

# Reconsidering Marijuana Pot is still legal, but the plan to regulate its sale is in jeopardy.

BY MICHAEL LEE POPE  
GAZETTE PACKET

Virginia is now in a marijuana daze. Pot is legal in small amounts, but nobody has a license to sell it. That has created a gray area for lawmakers, who will be considering next steps during the General Assembly session that starts this week.

When Democrats were in power, they created a complicated licensing system that was designed to benefit people who had been harmed by the so-called “war on drugs,” which disproportionately harmed people of color. Those social equity licenses may be in jeopardy now that Republicans are taking control of the House. Republicans are also talking about new criminal misdemeanor charges for possession and forcing local governments to hold referendums for voters to decide if they want to allow marijuana licenses in their jurisdiction.

“This is a common consequence in legislatures when majority control flips from one party to another,” said Jennifer Victor, associate professor of political science at George Mason University’s Schar School Policy and Government. “When partisans don’t agree and they wind up trading off control, it makes it almost impossible to get policy accomplishments done.”

The problem with abruptly halting the policy debate is that policy changes are already in motion. Last summer, public possession of up to one ounce of marijuana became legal for adults. The Cannabis Control Authority has already been stood up, and the wheels of government are already in motion preparing to regulate the new market. So far, lawmakers are not talking about re-criminalizing marijuana for less than an ounce.

“The question in 2022 is not should Virginia legalize cannabis,” said Jenn Michelle Pe-



As of July 1, possession of less than an ounce of marijuana is legal in Virginia.

dini, executive director of Virginia NORML. “That was asked and answered in 2021, and is a policy favored by a supermajority of Virginia voters.”

**“The question in 2022 is not should Virginia legalize cannabis. That was asked and answered in 2021, and is a policy favored by a supermajority of Virginia voters.”**

— Jenn Michelle Pedini,  
executive director of Virginia NORML

But some are concerned about a gap in the law between a civil penalty and a felony with no criminal misdemeanor in between. Under current law, if someone is caught with amounts between one ounce and one pound,

they can be charged with a civil penalty of \$25. But possession of more than a pound is a felony, creating no middle ground between the civil penalty and the felony. That’s why some lawmakers are considering a plan that would create a new criminal misdemeanor for amounts between 4 ounces and a pound.

“Whether or not it has to be one that carries a criminal record I haven’t made a final conclusion,” said Sen. Adam Ebbin (D-30), adding that perhaps increasing the dollar amount of the civil penalty might be a way to address this concern. “I think the idea of discouraging larger amounts is worthwhile, and we have to decide the best way to do that.”

**WHEN DEMOCRATS** were in power, they created a system of social equity licenses designed to counteract some of the damage



Sen. Adam Ebbin (D)

DRUG ENFORCEMENT ADMINISTRATION

done by the failed war on drugs. For example, people who have been convicted of possession of marijuana might end up receiving preferential treatment for licenses. Family members of people who have been convicted of possession could also get priority. Residents of neighborhoods that have been disproportionately policed may also end up getting preferential treatment.

“I never realized the way to get ahead in life was to break the law,” cracked Del. Glenn Davis (R-84) in a tweet about the social equity licenses last year.

Democrats were able to secure a victory for the social equity licenses in the House and Senate, but lingering concerns over the complexities of standing up the new Cannabis Control Authority led to a “reenactment clause.” That means that none of the rules around social equity licenses passed by Democrats will be enacted unless the new Republican majority decides to put their stamp of approval on it. Considering the opposition among Republicans to this part of the plan, a reenactment of social equity clauses seems unlikely.

“You cannot provide preferential treatment lifting up one class or group of citizens without diminishing the rights of another,” said Sen. Bill DeSteph (R-8).

**ANOTHER POTENTIAL** change Republicans might end up forcing is a change to what is required of local governments. Under the plan approved by Democrats, licenses would automatically be available in all jurisdictions. If a local government wanted to opt out of having licenses, they would have to hold a referendum in which a majority of voters would have to agree to prohibit marijuana. SEE POT IS STILL, PAGE 6

## Casey Sworn in as Sheriff

Public ceremony canceled due to pandemic.

BY JEANNE THEISMANN  
GAZETTE PACKET

Sheriff Sean Casey officially took the oath of office Dec. 29 at a private ceremony at his home in Alexandria. The public swearing in scheduled for Jan. 11 was postponed due to ongoing Covid-19

concerns.

“On Dec. 29 I was sworn in as Sheriff of Alexandria by Greg Parks, Alexandria Clerk of Circuit Court,” said Casey in a Facebook post. “I began my term as Sheriff on January 1st. Unfortunately, due to Covid-19 I was not able to do a more formal ceremony, so the front yard had to do. Luckily I had plen-

ty of help.”

Casey’s wife Amanda and daughters were by his side as he took the oath of office, replacing Dana Lawhorne, who served 16 years leading the Alexandria Sheriff’s Office.

“The increase in Covid-19 cases in our region has impacted Sheriff’s Office operations and our SEE PUBLIC CEREMONY, PAGE 6

Alexandria Circuit Court Clerk Greg Parks, left, administered the oath of office to Sherriff Sean Casey Dec. 29 at Casey’s home in Alexandria.



PHOTO CONTRIBUTED



# Talking Baseball

## ASC to host Aces manager, owner Jan. 19.

Chris Berset, general manager of the Alexandria Aces baseball team, will be joined by team owner Frank Fannon as guest speakers at the Alexandria Sportsman's Club annual Baseball Night Jan. 19 at the Old Dominion Boat Club.

Berset and Fannon will give a behind the scenes look at what it's like to run a baseball team and provide insight into the upcoming season. The presentation will be

followed by the scholastic Athlete-of-the-Month awards.

Fannon, an Alexandria Sportsman's Club past president, became majority owner of the Alexandria Aces in 2021.

The Aces are a member of the Cal Ripken Collegiate Baseball League that plays a 36-game season during June and July.

Berset is a former catcher in the Cincinnati Reds organization and played collegiate ball at the University of Michigan. Berset is the

owner of Primetime Baseball, an Alexandria-based instructional and developmental facility for aspiring baseball players.

The meeting will be held Jan. 19 at the Old Dominion Boat Club, 200 Strand Street, with complimentary dinner and drinks beginning at 6:30 p.m. The meeting is free and open to the public. For more information, visit [www.alexandriavasports.org](http://www.alexandriavasports.org).

- JEANNE THEISMANN



PHOTO CONTRIBUTED

Alexandria Aces manager Chris Berset, left, and owner Frank Fannon will be the featured speakers at Baseball Night of the Alexandria Sportsman's Club Jan. 19 at the Old Dominion Boat Club.

# Public Ceremony Canceled Due to Pandemic

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community," Casey said. "As a result, I need to fully direct my attention and staff resources to the safety and health of Sheriff's Office employees and inmates at the Adult Detention Center. In addition, I want to limit the community spread of Covi-19."

Casey continued: "I'm deeply honored to now serve as the Sheriff of Alexandria and I appreciate the tremendous support I've received from former Sheriff Dana Lawhorne, my family, community members, and many others. But in considering the meaning of my oath, I recognize the need to forgo a ceremonial occasion and focus our complete attention and resources on public safety and health priorities. Although it's a meaningful tradition, a ceremony is not required and I'm confident that the people of Alexandria, including all of you, who have encouraged me throughout my career, will agree that this is the right decision."

Lawhorne announced his retirement last year after a 43-year career in Alexandria law enforcement.



Sheriff Sean Casey with his wife Amanda and daughters following his swearing in Dec. 29 at the family home in Alexandria.



PHOTOS CONTRIBUTED

Sheriff Sean Casey's daughters hold the bible as Casey takes the oath of office as Alexandria Sheriff Dec. 29.

**"I am deeply honored to now serve as the Sheriff of Alexandria."**

— Sheriff Sean Casey

# Pot is Still Legal, but the Plan to Regulate its Sale is in Jeopardy

FROM PAGE 1  
ijuana sales in their community. Some Republicans say that's backwards.

"It will be legal in jurisdictions for a period of time before a referendum could even be held by the locality to determine whether they want to opt out," said Sen. Ryan McDougle (R-4). "I have some concerns about whether a jurisdiction can take away that right without it being a taking once it's vested and someone has established a shop."

Now Republicans are now talking about flipping that and forcing jurisdictions to opt in instead of opt out. If local government leaders wanted licenses for marijuana sales to be issued in their community, they would have to hold a referendum in which a majority of voters would have to approve licenses for marijuana sales.

"At a minimum, we must ensure that localities will get to decide through a local referendum whether they want marijuana retail

shops in their communities," said Family Foundation President Victoria Cobb. "Pushing back against the deep-pocketed marijuana industry will be a tall order, but we'll do everything we can on behalf of families."

**THE INTERSECTION OF** drug laws and labor laws will also be part of the conversation in Richmond this year. One of the features Democrats built into the law was a protection for workers in the newly created marijuana

industry. The law Democrats passed ensured workers in the new industry would have the right to collective bargaining.

But along with everything else in the bill, the provision is subject to the reenactment clause that now would require Republicans to agree

"I'm a realistic person, and I don't know that there would be support in the House of Delegates for that," said Ebbin. "So we'll have to work together to come up with something that we can all live with."



# Tax Code Thunderstruck

Lawmakers consider easing bracket creep by making tax code more progressive.

BY MICHAEL LEE POPE  
GAZETTE PACKET

Virginia's antiquated tax brackets have not been updated since "Thunderstruck" by AC/DC was topping the charts in the early 1990s. Now a new set of recommendations from the Joint Legislative Audit and Review Commission is rocking Virginia's budget talks, outlining a plan to reduce the tax burden on low-income people who are left holding a rising share of the bill as inflation shrinks the buying power of the dollar.

"Experts call this bracket creep," said Justin Brown, senior associate director of the Joint Legislative Audit and Review Commission. "The income brackets in Virginia have been the same in dollar terms since 1990. And for a year or two that's not a big issue. But over the long term it has a pretty big impact. Income goes up over time but the brackets haven't."

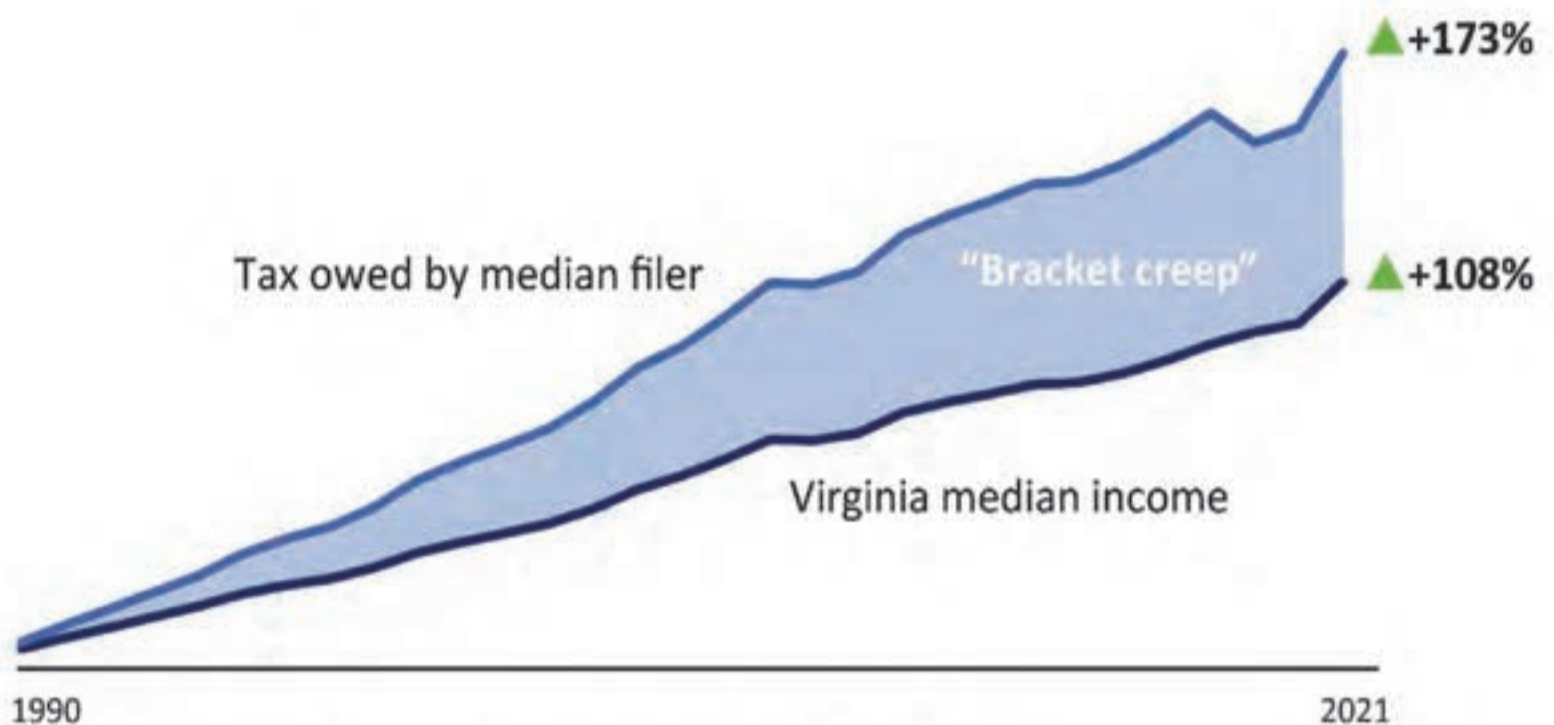
One of the recommendations to make Virginia's tax code more progressive is reducing taxes on people who earn between \$36,000 and \$68,000 a year by indexing the tax brackets to account for inflation. Virginia is one of 13 states that does not have some form of indexing their income tax brackets for inflation, and groups like the Thomas Jefferson Institute have been pushing this idea unsuccessfully for years.

"They don't want to give up the money," said Stephen Haner, senior fellow at the Thomas Jefferson Institute for Public Policy. "Inflation is a wonderful thing if you're the government because your revenue continues to grow."

The Thomas Jefferson Institute for Public Policy mission is to advance alternative policy ideas based on the Institute's belief in free markets, limited government and individual responsibility.

**SINCE THE LAST TIME** Virginia's income-tax brackets were updated, median income has increased 108 percent. But income taxes owed by

Taxes owed have far outpaced median income, because income brackets have not been changed since 1990



SOURCE: JLARC analysis of Virginia tax brackets and data on Virginia income, U.S. Census, 1990-2021.  
NOTE: Adjusted for inflation.

a single filer with median income increased 173 percent. As a result, a much higher percentage of each filer's income is taxed at the highest rate of 5.75 percent on income of more than \$17,000.

"Incomes rise over time," the JLARC report explains, "but income tax brackets do not."

Virginia first adopted a levy on income in 1843, more than a dozen years before the Civil War. Since that time, it's been updated many times although not lately. The delay in updating the antiquated tax brackets has created an increasing burden on the poor while offering relief to the rich. Now the governor and members of the money committees will be facing an operational challenge of how to take a state as diverse as Virginia and make it work.

"You then get into the complexity of which inflation measure is the

right one to use," said Terry Clower, professor of public policy at George Mason University's Schar School of Policy and Government. "Not only that, how do you make a single statewide number that really applies fairly across all jurisdictions?"

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— Stephen Haner,  
senior fellow at the Thomas Jefferson  
Institute for Public Policy

**GOVERNOR GLENN YOUNGKIN** will present his budget in mid-December, and he's hearing from advocates on all sides of the debate over tax reform. Earlier this year, he signed a budget that nearly doubled the standard income-tax deduction from \$4,500 to \$8,000

for single filers and from \$9,000 to \$16,000 for married couples filing jointly.

The budget Youngkin signed last summer also made the state earned income tax credit partially refundable, allowing low-income filers to get a refund even if they have little or no tax liability.

"We've taken the important steps to eliminate the state's portion of the grocery tax, increase the standard deduction by 80 percent and declare the largest tax rebate in the history of Virginia," Youngkin declared at a Richmond grocery store that served as the backdrop to a ceremonial signing last summer. "Look, this will not overcome everything, and oh, by the way, it's not everything I wanted. So we're going to go back in January and get the rest."

The JLARC recommendations for making the tax code more pro-

gressive offer a challenge and an opportunity for the governor. The challenge is giving up the easy money that comes with inaction, which is why generations of lawmakers in Richmond have decided to kick the can down the road rather than taking action. The opportunity is striking a balance among the many interest groups demanding money.

For example, advocates for affordable housing are still waiting for lawmakers to take action on last year's JLARC recommendation on affordable housing, which included creating incentives for local governments to change zoning ordinances to encourage affordable housing.

"The General Assembly is likely to talk about increasing tax relief, but more important and more key to people on the ground is housing relief," said Sheila Herlihy, an organizer with the Virginia Interfaith Center for Public Policy. "We don't need another study to tell us that one in three Virginia families are struggling to pay for housing, and we need to allocate resources to support them."



# Alexandria Gazette Packet



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MARCH 3, 2022

## Bernadette Troy

### Ballyshaners, parade co-founder dies at 79.

BY JEANNE THEISMANN  
GAZETTE PACKET

**B**ernadette Troy, a founding member of the Ballyshaners and co-founder of Alexandria's St. Patrick's Day Parade, died Feb. 21 at the age of 79.

Along with her husband Pat, Troy owned several businesses over the years that celebrated their Irish heritage and together served as Grand Marshals of the 2018 St. Patrick's Day Parade.

"Bernadette was a great treasure and a great gift to the city," said friend and former City Councilman Frank Fannon. "She and Pat were instrumental in starting the St. Patrick's Day parade back in the early 1980s. What a loss and the end of an era."

Tom Mooney, owner of Murphy's Grand Irish Pub, was a close friend of both Bernadette and Pat Troy.

"Bernadette has been a pillar of love in our community," Mooney said. "With Patrick by her side she will be with us in spirit on St. Patrick's Day."

Born Feb. 9, 1943, in Kenmare,



Longtime Alexandria resident Bernadette Troy died Feb. 21 at the age of 79.



Bernadette and Pat Troy were married Sept. 1, 1966, at St Mary's Church in Lanesborough, County Longford, Ireland.

County Kerry, Ireland, Catherine Bernadette O'Neill grew up in a family of eight children. After immigrating to America, she worked as a secretary at Riggs Bank in Washington, DC.

In 1962, she met the man who would become the love of her life. Pat Troy had arrived in America the previous year from County Offaly in Ireland.

"My parents met at an Irish Club

dinner dance," said Troy's daughter Kathleen Molloy. "Mom was the first woman dad laid eyes on and for them, it was love at first sight."

The couple were married Sept. 1, 1966, at St Mary's Church in Lanesborough, County Longford, Ireland. Together they purchased the Irish Walk Import Store in Old Town in 1974 and in 1980 the couple opened Ireland's Own Bar and

SEE BALLYSHANERS, PAGE 4



Bernadette and Pat Troy served as Grand Marshals of the 2018 St. Patrick's Day Parade.



Devout Catholics, Bernadette and Pat Troy were granted an audience with His Holiness Pope Francis at the Vatican on Sept. 11, 2013.

## Up in Smoke

### Black market to remain underground for now as lawmakers reject licensing scheme.

BY MICHAEL LEE POPE  
GAZETTE PACKET

**V**irginia's black market for marijuana will remain underground for now. Earlier this week, a House subcommittee rejected a bill introduced by Sen. Adam Ebbin (D-30) that would have created a way for the newly created Cannabis Control Authority to issue licenses to sell recreational weed.

"I'm very disappointed," said Ebbin shortly after the vote. "Years of work on establishing a regulated adult use market for cannabis has been dispatched by the House Republican majority without giving it thoughtful consideration."

Republicans started the session saying that ending the stranglehold on the black market was a priority. But the effort stalled when the GOP caucus was divided on the issue. Several House Republicans offered their version of what a



Sen. Adam Ebbin (D-30) presents his bill creating a marijuana marketplace to a House subcommittee earlier this week.

marketplace could look like, but none of those bills passed. Now the delay will offer all of the many businesses wanting to do business in Virginia an opportunity to make campaign contributions in an election cycle where all 140 members of the General Assembly will be on the ballot.

"We have folks who are still trying to grapple with the differences between CBD, the terms hemp, cannabis, delta 8, delta 9," said Del. Emily Brewer (R-64), chairwoman of the subcommittee that killed the bill. "There's a lot of confusion. So I really truly think for us to get to a regulated market, all the stakeholders need to get together."

Ebbin says the stakeholders are together, and he dismisses the idea that lawmakers are confused about a topic they've been debating for years.

"It's hard to read their minds, but I'd say they're unprepared to govern in this

SEE UP IN SMOKE, PAGE 5

PHOTO BY MICHAEL LEE POPE/GAZETTE PACKET

PHOTOS CONTRIBUTED



# Up in Smoke

FROM PAGE 1

area and afraid of their base,” said Ebbin. “I think they’re afraid of cannabis, which the General Assembly has already made a public policy decision to legalize. And they didn’t do their homework.”

**SOCIAL EQUITY LICENSES** became one of the major flashpoints during the debate as Republicans pushed back on the idea that people convicted of misdemeanor crimes should get first dibs on getting a license to sell marijuana. Ebbin’s bill also had preferential licenses for family members of people convicted of marijuana misdemeanors. Republicans campaigned against social equity licenses last year during the campaign, and now they feel they have a mandate to reject them.

“I’m opposed to taxpayer-funded money going to criminals to start businesses because they broke the law,” said Del. Glenn Davis (R-84) on the campaign trail last year.

Republicans were also opposed to the idea that jurisdictions have been disproportionately policed.

**“I don’t think Republicans necessarily hate the idea of equity licenses. Maybe they hate the word equity. I mean it seems like it’s a verboten word these days. But they want to do the same thing that we want to do, and that’s right the wrongs of the past.”**

— Del. Paul Krizek (D-44)

**“I’m very disappointed.”**

— Sen. Adam Ebbin (D-30)

The Ebbin bill created a process for the Cannabis Control Authority to use Census data to determine which jurisdictions experienced disproportionate arrests and convictions during the failed war on drugs. Del. Michael Weibert (R-18) introduced a bill that would have ditched this approach.

“You can have some wealthy areas that have been targeted by a cocaine bust,” said Weibert.

**HELPING ECONOMICALLY** disadvantaged areas emerged as a rare point of agreement during the debate. Ebbin’s bill included language directing the board of directors of the Cannabis Control Authority to use Census tract data to identify areas that are “economically distressed.”

Republicans were also hoping to add preferential licenses for women- and minority-owned businesses.

“I don’t think Republicans necessarily hate the idea of equity licenses,” said Del. Paul Krizek (D-44). “Maybe they hate the word equity. I mean it seems like it’s a verboten word these

days. But they want to do the same thing that we want to do, and that’s right the wrongs of the past.”

## BULLETIN BOARD

FROM PAGE 4

(based on student availability), practicing their speaking skills and engaging visitors of all ages and sharing their interest in history.

Applications are now being accepted from 4th, 5th, 6th, and 7th grade students. To be considered, students must complete the application, available at alexandriava.gov/gadsbystavern and return it to the Museum no later than Friday, March 25. Applicants must also attend an audition on Sunday, March 27, where the child will have the chance to give a short presentation on a historical topic of their choosing. Application includes information about required training classes. Questions should be directed to the Assistant Director at 703-746-4739.

### APPLY FOR COMMUNITY POLICE ACADEMY

The Alexandria Police Department is now accepting applications for its 46th Session of the Community Police Academy. The Alexandria Community Police Academy provides an opportunity for Alexandria residents and workers to learn various aspects of policing. The academy will be held

every Wednesday from 6:30 p.m. to 9:00 p.m. at APD’s Headquarters located at 3600 Wheeler Avenue in the Community Room. Classes begin on March 23, 2022, and will end with a graduation ceremony on May 11, 2022. Read more: <http://Alexandriava.gov/126249>

### VOLUNTEERS WANTED

ACPS- Help Provide Meals to Children

Alexandria City Public School (ACPS) will provide two days worth of breakfast and lunch meals with a snack pack free for any enrolled ACPS student on Mondays, Wednesdays, and Fridays. Friday distribution will include a meal(s) for Saturday. Volunteers will meet at various schools to assist with packing boxes and loading buses with boxed meals. Then, volunteers will ride the bus along to distribute the meals while on site at a few ACPS mobile pop-up locations. Click on each location to sign up: Francis C. Hammond Middle School, TC Williams High School, or Jefferson Houston School. [www.volunteeralexandria.org](http://www.volunteeralexandria.org)

Alexandria Dept. of Community and Human Services- Volunteer Guardian Looking for individuals who can assure the well-being of an inca-

pacitated Alexandrian living in an Assisted Living Facility or Nursing Facility. Volunteer Guardians are appointed by the Court to make decisions for older Alexandria residents who have lost the capacity to understand the consequences of their decisions. The volunteer will visit the resident monthly and follow the person’s wishes as much as possible. [www.volunteeralexandria.org](http://www.volunteeralexandria.org)

Alexandria Families for Safer Streets - Executive Assistant to AFSS Board of Directors

The agency is seeking an executive assistant to help coordinate a diverse group of tasks necessary to keep us on track and moving forward. Someone with office manager skills would be the ideal candidate. [www.volunteeralexandria.org](http://www.volunteeralexandria.org)  
ALIVE! offers numerous programs that aid low-income families in Alexandria that rely on volunteers: monthly food distributions, furniture, houseware and emergency food deliveries, and community food drives. Individuals, families and groups are encouraged to participate. Students can earn community service hours by participating. Visit [www.alive-inc.org/volunteer.htm](http://www.alive-inc.org/volunteer.htm) or contact the Volunteer Coordinator. SEE BULLETIN, PAGE 14

## Shirlington Circle South Rotary Bridge Rehabilitation Arlington County

Virtual Public Information Meeting

Tuesday, March 15, 2022, 7 p.m.  
<https://www.virginiadot.org/ShirlingtonCircle>

Find out about plans to rehabilitate the Shirlington Circle south rotary bridge over I-395 to improve safety and extend the overall life of the bridge. The bridge connects the southbound I-395 collector-distributor lanes and southbound Shirlington Road to North Quaker Lane at the I-395 Exit 6 interchange. The project includes resurfacing the concrete bridge deck and closing deck joints, repairing concrete piers and abutments, repairing and repainting steel beams, adding protective concrete barriers adjacent to piers, replacing bearings, and upgrading guardrails adjacent to the bridge.

The meeting will be held as a **virtual/online meeting**. Information for accessing and participating in the virtual meeting is available at <https://www.virginiadot.org/ShirlingtonCircle>. The project team will make a short presentation beginning at 7 p.m. and answer questions for about an hour after the presentation.

Review project information and meeting details on the webpage above or during business hours at VDOT’s Northern Virginia District Office, 4975 Alliance Drive, Fairfax, VA 22030. Please call ahead at 703-259-3256 or TTY/TDD 711 to make an appointment with appropriate personnel.

Give your comments during the meeting, or by **March 25, 2022** via the comment form on the project website, by mail to Mr. Vicente Valeza, Jr., P.E., Virginia Department of Transportation, 4975 Alliance Drive, Fairfax, VA 22030 or by email to [meetingcomments@VDOT.virginia.gov](mailto:meetingcomments@VDOT.virginia.gov). Please reference “Shirlington Circle South Rotary Bridge Rehabilitation” in the subject line.

VDOT ensures nondiscrimination and equal employment in all programs and activities in accordance with Title VI and Title VII of the Civil Rights Act of 1964. If you need more information or special assistance for persons with disabilities or limited English proficiency, contact VDOT Civil Rights at 703-259-1775.

State Project: 1250-000-913, B608, P101  
UPC: 118832  
Federal: STP-5B01 (210)

*In case an alternate date is needed, the meeting will be held Monday, March 28, 2022 at the same time.*

## We Need Your Help Again

We are sincerely grateful and thankful to you for helping in 2021 to save one of America’s oldest newspapers, the Alexandria Gazette Packet, publishing continuously since 1784

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