of the American Political Science Association, Washington, DC, September 2005.
- ²⁶ VA House and Senate Committees on Privileges and Elections, Resolutions No.1, Sec. V, April 3, 2001.
- ²⁷ Abramowitz, Alan I., Brad Alexander, and Matthew Gunning, “Incumbency, Redistricting and the Decline of Competition in U.S. House Elections,” Jan. 2005, www.emergingdemocraticmajorityweblog.com/spsa/spsa.html.

VIRGINIA HAPPENINGS

THE IVNA - PART II

Bernice Colvard, League Historian

The Nurses Settlement chose to emphasize its "visiting nurses," trained nurses who volunteered their services to provide nursing care and instructions in the homes of black and white indigents. They became the **IVNA (Instructional Visiting Nurses Association)**. They had to proceed cautiously due to the racial mores of their time (integration of the nurses themselves was very gradual) as well as suspicion of women's activities outside the home, more pronounced in Richmond than other parts of the South.

Initially, the functions of nursing and social work, still in their infancy, were blended. Later, they would separate as two distinct disciplines and provide new professional opportunities for women as well as providing a new focus on women and children in their programs. The Settlement House provided a basis for the development of a school of social work in Richmond, one of the earliest in the South.

With no financial backing from the state, the **Richmond School of Social Work and Public Health** was incorporated in 1917. Its founder, **Dr. Henry Horace Hibbs**, believed that meeting a clearly defined need made it possible to establish the school and to thrive despite coinciding with America's entry into WWI. No other university is known to have duplicated this feat. The School became affiliated with the **College of William & Mary** in 1925. Retaining that connection, it officially became the **Richmond Professional Institute (RPI)** in 1939. **Virginia Commonwealth University** was formed in 1968 by the merger of RPI and the Medical College of Virginia.

Sources:

Dementi, Elizabeth & Wayne, ed. *The Dementi Family of Photographers Celebrate Richmond*. The Dietz Press, Richmond, 1999.

Green, Elna C. "Gendering The City, Gendering the Welfare State," *Virginia Magazine of History and Biography*, Vol. 113, No. 3, 2005

"VCU's Visionaries," *VCU Magazine*, Winter 1989.

Learning is not by chance; it must be sought for with ardor and attended to with diligence.

Abigail Adams

Why Have Our Centrist Legislators Gone?

Redistricting Committee

Daniel Ortiz, speaking to League members at the LWV VA fall workshop in Charlottesville, credits redistricting and reapportionment for the demise of the number of legislators elected with the ability to move a centrist agenda. Offering a number of charts and slides, he showed that during the last thirty years (1972-2002) the U.S. House of Representatives has become more polarized and homogenized.

Using voting records of interest groups, the slides depicted clearly how the ideological differences have grown among members during this time span. While many Americans may believe this change would make it easier to move legislation and various policy agendas forward, it has done just the opposite. Without centrists and a variety of ideological differences in the House membership, leaders can more readily set a narrow party agenda and block centrist views.

The competitiveness of elections is trending downward. The role of redistricting has become so effective in ensuring party control that national party leaders have become more engaged in state redistricting. Our current election process challenges the premise of America's founders in their desire to ensure the role of the individual voice or vote on Congress.

These safe districts result in making legislators less responsive to voters concerns and weakens accountability since they can't be voted out of office. Party activists and donors are now in a better position to influence legislators and legislation. Primary races can be the only opportunity for a choice between candidates. However, these races tend to be driven by the most ideological and involved party members.

Daniel Ortiz, JD, is the John Allan Love Professor and Horace W. Goldsmith Research Professor at the University of Virginia. As a member of the Law School faculty, he teaches constitutional and electoral law. He has written widely on elections and authored *Campaign Finance Reform: A Sourcebook*. Several of the charts and information in his presentation may be found at: www.voteview.org.

The man who complains about the way the ball bounces is likely the one who dropped it.

Kent Hill quoting Lou Holtz

Superintendent's Community Advisory Council

Ginger Shea

At the September 26 meeting Superintendent Dale reported that enrollment in FCPS is still flat, "we reached our peak a couple of years ago."

Dr. Dale announced that the strategic governance plan adopted by the school board asked the staff to develop measures of problem-solving and critical thinking skills. He said that the school system will push empowering children and families to be in charge of their future through individual learning plans.

He also reported that last week Fairfax County received a grant from the federal government to help students learn the critical languages of Arabic and Chinese. The grant, in the amount of \$188,511, will help more than 1,500 students learn these languages. This is part of President Bush's National Security Language Initiative.

Paula Patrick, the FCPS foreign language coordinator, described the current programs. There are currently 13 elementary schools which offer a foreign language immersion program. There are nine schools which offer the Foreign Language in Elementary School (FLES) program which includes two 30 minutes classes in a foreign language twice a week. (This program is distinct from the extra-curricular Foreign Language Experience (FLEX) program which is offered before or after school once a week under PTA sponsorship in many elementary schools).

- The elementary foreign language program will prepare students for an enriched high school credited program in middle school
- High school students will have a firm foundation for communicative competence upon graduation." The foreign language instruction is linked to all content area subjects taught in the regular classroom.
- There are five languages currently offered: Chinese, Italian, Spanish, French, and Latin.

A FLES Task Force presented a report to the school board at a work session July 27, 2006. They recommended that the FLES program be added to 24 schools per year, so that in seven or eight years all elementary schools would have a FLES program. They advocate getting input from local school communities about which language would be selected.

Prince William County Elementary Foreign Language Programs

In PWC, foreign language programs are available in six elementary schools in G-1 thru G-5. Each student in these grades receives forty-five minutes of foreign language instruction at least once each week. The instruction addresses concepts included in the Standards of Learning. Four schools offer Spanish and two offer French.

NAFA Happenings

Barbara Nunes

Network Against Family Abuse (NAFA) has been active and busy during the past few years. After helping to establish the Domestic Violence Prevention Policy Coordinating Council (DVPPCC), involving key players in Fairfax County Government (County Executive, School Superintendent, Judges from Fairfax courts, Commonwealth Attorney, Chief of Police, to mention only a few).

They also hired a full time Domestic Violence Coordinator and have brought to the table various issues for discussion where problems exist. One proposed solution is a Court Based Victim Advocacy Program. The goal would be to "minimize trauma that Domestic Violence victims may experience when going through the justice system."

Information on Court Victim Advocacy programs from around the country have been reviewed" and reported to the committees. Both Alexandria and Prince William have programs as part of their domestic violence agenda.

In August 2006, various local groups conducted a four-week court based victim advocacy lab. They reported gender, ethnicity, primary language, relationship of victims and defendants, disposition of Emergency Protective Orders and Protective Orders, and reason for dismissal. The work group is planning to put together a proposal for a permanent program. The results were warmly received by DVPPCC.

In addition to this proposal, NAFA is planning a two week observation of Protective Order court proceedings including a survey. More on this later.

If you don't get out of the box you've been raised in, you won't understand how much bigger the world is.

Angeline Jolie

Justice Committee News

Judy Leader

The committee met on September 18th, 2006, to take a first look at the data from the Domestic Violence Court Watch Observer Survey. The survey was conducted over the last year at the Fairfax County Juvenile and Domestic Relations Court. Bette Hostrup, who is compiling the data, will form a subcommittee to analyze the data and propose possible uses for it. The Observer program will continue.

The committee also discussed a possible Law Day activity around next May 1st, focusing on the theme "Empowering Youth, Assuring Democracy." Another subcommittee will work on a proposal. The next committee meeting will be Tuesday, October 17th, from 10:00 am to 12:00 noon at the Packard Center. New members are welcome.

Judy Leader attended a meeting of the Domestic Violence Policy and Prevention Coordinating Council (DVPPCC). Beside discussing the Court-Based Victim Advocacy Lab, they discussed: a possible grant to assist in the enforcement of Protective Orders; the proposed Marriage Amendment; and Domestic Violence Awareness Month. She also attended the Proclamation of Domestic Violence Awareness Month (October 2006) at the BOS Meeting.

It is anticipated that justice committee members will participate in activities during Domestic Violence Awareness Month, the Commonwealth Coalition against the proposed Marriage Amendment, and in the Protective Order Survey at Circuit Court, organized by NAFA (Network Against Family Abuse).

State Is Named Best for Business



Michael D. Shear, wrote in the Virginia Notebook, in The Washington Post on 8/24/06:

Virginia's political leadership has had it tough lately, spending the first half of 2006 slogging through a bitter debate over the state's crumbling transportation infrastructure and arguing for months about the state's finances.

So it was with some excitement that the commonwealth received a bit of good news: Forbes magazine

declared Virginia the nation's "best state for business." Not "one of the best." Not "among the best."

Virginia, according to the business journal, "dominated our rankings, placing in the top ten in each of the six categories we examined: business costs, economic climate, growth prospects, labor, quality of life and regulatory environment." The magazine's editors said no other state came close to Virginia in terms of providing a climate friendly to business.

Gov. Timothy M. Kaine (D) immediately trumpeted the Forbes ranking, saying that it justifies "all of our hard work to diversify our economy, educate the workforce, provide support for existing businesses, and our constant efforts to strike the appropriate balance with low taxes and responsible regulations."

The magazine called Virginia the "runaway winner" in its 50-state comparison... Despite a \$1.5 billion tax increase in 2004 that was necessary to balance the state's budget. The magazine noted that despite the increase, Virginia's overall tax burden for businesses was the seventh lowest in the nation.

Do You Want a Piece of the Action?

Jane Hilder, Action Director

jc.hilder@verizon.net 703-960-6820

Fairfax League members have been taking action to oppose the Marshall Newman Amendment. Kudos to Marge Witting of HHE unit who has been speaking with voters in Arlington. There's still time to volunteer before the election.

You can call voters or do office work at the Commonwealth Coalition office at 1651 Old Meadow Rd., Mclean. The building is just inside the Beltway at the Chain Bridge Rd. Route 123 exit. Take the first right, where there is a traffic light, onto Old Meadow Rd.

The office is in the basement of the first building on the left, across from the Geico building. It is open 9 to 9 Monday through Thursday, and 9 to 5 Friday and weekends. Watch for Action Alerts to know when other LWVFA members will be going to the office, or what action possibilities may be available in your area.



Success is more permanent when you achieve it without destroying your principles.

Walter Cronkite

Women & Jury Service

David Hudson, Jr.,

In 1957, the most famous movie about the American jury—"Twelve Angry Men"—hit the screens. When we watch this old movie today, we might ask ourselves: "What's wrong with this picture?" Of course the fictional jury, led by foreman Henry Fonda, is all-white. The jury is all-male—where are the women?

Historically, serving on juries was closely tied to the right to vote. Not until 1920, with the passage of the 19th Amendment, were women formally accorded the right to vote. Serving on juries was a parallel concern of the suffragists who believed (incorrectly) that jury service would automatically follow the right to vote. (In fact, women both voted and served on juries in a few states *before* 1920.) Nevertheless, many states—including Florida in 1949—subsequently passed "voluntary" jury service laws for women, typically based upon paternalistic views of the capabilities and interests of women. As a result, oftentimes few women registered for jury duty and even fewer were actually called.

In 1961, the U.S. Supreme Court upheld Florida's voluntary service law in *Hoyt v. Florida*, a case arising from an all-male jury's conviction of a female defendant who had beaten her unfaithful husband to death with a baseball bat. But by 1975, the U.S. Supreme Court reversed itself in *Taylor v. Louisiana*, finding that "it is no longer tenable to hold that women as a class may be excluded or given automatic exemptions based solely on sex if the consequence is that criminal jury venires are almost totally male....." (Justice Byron White). Now, women serve on juries routinely in every state, leaving the all-male jury a relic of our nation's past.

Source: Insights on Law & Society Vol 5, No.2 . Winter 2005. © 2005 American Bar Association. Reprinted with permission

Corporate Giving

In good years and bad, Target donates 5 percent of its pretax profits more than twice the average of corporate America. That equals about \$2 million a week, or \$101 million last year. It built Target House in 1999 to offer free long-term housing to St. Jude's patients and their families. Last year their employees and than retirees volunteered more than 315,000 hours to more 7,000 community projects.

Target is also among the first on the scene when disaster strikes. During Hurricane Katrina, it turned over a Baton Rouge store to the Red Cross to use as its command center. Even when it's doing good, Target never loses its sense of style. Besides contributing \$5 million to help restore the Washington Monument, they also deployed a designer to fashion a blue wrap to shroud the spire while it was spiffed up.

Target doesn't always wait for the needy to go to it. Just ask Betty Mohlenbrock, who took a surprise call from them last year. It wanted to know how it could help her program, United Through Reading, which videotapes deployed military personnel reading children's books to their families back home. Soon, they cut a \$200,000 check that allowed the program to expand beyond the Navy and the Marines to serve all military branches.

But when someone calls with an urgent need, Target doesn't hesitate. Last year CBS exec Martin Franks was desperate to line up funding to produce the "Shelter From the Storm" all-star telethon that aired 12 days after Katrina. His first call was to Target, hoping for one third of the show's \$1.5 million in costs. "Ninety minutes later," says Franks, "they call and say, 'We'll do the whole thing'." That donation allowed him to set up more phone banks, which he believes added \$10 million to the show's \$32 million take.

Two years ago Target suffered boycott threats when it banished Salvation Army bell ringers, citing a policy of not allowing solicitors. The move cost the Salvation Army \$9 million, but Target promised to make up for it. Then last fall they came up with an online "Wish List" to enable its shoppers to donate goods for Katrina victims to the Salvation Army. The result: thousands of toys, clothes and household items were given to needy families during the holidays.

Other Notable Giving in 2005

Bank of America: Gives \$200,000 to each of 80 nonprofits nationwide. Gave \$130 million total.

Home Depot: Spent \$11 million helping rebuild ravaged gulf area communities after Katrina. **Pfizer:** Gave \$1.6 billion cash and medicine to disaster relief, HIV prevention and U.S. uninsured. **Procter & Gamble:** Has provided over 200 million liters of clean water for impoverished kids worldwide; \$105 million total.

Source: Naughton, Keith. Newsweek 7/3-10/06

Unit Meeting Locations - Topic: Does Your Vote Really Count? (Part II)

Members and visitors may attend any meeting convenient for them. At print time the locations were correct, *please use phone numbers to verify sites and advise of your intent to attend.* Some meetings at restaurants need reservations.

Monday, November 13

1:30 pm Greenspring Vill. (GSV)
Hunters Crossing Craft Room
Spring Village Drive, Springfield
Call Jane 703-569-0079 for info.

Tuesday, November 14

9:45 am Annandale/Barcroft (AB)
Mason District Governmental. Center
6507 Columbia Pike, Annandale
Call Emily 703-346-9684 for info.

12:30 pm McLean (McL)
McLean Community Center, Rm # 2
1234 Ingleside Ave. McLean
Call Anne 703-448-6626 for info.

7:45 pm Vienna Evening (VE)
9511 Rockport Road, Vienna
Call Bill or Anne 703-938-7304

The Perfect Officer

The U.S. Military Academy at West Point is banking on software to help build the perfect Army officer. The plan starts with the academy scouring 20 years of survey data from its students to determine which personal characteristics are most important in a cadet. Next, that data will be turned over to analysts and software designers, who will use it to create a computer model that can be used to predict which cadets are most likely to become successful officers. Why? The Army has been struggling to retain West Point graduates as career officers. Too many leave the military after fulfilling their service requirements.

Source: Parade, The Washington Post.
8/13/06

Wednesday, November 8

9:00 am Pr. William Area (PWD)
1st Floor Conference Room., City Hall
9027 Center St., Manassas
Call Sheila 703-492-4574 for info.

9:30 am Fairfax Station (FXS)
7902 Bracksford Ct, Fairfax Station
Call Lois 703-690-0908 for info

9:30 am Hollin Hills Day (HHD)
Mount Vernon District Gov. Center
2511 Parkers Lane, Alexandria
Call Gail 703-360-6561 for info.

9:30 am Vienna Day (VID)
9019 Hamilton Dr., Fairfax
Call Fran, 703-591-8328 for info.

12:00 Chantilly/Herndon (CHD)
Sully District Governmental Center
4900 Stonecroft Blvd., Centerville
Call Olga 703-815-1897 for info.

6:15 pm Dinner Unit (DU)
Yen Cheng Rest. Main Street Center
9992 Main Street, Fairfax
Call Pier 703-256-1019 for info.

7:30 pm Pr. William Area (PWE)
Great American Buffet Company
8365 Sudley Road, Manassas
Come at 7.00 pm for dinner.
Call Sheila 703-492-4574 for info.

7:30 pm Reston Evening (RE)
Reston Museum 1639 Washington
Plaza, Lake Anne Village Center
Call Baba 703-437-1901 for info.



Thursday, November 9

9:00 am Reston Day (RD)
12106 Stirrup Rd., Reston
Call Shirley 703-860-0512 for info.

9:15 am Fairfax City Day (FXD)
3214 Saber Circle, Fairfax
Call Jeanne 703-591-4580

9:30 am Springfield (SPF)
Packard Center (Lg. Conf. Rm.)
4026 Hummer Rd, Annandale
Call Nancy 703-256-6570 or
Peg 703-256-9420 for info.

7:45 pm Hollin Hills Eve. (HHE)
Martha Washington Library,
6614 Fort Hunt Road, Alexandria
Call Susan 703-780-3902 for info.

December Unit Meetings

Topic: Program Planning



The League of Women Voters of the Fairfax Area (LWVFA)
4026 Hummer Road, Suite #214 Annandale, VA 22003-2403
703-658-9150. E-mail: lwvfa@ecoisp.com

Non-Profit Org.
U.S. Postage Paid
Woodbridge, VA
Permit No. 70

Time Sensitive Material

**The LWVFA Bulletin ©
November, 2006**

**Sherry Zachry, President
Lavinia S. Voss, Editor**

The League of Women Voters is a nonpartisan political organization that encourages citizens to play an informed and active role in government. At the local, state, regional and national levels, the League works to influence public policy through education and advocacy. Any citizen of voting age, male or female, may become a member.

-----fill-in all information and cut-off -----



LWVFA MEMBERSHIP APPLICATION

Current member dues thru **June 30, 2007**. Check all that apply: Individual \$50 ____ Sustaining Member \$75 ____ Advocate Member \$100 ____ Household (2 persons–1 *Bulletin*) \$75 ____ New ____ Renewal ____ Reinstate ____ Donation ____ Subsidy ____ Student ____ Coll. Attending ____ Enrolled full/part-time student–half individual dues. *We value membership—a subsidy fund is available, to use it, ✓ subsidy line and include whatever you can afford.* Dues are **not** tax deductible. Tax deductible donations must be on a separate check made payable to LWVFA Ed. Fund.

Please Print Clearly!

Name _____ Unit _____

Address _____

City _____ State _____ Zip + 4 _____

Phone (H) _____ (W) _____ E-Mail _____

Please mail your check and completed application to: LWVFA 4026 Hummer Rd. Suite 214, Annandale, VA 22003-2403

Thank you for checking-off all your interests:

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> Fx. Cnty Govt. | <input type="checkbox"/> Voting Procedures | <input type="checkbox"/> Health Care | <input type="checkbox"/> Schools |
| <input type="checkbox"/> Fiscal | <input type="checkbox"/> E.Q | <input type="checkbox"/> Human Services | <input type="checkbox"/> Other (write-in below) |
| <input type="checkbox"/> Public Libraries | <input type="checkbox"/> Land Use Planning | <input type="checkbox"/> Judicial Systems | |
| <input type="checkbox"/> Transportation | <input type="checkbox"/> Water | <input type="checkbox"/> Juvenile Problems | |