

ARTICLES OF INTEREST

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Legislature urged to change prisoners' role in districting

By Frank Green | TIMES-DISPATCH STAFF WRITER

Almost half of Powhatan County Supervisor Carson Tucker's constituents are pretty rough actors, but they don't gripe about real estate taxes and they never vote against him. Three state prisons holding more than 2,000 non-voting felons sit in Tucker's Board of Supervisors district.

Almost half of Powhatan County Supervisor Carson Tucker's constituents are pretty rough actors, but they don't gripe about real estate taxes and they never vote against him.

Three state prisons holding more than 2,000 non-voting felons sit in Tucker's Board of Supervisors district.

Because the U.S. Census Bureau counts them as county residents, census-based redistricting in 2001 left each of Tucker's 5th District voters with a lot more clout than his or her counterparts in the county's four other districts.

Tucker, however, believes the whole county -- not just his district -- benefits from the inmates because they give Powhatan an edge over other counties when it comes to divvying up state and federal aid.

"It's a balancing act to us and we are satisfied," he said.

In recent decades, the explosive growth of prisons in Virginia and across the country in sparsely populated rural areas has led to distortions in districting that challenge the principle of one-person, one-vote.

With the 2010 census numbers becoming available in February and redistricting for 2011 about to start, the Virginia General Assembly has a chance to alter the way prisoners figure into county and city redistricting, as it did in 2001 when counties with populations that were more than 12 percent prisoners were permitted to ignore the inmates when doing internal redistricting.

Counties like Powhatan, however, do not have enough inmates to qualify and must include them.

Peter Wagner, executive director of the Prison Policy Initiative, urges Virginia to allow any city or county with prisoners to ignore them when redistricting -- as do about 100 counties in other states across the country -- in order to give every voter equal representation.

"Every single resident of districts 1, 2, 3, and 4 in Powhatan County have their votes on county issues diluted because District 5 is being padded with prisoners. In fact, a vote cast in the 5th District is worth almost twice as much as a vote cast anywhere else in the county," he said.

Any advantage the county might gain in federal and state aid would be quite small, Wagner said. Federal and state funding is distributed on the basis of detailed formulas, he said. Total census population plays a generally minor part and no federal or state funding formula is based on county redistricting.

But, the effects of prison populations on districting within localities can be huge, as they are in Powhatan, he said. Other examples include Southampton County where inmates constitute 58 percent of the population in one Board of Supervisors district and Nottoway County where inmates are about a quarter of the population in the 1st and 3rd districts.

Wagner also said that unless corrective action is taken, a new federal prison in Lee County could be about a third of a district, and inmates in a new federal prison in Petersburg could be about 40 percent of a City Council district. Both prisons, along with two new state ones, opened in Virginia since the 2000 census.

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Of the five counties eligible under the 12 percent law passed in 2001, four -- Brunswick, Greenville, Richmond and Sussex -- excluded the prison population when drawing internal districts. The fifth county, Buckingham, arrived at the same result by splitting the prison population among all the districts.

Any change in the 12 percent option for localities would have to be enacted as emergency legislation so it could take effect prior to July 1, 2011, which would be too late. The U.S. Justice Department must approve changes to voting district lines in most of Virginia and has 60 days to do so.

Wagner said that ideally, the U.S. Census Bureau would change where it counts prison inmates. They should be counted as residents of their home -- not prison -- addresses, he said. That would solve the distortions caused by prisons when redistricting state Senate and House of Delegate seats along with congressional districts.

That will not happen this census or for the 2011 redistricting, but Wagner hopes Virginia asks the Census Bureau for the change for 2020.

Del. Roslyn C. Tyler, D-Sussex, represents a large district in Southside Virginia. In 2001, it had prisons holding roughly 8,000 to 9,000 inmates, almost a third of the state's total. She has said she hopes a more equitable solution -- such as those suggested by Wagner -- is found.

It is hard to get out the vote when so many people in her district cannot vote, she said last week. The 75th House District includes all or parts of the counties of Greenville, Sussex, Brunswick, Lunenburg, Southampton and Isle of Wight; all of the city of Emporia and part of the city of Franklin. When redistricting last took place, the district had seven major prison complexes.

Since 2001, however, two of the prisons have closed and there has been population growth in areas such

as Southampton County.

"At this time, it's kind of hard to judge what the census is going to be," Tyler said. She says she believes the next General Assembly session should take a look at the impact of prison populations on redistricting.

"It's going to be interesting to see how the lines are going to be drawn," she said.

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Survey: Localities doubt state's funding abilities

BY BOB LEWIS
The Associated Press

Money managers and top administrators of cities and counties across Virginia feel they can't count on state government to fund core needs it has met for decades, a new statewide survey of local officials shows.

As city councils and boards of supervisors anguish over the dwindling value of their real estate tax bases — the chief font of local revenue — they are also cutting services, raising taxes and imposing fees to account for lost state appropriations.

The survey, done jointly by the Virginia Municipal League and the Virginia Association of Counties, shows that most localities have resorted to one or more of those strategies in coping with their leanest times in 70 years.

The first comprehensive statewide assessment of how state budget cuts have eaten into basic local services reveals a go-it-alone mind-set by city and county officials who feel they can't even trust the state to help them with spending mandates imposed by the General Assembly itself.

The assembly adjourned this year crowing that it had approved a balanced budget without new taxes. But its cuts in support to local governments exceeded \$1 billion, including cuts to public schools and constitutional officers such as sheriffs, court clerks and social services.

"This shows that localities have begun to realize that there will be no support from the state in the near future," said James J. Regimbal, a public policy consultant to the municipal league and owner of Fiscal Analytics Inc. in Richmond. He helped compile and analyze the data submitted from 109 of the state's 134 localities and explained the results in a briefing for The Associated Press.

Statewide in the last fiscal year that ended in June, local governments have cut their work forces by 15,600 jobs, according to Regimbal's analysis of Virginia Employment Commission data.

Norfolk boosted its personal-property tax rate on cars and pickup trucks, boosted fees on services as

diverse as right-of-way construction permits and fees for teams to enter city-sanctioned softball leagues, and it cut about 250 jobs, city budget director Ron Williams said.

"We had to start closing libraries one day a week — Mondays — and we increased the fees for overdue books. The facilities rental fee for rooms in our recreation centers went up from \$25 to \$50 an hour, but part of that was catching up with the market," Williams said. "We've done the best we can to make ends meet."

For Virginians with children in public schools, the consequences became clear when fall classes resumed the past few weeks. Schools are imposing daunting fees that include rent for lockers and increased parking fees. Regimbal said he paid \$250 for his son to play on Chesterfield County's James River High School football team this fall.

On average, the survey's 109 respondents have reduced their overall local government budgets by 2.7 percent from fiscal 2010 to 2011, which began July 1. But school budgets of those surveyed were cut even more — by 3.3 percent.

When asked to rank their top three budget-balancing acts this year, those most commonly listed were, in order: delaying or canceling capital outlay or infrastructure projects; layoffs; and higher taxes.

In Chesterfield, budget and management director Alan M. Carmody said this year's budget is about 2 percent less than last year's, reducing spending roughly to the same level as four years ago. That resulted in cuts to 150 county government jobs, he said.

Reductions to public education, he said, were only about 3 percent, less than the survey average. Funding for police, fire and other public safety operations was unchanged, Carmody said.

"We consolidated some services, renegotiated some leases and contracts, and reached agreements with private entities to preserve some services," he said.

Rural areas lagging other parts of state

Chmura: Countryside behind in income, job creation, education

BY PETER BACQUÉ
Times-Dispatch Staff Writer

Virginia's rural areas are falling further behind other parts of the state in income, job creation and educational attainment, economist Christine Chmura told rural leaders yesterday.

In the past decade, Virginia has made some progress closing the gap between its rural parts and the rest of the state, Chmura told those attending the Virginia Rural Summit.

But "for most indicators ... the gap has widened, indicating

that much more progress is needed," she said.

"More than ever before, increasing skills ... is necessary to give rural citizens the ability to compete in a global economy," the president and chief economist for Chmura Economics & Analytics said.

And some rural parts of Virginia still do not have access to Internet broadband connectivity at the speeds needed by businesses, she said.

The Virginia Rural Summit is a collaborative of public and private business and industry organizations and local, regional, state and federal government entities. The two-day meeting at the Wyndham Virginia Cross-

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ings Hotel in Henrico County ends today.

"The rural parts of our state need a little more attention, a little more boost," Lt. Gov. Bill Bolling said. "We can bring economic prosperity back to rural Virginia."

"The economic downturn requires new approaches," Ted W. Abernathy Jr., executive director of the Southern Growth Policy Board in Research Triangle Park, N.C., told those attending. "We cannot wait it out."

Chmura proposed tax breaks to encourage firms to locate in areas that do not have metropolitan amenities. She also suggested creating a rural entrepreneur fund to help indigenous startups.

In Virginia, 67 counties and cities are classified as rural, and another 20 as mixed-rural, Chmura said.

Her study for the Virginia Rural Prosperity Commission showed that:

■ The pace of job growth in rural Virginia lagged behind the state average during 2000-09.

Virginia countryside communities saw jobs grow at an annual rate of 0.05 percent during the period, while jobs grew statewide at a rate of 0.43 percent annually.

■ The recession has hit rural areas worse than the state's other regions. Rural employment dropped 2.2 percent a year in 2008 and 2009, while the state's average declined 1.7 percent.



Chmura **Bolling**

In 2009, rural areas had 17.5 percent of the state's people, but only 11.2 percent of the jobs in Virginia. Urban areas had 53.9 percent of the state's population last year but 65.1 percent of Virginia jobs.

"The lack of employment opportunities in Virginia's rural areas is a serious fiscal threat for its residents and their local governments," Chmura said.

■ Rural Virginia depends on government payments — like Social Security and unemployment benefits — to make up for its lower income level.

In 2008, 23.1 percent of personal income in rural Virginia was from such payments, compared with 13.6 percent statewide. Per capita income — including the transfer payments — in rural areas averaged \$31,703, or 72 percent of the state average.

■ In 2009, the average school expenditure per pupil in rural parts of Virginia was \$10,273, or 91 percent of the state average.

"The key challenge facing rural Virginia is finding an area of economic strength upon which to build," Chmura said.

Solutions will vary by region, she said, but the state and federal governments can help by building broadband