

Redistricting Virginia

The Demographics & Workforce Group

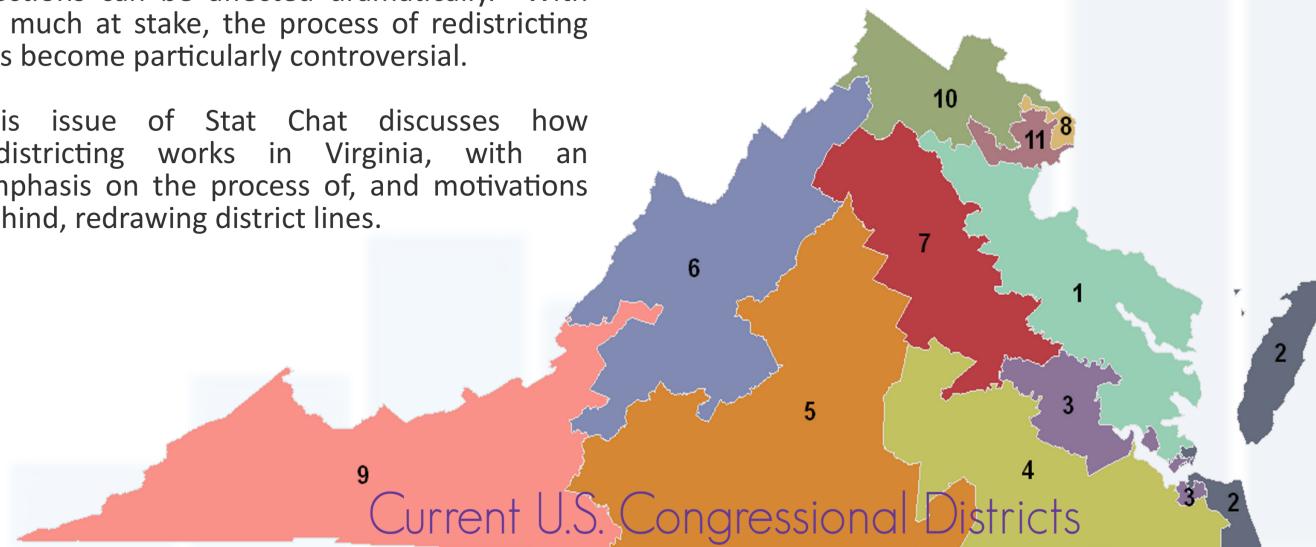


December 2010

With the 2010 census now over, the constitutionally mandated process of redistricting starts. Every 10 years, census data is used to allocate to the states seats for the U.S. House of Representatives, and district boundaries are redrawn by the states to account for population and demographic shifts. This process is replicated for state legislatures. The Virginia Constitution requires that state electoral districts be redrawn in the year following the census. This means that districts for the Virginia Senate and House of Delegates will be redrawn before the 2011 state elections.

Redistricting is the most vital purpose of the decennial census. The very shape of our democracy is redrawn to reflect the population changes of the past decade. As a result of how the lines of voting districts are drawn, redistricting may have significant political consequences. The outcomes of elections can be affected dramatically. With so much at stake, the process of redistricting has become particularly controversial.

This issue of Stat Chat discusses how redistricting works in Virginia, with an emphasis on the process of, and motivations behind, redrawing district lines.



Overview

In Virginia, electoral districts are established by the General Assembly, and the redistricting process is overseen by members from both the House of Delegates and the Senate. A redistricting plan may be proposed by any interested party, but to be enacted it must be introduced by a member as a bill, passed by both houses, and signed by the Governor.

As a result of the Voting Rights Act of 1965, the redistricting process does not end when the bill is signed by the governor. In order to ensure that no racial discrimination occurs, Virginia's plan must also be approved by either the U.S. Department of Justice or the District Court of Washington D.C. before the new districts can be used in an election. This puts even more pressure on Virginia's already tight redistricting timetable.

Redistricting Timetable

The timetable for redistricting in Virginia is compressed because of state elections scheduled for November 2011. The state's Division of Legislative Services has already begun making preparations for the redistricting process by holding hearings and training staff.

Expected Dates

Fall 2010

Public hearings are held throughout Virginia on redistricting plans.

December 31

First census data becomes available. U.S. House seats are allocated to the states. Virginia will retain 11 seats.

February 2011

Virginia receives the official U.S. Census block data and maps used for redistricting.

March/April

The General Assembly develops and introduces redistricting plans.

April/May

House and Senate vote on plans and pass to the Governor. Once signed, plans are then sent to the U.S. Department of Justice.

August/September

State election primaries.

November 8, 2011

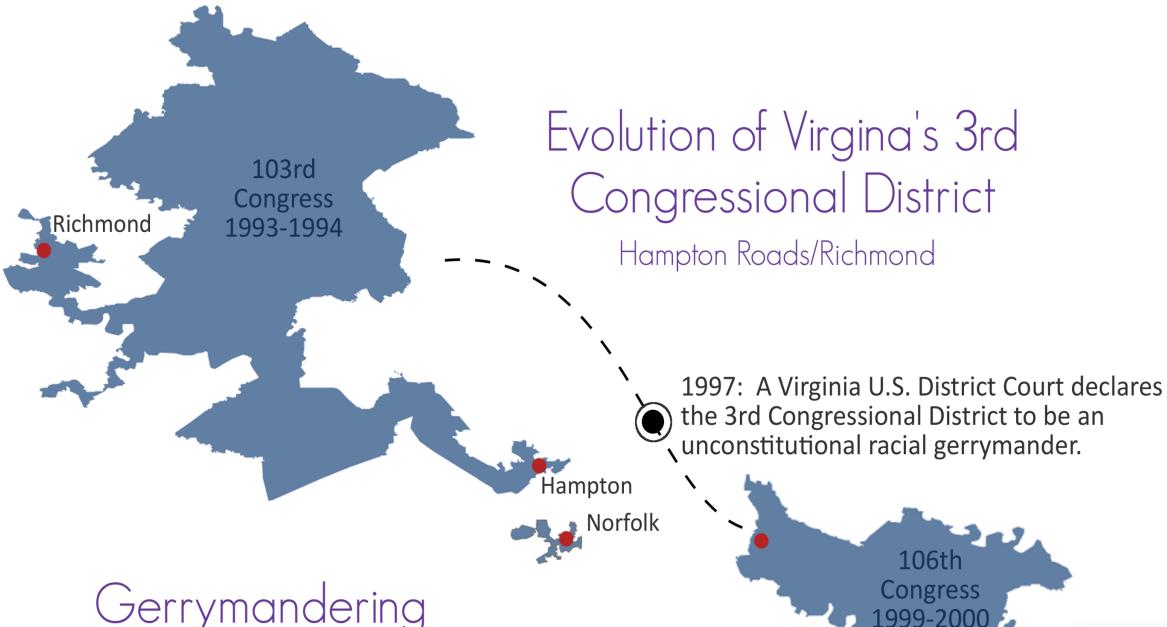
Election Day.

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Evolution of Virginia's 3rd Congressional District

Hampton Roads/Richmond

1997: A Virginia U.S. District Court declares the 3rd Congressional District to be an unconstitutional racial gerrymander.

Gerrymandering

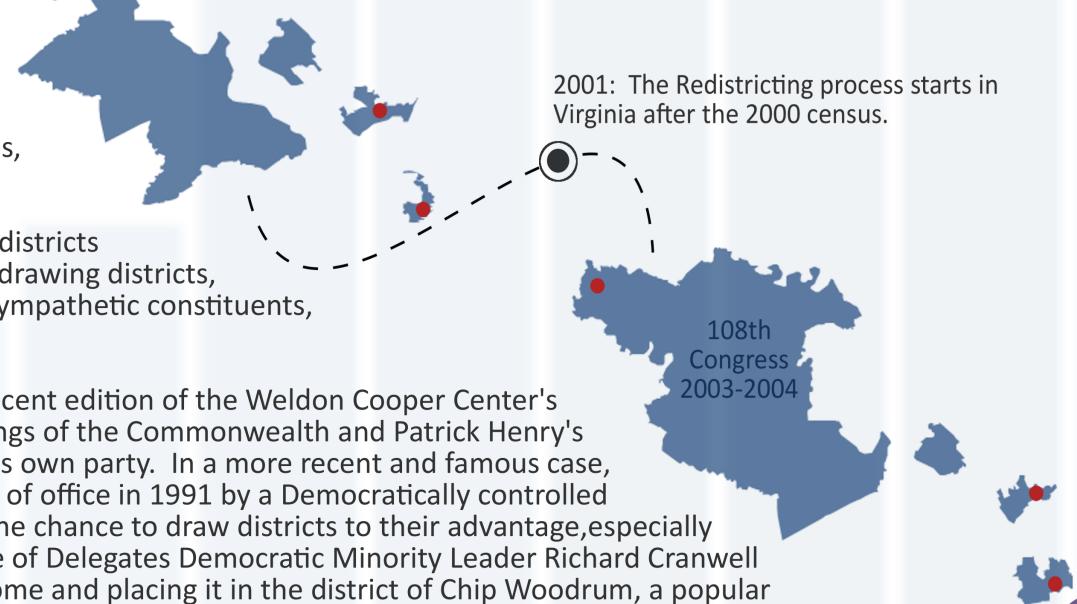
Redistricting is a political process. While congressional districts must be roughly equal in population and not overtly discriminate on the basis of race, the General Assembly has wide discretion in shaping legislative districts. The district boundaries need not conform to county, city, or any other type of geographic boundaries, and they seldom do.

It has become commonplace for the political party in control to shape districts to gain political advantage in a process called "gerrymandering." By redrawing districts, parties can protect incumbent legislators, group opponents with less sympathetic constituents, or otherwise create a long-term advantage at the ballot box.

Like many states, Virginia has a long history of gerrymandering. In a recent edition of the Weldon Cooper Center's *Virginia News Letter*, Kenneth Stroupe traces this practice to the beginnings of the Commonwealth and Patrick Henry's 1779 attempt to redraw Virginia's 5th Congressional District to favor his own party. In a more recent and famous case, former Republican congressman George Allen was gerrymandered out of office in 1991 by a Democratically controlled General Assembly. After the 2000 census, Republican majorities had the chance to draw districts to their advantage, especially state legislative districts. They used this opportunity to displace House of Delegates Democratic Minority Leader Richard Cranwell from the district he had represented for 29 years, by carving out his home and placing it in the district of Chip Woodrum, a popular Democrat who had served in the House for 22 years.

One Person, One Vote

In the 1960s the U.S. Supreme Court issued several decisions concerning the implications of the equal protection clause of the Fourteenth Amendment on redistricting. In 1964, the Court issued a decision stating "as nearly as practicable, one man's vote in a congressional election is to be worth as much as another's," which became known as the "one person, one vote" standard. This standard requires state legislative districts to be drawn to be substantially equal in population, which has generally been interpreted as being within plus or minus 5 percent of the state's ideal district size (total population / number of districts).



2001: The Redistricting process starts in Virginia after the 2000 census.

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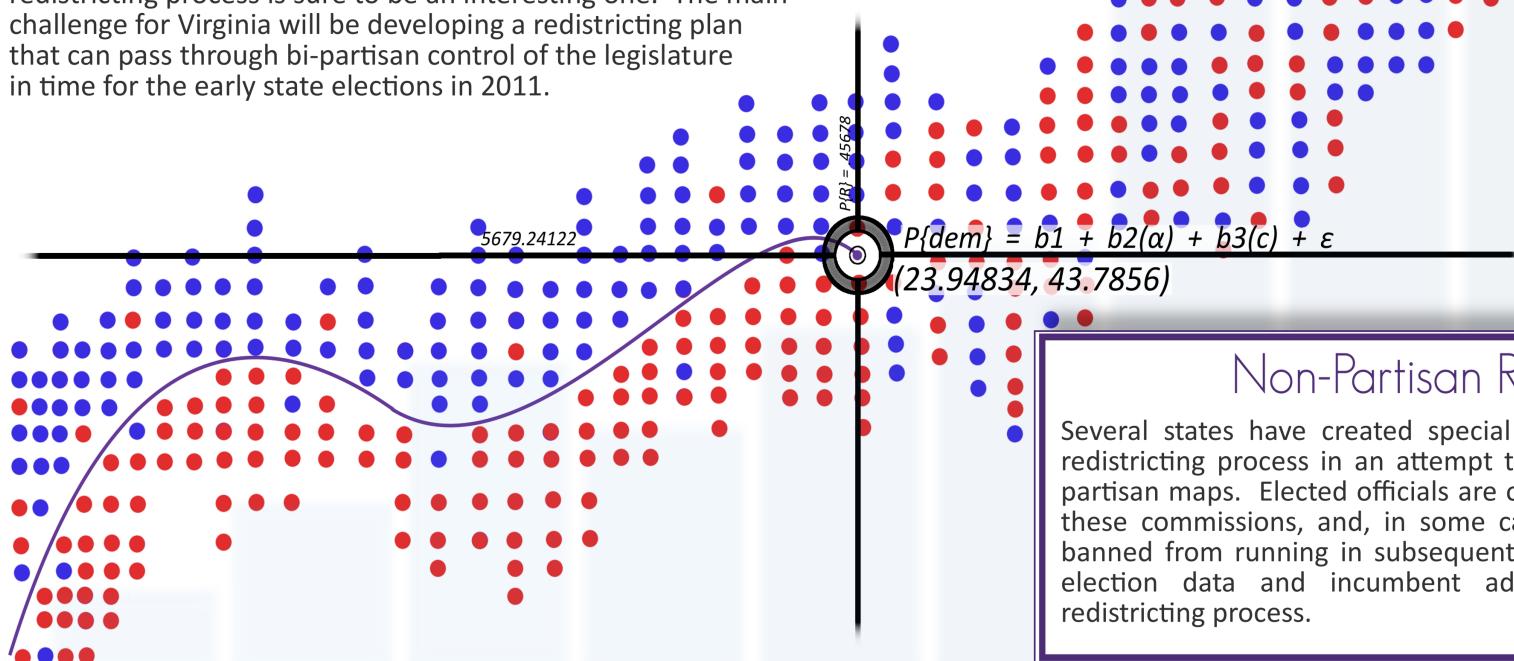
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Drawing the Lines and Microtargeting

Our elected officials now have the precise ability to choose their voters, rather than the other way around. The technology available to states in the redistricting process has changed dramatically over the past three decades. A process that once required many hours of compiling data sets, hand-drawing maps, and calculating population totals can now be performed more accurately and in much less time using a combination of advanced mapping technology, voting histories, and sophisticated statistical modeling.

This technology has made gerrymandering into an exact science. The technology comes together by using precinct election histories and commercially available databases to predict voting behavior down to the census block level. Just over the past few years, the microtargeting models developed by the Democratic and Republican Parties (and outside consulting groups) have become increasingly sophisticated. They now have the ability to predict with reasonable accuracy an individual's likelihood of voting and for which party they are likely to vote based on a combination of demographic information, polling results, or even newspaper subscriptions.

Virginia used mapping software that included precinct voting history in both the 1991 and 2001 redistricting years. Now, with Republicans controlling the House of Delegates and Governor's seat, Democrats carrying the majority in the state Senate, and technology allowing the quick and easy creation of maps to serve political agendas, the 2011 redistricting process is sure to be an interesting one. The main challenge for Virginia will be developing a redistricting plan that can pass through bi-partisan control of the legislature in time for the early state elections in 2011.



Census Blocks

Census blocks are the smallest unit of geography used by the U.S. Census Bureau to report data. In urban settings census blocks often correspond to city blocks bounded by streets, rivers, or buildings. In more rural settings, census blocks are more arbitrarily defined.

These units have to be used in redistricting for official population totals. The population of a census block varies dramatically, from zero to as much as several hundred. Many rural blocks contain no people, whereas a block in a urban setting can contain a large apartment complex.

Non-Partisan Redistricting

Several states have created special commissions to carry out the redistricting process in an attempt to draw more competitive, non-partisan maps. Elected officials are often prohibited from serving on these commissions, and, in some cases, commission members are banned from running in subsequent elections. In Iowa, the use of election data and incumbent addresses is prohibited in the redistricting process.

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Effects of Gerrymandering on State Elections

Gerrymandering is one of most studied processes in political science and its negative effects are well-documented. One of the most immediate effects is a great number of races that are either non-competitive (with margins of victory greater than 55%) or completely uncontested (races without two party competition). In other words, voters are not presented with real choices at the ballot box. These effects are particularly troublesome when looking at Virginia's state legislative races.

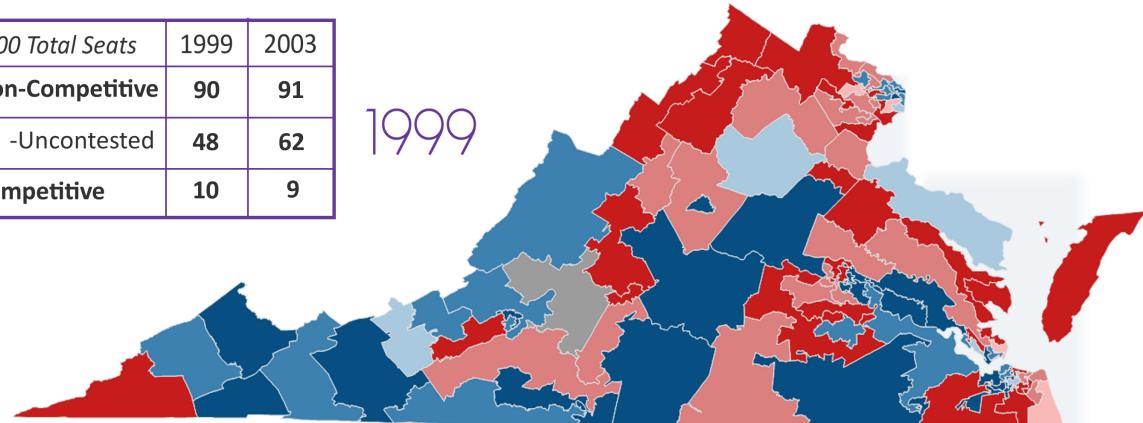
Like Virginia's U.S. congressional districts, state legislative districts for the House of Delegates and the Senate must be redrawn after each census. The Virginia General Assembly draws the boundaries for their own districts. Districts are gerrymandered to bolster the party in control and to either remove or isolate political opponents. In the Virginia House, 48% of races were uncontested in 1999, and after redistricting in 2003 62% were uncontested. Senate numbers are equally troubling with 48% of races uncontested between 1999 and 2003. During the same period, over 90% of races were non-competitive for both the House and Senate.

Faced with largely preordained "contests," evidence shows that voters are significantly less likely to participate in an election if the outcome is already obvious. Over the past decade, voter turnout for Virginia's state legislative elections was on average ten percentage points lower in uncontested or non-competitive races compared with truly competitive contests. The combination of guaranteed victories and voter apathy does not bode well for the expectation that legislators respond to the demands and preferences of their constituents.

For more information please contact the Demographics & Workforce Group,
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House of Delegates Margins of Victory

100 Total Seats	1999	2003
Non-Competitive	90	91
-Uncontested	48	62
Competitive	10	9



Independent
Republican
less than 55%
more than 55%
Republican Uncontested

2001 Redistricting

Democratic
less than 55%
more than 55%
Democratic Uncontested

