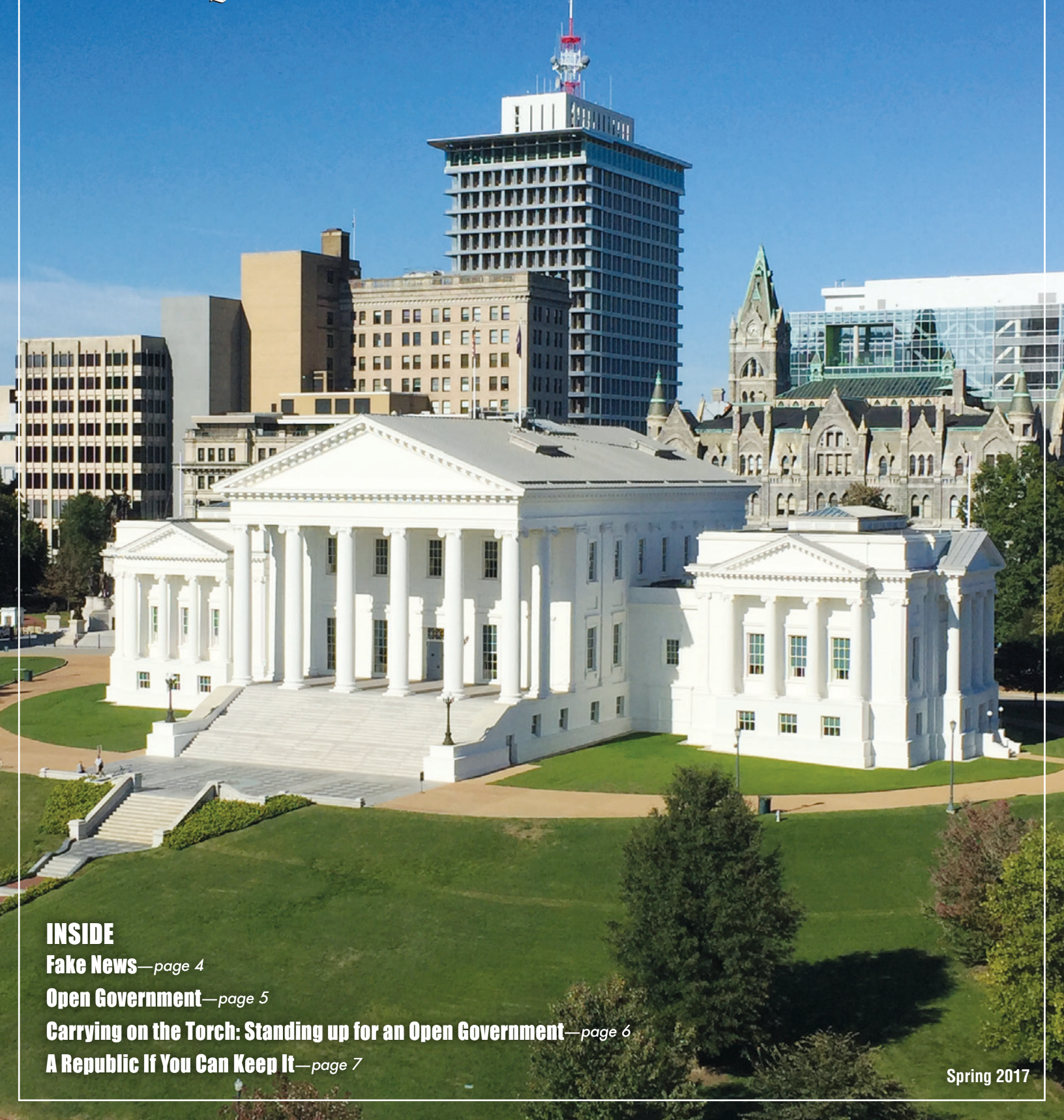


VIRGINIA CAPITOL CONNECTIONS

QUARTERLY MAGAZINE



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The view from David Bailey Associates, Capitol Place.



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Fake News

By MIMI MERRITT

I decided seven years ago that as a communications professor in the 21st century, it was time to try Facebook. I was a dinosaur, trying to communicate with students through emails they no longer read.

Receiving the first “like” to a posted status was empowering, and soon I was exploring timelines and photographs, reconnecting with old friends and distant cousins. The magic of instant communication was addictive.

The menacing side of social media, however, darkened my newsfeed. Cheerful birthday wishes and random epiphanies alternated with memes that oversimplified complex social issues and distorted historical fact. Comments posted by friends increased with hostility as we neared the 2016 presidential election. I was prepared for differences of opinion, but not for the aggressive rudeness with which seemingly kind and rational people expressed ideas.

Then came the onslaught of fake news stories.

Nothing is new about fake news stories. Social media did not invent them; it just made them infinitely more accessible to wider audiences. Everyone knows the bold headlines of tabloids at the grocery store checkout line, but even the legitimate press in our nation’s history stretched the truth to sell papers before the objective model of journalism emerged in the early 20th century as a more competitive product to an increasingly diverse audience.

The facts-only format of the objective model took a beating in the past decade, however, as millions logged onto social media accounts. Advertising dollars followed the new audience, just as advertisers in the 1950s deserted radio for television. Online news sites multiplied to feed an increasing hunger for instant news, and the conventions of objective journalism—like verifying news tips with at least two sources—seemed costly and inefficient. A new word entered the lexicon, clickbait, to refer to content geared to tempt readers to click on news stories with embedded ads. When hundreds of thousands of people “like” these stories and share them, advertisers win.

My response to blatantly false stories on Facebook was an attempt to investigate accuracy. I lived on [Snopes.com](#) and [FactCheck.org](#). “So glad to report this is not true,” I would type in response to a fake news status posted by a friend. I then pasted in the fact-checking article I hoped would be appreciated.

But it never was. “Wow,” would come the response. “I usually check these things out—must have forgotten to this time.” And the fake news stories continued.

It has not helped the public’s perception of the news media that a new President Trump tweets “fake news” when stories contain unfavorable coverage of his administration. But he is certainly not alone.

When the recent chemical weapons attack in Syria killed more than 80 people, and news organizations rushed to report the horrific event, cries of “fake news” flooded the internet: the story was false, intended to trick the president into intervention in the Syrian war, a position he previously had argued against.

Joining this outcry were two of social media’s major players: Mike Cernovich, who falsely claimed during the presidential campaign that Hillary Clinton suffered from life-threatening diseases; and Alex Jones, whose website [Infowars.com](#) claimed the Sandy Hook Elementary School shooting was staged to win support for gun control.

What does “fake news” mean? Some consider it news stories that contradict previously held convictions; for others it’s news stories in which they perceive bias; and for some, fake news describes stories they consider unworthy of coverage.



I met Mimi Merritt as a freshman in her journalism class. But even as a competitive and ambitious eighteen year old, I found myself thwarted—I consistently failed her current events quizzes. *Who has time for the news?* I asked myself; ironic, though it was that a journalism major would be asking the question. Eventually, her consistent push revealed the answer: we all *must*.

But today, it is not enough to merely read news. With the rising motivation to publish sensational stories that draw readers to advertisement, a market for fake news has been born. Merritt has stepped forward, recognizing that we have embarked upon compromised territory. Her advocacy for critical reading in order to distinguish fact from fiction takes me back to the lesson I began learning as a naive journalism student. *Who has time for this?* The answer is the same: we all *must*. By Lydia Freeman

None of these definitions is correct. In this May’s new edition, the venerable Associated Press Stylebook defines fake news as “the modern phenomenon for deliberate falsehoods or fiction masked as news circulating on the internet.”

But perceptions of bias, pursuit of the wrong stories, or attacks on personal beliefs are problems, too, because they fuel distrust of news organizations and inability to discern real news from fake news.

What people perceive as fake news, then, is often what they don’t want to believe.

A March 22 *New York Times* story by Amanda Taub and Brendan Nyhan, “Why People Continue to Believe Objectively False Things,” quoted Dartmouth College professor Sean Westwood’s theory that America’s increasing partisanship has become a tribal identity that shapes how we define ourselves and others. We end up supporting our team at any cost, he is quoted as saying, and we oppose the other team at any cost.

Worse, we may lack the critical thinking skills to determine what is true in a given communication.

Last November, *NPR* reported a study by Stanford University’s Graduate School of Education exploring students’ ability to assess information sources.

The findings were grim. Responses of more than 7,800 middle school, high school and college students in 12 states indicated that more than 80 percent of middle schoolers couldn’t distinguish between an ad and a news story, that more than a third of high school students considered a fake news story more trustworthy than a real news story, and that less than a third of college students could discern political agendas in sources such as [MoveOn.org](#).

What can be done?

Google and Facebook have both assumed responsibility for addressing the problem of an environment that encourages rapid spread of fake news. Facebook’s plans include paying fact-checkers to monitor its news platforms, as well as adding a fact-checking tool that informs users when an article’s claims have been disputed, while Google has also added a fact-checking tool in its searches that will include results from [PolitFact.com](#) and [Snopes.com](#).

Professors who train journalists are also at work. Dr. Melissa Zimdars, a communications professor at Merrimack College, developed for her students a list, “[False, Misleading, Clickbait-y, and Satirical ‘News’ Sources](#),” that went viral on internet.

Perhaps most important, however, is that the press itself has joined the fight with fervor. Investigative journalists everywhere are rededicated to the painstaking work of seeking information necessary for people to make wise decisions in a democracy. Consider emailing them thanks for their efforts; remember that when the press is gagged, the public loses.

Continued on next page

Open Government

By MEGAN RHYNE

When I attend a meeting of my local school board, I know that when the members vote on where to locate the new middle school, I will know exactly who wanted Location X and exactly who wanted Location Y. I will also know whether a member wasn't present for the vote or didn't vote at all for some reason.

The same is true when I attend my local governing board (city council, board of supervisors) meeting. And even when I travel to Richmond to attend the meetings of some statewide board or commission.

In 1998, the Virginia Supreme Court held that the state constitution required a roll-call vote on all matters.

Article VII, which deals with local government, says in Section 7, "No ordinance or resolution appropriating money exceeding the sum of five hundred dollars, imposing taxes, or authorizing the borrowing of money shall be passed except by a recorded affirmative vote of a majority of all members elected to the governing body.... On final vote on any ordinance or resolution, the name of each member voting and how he voted shall be recorded."

The Town of Madison said that the name of each member present was implied in a notation that the motion was "carried unanimously" since the minutes earlier stated that "all members were present."

That is, if everyone was there, and the vote was unanimous, then the name of each person and how he or she voted was known.

A majority of Supreme Court justices disagreed, ruling in *Town of Madison v. Ford* (255 Va. 429 (1998)), that "the Town's recital of a unanimous vote in its minutes does not necessarily demonstrate that all members present actually voted in favor of the ordinance."

"Since there is no presumption that all members remained in the meeting from the time it convened until the vote to adopt the ordinance was taken," the court continued, "we cannot determine which council members were present for the vote or who actually voted to adopt the ordinance. Additionally, the recitation of a unanimous vote does not necessarily indicate that all council members present actually voted in favor of the adoption of the ordinance."

The town was an outlier then, and the case remains mostly anomalous now, as the individual members of local and state bodies are routinely voting by name on the matters before it.

This is essential information for any member of the public. Come election time, they need to know whether the votes taken by the incumbent reflect the voter's principles and priorities. They might line up 100% of the time; they might never line up. More likely, they will fall somewhere in between and, armed with



VIRGINIA COALITION FOR OPEN GOVERNMENT

adequate information about that person's voting record, an educated decision can be made in the voting booth.

So it is very difficult to understand why the House of Delegates in the General Assembly continues to dispose of an overwhelming majority of its bills on unrecorded voice votes.

The volunteer group, Transparency Virginia (of which I am a member), released a report in 2015 that shocked a lot of people. The report found that just over 76% of the bills defeated in House were defeated on an unrecorded voice vote. That means for more than two-thirds of the bills legislators were not individually on record for having supported or opposed the measure.

Anyone who'd spent time around the General Assembly—lobbyists, activists, advocates, citizens—certainly weren't shocked to learn that the practice of killing bills on unrecorded voice votes was common, but they were shocked at just how common it was.

The practice even intensified in 2016 when the percentage of unrecorded voice votes on defeated bills climbed to nearly 95%, though it went down this year to 88%.

Since the first Transparency Virginia report came out, several other advocacy and journalism outlets have run their own numbers using data from the Legislative Information System, as did Transparency Virginia. The analyses reflected small differences in the final percentage, owing to a difference in how certain

actions were characterized (bills that were left in committee, those that were stricken from the docket, for example), but all have shown that it is by far more common for a bill to die without a recorded vote than with one.


And make no mistake, this anonymous method of killing bills affects legislators of all political stripes on measures of all ideological bents. Furthermore, the reality is that huge numbers of bills in the General Assembly don't even have political or ideological aims. They are about everyday matters that have little to do with the big D or R beside a patron's name.

But regardless of the bill's content, the fact remains that someone thought the bill was a good idea. The patron brought it up, if not because he or she believed in it, then because a constituent thought it was a good idea.

When a bill is defeated on a voice vote, every member on that House of Delegates committee or subcommittee is deprived of the opportunity to tell the public what his or her position on the bill was. Voters back home may have been interested in the bill and seen that their legislator was on the committee hearing the bill. But when they see that the bill was defeated on a voice vote or left in committee without action, they are left to wonder, did my legislator agree with the voice vote? Did my legislator oppose this measure? Was my legislator even there for the vote?


Because of the Town of Madison ruling, we know that we cannot assume anything about an unrecorded vote. It tells us everything and it tells us nothing. Far better to be sure than to be left guessing.

It is time for the House of Delegates to return to the practice of requiring recorded votes for bills being advanced and defeated.

Megan Rhyme has worked for the Virginia Coalition for Open Government since 1998 and became its executive director in 2008. Before that, she served as an opinions editor for *Texas Lawyer* in Dallas, as a freelance writer for *Androvett Legal Media* in Dallas and the *National Law Journal* in New York, and as an adjunct professor of media law at Hampton University's journalism school. Her law degree is from the University of Colorado-Boulder, and she was a radio, television and motion pictures major at the University of North Carolina-Chapel Hill. 

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Mimi Merritt was born and raised in Southampton County, VA. She has a B.A. in English from Duke University and an M.A. in journalism from the University of North Carolina at Chapel Hill. Since 2001, she's been an assistant professor of communications at Bluefield College and now serves as Dean of Institutional Effectiveness.

Editor's Note: https://docs.google.com/document/d/10eA5-mCZLSS4MQY5QG5ewC3VAL6pLkT53V_81ZytM/edit?usp=sharing 

Carrying on the Torch: *Standing Up for an Open Government*

By MAZER HEIGHT

"Greeks can be explosive," Maria Everett had said slyly, punctuated with a wink. The playful sentiment was almost foreboding in a way—watch out for a woman who is not afraid to speak her mind. Be careful in the presence of a woman whose being as an opinionated second-generation Greek-American singer, who happens to be an avid Chuck Berry fan, explodes the myth of what a government worker is supposed to look like. Maria Everett's whimsical disposition might seem like a surprising fit for someone who has worked as a Senior Attorney for the Division of Legislative Services, but it is this quirky-individualism that translates to a genuine sincerity winning over anyone with whom she comes in contact.

Working as the Executive Director of the Virginia Freedom of Information Advisory (FOIA) Council for over 17 years, Maria Everett has come to embody the spirit behind her line of work. With her characteristic "tell it like it is" attitude, she uses her conviction to ardently stand up for the idea of an open and transparent government. Under her dominion, the Virginia FOIA Council has served as a much needed liaison, fostering a mutualistic relationship between the government and the people in the Commonwealth of Virginia. The Virginia FOIA Council was created to assist in the implementation of the FOIA act, a law dealing with disclosure of governmental business documents upon a party's request. Although the government is generally required to respond to someone's FOIA request by disclosing the requested document, there are rules and limitations to what the government is allowed to disclose to the public, which makes every FOIA request subject to a matter of interpretation on a case by case basis. Maria Everett has been involved with the interpretation of countless informal and written statements in compliance with FOIA regulations, responding to inquiries from media workers, private citizens and business owners alike about the accessibility of information to governmental documents and open records.

As a second-generation Greek, Everett acknowledges a legacy coursing through her veins that has informed her work ethic. Living in Alexandria, Va., her parents served as examples of the American dream meritocracy narrative in which Everett has put her faith. Her grandparents arrived in America seeking greater economic opportunity. Her mother had to learn English while going to school. Her father ended up pursuing a career as a police officer. Despite the hardships characteristic of being born of immigrant families, both of her parents rose to reputable positions, her father being a member of the secret services and her mother working at the Pentagon. Everett had been exposed to the governmental side of public policy her entire life, and she knew that she wanted to carry the torch ignited by her ambitious parents.

Although the immigrant ethos implanted by her parents has helped in her professional endeavors, Everett is far from a woman that's all work and no play. According to her high school sweetheart and husband of 35 years, Everett was considered the "queen" of her high school—the captain of the cheerleading squad who swam competitively and sang in the choir while tending to her studies. Everett would go on to pursue her undergraduate degree at Virginia


Polytechnic Institute (now Virginia Tech), where she majored in sociology and minored in Spanish and Music. Feeling alienated among 15,000 students, she ended up seeking refuge in the music community at Tech as her support group. Music has always been a source of refuge for Everett. Coming from a music-oriented family where every one of her five siblings played an instrument, she says she considers music as a source of healing and communal validation.

After graduating, Everett went to George Mason University to receive her law degree in 1981, and was admitted to the Virginia State Bar in 1982. Everett wasted no time embarking on her career in state government serving as the committee clerk for the Senate of Virginia during the 1984 and 1985 session of the General Assembly. She worked under various standing committees such as the Courts of Justice, Finance and Commerce and Labor. From 1986 to 1990, Maria Everett worked under the Virginia Department of Commerce as a property registration administrator. Starting in 1991, she would go on to staff the House General Laws Committee.

In 2000, Maria Everett would assume her position as the first executive director of the Virginia FOIA Council after heading the study that would lead to the organization's creation. The Virginia FOIA Council is a testament to Maria Everett's commitment to being proactive. It takes courage to be a leader. It takes the type of courage exhibited by her grandparents who migrated to America and carved their niche into American society through the labor of their own hard work alone. Her father once told her something that would brand her soul leaving a lifetime impression. Claiming that the moment was so poignant that she can always imagine herself re-

experiencing it as it happens, the words uttered by her father echo in her head: "It's easy to criticize, why don't you have the courage to stand for something?" Ever since, Everett has made a conscious effort to embody the "responsibility of citizenship", to reject the notion of the bystander, to be proactive in curing the ills of society. Under her leadership, The Virginia FOIA Council has served as a shining example for other states trying to strengthen its adherence to open and transparent government. She plans to retire from the position and pass it on to a younger impassioned candidate soon, in an effort to break down the "old guard" structure of government.

With over 30 years of governmental work under her belt and an alto voice earning her spot in the Richmond Symphony chorus, Maria Everett continues to be a woman worthy of admiration. The Commonwealth of Virginia should pay homage to a woman whose personal virtue and professional contributions have contributed to a better functioning state government. To Everett, the ability to be open and accountable is incredibly important. Her undying commitment to ensuring an open government mirrors her virtue, as a woman unapologetically open and unafraid to pursue what she values.

Mazer Height is a senior at Virginia Commonwealth University majoring in print-journalism, and intern at Tall Poppies Consulting. 



A Republic If You Can Keep It

By TOM HYLAND

American historical lore has it that when Benjamin Franklin exited Carpenter's Hall (now known as Independence Hall) in Philadelphia, Pennsylvania in 1787, after having just helped complete the work of developing a new constitution for the United States of America, he was approached by a local citizen who posed the question: "Well, Dr. Franklin, what have we got?" Franklin's alleged response was: "A republic, if we can keep it."



The work of keeping that republic is still on-going some 230 years later. Many Americans today may despair over whether it will be possible to keep our republic given the current partisan and highly divisive political, economic, environmental, cultural, and ethnic-related controversies. Without any attempt to minimize the seriousness of any of these current controversies (particularly the allegation that Russia may have covertly interfered in the 2016 presidential election) that so frequently dominate our daily media viewing and personal conversations, we need to keep in mind that our nation—both before, during, and after the American Revolution—has witnessed and prevailed over all those controversies that have come to our shores.

During the Revolutionary War, this fledgling collection of rebelling colonies faced a number of crises that easily could have led to a disastrous defeat: The Conway Cabal of 1783, revealed in the wayward letters of Brigadier General Thomas Conway, consisted of a failed plot to remove George Washington from Commander-in-Chief of the Continental Army and install General Horatio Gates in his stead; Benedict Arnold's failed treasonous action in 1780 of attempting to turn over to the American fort at West Point to the British Army, which would have threatened American control of the Hudson River and geographically divided the American colonies; and the Newburgh Conspiracy of 1783, a convening of a number of officers of the American Army for the purpose of protesting over their pay and pensions.

Just several years later (1791-1794) after the adoption of our constitution, our first major crisis occurred with the onset of the Whiskey Rebellion in western Pennsylvania, where local farmers refused to pay the newly levied federal tax on locally-distilled whiskey, and actually tarred and feathered local federal tax collectors and set fire to the home of John Neville, the chief tax collector for that area. Federal troops and state militia had to be dispatched to put down the insurrection.

Six years later, in the so-called political "Revolution of 1800," many Americans questioned whether that republic could be maintained when Thomas Jefferson's Anti-Federalist Party's "democratic-republican rabble" won a presidential electoral victory over then President John Adams' Federalist Party whom Jefferson's supporters faulted for their "dangerous monarchical tendencies."

The same political, economic, and social "gloom and doom" appeared twenty-eight years later (1828), when the "Jacksonian democratic rabble" of the newly rising Democratic wing of the Anti-Federalist Party, led by Andrew Jackson, defeated then President John Quincy Adams, who represented the then waning wing of the then Anti-Federalist establishment. Washington, D. C. social society was left aghast at the "rude farmers and backwoodsmen" who showed up for Jackson's presidential inaugural in their "muddy boots and rude clothing" and consumed massive amounts of corn whiskey and generally trashed the White House and its environs.

Likewise, after the presidential election of 1860, President-elect Abraham Lincoln had to be smuggled into Washington, D. C. for his inauguration in 1861 because pro-secessionist backers threatened to have him assassinated at Baltimore, Maryland on his railway trip

to the capitol. Lincoln's assassination in 1865 and the attempted assassination of his Vice President Andrew Johnson and Secretary of State William H. Steward created a great level of political, social, and racial turmoil throughout the nation for a number of years. Yet, our republic survived the Civil War that ensued that period.

Those who may believe 2016 to be the first time that any other nation or its representatives, ever attempted to interfere either in our internal national politics or our international relations may not be familiar with the political antics of the infamous Edmond Charles Genet, the French Minister to the United States from 1793 to 1794. This self-styled "Citizen Genet" attempted to involve the United States into an on-going war between France and Great Britain. While that controversy was ultimately resolved by Genet's recall to France, his associations with the Anti-Federalist Party left a taint on that party's name for years and helped lead to the infamous Alien and Sedition Acts of 1798, where "freedom of the press" was particularly challenged by the federal government.

Consider also the case of the treasonous behavior of General James Wilkinson, the senior officer of the U. S. Army and Governor of the Louisiana Territory during the Jefferson and Madison Administrations (1800-1816) who was involved in the Burr Conspiracy of 1806-1807, an ill-fated attempt by Aaron Burr, the former Vice President under Jefferson, and his associates to separate several western states from the Union. Only after Wilkinson's death, was it discovered that he had been a long-time paid agent of the Spanish government.

During the War of 1812, which was highly unpopular with the New England states and the Federalist Party (because it adversely affected their valuable regional trade relations with Great Britain), the party met for a series of meetings at Hartford, Connecticut in December 1814 and January 1815 to discuss their grievances about the war and their political problems with the increasing power of the federal government. Despite demands of the more radical delegates at this Hartford Convention for constitutional changes or secession from the Union and a separate peace with Great Britain, the moderate majority prevailed against these extreme proposals. With the Treaty of Peace between the United States and Great Britain signed at Ghent, Belgium in December 1814 and General Andrew Jackson's defeat of the British Army at New Orleans also that month, the Federalist Party suffered a major blow to its credibility and soon fell in general dishonor and loss of power.

Even more recently, in 1917 (during the First World War), Arthur Zimmerman, the German Foreign Minister sent a telegram to the German Ambassador to Mexico proposing that in case of a war between the United States and Germany (the U. S. was still neutral at that time) the establishment of an Mexican-German alliance, which would return the states of Texas, New Mexico, and Arizona to Mexico. That message was intercepted by British Intelligence and passed onto the U.S., thus being one of the first significant examples of signals intelligence interception in recorded history.

To be certain, none of the above cited examples ever have involved any actual or alleged occasions of interference in our national elections; but, that situation has been due more to the circumstances that before the Spanish-American War the United States was not a major player in international politics, and that electronic communications then did not exist to the extent that it could have been used to attempt to influence election results. It should also be noted that from the perspective of electronic manipulation of election results, civil litigation was filed in 2004, lodging a charge against the Secretary of State for the State of Ohio and certain state contractors with "theft of votes by electronic manipulation" during the Ohio presidential elections that year. [See *King Lincoln Bronzeville Neighborhood Association v. Blackwell.*]

History has shown us that the very nature of republican governments—guaranteed protections such as free speech, press and assembly; right to petition for grievances; ownership of firearms;

See *A Republic If You Can Keep It*, continued on page 8

Legislating Ethics—Increasing Trust in Elected Officials BY MARCUS SIMON

“Ethical behavior is doing the right thing when no one else is watching ...”—we’ve all heard that line before. Who said it? Aldo Leopold. Did you know there is more to the quote? The full quote continues: “even when doing the wrong thing is legal.”

The Associated Press once ran a lengthy article detailing ways Senators and Delegates use their campaign accounts on activities with a tenuous connection to their efforts to get reelected. What’s worse, many campaign accounts are funded almost entirely by corporate contributions from companies with business before the General Assembly, even for candidates that haven’t faced serious competition in years, if ever. And in Virginia, the size of these contributions is unlimited.

Virginians should be embarrassed by how often doing the wrong thing is perfectly legal, and should expect their elected leaders to work to do something about it.

Not too long ago, the political establishment in Richmond was rocked by the trial of a former Governor and First Lady, embroiled in scandals involving behavior that almost all agree was unseemly and yet, according to the Supreme Court, perfectly legal under Federal law.

As details of the scandal emerged, many of us wondered how it was possible no Virginia laws had been broken. Our constituents wanted to know the same thing. In response, the current Governor established a bipartisan Commission on Integrity and Public Confidence in State Government, which recommended a gift limit, more frequent reporting, and established a permanent Ethics Council with investigative authority including subpoena power.

The General Assembly grudgingly passed laws to impose a \$100 gift limit and created an Ethics Council with the power to review and approve gifts of travel and other intangible items related to legislative work. However, the Council lacks investigative authority or the ability to audit conflicts of interest disclosures.

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prohibition on establishment of religion; right to security in personal and real property; protection against unreasonable search and seizure; right to a speedy and public trial by jury; etc. — all matters deliberately placed in our constitution and firmly enshrined there by 230 years of legal jurisprudence. These very same protections also make republics susceptible, not only in frequent and peaceable changes in government, but also to various types of internal insurrections, conspiracies, and the like. As the late newspaper columnist Molly Ivins has explained: “The thing about democracy ... is that it is not neat, orderly, or quiet. It requires a certain relish for confusion.”

One can take the cynical view expressed by former President John Adams that: “... Democracy never lasts long. It soon wastes, exhausts, and murders itself. There never was a democracy yet that did not commit suicide,” or the more optimistic view articulated by his son, former President John Quincy Adams: “Democracy, pure democracy, has at least its foundation in a generous theory of human rights.... It is founded on the natural equality of mankind.” As former U. S. Supreme Court Associate Justice Robert Jackson wisely has stated, the fact that while our constitution guarantees us our many essential protections,... it is not a suicide pact.”

Disruption, confusion, and intense partisanship about politics, elections, legislation and all the other rudimentary activities of our various democratic institutions are as much an American way of life as baseball, ice cream and apple pie; it has always been that way and probably always will be.

The simple point to be made is, as the old folk saying goes, hopefully, “*this too shall pass.*”

Tom Hyland is a retired local, state and federal lobbyist residing in Centreville, Virginia.

We’ve gotten part of the way there, but our constituents expect and demand more.

The Ethics Council must have investigative authority, or we create a different body with subpoena power and the authority to enforce violations of the State and Local Conflicts of Interest Act.

In its current form, the Council can grant immunity, but it doesn’t have any power to pursue allegations of wrongdoing. In fact, it functions so much like a private attorney, that legislators’ communications with the Council are considered privileged. So rather than being an Ethics Council, it’s more like a taxpayer funded boutique law firm that serves for the benefit of elected officials to provide specialized legal advice.

I was pleased to see that the GOP front runner for Governor recently held a press conference to announce an ethics and transparency agenda that included a ban on the personal use of campaign funds. Of course, it’s not a new idea.

In October 2015, the Governor’s Commission recommended we go further than simply capping the value of gifts, noting an obvious work-around to the gift limit. With no restrictions on how campaign funds can be spent, those with business before the Commonwealth could simply characterize what they once reported as gifts as campaign contributions.

Before the Commission made a ban on the personal use of campaign funds their top line recommendation, I’d been introducing bills to do exactly that every year since the 2014 Legislative Session. How could legislators possibly object to such an obvious and common sense bill to clean up our campaign finance system?

The first objection was that it must already be illegal. It turns out, however, that under current law personal use of campaign funds is only prohibited upon the closing of the campaign account. Well, subcommittee members continued, you haven’t given us a definition of what constituted personal use. The bill was carried over for more study.

In 2015, I revised the bill, with definitions from the Federal Statute on personal use of campaign funds. Then, a new objection: we just adopted all these new ethics rules, and we are finding there are a lot of tough calls on what constitutes a gift and what doesn’t. Let’s not be too specific lest we criminalise unintended, good faith mistakes about what is allowed.

So, in 2016, buoyed by the recommendation of the Governor’s Commission, I came back with a new and improved version of my bill which included an option to get clearance from the State Board of Elections for any gray area expenditures. Carried over again for more study, a study that never happened.

In 2017, I went back to a very simple approach. Campaign accounts you can’t do anything with and campaign funds during the campaign that you couldn’t do when winding it up: donate them to charity, contribute to other candidates or committees, or to defray ordinary, non-reimbursed expenses related to the elective office. The bill still failed to get out of subcommittee for the fourth year in a row.

Virginians deserve a government that they can trust. A General Assembly that they can be confident is working on their behalf, without regard to what their votes might mean to political contributors who contributed unlimited sums into accounts with no restrictions that distinguish them from a personal checking account.

With the Republican’s standard bearer making ethics and transparency a central theme of his campaign, perhaps GOP members of the legislature will drop their opposition to simple common sense measures that will improve trust in Government and elected officials.

Delegate Marcus Simon, 53rd District of Virginia



EVA By DENA POTTER

Every day, a team of employees at Andy and Janet Todd's small office supply company, Snap Office Supplies, search Virginia's online eProcurement marketplace, eVA, for their next business opportunity.

With a few clicks of the mouse, a business can find out what Virginia state agencies and other public entities are buying, who they're buying from, and how much they are paying for items. Armed with this information, the employees at Snap Office Supplies reach out to agency procurement professionals to explain why they should be doing business with the Richmond supplier instead of their competitors.

"Our team is on eVA every day. It's a wealth of information that is public information," Andy Todd said. "The information is there, you've just got to know how to find it."

Todd credits his team's use of eVA over the past two and a half years for "substantial growth" in their business, which offers over 60,000 office supplies, from traditional items to standup desks and hard-to-find supplies. While Snap is considered a micro-business, meaning it has 25 or fewer employees and has averaged less than \$3 million in gross receipts over the past three years, with eVA's help Todd hopes it won't be micro for long.

"It provides the key for us to get in," Todd said. The biggest challenge, he says, is harnessing the power of eVA by learning how to navigate its variety of reports, such as the popular 'Who is buying what I'm selling' report that allows vendors to see who, what, when, and where of purchases in the Commonwealth. A vendor can run a report using keywords such as "office furniture" and see exactly which Commonwealth entities bought office furniture, the exact details of the furniture item, the price, quantity, and the buyer who made the purchase.

eVA Director Shane Caudill hears stories like Todd's often. "eVA really levels the playing field," Caudill said. "Most small businesses don't have an army of sales staff that is able to go out and aggressively search, research, respond, and compete for state business. eVA gives everyone the tools, no matter what your size, to easily research past purchases to identify your target market and find upcoming business opportunities so you can bid and win business."

To help businesses leverage the power of the information found on eVA, the Department of General Services' eVA team travels Virginia teaching businesses like Todd's how to use the free tool.

eVA brought transparency to government procurement more than a decade ago. Data about everyday purchases the Commonwealth makes is available on the eVA website, www.eVA.virginia.gov. Businesses, citizens or government officials seeking information about what Virginia needs and is buying simply need Internet access to see past, current and future procurements, as well as detailed order and contract information.

With more than 700,000 purchase orders representing more than \$6.4 billion in annual spend visible, eVA brings innovation to the promise of transparency by leveraging the best procurement software and tools that are available in the marketplace. eVA's publicly accessible Procurement Transparency Reports page offers every vendor, buyer, citizen and the public easy-to-use reports that provide access to up-to-the-day detailed order data. Additionally there are easy-to-read pie charts, bar graphs, and maps that categorize the purchases made through eVA for monitoring or analysis. These reports give a snapshot of the dollars the Commonwealth spends in various categories, such as Top Commodities, Top Vendors, Orders by County, etc.

To further enhance eVA's transparency features, the eVA team is working on a procure-to-pay transparency report that links purchase transactions to payments. Currently, purchase order data, through eVA, and payment data, through APA's Data Point (<http://datapoint.apa.virginia.gov/>) are publicly available. However, in order to tie a purchase order to the corresponding payment information you would have to manually match the purchase order to a payment voucher and check. The eVA procure-to-pay report removes the manual process and



automatically provides the purchase order to payment match easily tying purchase order and payment data together. Currently, the pilot program using DGS procurement and payment data eliminates any gaps in transparency. DGS is looking to expand the report functionality to the Virginia Community College System and other agencies and universities that have requested it.

"Simply put, matching procurement and payment data together is a gap that needs to be closed to be fully transparent," Caudill said. "We owe that to our citizens, agencies, and our vendors. I'm excited that our team at DGS was able to leverage eVA to meet that need. We are looking forward to the challenge of implementing this functionality across the Commonwealth."

Beyond transparency, eVA delivers two crucial elements to ensure taxpayer dollars are being spent wisely: efficiency and savings. By replacing paper with an electronic solution, efficiency gains result in an inherent overall reduction in the cost of doing business, with \$11 million saved annually in administrative efficiencies. eVA also provides savings on items and services purchased to the tune of around \$30 million per year.

Todd said businesses like his can help keep the Commonwealth's costs down by mining the data that's on eVA, businesses can identify if they are able to compete based off historical contracts and orders or if they need to sharpen their pencils. Instead of receiving paper orders through fax or mail, vendors can choose to receive orders electronically and within minutes of being fully issued by an agency. eVA has made it easier for businesses to connect with the launch of its Business 2 Business tool tied to each solicitation.

"There's a vast group of agencies that are out there and there's a lot of purchasing going on for multiple products," Todd said. "It's tax dollars. It's my tax dollars; it's your tax dollars. We're just trying to be good stewards."

Dena Potter is Director of Communications at the Department of General Services.

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Procurement Transparency = Good Government + Good for Businesses

By D. L. "IKE" CASEY

Public Procurement Reform is an area in which the Alliance for Construction Excellence (ACE), has been active. Within any proposed reform legislation, ACE has and will advocate for inclusion of payment transparency provision in the legislation. The transparency provision calls for the public body to post notices to a website when a prime contractor is paid so subcontractors can validate the payment prior to making legitimate demand for payment. Payment transparency is considered good government and good for businesses. ACE was successful with the inclusion of the provision in the District of Columbia (DC) and hopes legislators in Maryland and Virginia adopt similar procurement transparency regulations.

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Photo by Thang Nguyen

Alliance for Excellence (ACE) leadership in Old City Hall, January 2017.

Subcontractors got greater transparency after the DC City Council passed the Procurement Integrity, Transparency, and Accountability Emergency Amendment Act of 2016 on September 20, 2016. Since the Act's passage, ACE has been working with the District's Office of Contracting and Procurement to help implement a payment transparency system that will be most useful to contractors. That system, a website that lists payments to prime contractors, is now live.

DC Law requires primes to pay their subs within seven days after receipt of payment from the owner. If you want to see if a prime has been paid, go to DC Department of General Services (DGS) website (dgs.dc.gov) and click on the Contracts & Procurement link, then click

Contract Actions and the PDF will be at the bottom of the page. To find a prime contractor, right click your mouse while on the document. After selecting the search option from the menu, a box should pop up in which you type the search word - such as the name of the company. ACE will continue its effort to help improve the system for contractors.

In Virginia, the Virginia DGS already has an internal web based portal called eVA where much of the Department's procurement information is kept. The DGS plans to launch that portal on a public domain so that anyone can access the information. In hope of expanding the database beyond DGS contracts, the DGS is working to have all state agencies and state universities join eVA. Local governments will be invited by DGS to post payments. ACE representatives recently participated in a webinar hosted by DGS to demonstrate eVA. One of the many appealing features is that the system provides a description and amount of all formalized change orders for each contract. ACE applauds the Department's efforts and will continue to communicate with DGS to enhance eVA in order to best serve the subcontractor community.

ACE representatives met with the Comptroller of Maryland's office in February to discuss payment transparency. It appears unlikely that Maryland will be able to have a transparent payment system like those described above in the near future. Maryland's information technology is too antiquated to accommodate the industry's needs at this time. ACE is encouraged that the Comptroller is supportive of payment transparency and is willing to give it more consideration when its technology is updated to do so.

D. L. "Ike" Casey, Executive Director ASA of Metro Washington

Race to Replace McAuliffe kicks off with Party Primaries in June

By QUENTIN KIDD, RACHEL BITECOFER, AND COLLIN BUCHANAN

The Wason Center for Public Policy's most recent survey of Virginia voters provides a snapshot of the status of the Republican and Democratic gubernatorial primaries as the contests begin to heat up.

Heading into April the Democratic primary is deadlocked, with "insurgent" candidate Tom Perriello (who garners support from much of the Bernie Sanders base) and "establishment" favorite Ralph Northam (who Clinton supporters tend to favor) tied at 26%. That Perriello has pulled even with Northam despite the fact that Northam is the current Lieutenant Governor of Virginia and has been endorsed by popular governor Terry McAuliffe, provides some evidence of momentum on Perriello's side.

In the Republican gubernatorial primary, former Republican National Committee Chairman Ed Gillespie leads his next closest competitor by 27 points, buoyed both by his national profile from his days serving in the Republican National Committee as well as high name recognition built on his closer-than-expected run against Senator Mark Warner in the 2014 U.S. Senate race.

However, even with this advantage in name recognition more than half of Virginia voters had no opinion of Gillespie, while nearly two-thirds had no opinions of Northam or Perriello. These numbers demonstrate how hard it is for candidates to gain traction among voters in a primary season when turnout could be as low as 10%.


In terms of other statewide elections, former chief of staff to Senator Joe Biden Susan Platt and State Senator Jill Vogel lead the Democratic and Republican primaries, respectively, for Lieutenant Governor, but a majority of respondents have yet to form an opinion on any of the candidates running. Virginia voters also favored Democratic candidates 48-41 in a generic ballot for the House of Delegates, which has all 100 seats up for grabs this November. This 7 percent generic ballot advantage could signal a tough spell for House Republicans, who are also facing democratic challengers in 48 of the 66 seats they currently hold.

In a series of hypothetical general election matchups, Gillespie and Northam were virtually tied (with Gillespie edging Northam 40-39), and Gillespie tied Perriello 39-39. These numbers show just how tight this fall's general election could end up being, and offer no indication of which Democratic candidate would fare better against Gillespie.

What may ultimately end up proving decisive is the degree to which Gillespie is able to avoid any strong Donald Trump-related headwinds. Trump's approval rating in Virginia is a mere 37%, which indicates some erosion of support in the state since Election Day when he received 45% of the vote. The survey also finds that nearly 70% of Virginia voters, including 40% of Republican voters, would like to see an independent investigation of possible ties between Russia and the Trump campaign. Like it or not, Virginia's gubernatorial contest will be a referendum on the newly elected president so the Republican nominee's fortune is closely tied to the performance of President Trump.

Quentin Kidd is the Vice Provost for Undergraduate Education, Professor of Political Science, and Director of the Wason Center for Public Policy at Christopher Newport University.

Rachel Bitecofer is a political science professor and is the Assistant Director of the Wason Center for Public Policy at Christopher Newport University.

Collin Buchanan is a sophomore and Wason Center for Public Policy Research Fellow at Christopher Newport University. 



KIDD

The Gerrymandering Jackpot –and Our Unconstitutional System of Elections

By MARK RUSH

It's nearly summer of 2017 and guess what? Virginia is STILL trying to finalize its redistricting plans...based on the 2010 census. What is going on?

The constitution entrusts the process of drawing state legislative and congressional district lines to the state legislatures. With few exceptions, this means that the process of drawing those district lines lies in the hands of the party that controls the state legislature. The result has been and continues to be a rancorous, expensive ritual that was supposed to be decennial but, at least in Virginia, has become a constant preoccupation of our elected officials. Instead of occurring once every ten years, it seems to take ten years to try to do it correctly.

This is a heinous conflict of interest: our elected officials condition the process by which they are returned to office. This is akin to a baseball pitcher altering the strike zone every time he faces a batter or a golfer moving the pin to suit her putting. These are venal, silly examples of situations in which anyone would cry "foul". So why do we sit back and ignore cries of foul about the redistricting process?

In fact, "redistricting" is a misnomer. Our voting districts are "gerrymandered." Every line, every twist and turn is designed to create districts that, first and foremost, suit the partisan interests of the legislative majority and legislative incumbents. The process is constrained by the one person, one vote requirement and the Voting Rights Act's restrictions on discriminating against minority voters. But, state legislators can and do work around these constraints to draw contorted voting districts that have served only to ensure that incumbents are essentially unbeatable, challengers don't have a chance and, in the end, voters really have little choice on Election Day.

This applies to any district, regardless of the race, party or gender of the incumbents. At the congressional level, Republican Bob Goodlatte has been as unbeatable as Democrat Bobby Scott. Unless they are surprised in a primary (as Eric Cantor was in 2014), our congressional incumbents leave office only through retirement or natural causes. As a result, there is almost no reason to vote in a Virginia congressional election. The typical margin of incumbent victory is so large that voting for the incumbent is as much a waste of time (she is going to win anyway) as voting against one (he is going to win anyway).

One of the terrible ironies of all this is that the Voting Rights Act has been undermined by gerrymandering. Sure, districts are drawn to embrace majorities of Hispanic, black or other minority voters where possible. But, in the end, those minority incumbents are as unbeatable as their Anglo colleagues. The result is that the VRA has become simply an instrument to return racial minority incumbents to office as easily as white incumbents. Meanwhile, minority voters are given as poor a choice on Election Day as their white counterparts.

Some would say this is progress in the march towards racial equality and fairness: elections are equally uncompetitive and voters have equally poor choices regardless of their race, creed, gender and so forth.

But, the Voting Rights Act and elections are about the rights of voters—not the interests of elected officials. Elections should provide voters with real choices among candidates. Elections should entail

See *The Gerrymandering Jackpot*, continued on page 13



Tom Hyland:

Foundation in Truth

By LYDIA FREEMAN

From childhood to political work to archaeological research, Tom Hyland's life has been characterized by an unbending dedication to truth.

"People will say to you, 'Tell me what you really think,' and I always said what I really thought," explained Hyland. "I stood my ground and stayed with it when I thought it was right. I faced a lot of controversy when working with Senator Waddell. You learn to take the heat."

Born into the coal mining town of Powhatan Point, Oh., Hyland learned strength and truth. He described the farmland as tough due to the hills and rocks. Most who did not farm were in the coal mines.

"My father was a united mine workers president for a district which included Ohio and West Virginia," Hyland recollected. "Fifty years as president. Can you believe that? He was in mines since he was ten years old ... back then he fed mules. When he was twelve when he went into mines. He mined coal with pick and shovel."

The story of Hyland's wife, Donna Hyland, is similar. A hard life on a farm with hogs and cattle.

"She would milk the cattle," said Hyland. "She had the strongest hands I've seen on a woman. Strong, but small."

This small town life of coal mines, farms, and strong hands led to strong ethical convictions; there was a deep sense of right and wrong.

"It was always a strong thing—do the right thing," explained Hyland. "We had a lot of teachers. We thought they were old fashioned sometimes. These were being constantly drummed into us: do the right thing. Tell the truth. Even when it hurts. We learned it."

Hyland left Powhatan Point for the Navy, followed by college, followed by teaching. Afterwards, Hyland began working in the political sphere of Washington D.C.

"When I came to Washington, my mother said, 'Be sure you're doing the ethical thing,'" said Hyland.

And with that piece of wisdom, Hyland began what he called a series of "25-30 distinct jobs" that would, upon his retirement from David Bailey Associates, end with the Virginia Senate passing a joint resolution commending him for his ethical conduct and effectiveness.

"I heard about a program in 1961 where people were taken to do work for the federal government," said Hyland. "I got very lucky. I happened to meet the right person who invited me to work in what you might call a think tank for the civil service commission. I had a chance to do a lot of work on Capitol Hill with a congressman who did legislation."

Following that program was Hyland's selection into the Congressional Fellows Program. He spent a year working as a legislative assistant for a Democratic senator. Then he spent time working as an assistant for a Republican.

"That was interesting," Hyland chuckled. "It made me turn into an Independent."

Along with other various work experiences, this propelled Hyland toward his next career: "troubleshooting." He was sent to various organizations he described as "dysfunctional." Budgets



HYLAND

were out of control and communication between team members was frayed at best.

"People couldn't work together," explained Hyland. "There was no leadership at the top. You had to go in and build some kind of teamwork. You had to pound on a few desks and wake people up to what they were supposed to be doing."

During one of his troubleshooting jobs, Hyland found himself as the director of personnel, as well as the director of labor relations, at an anti-poverty organization. This was not an unusual situation for Hyland.

"I remember one case with the Department of Transportation in 1967," said Hyland. "I had three desks in three different locations."

To meet the knowledge demands of his work, Hyland learned: he read, took basic management courses, pulled on his education in history and political science. He built a wealth of background knowledge that allowed him a deeper understanding of what individuals and organizations he worked with might be facing.

"I learned the job that you are doing in the federal government is that you are trying to seek the truth and take away biases," Hyland reflected. "History and political science gave me a good background in fundamentals."

From there, a friend, Senator Charles Waddell, asked him to work for him as a legislative assistant. He assumed leadership of the Transportation Management Association in Virginia, the Dulles Area Transportation Association (DATA).

Waddell spoke highly of Hyland's work, calling him his "right-hand man" for the twenty plus years Hyland worked with Waddell.

"Tom worked for me as my Legislative Assistant for most of my senate career," said Waddell. "He was invaluable to my legislative success which included the creation of a transportation tax district for Route 28. He also helped me formulate and sponsor the private toll road legislation which led to the first private toll in Virginia since 1820—the Dulles Greenway."

Waddell also said that Hyland had a grasp on issues affecting Loudoun and Northern Virginia outside of his transportation expertise. This wealth of knowledge on consumer issues, environmental issues, and local government allowed Hyland to approach his work with dynamic understanding.

"He agreed with me that the Dillon Rule [doctrine which greatly limits local government] was obsolete and many local governments have the knowledge and

sophistication to govern themselves without going hat and hand to Richmond (The Holy City) for enabling legislation for mundane issues such as the 'Bottle Bill' etc.," explained Waddell.

In 1988 Hyland began working as a lobbyist for Apartment and Office Building Association of Metropolitan Washington.

"I thought I wouldn't last long because I had a habit of speaking the truth," Hyland said. "But I worked with them for fifteen years." Hyland described the group as "highly professional."

"They didn't ask you to do anything against your own ethical standards," Hyland explained. "You could explain your position."

In the early 1980s Hyland met David Bailey, the president of David Bailey Associates, a full-service public relations, government affairs, and lobbying firm. Years later, he would leave his former position as a lobbyist in order to take a position with Bailey's firm.

"That was a real change for me," said Hyland. "I found a kindred soul and a man who operated on very high ethical standards. His word was his bond. I worked with David for five to six years. This was interesting because he had a wide variety of clients. He had all types of things. It went beyond office building association."

Continued on next page

Tom Hyland continued from previous page

"We saw more lobbyists coming into Virginia," continued Hyland. "The number of lobbyists in Virginia doubled, and they were mostly young, with no experience. Ethical problems began occurring with lobbyists in Congress. Lobbying has a bad name, but it had a particularly bad name in those years."

It was during this time that Bailey suggested to Hyland that they should form a professional association for lobbyists. They worked to develop a code of conduct and set standards of personal conduct.

"No one wanted to hear of any professional standards," Hyland explained. "But we developed a code of conduct and set of personal standards."

That organization, the Virginia Association of Professional Lobbyists, was recognized by the Virginia General Assembly in 1999.

"In this regard, we are the co-founders of the Virginia Association of Professional Lobbyists, a non-profit association which has been formally commended several times by the Virginia General Assembly for developing both a Code of Conduct and Standards of Professional Practice for lobbyists working in Virginia," said David Bailey.

According to Hyland, it is difficult to work as a lobbyist and

retain one's reputation for ethical conduct. The temptations and lack of accountability can lead to dishonest and questionable practice. But David Bailey and Tom Hyland worked together to hold themselves and others to a higher standard.

"I really want to emphasize the impact that David Bailey has had on me," continued Hyland. "It's very easy to slide. He was always a solid rock there for me. You can talk to him and work out what's on your mind. He's had more of an impact on me than any person who I've ever worked with or for. I'd still be working there if it wasn't for my health."

Hyland retired in 2008 due to health problems. Still, he continues to pursue truth through his work with the Loudoun Archaeological Foundation, an organization he co-founded with David P. Clark in 2007. Hyland finds a thread of a clue, following the tension until he finds the revelation. From discovering valuably pottery locked in a shed to buttons from the Revolutionary War, these finds lead to a greater understanding of the past, which allow Hyland to continue building upon his foundation in truth.

Lydia Freeman is a graduate of Bluefield College, former intern at David Bailey Associates, and currently Teach for America fifth grade teacher in Northampton County, NC. ▮

The Gerrymandering Jackpot from page 11

meaningful campaigns and appeals to voters every year. Instead, the product of some 50+ years of redistricting, gerrymandering, litigation and Supreme Court decisions is poor turnout, meaningless Election Day choices, gerrymandered districts and essentially unbeatable incumbents.

What is most appalling and disturbing is that the process in Virginia could be improved so easily. Twenty one states use nonpartisan redistricting commissions. This removes the conflict of interest from the districting process. Doing this decreases the likelihood of going to court because neutral districting principles (maintaining equal populations, tending to minority populations, respecting municipal boundaries) take precedence.

Instead, the conflicts of interest that inhere in the process render it appallingly expensive. As an example: since the legislature did a poor job drawing the congressional district lines last time around, a special master was called in at the cost of more than \$80,000. You read that correctly: the taxpayers forked out \$80,000 for someone to draw 11 districts—and there is no guaranty that they will pass constitutional muster.

To put this in perspective: \$80,000 would hire one or two teachers for a year in most of our Commonwealth's public school systems.

That fee does not include litigation costs, court fees, and the opportunity cost of dedicating legislators' time to tweaking district lines that could be otherwise spent on the budget, health care, road, jobs, etc. Virginia has 40 Senate districts and 100 house districts. One can only imagine how much the taxpayers will bleed to pay consultants (instead of a commission) to draw district lines.

In defense of this system, legislators or apologists will argue that redistricting should be in the hands of elected officials because they know best what is in the interests of their constituents. But, if we end up turning the process over to private consultants and litigants, that connection is clearly broken. Virginia's redistricting history over the past several decades indicates that this connection is seldom preserved. So, redistricting serves the interests of incumbents, political consultants and litigants—all at the fiscal and democratic expense of the voters whose interests the process should be serving. It's time to join the other 21 states that use redistricting commissions.

Actually, I'd advocate for a more drastic measure: we should abandon the use of single-member electoral districts. While our current method of electing one legislator per district is commonplace, it is not constitutionally required. The Constitution is silent with regard to the method of casting votes. In fact, early in our history,

many states elected legislators and members of congress at large. More recently, many municipalities have changed the way they elect officials and a few states have changed the way they elect governors or allocate Electoral College votes.

It is important to acknowledge that the single-member district is neither constitutional nor unconstitutional in principle. But, it may be the case that it is unconstitutional in practice. I suggest that it is.

The Supreme Court's voting rights decisions have emphasized the right to cast a meaningful ballot and a right to fair and effective representation. A meaningful ballot requires elections to be orderly. Ballots should not be confusing. We should exercise at least some control over registration to ensure that only eligible voters vote. A meaningful ballot should make a difference at least to the extent that it is cast in a competitive election.

Fair and effective representation presumes that when citizens collectively cast their ballots, the elected officials will embody at least the broad outlines of the interests in their constituencies and that voters had a real choice among alternatives when casting their ballots.

In our electoral system, uncompetitive elections render very few ballots meaningful. Representation is not achieved as a result of voters casting meaningful ballots. Instead, it is achieved through the gerrymandering of district lines to enhance the likelihood of particular candidates being elected.

By the Supreme Court's own reasoning, our electoral system now undermines the meaning of votes and militates against truly fair and effective representation. Both of these challenges could be resolved by switching to multimember districts—returning to the historical roots of many elections in the United States. Such a change would enhance competition for office and give voters truly meaningful choices among candidates on Election Day. It is unlikely, however, that incumbents who have achieved success in our current electoral system would have any incentive to switch to one that would enhance the uncertainty of electoral outcomes. As a result, the hope of voters to regain the chance to cast a meaningful ballot lies only in going to court. This is an arduous, slow process. But, it does offer the possibility of truly meaningful electoral reform.

Mark Rush, Stanley D. and Nikki Waxberg Professor of Politics and Lee University, writes and teaches extensively on voting rights and elections around the world, constitutional issues, and religion. His current research addresses the intersection of law, science and religion, academic integrity, and statistical analysis of baseball. ▮

Now What? By EDGAR H. THOMPSON

Last summer my wife and I went to a local cook-off and community festival. As I watched the people in the crowd—some of whom were tattooed [I am not], some of whom were obese [So am I], some of whom were wrinkled [So am I], and some of whom were edgy [I am sometimes]—I thought to myself that there appeared to be a lot of borderline, or actual, outlaws in attendance. I don't know that I am better than any of these people, but I do know that I didn't like what I was seeing. Many attendees didn't seem to care for anyone else except themselves, pushy and inconsiderate in their behavior. It was as if it was going to be their way, or it was the highway for anyone else. I at least try to show interest in people, who they are and what they are. I hold doors for those behind me. I try to be kind, even when I would be justified to call someone to account for their wrong or inept behavior, like when they call me "young man," an age-related put down, even though it isn't intended to be mean.



Here is the problem I see, or a part of it. Tom Brokaw called my parent's generation the "Greatest Generation" because they won WWII. They did win the war, thank God. However, we all lost in another way. Because the experience of the war was so terrible for my parents' generation, they made a commitment to insure that me and my peers would never have to go through anything as bad as what they had been through. As a result, my generation was spoiled. My generation, in turn, has spoiled our children who, in turn, have spoiled their children. We now have several generations of people who feel that they are entitled to receive many things, when in truth they often have not worked hard enough to receive what they are given freely. "You mean I have to work for something? You mean there are consequences if I don't do what I am supposed to do? No, No, No! Whether I work or not, I am due a check."

I believe this collective sense of entitlement is dangerous for Americans. I am proud that I was born in the greatest country in the world, but I am frightened when I consider the possibilities for the future. Thinking about these issues and the presidential race last summer, and how our new President might deal with all of this, I decided that if we were ever going to move forward again positively as a nation we probably needed a new President with the vision of Ronald Reagan and Teddy Roosevelt; the integrity and principles of Jimmy Carter; the intellect of Barrack Obama and Bill Clinton; the manipulative, diplomatic savvy of Richard Nixon and Henry Kissinger; and the even-handedness of Ike Eisenhower. In other words, we needed a Thomas Jefferson, a Franklin Delano Roosevelt, or the Blues Brothers, Dan Aykroyd and Jim Belushi incarnate on a Mission from God, to show us a way to get out of the mess we were and are in. I concluded that the best way to move on in this direction was to determine a path, a focus and put the "peddle to the metal" to get there. Well, as a nation we did. We elected Donald Trump. Now what?

I have to admit, as a simple voter, I have been troubled that Congress appears to have been standing still, doing nothing. It has never been true in our history that only one side gets what they want. Both sides make their case, and then through negotiation and compromise, decisions are made, and we move forward. A back-and-forth, messy process, it is the only way meaningful and equitable political decisions are made and progress is achieved. This is what I learned when I read John F. Kennedy's *Profiles in Courage* when I was in high school, which I recommend if you have not read it.

I believe one of the reasons that President Trump was elected was because of this legislative impasse. Our country's leadership, political and cultural, who live primarily in New York, Washington D.C., and Los Angeles, thought they knew what the American people

The *Extremes* of Virginia

By AUGGIE WALLMEYER

My recent book, *The Extremes of Virginia*, has helped to bring needed attention to the subpar economic, health and educational conditions in Southwest, Southside, the Eastern Shore and other poor and rural areas of Virginia. The book seems to have touched a chord as, time and again, Virginians have reacted with disbelief that in *The Extremes*, the poverty rate is 67 percent higher than statewide, that suicide rates are 19 percent higher, that much higher unemployment is chronic, that healthcare outcomes are vastly inferior, that educational outcomes are among the worst in the Nation, and that deaths from illegal drugs are much more common. And it's true: the differences between Virginia's rural, poor areas compared to the wealthier, more developed areas are stunning and staggering. And, even more troubling, history suggests that the future prospects of the rural, poor areas are decidedly different—and worse—than in Virginia's "Urban Crescent" of Northern Virginia, Fredericksburg, Richmond, Williamsburg and Hampton Roads.



A few examples:

In Southwest Virginia, the population is steadily declining, as young people are forced to leave, seeking jobs, opportunity, education, and advancement elsewhere. Far Southwest Virginia is steadily growing older, grayer and poorer. Now, the poverty rate is 54 percent higher than Virginia as a whole.

In Southside, once the economic engine of Virginia that in the early 1900s supported rural outposts such as Fairfax, the population is also declining, the poverty rate is 71 percent higher, educational achievement lags Virginia and unemployment is greater.

On the Eastern Shore, remote and for many "out of sight, out of mind," the same problems of declining population, a much higher poverty rate, poorer educational attainment are joined by an opioid death rate 83 percent higher than the statewide average.

Continued on next page

believed and wanted. Our media also thought they knew what the American people wished for, but something went amiss. Both groups were wrong. Donald Trump, like it or not, seemed to know things they didn't. Now we are all in a world where our new President is going to try to do what he promised, and the people, who used to be in power and still long for it, don't know how to act or react.

Thus, my question finally is, who am I to trust as the future becomes the present? The media that I used to go to seems to think that the only correct world order is the same one that they have traditionally reported on, and they cannot seem to adjust to anything different. I sometimes wonder who these news people are anyway. Are they news gatherers and commentators, or are they prognosticators, mediums, or fortune tellers? I am now finding media sources I have always trusted who seem to be misrepresenting the facts. I am finding other media sources, ones that I didn't trust, now making sense. I have to watch four or five different television news casts, read the President's twitter, read *Rolling Stone* and *The New Yorker*—all of this tempered by what I see on the BBC—to get a sense of what the truth might be in these modern times. Heavens! I guess two plus two does equal five. George Orwell had it right.

I have to ask again, now what? Who am I to trust? Who are we to trust? I don't have a clear answer, and I am not sure where to find one.

Herb Thompson is a Professor Emeritus of Education at Emory & Henry College, Emory, VA. He is currently President of the Association of Teacher Educators—Virginia. [7]

And while *The Extremes of Virginia* focused on these three broad areas, very similar problems and lack of opportunities exist in communities scattered all across the state. Clearly, we are two separated and unequal Commonwealths.

In the last 50 years, Virginia has become more urban, more diverse and wealthier. Different regions have adapted in different ways, faced with evolving circumstances, growing or shrinking populations, boom-or-bust business conditions. Now, though, Southwest, Southside and the Eastern Shore languish, trailing far behind Virginia in joblessness, education, wealth and health. Moreover, many people in the Extremes don't see any real hope for change on the horizon. The overwhelming majority in the Extremes is very pessimistic and believes conditions for themselves and their families will worsen in the near and longer term. This, I suggest, is something important for policymakers to know and consider, and I hope will be a focal point for their further consideration.


But our legislative system does work, does at least respond to crises. In the 2017 regular General Assembly session, a bipartisan group of delegates and senators paid attention to the differences within our state and listened to the appeals of school superintendents both in *The Extremes* and scattered throughout other poor, rural areas and reallocated more than \$7 million in a very tight budget year to schools with declining enrollments and reduced budgets. And, reacting to the dramatic opioid abuse crisis, state law and Health Department regulations were tightened in an effort to reduce the current rate of three deaths every day from illegal drugs in Virginia, thanks to the efforts of Sen. Ben Chafin, Del. Todd Pillion, Secretary of Health and Human Resources Bill Hazel and others.

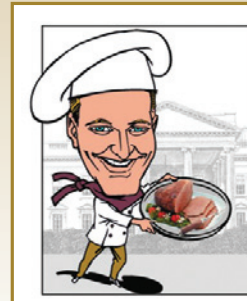
So, the governmental and political systems reacted in positive ways, for which we should all be grateful. But we must guard against complacency, as there is much more to be done for our poor, rural areas.

I think of these helpful government efforts as band-aids: urgently needed now to address severe crises and problems; to stop the bleeding. But, for all their good, we know that such band-aids are temporary fixes, not permanent or long-lasting solutions or improvements. For example, the legislative scheme to distribute education money needs overhauling to account for changed circumstances and demographics. And the efforts to reduce drug overdose deaths, while desperately needed now, don't directly address the reasons more and more Virginians are abusing narcotics. Even more than before, I am convinced we need what I argued for in *The Extremes*: long range strategies to address the root causes of high unemployment, drug use, lack of healthcare, poor educational results, hopelessness and despair, all which are pervasive throughout Virginia's rural and poor areas. We as a Commonwealth need to confront these issues directly in order to revitalize these rural and poor areas, not only for the benefit of the millions of Virginians living there, but also for the wealthier areas of the state that now prop up these areas with financial support.

We need to recognize the need for expert help, in the form of concerted investigations into the problems of our rural and poor areas, and it needs to be a priority assignment. Outside, independent, global consultants could study our situations and point the way to betterment. So, too, could the brainpower within our magnificent colleges and universities—some located in rural and poor areas—that could be unleashed to study, probe, investigate, examine and then recommend and test how different public and private, business and civic policies could improve the *status quo*.

We must refuse to believe that the past is prologue, that our poor and rural areas are forever stuck in a rut without the same opportunities as wealthier areas. We should be faithful to the true meaning of Virginia—a Commonwealth, where we all share in the bounty our state has to offer.

August Wallmeyer's recent book The Extremes of Virginia, is available as an ebook on Amazon and in softcover at extremesofvirginia.com. 



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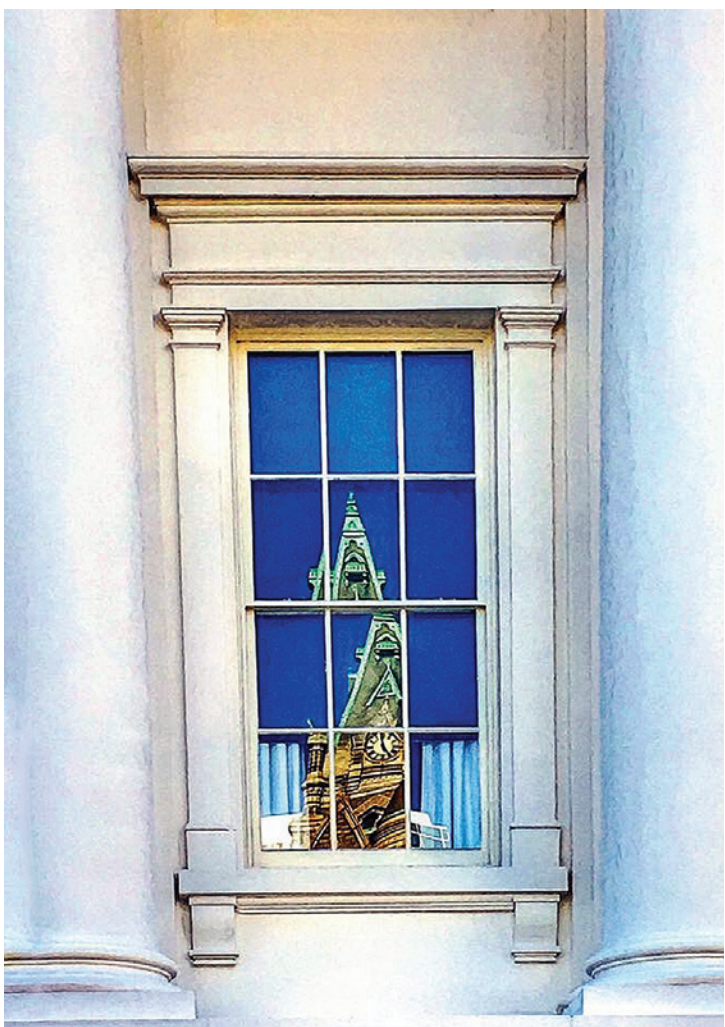
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Capitol Third Floor–Pan

THE PHOTOGRAPHY OF Wanda Judd



West Wing Reflection of Old City Hall



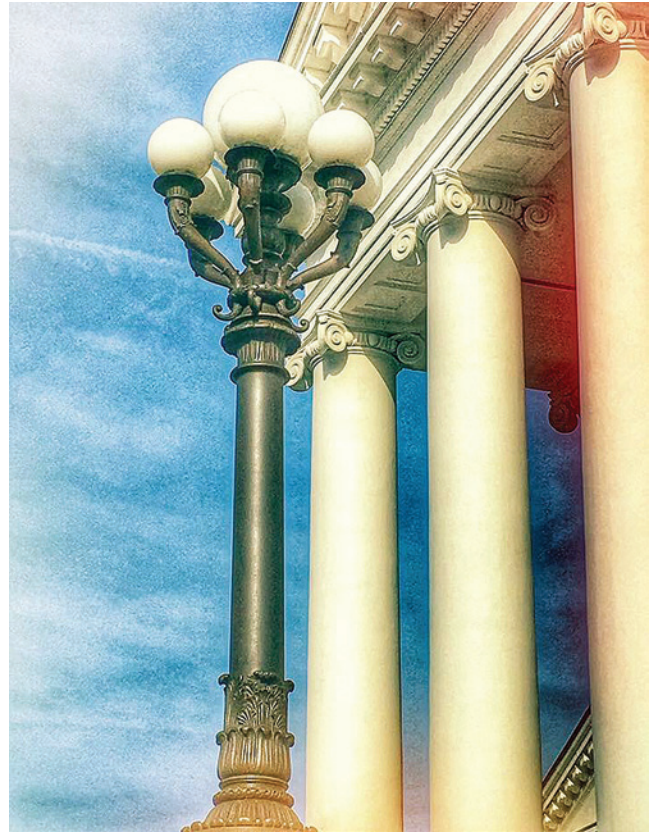
Monument in Fog



Governor's Mansion –
Gentleman's Office



Capitol South Post Light



Capitol Front – Pan



Capitol South – Short Pan



Capitol Abstract – Short Pan



Uniting Virginia Against Human Trafficking By BONNIE PRICE

Brittany is a 19-year-old female. She is barely breathing when emergency medical services arrive and find her at a Richmond area motel. The paramedic worries that she has overdosed on medications, so she is taken to a nearby hospital's emergency department.

After a few days in the hospital unconscious, Brittany wakes up. She tells the nurse how she used to live with her mother but had decided to stay with friends because of her mother's attempts to control her life. Brittany, fearful and alone, tells the nurse how she was offered a free photo shoot by a friend of a friend. She was asked if she would like to take a trip to the beach for the weekend to take more photos. While there, Brittany says she was introduced to a man from another state whom she did not know. She describes how the man was "really sweet" and told her how beautiful she was and that she should be a model. Brittany says the two "became boyfriend and girlfriend" within days.

The boyfriend told Brittany he could help her become a model. While at the beach, the boyfriend asked Brittany to help him make money so that they could travel together. He promised that the money would be for the both of them—and for their future together. He talked her into placing an ad for "dates" on social media. Brittany confides in the nurse that she was very hesitant. However, her boyfriend told her the only way they could stay together would be for her to go on these dates.

After each date, Brittany gave the money to her boyfriend. The boyfriend would drive her to different states. They lived out of motels, much like the one where she was found.

Though Brittany is not her real name, this is a true story about a human trafficking victim. Hundreds of thousands of these victims are in the United States, with a significant number of them in Virginia, due in large part to our mid-Atlantic location and the I-95 corridor. As stories of the horrors of human trafficking continue to emerge and public awareness increases, it is important to remember that there are also as many stories of help and hope waiting to be told.

For example, on January 10, The Central Virginia Emergency Shelter for Human Trafficking Victims opened, providing hope of a new life for adult female human trafficking victims fleeing their traffickers.

Safe Harbor, Bon Secours Richmond Health System, law enforcement, attorneys, victim witness services, social services, advocacy groups and forensic nurses all worked together to get the shelter funded, staffed and running. The facility is unique in that it provides shelter, counseling, program management, safety planning and case management in a single location.



I have the privilege of serving as director for the Bon Secours Richmond Forensic Nursing Program, located at Bon Secours St. Mary's Hospital in Richmond. I have been with Bon Secours for 28 years and a forensic nurse for 24 years. Residents in the newly opened shelter receive both emergency and primary medical care from our nurses.

When force, fraud or coercion is used to control another person for the purpose of engaging in forced labor or commercial sexual exploitation, that is human trafficking; that is what we work to eliminate every day in forensic nursing.

Many times, the first place a victim will surface is in our emergency departments or doctors' offices. At Bon Secours, our providers are trained to know when to bring in our forensic nurses who specialize in collecting evidence not only from victims of human trafficking, but also victims of physical abuse and sexual violence. Our forensic nurses testify in court on behalf of victims and they help them gain counseling, follow-up medical care and assistance with other special needs.

The Bon Secours Richmond Forensic Nursing Program began 24 years ago and serves children and adults who have been victims of violence, including child sexual and physical abuse, adult sexual assault, domestic violence, elder abuse and human trafficking. Our program serves over 20 jurisdictions across Virginia.


Many of the victims of human trafficking have not received basic medical care in years. The primary medical needs of human sex trafficking victims include treatment for sexually transmitted diseases and pelvic/gynecologic infections. Forensic nurses help these individuals access the care they desperately need.

Our program consists of 12 specially trained forensic nurses. There is a forensic nurse on duty 24 hours a day, seven days a week. Forensic nurses provide initial crisis intervention, a head-to-toe assessment and medications to prevent infections. We perform evidence collections, take photographs of injuries and testify in court as expert witnesses. Forensic nurses are expertly trained leaders in the field and provide education to attorneys, police, EMTs, teachers, physicians and other health care providers, and many others, with the goal of identifying and assisting those who report being victims of violence.

Recognizing possible red flags and understanding the indicators of human trafficking is a key step in identifying victims. The Polaris Project notes possible indicators of someone being trafficked can include but are not limited to abnormal behavior, poor physical and/or mental health, lack of control of his/her own money and not being able to speak for themselves, among many others. Other important indicators include lack of knowledge of whereabouts, such as the person not knowing what city he/she is in, as well as numerous inconsistencies in his/her story.

I decided to be a forensic nurse and to do it at Bon Secours because it is part of our organization's mission to care for the poor, needy and vulnerable. At Bon Secours, we ask the right questions when engaging suppliers, vendors, hotels and other businesses, making certain they are not associated with traffickers. I encourage our entire community to do the same.

Victims of human trafficking need caring hearts and hands and resources to bring justice and wholeness to their lives. These victims, like Brittany, need a voice—our voices—to continue building awareness. As Virginians, I ask that we keep our eyes open to the trafficking that is happening all around us.

Bonnie Price, DNP, RN, SANE-A, SANE-P, AFN-BC • Director, Forensic Nursing Program, Bon Secours Richmond Health System 

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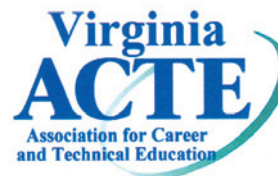
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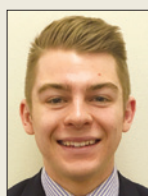
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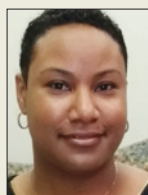
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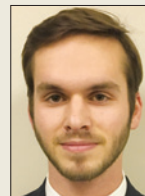
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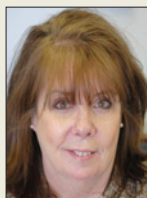
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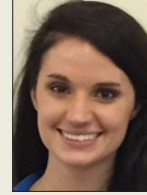
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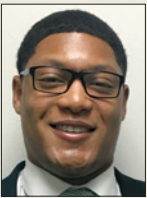
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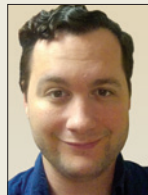
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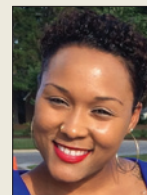
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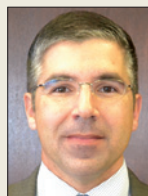
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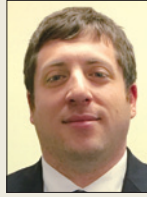


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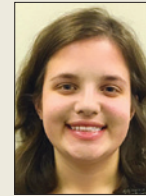
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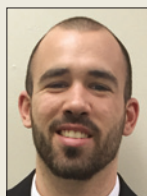
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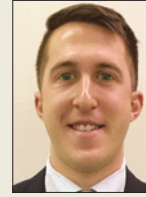
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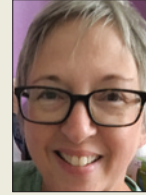
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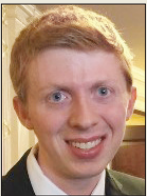
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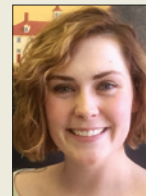
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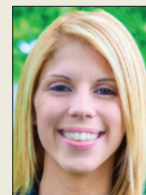
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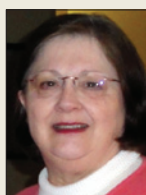
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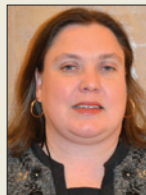
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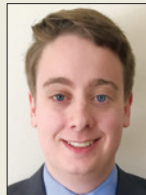
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Virginia Continues to Expand its Capacity to Honor Veterans with Final Resting Places that Commemorate Their Service and Sacrifice to our Nation

By DAN KEMANO



Three years after the Civil War ended, on May 5, 1868, the head of an organization of Union veterans—the Grand Army of the Republic (GAR)—established Decoration Day as a time for the nation to decorate the graves of the war dead with flowers. Maj. Gen. John A. Logan declared that Decoration Day should be observed on May 30. It is believed that date was chosen because flowers would be in bloom all over the country.



Holding true to the embodiment of Memorial Day, the Virginia Department of Veterans Services (VDVS) works every day at its three state veterans cemeteries—located in Amelia, Dublin, and Suffolk—to ensure that the final resting places of its veterans, and eligible family members, are beautiful places that honor those who have served our nation by providing a sense of beauty and peace.

Virginia's first state veterans cemetery, the Virginia Veterans Cemetery in Amelia, opened in 1997. The Albert G. Horton, Jr. Memorial Veterans Cemetery in Suffolk and the Southwest Virginia Veterans Cemetery in Dublin openings followed thereafter in 2004 and 2011. Great care was taken in determining the sites for each cemetery to ensure that all regions of the Commonwealth could provide convenient access to veterans and their families. These state facilities are further complemented by the national cemeteries in Arlington, Culpeper, and Quantico.

The number of veterans and families choosing a Virginia state veterans cemetery as their final resting place has risen each year for the past decade, and the cemeteries have been expanded in phases to meet the memorial needs of the men and women who have so faithfully served our country. Expansions occurred at the Suffolk and Amelia cemeteries in 2014. Virginia's latest commitment to honoring its veterans in perpetuity is demonstrated by construction underway at the Albert G. Horton, Jr. Memorial Veterans Cemetery in Suffolk. Five new columbarium buildings for above ground cremation placements with a total capacity of 1,920 niche spaces and seven new cremation burial ground garden

sections are currently under construction. The new garden sections will expand the capacity of the cemetery by an additional 1,260 spaces. Also, included in this project are supportive elements such as a new asphalt access road, sidewalks and landscaping. Planning is underway for future expansion projects at both the Suffolk and Amelia cemeteries.

This expansion was made possible by the U.S. Department of Veterans Affairs (VA) Cemetery Grants Program, which provides funds to establish, expand or improve veterans cemeteries that are owned and operated by a state, federally recognized tribal government, or U.S. territory.

Laying Virginia's veterans and their eligible family members to rest with dignity and honor, while treating their loved ones with respect and compassion, is the foundation of the mission of the cemeteries division of VDVS. I encourage all Virginians to visit *their* veterans cemeteries and take part in this honored tradition of remembrance on Memorial Day and every day.

To learn more about Virginia's three veteran cemeteries visit www.dvs.virginia.gov.

Dan Kemano retired from the US NAVY as a Command Master Chief after serving 30 years on active duty. Mr. Kemano currently serves as the Cemeteries Director for the Virginia Department of Veterans Services.

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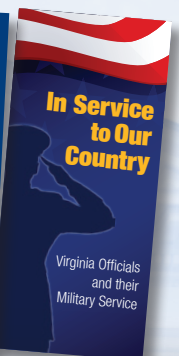
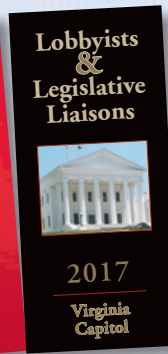
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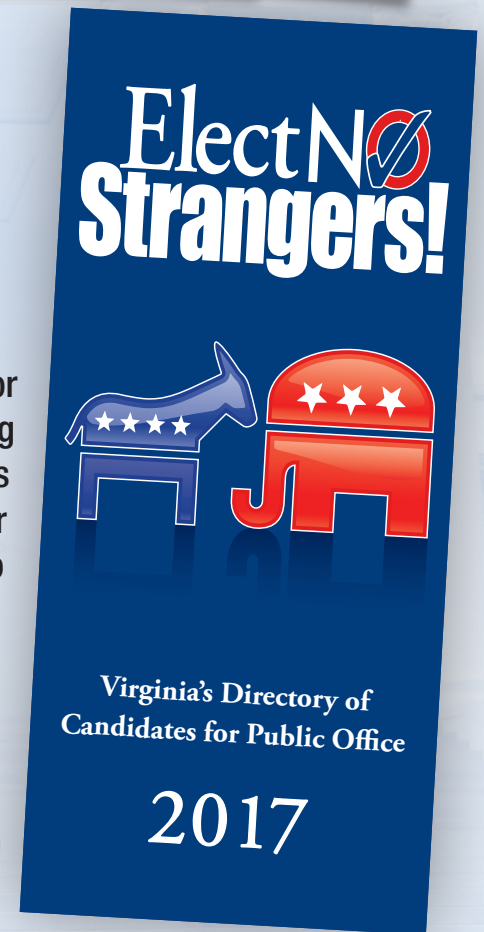
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Democracy In Action

By SARAH ALDERSON

The inauguration of the 35th President of the United States took place on Friday, January 20, 1961. On that day, John Fitzgerald Kennedy included in his inaugural address the now famous words, “My fellow Americans, ask not what your country can do for you, ask what you can do for your country.”

Fifty-six years later to the day, on January 20, 2017, the 45th President of the United States was inaugurated. The election he ultimately won was possibly one of the most unique in our country’s history. It certainly was one of the most surprising. And it was terribly divisive. Interestingly enough, this impending inauguration had prompted many Americans to ask themselves, “What can we do for our country?”

Even though the campaigns leading up to the election had kept the nation captivated, it seems that many eligible voters had still not felt compelled to act. CNN reported that voter turnout in 2016 dipped to its lowest point in two decades.

Perhaps it was campaign fatigue. Perhaps it was the proliferation of so many negative—and, it turns out, mostly false—news stories. Perhaps it was the disheartening idea that they would be voting for the lesser of two evils, and they couldn’t decide which was which. Or perhaps they didn’t think that they could actually make a difference and that the election was already decided. More than likely, it was a combination of all of this and more.

Some voters held their noses and voted for one of the main party candidates. Some voted for a third party believing that they had at least made a statement. Some wrote in a candidate out of frustration. Some voted for the person they believed might actually be able to do something for them. But while there were some people who voted for the first time in their lives, there were still far too many who stayed away.

Reality began to sink in the day after the election. The polls had been wrong. The analysts had been wrong. The media had been wrong. And for better or for worse, the way many had chosen to handle their right to vote had made a difference. But it was not necessarily the difference they wanted.

In February of this year, NPR published a report about a study showing that Americans were experiencing far more stress since the election. Usually, the general public relaxes a bit immediately after an election, because at least the matter is decided. In this case, NPR reported, “Americans rated their stress higher in January compared to last August, increasing from 4.8 to 5.1 on a 10-point scale. That’s the first significant increase in the 10 years that the association has been doing these polls.”

“What’s more,” the report continued, “57 percent of people polled in January said they were stressed about the current political climate; 66 percent were stressed about the future of our nation; and 49 percent were stressed about the outcome of the presidential election.”

The initial inertia from surprise, shock, anger, sadness or happiness about the results of the election was relatively short-lived, as people began to feel the need to do something more. Regardless of whether they had voted or how they had voted, many felt they now needed to become more involved. They needed to speak out.

By Inauguration Day of 2017, individuals had organized into groups that had decided to take action. And the day after the inauguration, The Women’s March on Washington, as well as across the country and across the world, set attendance records to become the largest protest in U.S. history. A large contingency from the Commonwealth was in attendance, including Governor Terry McAuliffe, Lieutenant Governor Ralph Northam, and Attorney General Mark Herring as well as many other Virginia legislators, movers and shakers. Those who attended



said that they had never seen anything like it.

The people who organized the march declared that the event was only the beginning. Other smaller marches have since been organized for more targeted issues of all types. Many who participated in the Women’s March have continued to organize meetings, protests, letter-writing campaigns, calls to their legislators, and more—mostly focusing on Congress and the White House.

But the most notable effect of the national election may be that this newly engaged electorate has also turned its attention to the state and local level. There’s a ground swell of our citizenry taking an interest in government from the ground up. People are attending town halls with their legislators, they are attending city council meetings, and they are even considering running for office.

Right here at Virginia’s Capitol, the movement may have fallen under the radar a bit. It was a short session, and both Senators and Delegates were working through a large amount of bills in a short amount of time. But many who regularly work at the Capitol and General Assembly Building, especially those who help with security and deal with the public at large during session, were taking note of a new trend. There were record numbers of visitors to Capitol Square first one day—and then another—and yet another. Virginians were coming in droves to the Senate and House galleries to watch their legislators at work in the floor sessions. Members of the public were attending committee meetings to take notes and weigh in on issues important to them. And more constituents than usual were requesting to meet with their legislators one-on-one in their offices.

The Assistant Chief of Capitol Police, Mark Sykes, confirms that they recorded a significant increase in visitors during the 2017 General Assembly session. According to Sykes, any normal January and February during any regular General Assembly session usually includes anywhere from around 16,000 to a little over 19,000 visitors each month. This year, however, January and February saw approximately 55,000 to nearly 57,000 respectively. That’s approximately 40,000 extra people each month with a total equal to what would normally be for an entire year.

Delegate Kenneth Plum, who has served in the House of Delegates for 35 years, reflected that he saw more people in Richmond this past session than he ever had in his career. He also noted that he has never received as many phone calls, snail mail, and emails as he has this year. And he added that he has not only seen traditional activist groups get re-energized, but also new groups being formed.

Senator Jennifer McClellan, who moved from the House to the Senate during the session, said that she also noticed a larger amount of visitors overall. She noted that committee meetings were often especially full, particularly those dealing with hot button issues such as immigration. More importantly, she said, “I’ve seen lots of people who have never been involved in the process before becoming engaged now.”

If the result of such a controversial and divisive election is a newly engaged citizenry, then that is ultimately a good thing. If it means that more people run for office and more people vote next time, that’s even better. If Americans learn that the political process does not begin and end on Election Day, if we learn to stay involved in the conversation, and if we learn to hold our leaders accountable for the decisions they make, then all the stress that our country is going through now will be worth it in the end.

Delegate Plum sums it up by saying, “All engagement is important. It has nothing to do with partisanship. It has to do with Democracy.”

President Kennedy would certainly agree. In another of his less famous quotes from over 50 years ago he had also cautioned Americans, “There are risks and costs to action. But they are far less than the long range risks of comfortable inaction.”

If our country is moving from “Democracy Inaction” to “Democracy In Action,” then we’re ultimately on the right track.

Sarah Alderson is an award-winning freelance writer who also works in the General Assembly broadcast control rooms during sessions and the Capitol Studio throughout the year. She can be reached at aldersonproductions@gmail.com

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Transition

By BONNIE ATWOOD

The Virginia Legislature is nothing if not resilient. The oldest continuous law-making body in the New World will not miss a beat when it moves to temporary quarters for the next four years, during which, the General Assembly Building (GAB) will be demolished for complete renovation. The gentlemen and gentle ladies have been making laws since 1619, in various locations beginning with Jamestown, then on to Williamsburg, and finally, in 1780, Richmond.

The General Assembly Building on Capitol Square, just north of Thomas Jefferson's Capitol Building, has a colorful history all its own. The old ornate section was built in 1912. Newer sections were constructed in 1965 and combined with the old in 1976. Preservationists are delighted to learn that the old façade will be saved and incorporated into the new building.

In the meantime, where will they “make the sausage”? Before bills become laws, they are extensively discussed in legislators' offices, at conference tables, in subcommittee rooms, and in committee rooms. This beehive of activity has to be located somewhere.

Almost the entire operation will relocate to what is known as the Pocahontas Building, which has been serving as headquarters for the Virginia Attorney General, his staff, and other state offices. The Pocahontas Building is down the hill from the old GAB and has two entrances—one on Bank Street facing the Capitol and one on Main Street in the heart of the city's financial district.

As visitors to the GAB know, during General Assembly Sessions, from January to April, the building is home not only to legislators and staff, but to swarms of lobbyists, constituents, school groups, and most notably large groups observing their own “Lobby Days,” when the whole membership comes to make their case about crime, land, health, education, transportation, and let's be honest—money. This adds up to many people per square foot, especially on the biggest Lobby Day of all—the Martin Luther King Jr. holiday.

Where will these people walk, stand, sit, and participate in the discussions that affect their lives? This kind of transparency has always been important at the GAB, and the legislature has no intention of letting that disappear during this transition.

Led by a team of people, including Senate Clerk Susan Clarke Schaar and House Clerk G. Paul Nardo, and their staffs, the transition appears to be progressing in good time and as smoothly as possible. Other significant partners are the Virginia Department of General Services and Gilbane Building Company. Gilbane also did the renovations on the Virginia State Capitol.

Senator Richard L. Saslaw (D-35th) praised their work and spoke about one of the biggest concerns—crowd access.

“Over the years, we have seen a large increase in the number of visitors during Session to the GAB,” he said. “Between check-in lines sprawling up Capitol Square and periodically snaking up the street, navigating the building was less than ideal. If I recall correctly, we saw over 55,000 guests this past General Assembly.”

The biggest challenge, said Mrs. Schaar, is “moving so many different agencies and numbers of people, in a timely fashion. We are fortunate that the Pocahontas Building is located close to the Capitol. There are going to be some space drawbacks, but I think it will meet our needs over the next four years.”

These planners are doing a “wonderful job,” said Jay T. Braxton, assistant clerk for the House of Delegates, but it is hard to leave a building that feels “as comfortable as an old slipper.” In spite of various complaints about the GAB (the heat, the cold, the cracks), people who worked there knew it well and made it work. They will have to get used to a new building and “the stakeholders will get used to it, too,” he said. “There will be a new rhyme and rhythm.”

Those of us who have been in the Pocahontas Building have been asking, “How in the world will this work?” The building is divided into



two compartments, both of which have a closed in feeling. The word “claustrophobia” comes to mind.

The square footage is comparable, said Braxton, and the building has been changed a lot. There will be three large committee rooms (seating over 175 people): one for the House, one for the Senate, and one shared (which will be used for things like the money committees). They will also use House Room 3 in the Capitol, and they may use House Room 1. There will probably be seven subcommittee rooms, as opposed to the five at the GAB, and in most cases, the rooms will be larger. This is still a plan in progress. Constituent groups may still reserve these rooms through their legislators, but they will not be serving coffee and food as they have in the past.

One thing that could not fit into the new scheme is a cafeteria, but SunTrust Bank, across Main Street, has offered the use of its third floor cafeteria. Main Street will probably be the entrance for the public. Legislators and lobbyists will likely be using the Bank Street doors.

The corridors have been widened, which will ease the strain of Lobby Days, said Braxton. The East and West wings of the building have been opened up, and you can walk around more easily. The East wing has six floors; the West wing has 14 floors. There are two banks of elevators—three for the East, and five for the West. As in the GAB, Delegates and Senators will have offices on their separate floors, with leadership suites on the sixth floor. Appropriations will be on the 13th floor; Senate Finance will be on the 14th floor. A few changes include: JLARC space at SunTrust, and things like legislative services will be less consolidated.

There will be improved signs, such as to the stairs and the elevators, and there will be more receptionists. Joann Bennett has done a legendary job of holding down the first floor reception desk, and now we will see receptionists on other floors as well. Audio-visual aids will still maintained “at a high level.”

“It's going to work,” said Mrs. Schaar. “Adjustments to change are always a challenge.” She added that there will be space for the media and there will both a House and Senate briefing room. She said she expects that people will find the new space “bright, sunny, clean, and positive, and with some challenges.”

That said, it's hard to say goodbye to our “old slipper,” as Braxton suggested.


“For me personally,” said Saslaw, “moving out of my legendary office (previously occupied by Hunter Andrews) is my biggest hurdle in this move. I have been in the office over two decades, and it was filled with many memories.”

To walk the halls of the GAB this past week is to enter a ghost town. You can see farewell remarks written on the walls. This reporter walked down the beautiful gray marble stairs, and was a queen one last time. One savors the idea that the old façade will be preserved for, as Mrs. Schaar said, its “amazing details of craftsmanship.”

“The bottom line is this move has been planned, budgeted, and will be executed,” said Saslaw.

All of this construction is expected to be completed by the end of June. Start saving your money for the tag sale in July. The upcoming tag sale looks to be a dream-come-true for those of us who like to collect Virginia memorabilia. Braxton said the sale, date to be determined, will include used furniture, old GAB fixtures, the old signs that told us whether the sessions were “in” or “out,” and the typical odds and ends of an office building from days gone by.

“What may be junk to one person can be a treasure to another,” said Braxton. Look for old photographs of legislative wheeling and dealing that may be exciting to the armchair historian. One room will be set aside for such browsing. It will be on Capitol Square, but we do not yet know exactly where. Many of us are breathing a sigh of relief that these things are destined to go to people who value them, rather than to the City trash heap. Proceeds will go to the Virginia Capitol Foundation.

Bonnie Atwood, J.D., is a writer with Tall Poppies Consulting, and represents legislative clients with David Bailey Associates. She is not a queen; she just pretends to be one. She can be reached at BonAtwood@verizon.net. 

By BRENDA LONG



As stated, “To know where you are going, you have to know where you have been” and CTE has come a long way in 100 years. From

Dr. Brenda D. Long is the Executive Director of the Virginia Association for Career and Technical Education. 



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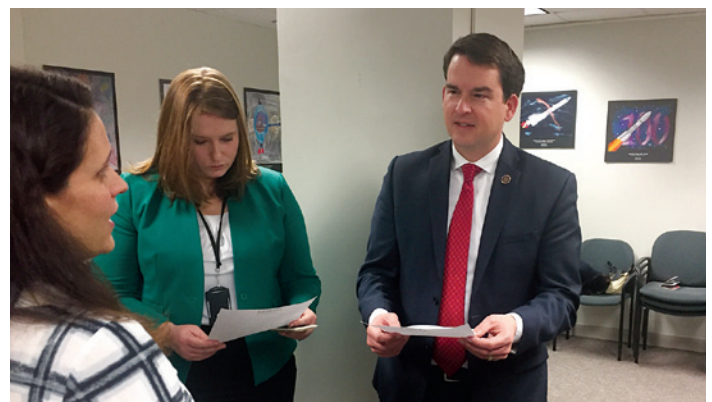
The Virginia School Counselor Association hosted Legislative Day for the 2017 session on Opening Day this year, January 11, 2017. The main focus of the organization was to educate and advocate for the Board of Education proposed updates to the Standards of Quality and Standards of Accreditation, especially relating to the changes in instructional, administrative, and support personnel.

The staff ratio for School Counselors should be adjusted to the American School Counselor Association (ASCA) recommendation of 1 counselor for every 250 students in grades K-12. With current SOQ standards requiring approximately one school counselor for every 425 students, a Virginia school counselor currently has approximately 35 minutes per student per year to spend on individual student planning. Empirical research studies show that students who have greater access to school counselors via lower student-school counselor ratios have stronger school attendance, are more likely to graduate, are more likely to apply to and enroll in college (including first generation students), and show greater improvements in student learning, behavior and mental health.

In the 2017 session, Senator McPike proposed a bill that would require School Counselors to complete training in the recognition of mental health disorder and behavioral distress, including depression, trauma, violence, youth suicide, and substance abuse when they seek initial licensure and renewal of a license in the state of Virginia. At Legislative Day VSCA members were able to talk to Senator McPike about this proposed bill and share the need for this training to be evidenced based and meaningful to School Counselors throughout the state.

VSCA members met with many Senators and Delegates during Legislative Day and will continue to educate and advocate for the SOQ standards to be changed throughout the bill. The organization is already making plans for Legislative Day 2018 and hopes that a bill is proposed to adjust the School Counselor ratios to 1 counselor for every 250 students in grades K-12.

Renée Zando is the Director of School Counseling at Hermitage High School in Henrico County and serves as the Government Relations Chair of the Virginia School Counselor Association.



Girl Scout Legislative Day in Richmond

By MARCY GERMANOTTA

Virginia Girl Scout councils hosted their annual Legislative Day on Monday, February 20 in Richmond. The day was an opportunity for Girl Scouts to speak to legislators about issues affecting girls and young women. Representatives included chief executive officers from three of the councils: Girl Scout Council of Colonial Coast CEO Tracy Keller, Girl Scouts of the Commonwealth of Virginia CEO Molly Fuller and Girl Scouts of Skyline Virginia Interim CEO Denise Stewart.

The day started with a Cookies and Milk reception, where Girl Scouts met with their local legislators to share information about programs offered by Girl Scouts. They also shared findings from *The State of Girls 2017: Emerging Truths and Troubling Trends*, a report recently released by the Girl Scout Research Institute about the overall well-being of girls in the United States. According to the report, the well-being of girls in Virginia ranks number 13 in the country, moving up from number 23, as ranked in 2007. Girl Scouts shared that despite an overall growth of well-being for girls in the Commonwealth, there are still issues that need to be addressed, such as the 64 percent of eighth-grade girls who are not proficient in math and the 28 percent of girls ages 10 to 17 who are overweight or obese.

Girl Scouts also visited the House and Senate where they were introduced in the Senate by Senator Janet Howell and in the House of Delegates by Delegate Daun Hester, who are both Girl Scout alumnae. A joint resolution was passed to acknowledge the 2017 Girl Scout Cookie Program as marking the 100th year of the first known sale of cookies by Girl Scouts.

The highlight for many of the girls who attended was visiting and touring the Executive Mansion, where they met Governor Terry McAuliffe. The Governor presented them with a Certificate of Recognition for the success of the Girl Scout Cookie Program, which has taught girls financial literacy and entrepreneurship skills for 100 years.

The CEOs also visited with Secretary of Commerce and Trade Todd Haymore and discussed the benefits of the Girl Scout Cookie Program and how Girl Scouts help prepare girls for the workforce in many ways.

Legislative Day is just one of the ways that Girl Scouts works across party lines to educate and raise awareness about issues important to girls and young women. Through their advocacy efforts, Girl Scouts demonstrates to policymakers that the organization is a resource—and an authority—on issues affecting girls and Girl Scouting.

Marcy Germanotta is Communications & Marketing Director for Girl Scouts of the Colonial Coast. 



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