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July 3, 2019

The Honorable Mark R. Warner  
United States Senate  
703 Hart Senate Office Building  
Washington, D.C. 20510

The Honorable Tim Kaine  
United States Senate  
231 Russell Senate Office Building  
Washington, D.C. 20510

The Honorable Abigail Spanberger  
United States House of Representatives  
1239 Longworth House Office Building  
Washington, D.C. 20515

## **Re: United States Bureau of the Census Approval of Goochland Submitted Census Border**

Dear Senator Warner, Senator Kaine, and Representative Spanberger:

I am writing on behalf of the Goochland County Board of Supervisors and Goochland County to request your assistance in ensuring that the Census Border Lines submitted to the United States Bureau of the Census (Census Bureau) by Goochland and Louisa counties are accepted and approved in a timely manner. Your assistance in this matter will help bring resolution to a disparity between our tax parcel boundaries and census boundaries. It will also help to restore the reassignment of over 300 voters from their longstanding voting districts in Goochland and Louisa counties.

Goochland and Louisa counties, for the first time, have submitted census boundaries that match our tax parcel boundaries as part of the Census Bureau's Boundary Annexation Survey (BAS). These matching boundaries were submitted in the middle of May 2019. As you may be aware, the Census's BAS is used to update information about the legal boundaries and names of all governmental units. Additionally, boundary information collected is used to tabulate data for the decennial and economic censuses, and for annual estimates and surveys such as the American Community Survey and the Population Estimates Program.

July 3, 2019

It is our understanding that the information submitted to BAS may not be reviewed, accepted, and approved at the earliest until 2020. We are respectfully asking for your assistance to ensure that this information is reviewed, accepted, and approved as soon as possible.

There has not been an official adopted boundary line between Goochland and Louisa counties for over 250 years. Although no boundary line was ever subject to a formal survey, the residents and property owners in the area have paid taxes and voted in their respective localities for years, the Commissioners of Revenue and County Treasurers sent tax bills and collected tax payments from the residents, and the division between the two counties has been accepted by custom and common practice. Accordingly, there is a boundary which follows both natural features and property lines, and which has been recognized for the purposes of real estate taxation, school attendance, and voter registration.

Separately from the acknowledged, but not adopted “tax boundary” between the two counties is the Census Bureau boundary line which does not follow the accepted “tax boundary” line; there are discrepancies and inconsistencies between them. In the past, voters who lived in the areas of discrepancy between the two lines were permitted to vote consistent with the tax boundary line so they could vote in the county of their residence. It is believed that many “tax boundary” lines in the Commonwealth had similar inconsistencies with the Census Bureau boundaries and that voters were similarly accommodated to vote in their county of residence notwithstanding a variation in the Census Bureau boundary which would place them in a different locality’s voting precinct.

These type of inconsistencies between the taxing and census lines became the focus of a great deal of attention after the 2017 General Election, which was tarnished by reports of multiple instances of mis-assigned voters in House of Delegates Districts. In 2018 the Virginia Department of Elections reviewed the issue of mis-assigned voters and determined they had no statutory authority over voter assignments, and although it could assist, “it would require the locality to make the final decision on district assignments.”

In the places where there was a discrepancy between the tax boundaries and the Census Bureau boundary, Goochland and Louisa wanted their residents to be able to continue to vote according to their tax boundaries. In an effort to help with that effort, Virginia Senator Mark J. Peake (22<sup>nd</sup> District), who represents both Goochland and Louisa, worked closely with stakeholders to draft Senate Bill 1102 (SB 1102), which included language that would have permitted local registrars to determine residence by reference to local governing bodies who could decide by mutual agreement. This bill passed unanimously in the Virginia Senate but was unexpectedly derailed in a House subcommittee during the 2019 Session. Following the failure of the bill, the Louisa County General Registrar felt compelled to move voters to comply with the Census Line rather than the tax boundary.

As a result, the boundary issue between Goochland and Louisa counties has led to the reassignment of over 300 voters from their longstanding voting district and the locality where they pay their taxes. This change is particularly problematic because the upcoming election not only involves state officeholders, but the election of almost all local officials. For this election, when the majority of local offices are on the ballot, it is vitally important that Goochland and Louisa citizens be able to vote for representatives in the locality where they pay their taxes.

July 3, 2019

We regret the length of time the dispute has existed and the problems it has caused; nonetheless both localities have been working to bring resolution to the dispute over the last couple years. This includes a concerted effort of our Geographic Information Systems (GIS) departments to reach agreement on the actual agreed-upon boundary. It led to the submission of matching census boundaries to BAS that match our tax parcel boundaries. This path outlined by both localities is anticipated to bring final resolution by calendar year 2021.

We are respectfully asking for your assistance to ensure that this information is reviewed, accepted, and approved as soon as possible. As previously noted, your assistance will help bring resolution to a disparity between our tax parcel boundaries and census boundaries. It will also help to restore the reassignment of over 300 voters from their longstanding voting districts in Goochland and Louisa counties.

We thank you and your staff for your time and service to the Country, Commonwealth, Goochland, and our citizens.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Manuel Alvarez, Jr.', written in a cursive style.

Manuel Alvarez, Jr.  
Chair  
Goochland County Board of Supervisors

c: Honorable Members of the Goochland County Board of Supervisors (VIA E-MAIL)  
John A. Budesky, *Goochland County Administrator (VIA E-MAIL)*  
Tara A. McGee, *Goochland County Attorney (VIA E-MAIL)*