William & Mary Law School
2011 Virginia Redistricting Competition

Virginia Senate – Competitive Category

General Themes

In drawing this map, we began from our team's first senate map which had been deliberately blind to competitiveness. We felt that this was a strong starting point as we had already equalized the other criteria important in a map, and by adjusting those lines, we could isolate how taking competitiveness into consideration affects district lines.

The overarching goal of this map was to maximize the effectiveness of the democratic process in Virginia. We accomplished this in two ways. First, we paid particular attention to respecting communities of interest where possible, as this enhances a legislative agent's ability to represent the constituency's interests. Relatively more homogenous interests within a district naturally are easier for legislators to represent. Second, we attempted to maximize competitiveness where possible, to create districts where candidates could conceivably face a significant, viable challenge in a general election. This enhances democracy by raising the level of debate, and forcing candidates toward the middle of the ideological spectrum where the majority of the electorate lies.

Of course, certain other criteria, such as equipopulation, contiguity, and compliance with the Voting Rights Act, are mandated by the Supreme Court and must be abided by in any map. But we were concerned that too much attention to these criteria would come at the expense of district qualities that are truly at the heart of a functional democracy. Therefore, in assuring that we met the absolute mandates of redistricting law, we were careful to do so in a way that respected the more fluid criteria.

Redistricting Criteria

Contiguity

All districts in our map are fully contiguous. In addition, we sought to minimize water contiguity as much as possible. To this end, we eliminated districts spanning the James River,

both in the Hampton area and further up the Peninsula. For example, one of our districts encompasses Hampton and much of Newport News, without leaving the Peninsula and crossing into Norfolk, as its predecessor did.

Where water contiguity was necessary, we employed it in a way that respected the other criteria. Northampton and Accomack counties are not sufficiently populous to comprise their own district, so these counties must be joined to the mainland via water contiguity. However, rather than including them with a district in Hampton Roads, we elected to join them with Matthews, Gloucester, Middlesex, Lancaster, and Northumberland Counties (and points inland) across the Chesapeake Bay, because we believe that these comprise a more accurate community of interest. These counties are all more rural, have more similar demographic profiles, and are more sensitive to the issues that affect the Chesapeake Bay ecosystem.

Equipopulation

For state reapportioning, the Supreme Court has ruled that although state electoral districts need not be exactly equal, states are under an obligation to make a good faith effort to ensure population equity. The Court has established a threshold of 5% deviation, above which departures from population equity must be justified by a legitimate state interest. Deviations of less than 5% require no special justification, though they must not be the result of arbitrariness or discrimination. In our map, all population deviations are less than 5%, ranging from 190,337, to 209,657, where the ideal district population is 200,026. All deviations are the result of an effort to maximize the other criteria discussed here. District 3, for example, has one of the lowest populations on our map; it deviates however because it was drawn to comply with the VRA. Adding population to this district would have diluted minority voting strength around Richmond. Several of our districts in Northern Virginia are among our most populous. These deviate as they do because in an area so densely populated, moving a single block from one district to the next can be the difference between equipopulation and malapportionment. Consequently, we deviated within the 5% threshold in order to avoid splitting communities more than necessary.

Federal Voting Rights Act Compliance

Because Virginia is subject to preclearance under the Voting Rights Act, any redistricting plan will be denied if it is retrogressive, that is, if it contains fewer districts subject to electoral control by a protected minority group than the plan it replaces. The map currently in place contains five minority-majority districts, and ours does as well. Our first is in Henrico-Northern Richmond, our second in Chesterfield-Southern Richmond, our third in Hampton-Newport News, our fourth in Portsmouth and Downtown Norfolk, and our fifth in Suffolk, Franklin, Emporia, reaching into Petersburg. Although we attempted to draw additional districts, we

found that there were no other areas of the state in which a minority group was sufficiently large and geographically compact to constitute a majority in a single member district. This was especially true of Hispanics. With the large influx of this minority group in the past 10 years, particularly in the northern part of the commonwealth, we thought it might be possible to draw a majority-Hispanic senate district. However, despite the significant pockets of Hispanics in Manassas, Herndon, Loudon County, and Prince William County, these groups were not sufficiently compact to form a district in which they could constitute a minority.

We drew our five VRA-compliant districts with an eye toward maintaining communities of interest and compactness. Our VRA districts in the Richmond area provide a good example, as our next section on communities of interest demonstrates.

Communities of Interest Respectful of Existing Political Subdivisions

This is a criteria in which our map is truly innovative. Across the commonwealth we strived to respect existing political subdivisions, like city and county boundaries where such boundaries are contemporarily relevant to the communities of interest that have grown up within and around them. We only deviated from these boundaries where it was necessary to accommodate one of the more unyielding criteria, such as VRA compliance, equipopulation, or contiguity, or where those boundaries appeared to be arbitrary or non-reflective of the communities around them.

For example, we are very proud of our ability to respect county boundaries in Western Virginia, where counties are particularly salient to community identification. The three western-most districts do not splice county or city boundaries at all. The remaining districts from Roanoke northeast to Charlottesville and all the way north to Winchester deviate from county boundaries, but only minimally in order to accommodate equipopulation. Moreover, these boundary lines are crossed in logical areas to respect communities that might identify with one another. For example, the medium-density communities surrounding Roanoke are kept with Roanoke city.

In the Richmond area, demographics necessitate two majority-minority districts out of Richmond, Henrico and Chesterfield counties. It was not possible to keep Richmond in one district and make the second out of the suburbs, so we divided Richmond in a way that combined communities that identify with each other and have similar collective interests. Thus there is one Richmond-Henrico district and one Richmond-Chesterfield district. The remainder of Richmond, Monument Avenue and the West End, were placed with western Henrico as a third community of interest. Similarly, although the "Triple Cities" of Petersburg, Hopewell and Colonial Heights share some markets, they do not necessarily align in terms of political

interests. Consequently, we placed Hopewell and Colonial Heights in a separate district from Petersburg.

In Northern Virginia, we again tried to respect communities and existing political boundaries, however we were mindful that the closer one travels to D.C., the less county boundaries seem to guide residents' identities as much as they do in other parts of the state. In the D.C. suburbs for example, distance from D.C. (as a measure of relationship to that center in terms of jobs, entertainment, etc.) and means of reaching that urban center (e.g. metro lines), may be more indicative of a community of interest than the fact that a particular block lands in a particular county. The result was a balancing of interests in this part of the state. For example, the city of Arlington's boundaries form a numerically perfect district, and make sense as a community of interest, as all of its residents are extremely close to D.C. and likely identify with D.C politically. Further out from the hub, where counties were so densely populated that those boundaries could not inform our district lines, we still respected city centers and their surrounding populations, such as in Manassas and Manassas Park, or Fairfax City, and Herndon. Other demarcations and communities also became relevant, such as major arteries of transportation, and communities of obvious association, such as the military grounds in southeastern Fairfax County. Because the existing political subdivisions have relatively less salience as compared to the western parts of the state, we found that this was an apt place to prioritize competitiveness.

Compactness

Finally, our map also respects basic compactness principles, with all but two districts achieving more than 50% compactness and 11 districts above 60% compact. In this map the most compact district is 74.31% compact while the least compact district is 45.01% compact. In the old map, six districts were below 40% compact and 16 districts were below our most compact district. That map's least compact district was 35.75% and it's most compact district was 64.09% compact. Our new map has nine districts that are more compact than the most compact district in the old map. The two of the three districts that fall short of a 50% compactness score are two of the VRA districts, which were forced to stretch in order to meet DOJ preclearance. The average compactness of a district is 58.49%, even despite the slight adjustments necessary to accommodate more competitive districts. This represents an outstanding improvement on the old map, which has an average compactness score of only 48.46%. We think our improvements to district compactness will go a long way in helping the public to perceive the map as fair.

Competitiveness

Virginia is a challenging state in which to draw competitive districts. Although President Obama won the state in 2008, the liberal pockets of this traditionally more conservative state are concentrated in certain urban centers. Thus, although the state may be competitive in certain races, drawing individually competitive districts across the state is nearly impossible. Understanding this, we took competitiveness into consideration where feasible, rather than contort district lines statewide to achieve competitive districts which forsake all other criteria. Our goal was an overall balanced map, taking all criteria into consideration.

In areas where competitive districts were feasible, particularly Hampton Roads and Northern Virginia we altered boundaries of districts that were already competitive, or nearly competitive, such that they fell within the 10-point or 5-point partisan differential making them generally or heavily competitive. For example, in Northern Virginia the dense population and political diversity made it easy to create more competitive districts while still respecting the other criteria. Ultimately, we successfully crafted fourteen competitive districts, ten of which are heavily competitive. This almost triples the number of competitive districts from the 2000 map, which contained only five competitive districts, three of which were heavily competitive.[*]

Representational Fairness

In our map 12 districts lean Democratic, 14 Districts lean Republican, and 14 districts are competitive. This provides for much better representational fairness than the old map. By allowing for greater competitiveness in many districts, the Senate will be in play for both parties in each election, allowing voters to exert greater control on their representatives than would be the case if there were fewer competitive districts. There also is not a great disparity between the parties in representation in safe districts as Virginia is generally considered to be slightly more Republican than Democratic. This plan provides an improvement in representational fairness compared to the old map and allows the people to have greater control over their senators.

---

[*] It is also worth noting here for the purposes of this academic exercise that our initial original senate map (which we drew without regard for competitiveness) was already an improvement on the old map. Our senate map which did not take competitiveness into account contains ten competitive districts, five of which are heavily competitive.