

What Redistricting in Virginia in 2021 Will Look Like Based on Current Legislation

The Status Quo:

Process

Districts drawn by the General Assembly

Zero requirements for transparency or public engagement

Redistricting occurs the year following the Census, but the General Assembly can also choose to redistrict mid-decade

Map drawing criteria

[SB717](#) & the current constitution: contiguous, compactness, equal population requirement, preservation of communities of interest, prohibits partisan and racial gerrymandering

Fallback mechanism

The Supreme Court of Virginia would adjudicate maps if a case is filed claiming districts are gerrymandered. If the court rules new districts must be drawn, the General Assembly continues to be in charge of redistricting

***Result: gerrymandering
The Redistricting***

Commission Amendment:

Process

Districts drawn by a bipartisan-balanced commission with 8 citizens and 8 legislators who must agree on maps by a supermajority vote

Transparency mandated through public meetings, hearings, and data

Redistricting occurs the year following the Census and mid-decade redistricting is functionally impossible

Map drawing criteria

Same criteria as the [Status Quo](#) + [amended constitution](#): adding historic civil rights protections for racial and ethnic minorities in the Virginia Constitution

Fallback Mechanism

If the commission can't agree, the Virginia Supreme Court intervenes and will appoint a "Special Master" to redraw districts according to criteria above

***Result: a historic improvement
The Redistricting
Commission Amendment +***

Enabling Legislation:

Process

Districts drawn by amendment's commission with added requirements from [SB203](#) mandating diversity and restricting previous or active Party employees

Additional transparency through the Freedom of Information Act, open commission application process and public participation in the Court's redistricting deliberations

Same timing of redistricting as the [Amendment](#)

Map drawing criteria

Same criteria as the [Amendment](#)

Fallback Mechanism

If the commission can't agree, the Court **must** appoint two Special Masters, allow public participation, and justices who are related to members of the General Assembly must recuse themselves

Result: additional safeguards