

Special  
points of  
interest:

- Daniel Ortiz,  
keynote  
speaker on  
Redistricting
- Program  
planning  
important to  
health of  
local and  
state  
Leagues

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# The Virginia Voter

Volume 53, Issue 2

September 2006

## FALL WORKSHOPS SEPTEMBER 16

Saturday, September 16, 2006

9:30 a.m. — 3:30 p.m.

Doubletree Hotel, Hilton Heights Road, Charlottesville 22901

We urge you to join us for the training experience of the year. We offer you a topnotch speaker on Reapportionment and Redistricting. We will also provide four workshops that you will want to cover:

***In the morning:*** Redistricting/Reapportionment Consensus Briefing and answers to questions; and Membership Promotion.

***In the afternoon:*** Voters Service and the Amendments; and Action - priorities, state direction, and website use.

You will leave with information, handouts and a great feeling of having shared the day with state and local leaders from across our state. Last year was a great success. You'll want to be part of this training day.

9:00 – 9:30 a.m. Registration, Coffee and Pastries

### PROGRAM

9:30 a.m. Welcome and meeting details

9:45 a.m. Speaker on Reapportionment and Redistricting

10:30 a.m. - 12:30 p.m. Workshops:

**A. Redistricting and Reapportionment**

**B. Membership Promotion**

12:30 p.m. - 1:30 p.m. lunch

1:30 p.m. - 3:30 p.m. Workshops

**C. Voters Service and Amendments**

**D. Action: Website use, Priorities, etc.**

## From the President's Desk



Your Board Members are back and ready for the League year.

Our travels have left us refreshed and with minds recharged and ready to take on the future league business. I hope that your summer has been restful and that you will prepare to attend our Workshop on Sept. 16.

I'm eagerly planning with your Board leaders so that the substance of our Training Workshop will meet your upcoming challenges in the areas of Membership, Redistricting, Voters Service, and Legislative Action.

Our Liaisons are eager to help you. If you have a question or concern, contact them. If you can't reach them, call me. I'll try very hard to help you get the information you need. The unique characteristic of the League is how well we work together as a team. We share support, encouragement and stand ready to praise a job well done. This is the strength that makes us effective in our communities and our state and has been so for the past 86 years.

Our state has many hurdles to surmount this year: an election to promote (Virginia had the lowest primary

voter turnout in the nation - less than 4%); constitutional amendments to educate ourselves to consider, a transportation budget to fund, the environment to protect and women and children to educate and empower. Is it any wonder that we are busy, challenged and yet able to help with governmental issues? We're here and stand ready for our task and we must make certain that everyone knows what we do and how well we do it.

I look forward to being with you in Charlottesville in September.

*"It is not the fact of liberty but the way in which liberty is exercised that ultimately determines whether liberty itself survives."*

-Dorothy Thompson

## FIRST CALL TO CONVENTION — 2007

Article VII of LWV VA Bylaws. Convention. The LWV VA's first call to convention 2007. The date will be April 28 Saturday and April 29 Sunday. The site will be Rich-

mond, Virginia.

Article VII. Sec. 5. Powers. The convention shall consider and authorize for action a program; elect officers and directors, the chair and two

members of the nominating committee; adopt a budget for the next two fiscal years; and transact such other business as may properly come before it.

## PROGRAM RESPONSIBILITIES FOR THE LOCAL LEAGUES

by Lulu Meese

**Study Meetings on Reapportionment/Redistricting for our State.** The meetings will follow the workshop in Charlottesville, 9/16 and the study of the background information, Part II. Local Leagues will discuss the four consensus questions, reach consensus on each of the questions and send to LVWVA by **January 25 2007**.

**LWVVA Program Planning** - Local Leagues will hold discussion meetings on the trends and needs for study in the area of governmental issues. What is needed? What are members and citizens talking about? Do we need to reach consensus in the area of health care for the poor; education for special needs adults; care of senior citizens and high costs in our state; the legislative process itself, with the limited access

for citizen input; and or the public safety issue on our crowded highways? These are only a few lively issues and I know you have many more. Discuss your concerns and send your recommendations to the LWV VA by **January 15, 2007**. The LWVA Board will include your suggestions in our recommended and not recommended program for 2007-09.

**Action**, the final phase of program study and positions is to be considered for each year's Legislative Priorities of Action for our General Assembly members. We have had: Transportation, Redistricting, Environmental Protection, Children - Safety and Education; and Women and their many needs for protection and access to fair salaries and jobs. We have also supported

eliminating smoking in public places and women's access to health care. The LWV VA Board members approve three first priorities for action and two secondary priorities. These are action items using state positions. Local study and positions result in action in local communities only unless local Leagues recommend that they be approved for state study as part of state program planning or as a concurrence position, again as part of state program planning.

The program planning meetings are very important to the health of our local and state Leagues. Please plan to attend with your creative ideas. Make your case for your study item to your local League members and we will all benefit from the participation of all of our members.

### Nominating Committee News

It's that time again, with the LWV VA Convention just around the corner, when the nominating committee is meeting and needs your help. Committee Chair, Amy Burgett, and her committee members (Rona Ackerman, Lynn Gordon, Molly O'Brien, and Doris Tillman) want you to let them know your recommendations for the 2007-09 LWV VA Board of Directors.

Look for them at Fall Workshops or ask your local League president for their contact information if you have any recommendations.

**Kudos to Anne Sterling** of LWVRA and our LWVVA legislative coordinator, who was elected to the LWVUS nominating committee for 2006-2008, and to **Sheryl Wolfe** of LWVL and our LWVVA website coordinator, who was asked to sit on the budget committee in preparation for the 2006 LWVUS convention!

*(continued from page 8)*

\* For a discussion of this and other aspects of the case discussed in this report, see the LWVVA study publication, "Does Your Vote Really Count (Part 1)" and the soon to be issued Part 2.

### Pre-Session Women's Roundtable, December 6

The December 6 meeting of the Pre-Session Women's Roundtable will be held in Richmond from 9:30 AM until 12:30 PM. The speakers will discuss upcoming legislation and other issues facing the 2007 General Assembly Legislators.

More specific information will be sent to you as the plans are firmed up.

## LWV VA REDISTRICTING/REAPPORTIONMENT STUDY

In addition to the Virginia constitutional requirement of equal population, contiguous and compact districts, and the Voting Rights Act requirements for protecting the voting strength of minority groups, the League supports the following considerations in redistricting:

- Natural geographic boundaries
- Jurisdictional boundaries, and
- Communities of interest. (1985)

### LWV US Positions on Apportionment, Citizen's Right to Vote, and Congress

1. Congressional districts and government legislative bodies should be apportioned substantially on population ("one person, one vote");
2. Redistricting should not dilute the effective representation of minority citizens; and
3. Efforts that attempt or result in partisan gerrymandering should be opposed.

### **LWVUS CONVENTION REDISTRICTING PANEL**

At the LWVUS Convention in Minneapolis in June, a panel of five delegates met to discuss redistricting in their various states. The panel represented Arizona, California, Florida, Ohio, and Virginia.

Former President of the Arizona LWV Gini McGirr spoke about the passage of the initiative that accomplished that state's redistricting changes; the League together with Common Cause had carried it out and they had achieved 10000 signatures. A current interest is the definition of "community of interest."

California LWV President Jackie Jacobberger discussed California's battle last year over the redistricting referendum advanced by Gov. Arnold Schwarzenegger. They are currently working on a set of principles they hope will be enacted this year by the legislature, including an

independent commission removed from the legislature and transparency in the redistricting process.

In Florida, according to State LWV President Dianne Wheatley-Gilotti, the League combined with Common Cause to obtain one million signatures on a petition for redistricting changes sponsored by the Committee for Fair Elections.

Ohio redistricting chair Ann Henkener spoke about an initiative in 2005. The League had opposed it, and after a partisan battle throughout the state, it failed 70% to 30%.

Pat Brady, a member of her state's Redistricting Committee, represented Virginia. She spoke of the redistricting study now underway and the history of Virginia on this topic. She also produced copies of the first part of the study as a handout to those attending. Virginia is the only state where the LWV is currently carrying out a study on the topic.

*"Never doubt that a small group of thoughtful committed citizens can change the world. Indeed, it is the only thing that ever has."*

-Margaret Mead

## CONSENSUS QUESTIONS FOR REDISTRICTING STUDY

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:

a. (*sic*) 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 \_\_\_\_\_

(continued on page 7)

## WHAT TO EXPECT AT FALL WORKSHOPS

Daniel Ortiz, law professor at the University of Virginia School of Law and co-author of "Beyond Party Lines: Principles for Redistricting Reform," will be the guest speaker (*see page 7 for his biography*). During the workshop that follows, the Redistricting Committee will conduct a mock League meeting to discuss Part II of "**Does Your Vote Really Count?**" and consider the consensus questions. Similar to last year's workshop, attendees will receive copies of the study, the Discussion Outline, and other materials.

Other workshops will include Membership, Voters Service and Legislative Action. Workshops will run concurrently with two being offered in the morning from 10:30 AM until 12:30 PM and two in the afternoon from 1:30 to 3:30 PM. Local League Presidents will meet with LWV VA President Lulu Meese during lunchtime. Contact your local President for more specific information about the workshops and about carpooling to Charlottesville. The LWV VA Board members are eagerly planning for your training and look forward to your being with us on September 16.

Workshop leaders will be: Reapportionment/Redistricting: Dianne Blais, Chair, and committee members; Membership: Olga Hernandez and Bonnie Franklin; Voters Service: Anne Kanter; Legislative Action: Anne Sterling and Lulu Meese.

*"We've chosen the path to equality, don't let them turn us around."*

-Geraldine Ferraro

### LWV VA WORKSHOP Reservation Form

**Cost: \$25.00, includes materials, refreshments, and lunch**

**Reservations due by Tuesday morning, September 7.** Please make check payable to **LWV VA**

Mail to: LWV VA, 1685 Union Mills Road, Troy, VA 22974 by phone/fax: 434-295-4345; email: [lwwva@earthlink.net](mailto:lwwva@earthlink.net)

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

League \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

**Check one for morning & one for afternoon**

**Morning Workshops 10:30 - 12:30**

**A. Redistricting and Reapportionment**

**B. Membership Promotion**

**Afternoon workshops 1:30- 3:30 p.m.**

**C. Voters Service and Amendments**

**D. Action: Website use, Priorities, etc.**

## CONTINUATION OF CONSENSUS QUESTIONS

### BIOGRAPHY: DANIEL R. ORTIZ

Daniel R. Ortiz, keynote speaker at Fall Workshops, specializes in election law. He has written numerous articles and book chapters and edited several books.

Mr. Ortiz attended Yale and the Magdalen College at Oxford University before Yale Law School where he served as an editor of the law journal. He then clerked for Judge Stephen G. Breyer and Justice Lewis F. Powell, Jr. Since 1985, he has taught at the University of Virginia School of Law where he received the Z Society Distinguished Teaching Award.

From 1995 until 1997, Mr. Ortiz chaired the American Bar Association's election law committee and currently serves as co-vice-chair of that committee. Mr. Ortiz has written or helped write many Supreme Court and appellate briefs. He is an advisor to The Campaign Finance Institute, The Democracy Institute, and The Reform Institute.

In 2001, Mr. Ortiz served as Coordinator of the National Commission on Federal Election Reform, which issued several published reports that Mr. Ortiz wrote or edited. Congress and the states enacted many of the proposals into law.

*(continued from page 4)*

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 \_\_\_\_\_
- bi-partisan \_\_\_\_\_
- nonpartisan \_\_\_\_\_
- independent \_\_\_\_\_

### NCA NEWS AND NOTES

The Annual President's Brunch will be held on Friday, October 6, 2006 at 11:00 am in the LWVUS Board Room at 1730 M Street, Washington DC.

Save the evening of Friday, October 27, 2006 for an opportunitto be held at the Sumner School, 17<sup>th</sup> & M St., from 6:30 y to meet the new LWVUS Board at a reception to 8:30pm. All interested League members are invited. Additional information will be sent later.

A DVD of the excellent program on Homeland Security is now available for use by Leagues. The

*(NCA News continued)*

program takes about one hour and provides an excellent overview of the current issues associated with homeland security and civil liberties. Contact Andrea Gruhl at 301-596-5460 or [andreagruhl@aol.com](mailto:andreagruhl@aol.com) to obtain the DVD.

NCA regrets the death of the News and notes Editor Frances Gemmill. The family has designated LWVDC to be the recipient of memorial gifts. Those Leaguers that would like to make a gift in memory of Francis should make the check out to LWVDC, and mark in For: Frances Gemmill Memorial. Mail to LWVDC.

## ***Redistricting – Supreme Court Rules in the “Texas Case”***

On June 28, the Supreme Court issued its highly anticipated decision in *League of United Latin American Citizens v. Perry*, (*LULAC v. Perry*), the so-called “Texas Redistricting Case.” Actually, there were four associated cases growing out of the 2003 Texas congressional redistricting engineered by former House Majority Leader Tom DeLay. The Supreme Court issued a set of six opinions on three different issues: partisan political gerrymandering, racial discrimination under the Voting Rights Act, and mid-decade redistricting. The court was splintered, with the issues being decided by different majorities or coalitions in a complex and often-contradictory series of opinions.

A plurality of justices refused to invalidate the admittedly partisan redistricting plan as being an unconstitutional political gerrymander. The Court noted that complainants did not “provide a reliable standard for identifying political gerrymanders,” or “show a burden, as measured by a reliable standard, on their representational rights.” In a 5 to 4 vote, however, the justices continued to agree that claims of partisan gerrymandering are subject to judicial review.\*

Two Congressional districts, the 23<sup>rd</sup> and 24<sup>th</sup>, were challenged under Section 2 of the Voting Rights Act (VRA). The ruling on the 23<sup>rd</sup> district provided the only solace for opponents of the “DeLay Plan.” In a 5-4 vote, the Court ruled that the formation of the 23<sup>rd</sup> district violated Section 2 of the VRA by diluting the votes of Latino voters. The plan was sent back to Texas, where a federal judge quickly set July 14 as the deadline for receipt of “remedial proposals,” with oral argument scheduled for August 3. The Court upheld the boundaries of the 24<sup>th</sup> district in the Dallas area.

The remaining issue addressed by the Court was the constitutionality of mid-decade redistricting. By a vote of 7-2, the Court ruled that state legislatures are free to redraw district lines more than once in a decade--unless prohibited by the state constitution or law. The Court ruled that neither the Constitution nor Congress has stated any prohibition of mid-decade redistricting to change districts drawn earlier in conformance with a decennial census. While some believe that this opens the door to the redrawing of political maps whenever there is a partisan power shift in state legislatures, others believe that frequent redistricting is not likely to occur. In some instances, it is not feasible because of divided state government; in others, the electoral map has already been politically gerrymandered to protect incumbents or their political party.

The League of Women Voters of the United States (LWVUS) and the LWV of Texas had filed an *amicus* brief in the case of *LULAC v. Perry*, claiming that the 2003 redistricting was carried out solely to achieve partisan political advantage and was thus unconstitutional. The League’s post-decision statement claimed that the Court had opened the floodgates to partisan gerrymandering. We will have to wait to see if this occurs – if it has not already happened. (See the LWVVA web site for a copy of the entire statement.)

*(continued on page )*

*“America will  
never be destroyed  
from the outside.  
If we falter and  
lose our freedoms,  
it will be because  
we destroyed  
ourselves.”*

-Abraham Lincoln

## **LWV VA**

### **Dates to Remember 2006-2007**

|                  |              |  |
|------------------|--------------|--|
| <b>September</b> | <b>15</b>    | Board Meeting at Doubletree  |
|                  | <b>16</b>    | Workshops in Charlottesville at Doubletree<br>Consensus Workshop and Elections information |
| <b>October</b>   | <b>1</b>     | Deadline for Nov. Voter  |
| <b>November</b>  |              | Legislator Interviews by Local Leagues   |
| <b>December</b>  | <b>5</b>     | Board Meeting  |
|                  | <b>6</b>     | Pre-Session Women's Roundtable   |
| <b>January</b>   | <b>10</b>    | General Assembly Opens   |
|                  | <b>15</b>    | Deadline for Reporting Program Planning Recommendations                                    |
|                  | <b>17</b>    | First meeting of Women's Roundtable  |
|                  | <b>25</b>    | Deadline for Reporting Consensus to Blais & Meese  |
| <b>February</b>  | <b>6</b>     | Board Meeting in Richmond<br>Deadline for March Voter with Convention information          |
|                  | <b>7</b>     | Lobby Day for all local Leagues  |
|                  |              |  |
| <b>April</b>     | <b>27</b>    | Board Meeting in Richmond  |
|                  | <b>28-29</b> | LWV VA Convention - Richmond   |
| <b>June</b>      |              | LWVUS Council Meeting  |
|                  |              | TBA Joint Board Meeting for information sharing  |

*All times and sites of League activities may be subject to change, particularly during inclement weather. Check the latest issue of The Voter for current information, or call the office.*

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Established in 1920, the League of Women Voters of Virginia is a nonpartisan, political organization that encourages citizens to play an informed and active role in government. At the local, state, 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 League member. All members re-

President: Toll Free:  
Editor: E-mail:  
Office Manager: Website:  
Telephone/Fax:

I want to support the important work of the League of Women Voters of Virginia in 2006-2007. Enclosed is my contribution in the amount of

\$50\_\_\_\_\_ \$75\_\_\_\_\_ \$100\_\_\_\_\_  
\$200\_\_\_\_\_ \$300\_\_\_\_\_ Other\$\_\_\_\_\_

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