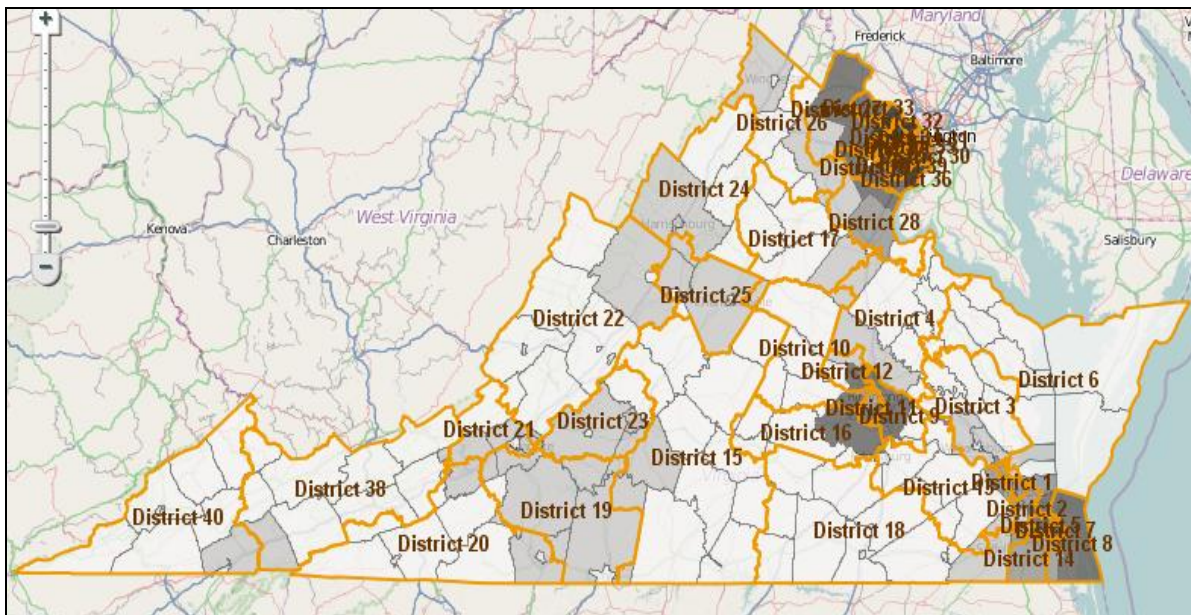


University of Virginia-Team 1: Virginia Senate Plan Without Electoral Data

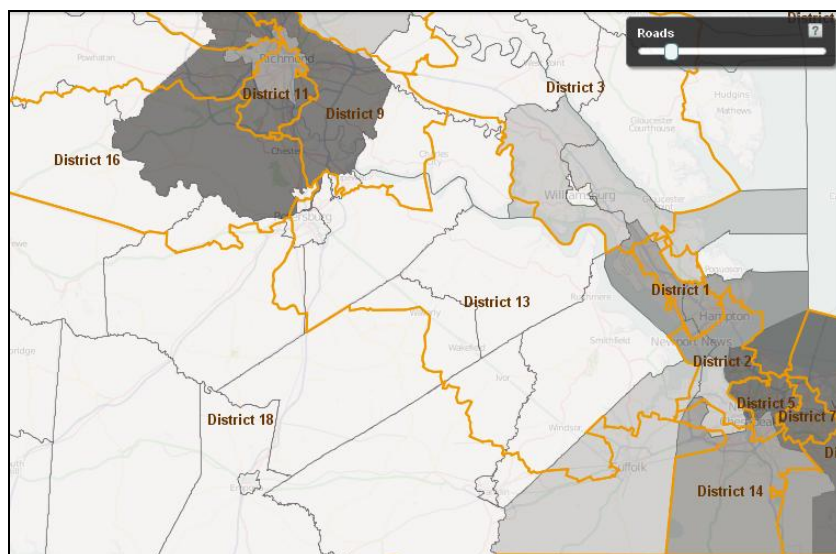
Our Virginia Senate plan was designed to achieve several traditional redistricting outcomes: equality among district populations, contiguous and compact districts, and adherence to state and federal legal standards, especially the requirements of the federal Voting Rights Act. We gave priority to the Voting Rights Act because without preclearance approval by the Department of Justice, no redistricting plan can be effected in Virginia. Unlike most other states, Virginia cannot afford to not enact a 2011 redistricting because, barring special emergency legislation enacted by the General Assembly, the scheduled November 2011 elections would be gravely compromised.



Majority-Minority Districts:

The Voting Rights Act is designed to ensure that groups that suffer or have suffered egregious denials or abridgment of their voting rights are granted federal protection to fully exercise their right to vote. The U.S. Congress and the U.S. Supreme Court have *repeatedly* interpreted the right to vote not simply as a procedural right to show up at the polls on election day, but as a guarantee for these groups under special circumstances to have an effective capacity to elect representatives of their choice. We have interpreted this federal mandate to mean that when it is possible to draw majority-minority districts in Virginia--along with adhering to other

traditional redistricting concerns-- a concerted exploratory effort must be made by those responsible for devising redistricting plans. Our plan for the Virginia Senate reflects our exploration of this matter, and our decision to create six majority minority districts in our 2011 Senate plan. These Senate districts (Districts 1, 2, 5, 9, 11, and 18) are located in and near the Richmond and Tidewater areas.



6 Senate Districts in Richmond and Tidewater Areas, 2011

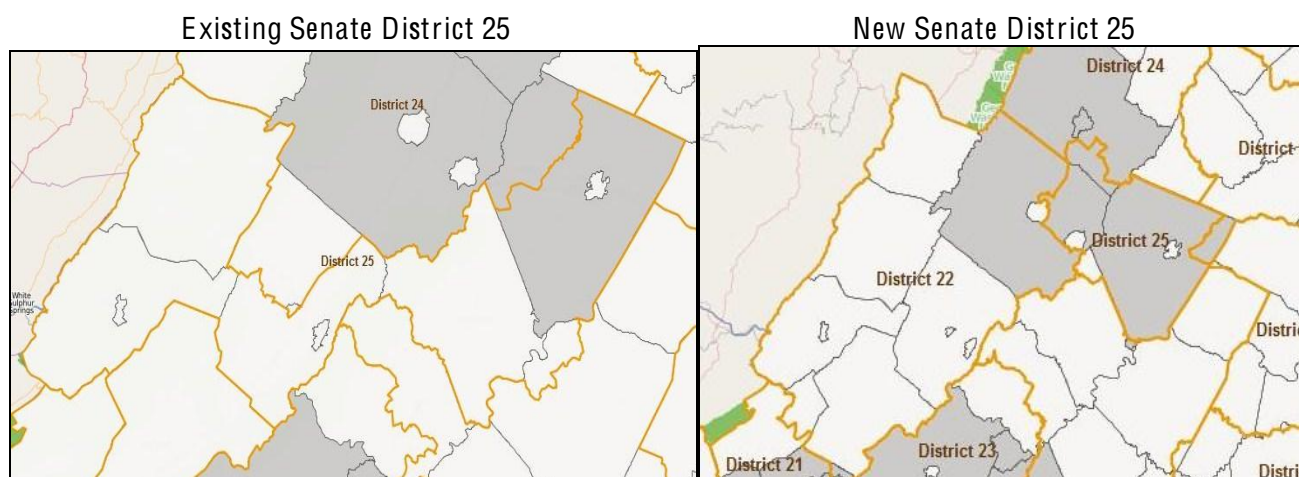
Population Equality:

With respect to the redistricting principle of population equality, the U.S. Supreme Court has stipulated that state plans cannot deviate from the target population by more than 10%. (*Brown v. Thompson*, 1983). However, the 2001 Virginia Committees on Privileges and Elections – and later the U.S. Supreme Court in *Cox v. Larios* (2004) – set an even stricter goal of 4% total deviation (+/-2%). Our largest population deviation is in Senate District 1 which contains 197,005 people – a deviation of 3,021 from the ideal of 200,036. Although this is well under the prescribed +/-2% threshold, the software inexplicably does not count it as within the population range. Although we would have liked to make this district's population more equal to the other senatorial districts, we gave precedence to creation of an additional majority-minority district as a pragmatic response to the likelihood of litigating this case with regard to the requirements of the Voting Rights Act. Regardless of these

considerations, all of our district populations fall within the $\pm 2\%$ range, with most closer to a 1% deviation from the ideal.

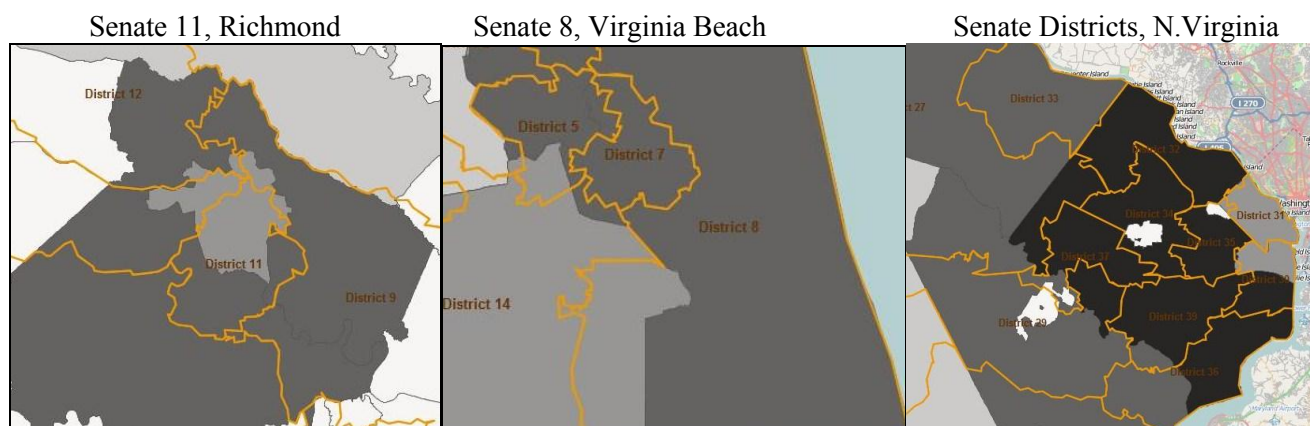
Compactness and Contiguity:

Moreover, all of our plan's senatorial districts are contiguous. In addition, the 52.13% compactness measure for our plan represents a marked improvement from the 2001 plan. Maintaining compact districts is important because non-compact, distorted districts fuel public suspicions that partisan interests--and not the public good--determined the final shape of a redistricting plan. In our plan, we strived to ensure that our compactness measures remained above the 50% mark. Comparisons of our plan with existing Senate districts also reveal how we avoided creating notoriously contorted districts like Virginia Senate District 25.



Communities of Interest and Political Subdivisions

Our final plan, moreover, reflects our interest in maintaining the integrity of specific communities of interest in order to allow voters in these communities the opportunity to elect representatives that reflect their particular interests and needs for representation. For example, although the City of Richmond (a clear community of interest) is divided among four different senatorial districts, we were able to encompass a majority of the city within one senatorial district (see District 11). In a similar way, we included all of the Virginia Beach and Chesapeake areas within the same senatorial district (see District 8). And we created senatorial districts in Northern Virginia that respected county and local jurisdictional boundaries whenever possible (see below).



Overall, we are confident that we have created a coherent Virginia Senate plan that would accomplish several positive ends. Foremost, it will increase the effective voting power and representation of the African-American minority community within Virginia's Senate. According to the 2010 Census, African-Americans are 19.4% of the State's population, and yet the number of African-American state legislators has *never* approached or exceeded their relative size within the state. Our plan is successful in that we have demonstrated the possibility of creating an additional majority-minority district and have placed this possibility out into the public record. It is now the responsibility of both the General Assembly and the Department of Justice to consider this information in light of the requirements of the Voting Rights Act and the derivative benefits of establishing a 2011 redistricting plan that permits an accurate and full representation of Virginia's population within Virginia's Senate.