



**CIVIC LEAGUE**  
For New Castle County

*Informed Citizens for Sound County Growth*

P.O. Box 11523 - Wilmington, DE 19850

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**April**  
**2010**

**STATEMENT  
OF  
PRINCIPLE**

Monitor and selectively evaluate government actions including laws, regulations and policy.

Provide appropriate forums for informing as well as soliciting input from the public.

Establish positions based on responsible studies and consistent with the aims and purpose of the organization.

Advocate these positions.

Founded in 1962, the Civic League is non-profit volunteer organization, which studies and illuminates County and State government actions concerning comprehensive developments and the quality of life and is a vocal advocate of relevant positions.

County Comments is the official publication of the Civic League for New Castle County.

Dan Bockover,  
President

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# COUNTY COMMENTS

CIVIC LEAGUE FOR NEW CASTLE COUNTY  
Informed Citizens for Sound County Growth

## MEETING

**Tuesday, April 20, 2010**

7:00 PM at the Paul Sweeney Public Safety Building  
3601 N. duPont Hwy  
(Rte 13 South of DMV, North of Gracelawn Cemetery)

## AGENDA

Linda Rogers  
Associate Secretary for Teaching and Learning  
Delaware Department of Education  
Challenges and Opportunities for Education in Delaware 2010

## Want Local School Control Elect School Board Members Locally

What! You mean we aren't already electing school board members locally! No, we are electing school board members on a district wide basis. We nominate school board members from the local nominating district in which they reside - then we proceed to vote for them on a district-wide basis.

This means a dedicated resident gets nominated locally. But to be elected, the candidate must campaign district-wide - requiring considerably more effort and expense - then just appealing to fellow residents living nearby.

If the candidate wins the election, after investing all the time and money, he/she gets to invest more time and money in serving on the board - and receives no compensation.

It gets worse. The school board election is a special election. It costs money to hold a special election and it interferes with normal school operations. It discourages residents from turning out for the election with the result of historically low voter turn-out - and pitifully poor resident representation. The only persons for whom the special school board election is handy are school personnel.

The results of this current arrangement are instructive for those caring to inquire. For instance, note the Colonial School District. There are 5 members serving as "un-elected board members" since they had no opponents they only needed to file to become board members. Of the two

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others, one was elected by a vote of 120 to 115, and the other was elected by a whopping 478 to 136. Now, this is out of a voting pool of probably 50 or 60 thousand! After getting into office on this basis, what allegiance do the board members have to their constituents?

This same problem exists in other districts - some with more elected members than Colonial. It is typical for them to have "un-elected" members and members on their boards on the basis of a tiny amount of votes.

There is a simple solution and it is incredibly inexpensive: Elect school board members during the November biennial general election where there is much larger voter turn-out, and vote for board members on the basis of local nominating district in which they live.

Save the cost of the special school board election, enable more candidates to campaign, and get truly concerned and caring local oversight. This is a non-political issue, but to make it happen, you'll need to contact your state senator and representative.

R. Jerry Martin  
Concerned Citizen

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## Keeping Fingers out of the Cookie Jar

It's like a big cookie jar. That's the way legislators look at it when they start redrawing boundary lines as required every 10 years for their Senate and House districts. Their self-serving interest is to end up - not with just the same number of constituents, as required by the 2010 census - but to end up with enough favorable voters to insure their reelection.

When legislators are allowed to work in secrecy behind closed doors, redrawing district boundaries - with the public completely shut out - their decisions can be made on partisan or personal grounds. They are free to reward those who have agreed with and supported them, and punish those who have disagreed.

In recent years, advances in information and mapping technology have enabled a level of precision in census district manipulation that enables legislators to choose the voters they wish to represent. Picking areas where they have more support is one way an incumbent can make it difficult for voters to hold him/her accountable. Democracy is thwarted during such redistricting. Naturally, they choose to keep activists who will help them get re-elected no matter what they may or may not have done in office.

You are invited to review the result of this new technology as used in drawing current district lines by visiting our website: [www.CivicLeagueForNCC.Org](http://www.CivicLeagueForNCC.Org). (*click on "Members Comments", "Gerrymandering Must be Stopped"*) Especially note district (10) where the boundary along Darley Road was bent to exclude one specific home.

Along the way, it is important to keep in mind the need for cohesion when districts are being defined with new boundary lines to reflect population changes. Cohesion is important because the interests of an area can be protected when more constituents are involved in an issue. Then a representative is more attentive and gives him/her a chance to focus. Some districts cross into multiple school districts, making familiarity with the problems in each a more time consuming challenge.

Democracy requires at least three things: (1) important decisions be made in the open. (2) The public and its representative have an opportunity debate them, so the policy decisions can be revised in the public interest. (3) Those who make the decisions be accountable to their constituents.

To keep legislators fingers out of the cookie jar while making your vote count, we must remove redistricting decisions from the purview of partisan legislators and create an Independent Redistricting Commission. Senate Bill 20 does just that but it must pass this year to be effective. It has been ignored for three General Assemblies. We must bring attention to it and lobby to get it passed. Other groups will join if we do our part.

Tell your Representative and Senator to support **Senate Bill 20** by calling Legislative Hall at 302-744-4351 for Democrats and 302-744-4171 for Republicans, then email all of them.

Frank Sims

## Redistricting Delaware - What You Don't Know

Redistricting is a tool that permits an undemocratic abuse of power. The ACLU Utah Chapter says "redistricting is probably the most powerful maneuver available in our electoral system today. I learned that that is true.

In January of 2002, on behalf of the Civic League, I was the Plaintiff in Sims versus the General Assembly. Because I was Chair of the Independent Party of Delaware and a resident of Southern New Castle County, I was in a unique position to seek a Writ of Mandamus to compel the State Legislature to cease delaying redistricting and to do it in time to allow challengers to know where the new district lines would be.

The deadline in state law to redistrict had been June 30, 2001. The House Majority Leader's reason for the delay was that the House needed to increase the representative districts from 41 to 45 to reflect the increase in population. The reality was that one of the Republican seats in Brandywine Hundred would be lost with 41 districts.

The Writ of Mandamus is an ancient legal tool for protecting citizens from government dereliction of duties. It was almost always used against the king or executive officials in British and American government. Our victory was only the third against a legislature. It is used to compel performance of a nondiscretionary statutory duty and to protect the public from the consequences of the government's failure. However, the plaintiff must be a person who suffers unique and special damages. In my case, that was an inability to recruit candidates who would have an equal chance at being elected.

The complaint was based on the state constitution's mandate that elections be equal so that we could fight in state courts. The GOP leadership had been inviting a lawsuit, expecting one to be brought in the Republican-dominated Federal Courts.

A special panel of three Superior Court Judges and the Chancellor issued the Writ ordering that a redistricting bill be passed by April 19, 2002, or they would do the job.

The bill was passed by the deadline, but the leaders played dirty with the court. The descriptions of districts were written in census tract numbers - not geographic terms such as roads and streams. It took a month to figure out the ramifications of it, and then the House and Senate leadership amended the bill to reduce the low population election districts created by different plans for the counties and cities. The Department of Elections needed to eliminate them, but this presented an opportunity for the leaders to play more games. Both saw members of their caucuses facing new challengers and they wanted some of their districts strengthened. When you draft a bill by numbers, it takes a while for others to figure out what you have done. The final bill was passed in June.

This year, we can make a difference. We can stop the kind of self-serving, manipulative redistricting that has happened in the past. We can put the task in the hands of an Independent Redistricting Commission. Senator Blevins has stepped up to sponsor bills in each General Assembly this decade, but they have been ignored. We need everyone to contact legislators now. This is the year they must act.

*"Power corrupts; Absolute power corrupts absolutely."*

Thank you,  
Frank Sims

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