

Virginia General Assembly

2018 Report from Delegate

Vivian Watts

This newsletter was hard to write. Too often, I couldn't avoid talking about sharply drawn lines to explain what happened or didn't happen. It's much easier to just announce victories. More than ever, I urge you to be involved and let me hear from you. Sound policy depends on open dialogue —

Vivian



“It’s not a moment, it’s a movement”

seventeen SPECIAL ISSUE March For Our Lives

SELECT COMMITTEE ON SCHOOL SAFETY

Following Parkland, the House of Delegates established a select committee to look at issues in the more than 193 school shootings since Columbine. Its focus is on security, active shooter response, and behavior threat assessment. It will not deal with guns.

Where we are . . .

The death of 32 Virginia Tech students and faculty in 2007 sparked significant initiatives that put us *ahead of most states*.

- ▶ Every public school is mandated to have a threat assessment team with counselor, teacher, administration, and law enforcement members.
- ▶ Threat assessment focuses on *prevention in responding to signs of possible threat* to others or self. Two-thirds of schools conducted a total of 9,238 threat assessments. Half involved current students. Half addressed possible suicides. Of the 40 incidents where a potential threat became a real threat, half also were suicide attempts. (2016/17)
- ▶ First responders are more effective because *security steps are shared* statewide. For example, 65% of schools provide first responders internet-based access to floor plans. Nearly all schools prominently number outside doors in sequence.
- ▶ 79% of Virginia high schools and 68% of middle schools have armed local law enforcement officers (SROs) in their school. Nationwide, having SROs in more schools paralleled a *drop in schools reporting gang activity* from 20% in 2001 to 11% in 2015.

See inside for how to let me know your thoughts and concerns about the safety of each student while in school, their safety outside school hours, and gun safety as it affects us all. I need to hear from you.

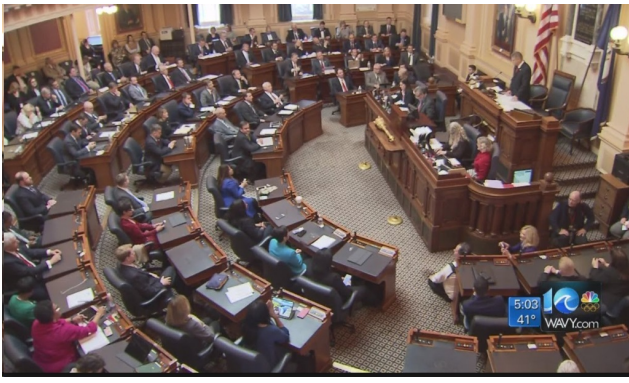
SAFE VIRGINIA INITIATIVE (SVI)

I am one of the 15 members named to the Select Committee. I'm also active with the SVI task force open to all members, which was formed out of the belief that “Addressing school safety, without discussing gun safety, just doesn't make sense.”

SVI's is focused on the impact of gun violence on children – wherever it occurs. In monthly public forums throughout the state, we hear concerns about places of worship, public gatherings, domestic violence, mental health, suicide, as well as school-related shootings. SVI's pledge not to “infringe upon the constitutionally protected rights of gun owners” has resulted in active participation by 2nd Amendment advocates.

What we know . . .

- ▶ In 4 minutes, over 150 bullets were shot at Sandy Hook 1st graders. In 10 minutes, more than 1,100 rounds were fired at Las Vegas concert-goers.
- ▶ *Most of the over 1,000 homicides of children nationwide each year don't happen at school.* Only 3% are in school, on school grounds, going to and from school, or at school events. (1993-2015)
- ▶ When school-related gun violence does occur, Black students are three times as likely and Hispanic students twice as likely to be affected.
- ▶ *Suicide is now the second leading cause of death for ages 10 - 24.* Across all ages, firearms account for 51% of all suicides (2016)
- ▶ 1/3 of female homicide victims in the U.S. are killed by an intimate partner.



CONDUCTING THE PEOPLE'S BUSINESS

Dramatic change . . .

Last November's election resulted in unprecedented change in the make-up of the House of Delegates. Republicans no longer outnumber Democrats 2 to 1; their majority control is now only 51 to 49. Moreover, the number of women delegates jumped from 16 to 28, far surpassing a previous high of 19.

The more things change, the more they stay the same . . .

Or as one source puts it: "Turbulent changes ... cement the status quo." That certainly was true this Session. As a senior member, I'd prepared to be part of power sharing discussions, like those that brought important changes when the situation was reversed 20 years ago. There were none.

Instead, with no votes to spare, the use of rules and party discipline got tighter:

- ▶ Over 80% of the bills introduced by House Democrats were killed.
- ▶ A binding majority caucus vote killed new funding for Metro and instead *took \$100 million a year from much needed local road improvements throughout Northern Virginia.*
- ▶ For the first time in over 30 years, the vote of *all* the Fairfax delegates and senators to select new local judges was ignored for a partisan choice. With two empty judgeships, it now takes 9 months to get a custody/visitation/child support trial.

The only positive change was to *require recorded votes* when bills are killed in sub-committee. Many groups pushed for this basic transparency so we can be held accountable. In contrast, the voices of delegates that voters chose to represent them are muted by the Speaker's sole control of all committee assignments and appointments that don't reflect the 51 to 49 balance.

GERRYMANDERING

Voters should choose their elected officials, not the other way around . . .

This is a common criticism of voting districts gerrymandered for political control. Both parties nationwide and throughout history have done it. But, as my mother used to say, "Two wrongs don't make a right."

The U.S. Supreme Court recently ruled that Virginia's delegate districts had to be re-examined for racial prejudice. As a result, on June 26th, we were ordered to re-draw the 11 districts that *the court found had been packed with Black voters to reduce their influence.*

Actually, many voters are affected by the means used to control Black voter influence. To justify moving small pockets of Blacks, every delegate district statewide was required to be within $\pm 1\%$ in population even though much larger spreads meet the principle of one-person-one-vote.

In my district, 4 of 20 precincts were split. The worst split goes back and forth across one street after another to cut off about 37 houses from the other 450 houses in the subdivision. I honestly can't tell if it's 37, 38, 39, or 40 houses – the line is so confusing as to which houses are in and which are out!

Applied statewide the $\pm 1\%$ used to pack Blacks doubled the number of such split precincts, many following equally confusing census lines laid down before the houses were built. This *creates confusion and increases costs* but, usually, it doesn't change the outcome. However, this year there were two big exceptions:

- ▶ 147 voters were given the *wrong ballots* for a Fredericksburg seat that was decided by 73 votes;
- ▶ After a coin-toss decided a tied Newport News race, it was discovered 26 voters had been given the *wrong ballot*. That *coin-toss* kept the House in Republican control.

HOUSE HARASSMENT POLICY

The House leadership will develop a policy against sexual harassment of legislative employees and require training. This is not progress. *In fact, it's a major retreat* from the state agency policy we'd been under that covers all harassment: racial, ethnic, religious, LGBT, disability – not just sexual.

Furthermore, *the state policy covers and protects the public* not just legislative employees. I will continue to push for broad, year-round coverage of delegates' acts whenever they're acting in an official capacity.



Vivian, my greatest concern(s) about keeping school children safe is

I'm also concerned about ☐ the Economy ☐ Transportation ☐ Education ☐ Health Care ☐ Taxes
☐ Mental Health ☐ Environment ☐ Personal Freedoms ☐ Law Enforcement ☐ Other _____

Please cut along the line below to include your name and address, which is printed on the back, with your response.

ELECTRIC POWER

Rebates . . .

Your August bill reflects your share of a \$137 million rebate. (For example, my bill this month is \$110, even though last month we paid \$121 for using less electricity.) Another \$67 million rebate will reduce your January bill. Rates also will drop slightly due to federal tax changes.

The rebate comes from charges that began in 2015 designated to pay for proposed EPA mandates to reduce greenhouse gases. However, in October 2017, the new EPA Administrator canceled the mandates.

Green Energy, Security, and Reliability . . .



Some legislators wanted to refund all of the money. I supported a compromise to also fund greater efforts to reduce fossil fuel use – not because the federal government tells us to, but

because we need to – as well as fund service reliability and grid security. This includes requirements for Dominion to

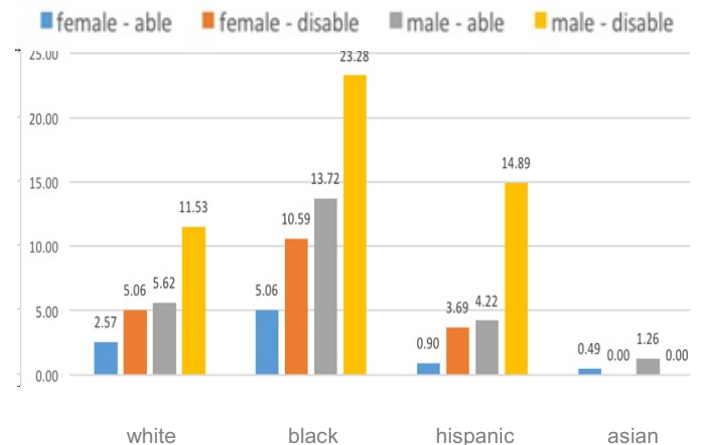
- ▶ bring on-line 5,000 megawatts of wind and solar – 10 times the current target – with 3,000 megawatts initiated by 2022;
- ▶ spend \$1 billion on energy conservation in the next decade to address Virginia's poor ranking with other states;
- ▶ promote non-peak electricity use and provide "net metering" so that small-scale solar generation can be sold back and used by other customers; and
- ▶ make grid improvements and continue burying power lines that are taken out most frequently in storms or are particularly dangerous to repair, freeing crews to respond faster to all outages.

RESTORATIVE JUSTICE

Too many students marked for failure . . .

Schools had been able to suspend K-12 students for as many as 365 calendar days. We reduced that to 45 school days, except if a formal procedure finds that aggravating circumstances exist.

In the 2019 Session, the focus will be on the number of students taken to court over behavior in school. This 2013-14 chart shows alarming differences per 1000 for disabled* and for Black Virginia high school students. Suspensions mirror this pattern. (*includes physical, emotional, and intellectual.)



Fewer students are suspended, expelled, or charged in schools that have *a balanced structured and nurturing climate*. This not only involves strong counselor programs from K-12 – it also requires teachers with manageable class loads.

Finally, this Session, we addressed the lifetime stigma of a felony record for shop-lifting of over \$200. That threshold was set in 1980 and we raised it to \$500. In 36 states the threshold is \$1000 or more, while \$200 is the nation's lowest.

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MEDICAID EXPANSION

Finally !!!

The sad truth is that most low income jobs don't include health insurance. Medicaid expansion will provide *basic health benefits for about 400,000 Virginia citizens* – over 70% of whom are working but making less than \$28,677 for a family of 3.



90% of the cost will be paid out of federal taxes that Virginians are paying under the Affordable Care Act. *For 8 years, these taxes went to other states to provide healthcare.* The remaining 10% will be paid by a tax on hospital profits. Hospitals supported the tax as an equitable way to lessen the burden of emergency room care for so many uninsured.

Last November's election sent a strong message supporting Medicaid expansion. That changed some long-standing opposition. The votes of other legislators turned on a work-training requirement for physically and mentally able-bodied adults who don't live where there's high unemployment or aren't the sole caretaker of a child or a relative needing full time care. It's estimated 150,000 will fall under this requirement but only 15,000 will choose not to participate.

I voted for the program as a focus for much-needed services. I grew up in a poor rural area; I dealt with prisoner and juvenile rehabilitation as Virginia Secretary of Transportation & Public Safety; and I directed a non-profit dealing with abused and neglected children. *I know there are people who've never been reached who, at the right time in their lives, will respond to relevant education and job-training.*

BUDGET

Good news . . .

Because the cost of Medicaid expansion is totally covered, it freed over \$370 million that was being used to provide limited healthcare solely with Virginia tax dollars. This allowed us to

- ▶ increase *school funding* and help local governments raise teacher salaries 3% next year;
- ▶ raise *state salaries* 2%;
- ▶ increase *student financial aid* by over \$30 million;
- ▶ increase *mental health and disability services* by over \$150 million; and
- ▶ increase the Rainy Day Fund and *cash reserves* to almost \$1 billion as a hedge against dynamic changes in the economy and possible cuts in state taxes to conform with federal tax changes.

My aide is my only staff. For over 20 years, the people of HD39 have been very well-served by Deb Sherman. She's gone to bat with state agencies on your behalf from tax filings to snow removal; from licensing to potholes; from DMV to aging parents. Wish her well in the joy of grandchildren. And, please, join me in welcoming Aaron Yohai who brings millennial energy and IT skills with the intelligence and dedication to serve you equally well.