

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DISTRICT**

THE HONORABLE REVEREND :
KENNETH L. SIMON : CASE NO. 4:22-cv-612
1507 HILLMAN AVENUE :
YOUNGSTOWN, OHIO 44507 : RELATED CASE NOS. 2:21-CV-2267
AND : AND 4:88-CV-1104

THE HONORABLE REVEREND :
LEWIS W. MACKLIN, II : JUDGE _____
505 PARKCLIFFE AVENUE :
YOUNGSTOWN, OHIO 44571 : “THREE-JUDGE PANEL
AND : REQUESTED”

HELEN YOUNGBLOOD : “CLASS-ACTION ALLEGATIONS”
749 COITSVILLE ROAD :
YOUNGSTOWN, OHIO 44405 :
INDIVIDUALLY AND AS : “CLAIM OF
SUCCESSOR REPRESENTATIVES : UNCONSTITUTIONALITY”
OF THE CLASS OF AFRICAN :
AMERICAN VOTERS CERTIFIED IN :
EZELL ARMOUR, ET AL. V. THE :
STATE OF OHIO, ET AL, N.D. OHIO :
CASE NO. 775 F. SUPP 1044 (N.D. :
OHIO, 1991) :

PLAINTIFFS

VS.

GOVERNOR MIKE DEWINE, :
GOVERNOR AND MEMBER OF THE :
OHIO REDISTRICTING :
COMMISSION :
RIFFE CTR. 30TH FLOOR :
77 SOUTH HIGH ST. :
COLUMBUS, OH 43215 :

AND

SECRETARY OF STATE FRANK :
LAROSE, AS SECRETARY OF :
STATE AND MEMBER OF :

THE OHIO REDISTRICTING :
COMMISSION :
22 NORTH FOURTH ST. 16TH :
FLOOR :
COLUMBUS, OH 43215 :

AND :

HOUSE SPEAKER ROBERT R. CUPP, :
SPEAKER OF THE OHIO HOUSE OF :
REPRESENTATIVES AND CO- :
CHAIR OF THE OHIO :
REDISTRICTING COMMISSION :
77 SOUTH HIGH ST. 14TH FLOOR :
COLUMBUS, OH 43215 :

AND :

SENATE PRESIDENT MATT :
HUFFMAN :
PRESIDENT OF THE OHIO SENATE :
AND MEMBER OF THE OHIO :
REDISTRICTING COMMISSION :
1 CAPITOL SQ. 2ND FLOOR :
COLUMBUS, OH 43215 :

AND :

AUDITOR KEITH FABER, :
MEMBER OF THE OHIO :
REDISTRICTING COMMISSION :
88 EAST BROAD STREET, 5TH :
FLOOR :
COLUMBUS, OHIO 43215 :

DEFENDANTS. :

COMPLAINT

I. INTRODUCTION

1. On August 23, 2021, the Ohio Redistricting Commission (hereinafter “Commission”) began a series of regional hearings to accept testimony from Ohio citizens in relation to the reconfiguration of Ohio’s Congressional districts, based upon the 2020 census results, under procedures set forth in comprehensive amendments to the Ohio Constitution approved by Ohio voters in 2015. See, Ohio Constitution, Article XI.

2. On the very first day of hearings, Plaintiff, the Honorable Reverend Kenneth L. Simon made the following statement to the Commission

Co-Chair, Senator Vernon Sykes [01:32:14] Questions? Seeing none, thank you very much, Reverend Kenneth Simon.

Simon [_____] Chairman Sykes, and to the legislators and to this wonderful audience, my apologies, I did not intend to speak today, but I was moved by the young man who spoke so passionately. Um, I'm chairman of the Community Mobilization Coalition for the Greater Youngstown Area, a group of 18 minority organizations organized for the express purpose of voter registration, voter education and voter mobilization. We've been in existence for twenty-two years and affecting the political, hopefully, climate here in the city of Youngstown. I've been through this process before, along with many of us in this room, where we appear before our legislators. I've been down to Columbus appearing before a Senate education committee and giving testimony, and others have traveled distances to go down and testify. They're concerned people in this room who've taken time out of their schedules to come here and give their passionate testimony. And the passion that the young man displayed hits at the heart of all of our pain is that the sad reality is that we're going to have these sessions and we're going to listen to all of this testimony. And we're going to go behind closed doors and do what we've been doing, voting along party lines. And that's the sad reality and that's the pain that that young man was trying to convey. We spend all of this time in a formality and then we go back behind closed doors and we, we're not going to do the right thing, we're going to do what we've been doing, voting along party lines because, and it's not because we don't care, it's because we care about the wrong thing. [applause] We don't care about the people. I hope that you all would prove us prove me wrong. I hope that you would prove me wrong. But the sad reality is that's how it has been. I have been through hearings and hearings and testifying, and we just keep doing the same thing because we

don't hear the people. We're loyal to our parties. And that has got to stop in The State of Ohio. Please prove me wrong. Thank you. [applause]

See, Transcript August 23, 2021, Redistricting Hearing, Youngstown State University. Ex.

A.

3. Unfortunately, over eight months have passed since Reverend Simon's sincere and prescient remarks. As feared by Reverend Simon, the Defendants have approved, along party lines, two racially discriminatory and partisan Congressional redistricting plans. On November 20, 2021, Defendant DeWine signed SB 258 into law, enacting a plan setting forth the map of congressional districts in Ohio for the next four years (the First Plan). The First See Exhibit Plan, proposed by Republicans, was passed along strict party lines, with nearly all Republicans, but no Democrat, voting in favor of the bill enacting the First Plan. The Plan was passed pursuant to an express policy of non consideration of any racial demographic information.

4. On January 14, 2022, the Ohio Supreme Court invalidated the First Plan under Article XIX of the Ohio Constitution. The Court found that the First Plan violated Section 1(C)(3)(a) of that Article, by unduly favoring the Republican Party. See *Adams v. DeWine*, Slip Opinion No. 2022-Ohio-89, ¶ 102. It further held that the First Plan violated Section 1(C)(3)(b) by unduly splitting governmental units. *Id.* The General Assembly and/or the Ohio Redistricting Commission (the "Commission") were then directed to adopt a new plan that remedied these defects. *Id.* ¶¶ 99, 102.

5. A new congressional district plan (the "March 2 Plan") was enacted by the Commission on March 2, 2022. Exhibit B. The March 2 Plan violates the Federal Voting Rights Act and the Fourteenth and Fifteenth Amendment, because it was also developed without consideration of racial demographic information.

6. Plaintiffs in this action, Reverend Simon, Reverend Macklin and Ms. Youngblood (hereinafter “the Simon Parties”) challenge Defendants’ policy of non consideration of racial demographics in connection with developing the March 2, 2022 Congressional Plan, as well as the Plan itself. In other words, Plaintiffs seek in this action to invalidate the March 2 Plan and enjoin certification of the results of any election utilizing this Plan for election of representatives for the proposed 6th Congressional District because the process utilized by Defendants to develop their Plans violates the Voting Rights Act and ignores the historical findings of official racial discrimination in Ezell Armour, et al. v. The State of Ohio, Case No. 775 F. Supp 144 (N.D. Ohio 1991). Intentionally disregarding the mandate of the Voting Rights Act of 1965, as amended, concerning racial demographics and Defendants’ overt adoption of an explicit process policy to disregard racial demographics in connection with district configuration renders the March 2 Plan invalid.

7. Plaintiffs filed this action to respectfully request a federal court explain to Defendants that the Voting Rights Act of 1965, as amended, is still the law of the land. Instruction from this Court is required now more than ever. Aside from the dilution of voting strength caused by Defendants’ racially gerrymandered districts, the enactment of voter suppression legislation by State legislative bodies is currently rampant throughout the United States including in Ohio. See, Current “*Ohio House Bills 294 and 387*”. Also see, *State Voting Bills Tracker, 2021. Brennan Center for Justice.*”

8. The State is not entitled to multiple opportunities to remedy its unconstitutional Congressional districts. See, Reynolds v. Sims, 377 U.S. 533, 585-87 (1964).

9. Due to Defendants’ repeated and intentional disregard of current federal law, the Ohio Constitution and the findings in Armour v. Ohio, concerning Ohio’s history of intentional racial discrimination in redistricting, exceptional circumstances exist that

warrant the immediate appointment by this Honorable Court of a Special Master under Fed. R. Civ. P. 53 to implement a legislative redistricting process that complies with the requirements of ¶2 and 3 of the VRA, the Ohio Constitution, and the findings in the Armour Opinion.

10. In the interim, Plaintiffs seek through this action to enjoin issuance of certificates of nomination or election for representative based on an Ohio Congressional district map that does not combine the cities of Youngstown and Warren, Ohio and the Eastern suburbs of Cleveland into a single district, or includes any county south of Mahoning County into the same Congressional district as Youngstown.

II. BACKGROUND

11. Plaintiffs, the Honorable Reverend Kenneth L. Simon, the Honorable Lewis W. Macklin, II and Helen Youngblood, in their individual capacities as registered Black voters in Mahoning County, Ohio and as successor representatives of the class of Black voters certified in Ezell Armour v. State of Ohio, 775 F. Supp 1044 (6th Cir. 1991) allege as follows:

12. Plaintiffs bring this action under 28 U.S.C. §§ 1331, 1343, 1357 and Federal Rule of Civ. P. 53, 57 and 65 for the reason the matters in controversy arise under the Constitution and laws of the United States, and exceptional circumstances exist. Plaintiffs also bring this action under Sections 2 and 3 of the Voting Rights Act of 1965, 52 U.S.C. §10301(b). Separate and apart from the preceding jurisdictional bases, Plaintiffs also bring this action to enforce the historical findings previously made by this Court in Amour v. Ohio, supra, that warrant Ohio being classified under §3 of the VRA as a “bail-in” jurisdiction.

13. Section 2 of the Voting Rights Act, (hereinafter “VRA”) prohibits enforcement of any voting qualification, prerequisite to voting, standard, practice, or procedure that results in the denial or abridgement of the right to vote on account of race, color, or language minority status.

14. Plaintiffs currently reside in what has been proposed by Defendants as the 6th U.S. Congressional District. Based upon the testimony of the architects of the proposed districts, Mr. Ray DiRossi and Ohio Republican Legislative leaders, the methodology employed to configure Ohio Congressional district’s encompassing Mahoning and Trumbull Counties in particular, and throughout Ohio generally, violates the VRA because the proposed districts result in Plaintiffs having less opportunity than other members of the electorate to participate in the political process and to elect representatives of choice.

15. The Voting Rights Act and Constitutional violations complained of herein, were intentional. Defendants were fully aware of their duties under the VRA and 15th Amendment, but opted to intentionally violate these duties, the previous findings of racial discrimination in Armour, and the clear language of Section 2 and 3 of the VRA in favor of partisan advantage. Defendants’ racial discrimination and failure to follow federal law, specifically harmed Plaintiffs’ class in Mahoning and Trumbull County, but also diluted Black voting power across Ohio.

16. The conduct of Defendants’ described herein should operate to invalidate the March 2 Plan because, despite having been advised of the historical findings of this Court in Armour concerning racial discrimination in districting, the duty under the VRA to engage in an intensely local appraisal of indigenous political reality in Ohio and Mahoning Valley, and the totality of circumstances test set forth in the Senate Report enacting Section 2, Defendants gave specific instructions to their staff responsible for the drawing of district

maps, to disregard race, racial bloc voting or any other racial consideration in connection with district configuration. This is directly contrary to the mandate of the VRA.

17. Support for this assertion is found in the following exchange that occurred during hearings before the Ohio Redistricting Commission on September 9, 2021.

Ray DiRossi: Urn, [00:03:30] I am Ray DiRossi and as was mentioned, I'm from the caucus staff for the Senate Majority Caucus and my colleague Blake Springhetti, caucus staff for the Ohio House Majority Caucus. Urn, co-chairs and distinguished members of the Redistricting Commission, it's great to be with you today.

Sykes: Uh, thank you to the co-chairs and to Mr. Springhetti and Mr. DiRossi. Thank you, uh, for the work that you put together, uh, put, so you could present to us to get, today. Excuse me. Uh, my question is specific to, urn, how this current map complies with, uh, any provisions of the Voting Rights Act and what provisions of the Voting Rights Act [00:22:30] d- did you consider in constructing this map that you presented, or these maps that you presented today?

Ray DiRossi: Co-chairs, Leader Sykes, thank you for the question. We did not use demographic data or racial data in the production of our maps.

Sykes: Any follow up.

Vernon Sykes: Yes, please.

Sykes: Thank you for answering the question. Uh, so are there any provisions of the Voting Rights Act in which you considered while you drew the, or while you drew these maps [00:23:00] before us today?

Ray DiRossi: I guess I would ... Co-chairs I guess I would say it on my previous statement, we did not use racial data or demographic data for the map, but we feel that the map complies with all the provisions of the Ohio Constitution.

Sykes: Thank you. Uh, I appreciate your answer, and I, I certainly appreciate the brevity of it. Uh, can you explain why you didn't consider any parts of the Voting Rights Act in your consideration of these maps [00:23:30] before us today?

Ray DiRossi: Well, I said we didn't consider racial data or demographic data in our maps, but we were directed not to use that data by the legislative leaders, and so we did not use it.

Audience: (laughs)

Vernon Sykes: Yeah. [inaudible 00:23:46].

Sykes: So I, I would count myself as a legislative leader and I don't think that I shared that information with you and I, this is not an ambush, this is simply a question. The Voting Rights Act is certainly, uh, a part of our, uh, [00:24:00] election and electoral fabric. Uh, and so really just trying to get a better idea of how we are, or not in compliance with that, with these maps. So, urn, hopefully we can have some deeper conversations about that, but, but again, thank you for your responses.

Ray DiRossi: Thank you.

See, Exhibit C, DiRossi Testimony, pp. 789-790.

This testimony is clear evidence that the legislative leadership in Ohio, intentionally disregarded whether proposed districts would dilute Black voting strength or the existence among other things, of racial block voting or any of the other Senate Report factors.

18. According to Mr. DiRossi, the lead representative for Defendants in the redistricting process, the State not only intentionally decided to ignore race and the Voting Rights Act, but also previous judicial findings of official racial discrimination in legislative redistricting in Ohio set forth in *Armour*. Accordingly, Plaintiffs are entitled to react under §§2 and 3 of the VRA.

III. JURISDICTION

19. Plaintiffs bring this action under 42 U.S.C. §§ 1983 and 1988 to redress the deprivation under color of state law of rights secured by the United States Constitution.

20. This Court has original jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1343 because the matters in controversy arise under the Constitution and laws of the United States.

21. Venue is proper in this Court under 28 U.S.C. § 1391(b) because a substantial part of the property that is the basis of this action is located in this district.

22. This Court has the authority to enter a declaratory judgment and to provide preliminary and permanent injunctive relief pursuant to Rule 57 and 65 of the Federal Rules of Civil Procedure and 28 U.S.C. §§ 2201-2202.

23. All conditions precedent to the maintenance of this case and Plaintiffs' claims have occurred been, performed, or otherwise been waived.

24. The Court has subject matter jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1343 because the matters in controversy arise under the Constitution and laws of the United States, and specifically, laws and Constitutional provisions protecting the right to vote. Plaintiffs bring this action to redress the deprivation, under color of state law, of rights, privileges, and immunities secured by the Constitution of the United States and federal law. Plaintiffs bring this action to secure equitable relief under federal law providing for the protection of voting rights, pursuant to 28 U.S.C. §§ 2201 and 2202.

25. This Court has personal jurisdiction over Defendants, who are sued only in their official capacities as officers of the State of Ohio or its political subdivisions.

26. This Court has the authority to enter a declaratory judgment and to provide preliminary injunctive relief pursuant to Rules 57 and 65 of the Federal Rules of Civil Procedure and 28 U.S.C. §§ 2201 and 2202.

IV. PARTIES

27. Plaintiffs, the Honorable Reverend Kenneth L. Simon The Honorable Lewis W. Macklin II and Helen Youngblood are Black registered voters who reside in Mahoning County, Ohio. Plaintiffs Simon , Macklin and Youngblood are members of the class of African American voters certified in the case of Ezell Armor, et al. v. The State of Ohio,

Case No. 775 F. Supp. 1044 (N.D. Ohio 1991). Plaintiffs are the successor Armour class representatives. Plaintiff Simon is the senior pastor of New Bethel Baptist Church. Rev. Kenneth L. Simon was born and raised in Youngstown, Ohio. He accepted Christ at the age of eight and was baptized in the New Bethel Baptist Church. He was called to the ministry in 1990 and was ordained in 1993. He served as Assistant Pastor and Director of Christian Education. In 1995 he was elected and called to the pastorate of the church where he currently serves after succeeding his father who was pastor for 33 years. He is a graduate of East High School and received his Bachelor of Science Degree in Business Administration from Youngstown State University. He received his Biblical and Religious Training from the Evangelical Training Association, Wheaton, Illinois and the Christian Study Center, in Youngstown, Ohio. Rev. Simon is currently serving as the Chairman of the Community Mobilization Coalition, Immediate Past Moderator of the Northern Ohio Baptist District Association, Worship Leader for the Lott Carey Foreign Mission Convention, Worship Leader for Ohio Baptist General Convention Congress of Christian Education, Chairman of the Next Steps Coalition on Police Reform, a member of the Youngstown Warren Black Caucus, Co-Convener of the Youngstown/Warren Dr. Martin Luther King Planning Commission, School Board member of Southside Academy, a member and former President of the Interdenominational Ministerial Alliance, Treasurer for the Baptist Pastors' Council, Board Member of MYCAP (Mahoning Youngstown Community Action Partnership), Board Member of the Greater Youngstown Crime Stoppers, and serves as Facilitator of the Community Leadership Coalition on Education. He has served as Vice-President of the 100 Black Men Organization (Youngstown/Warren Chapter), President of the Board of Directors for the Mahoning Valley Association of Churches, former Chairman and board member of the Mayor's Human Relations

Commission, a board member for the Western Reserve Port Authority, a past member of the Academic Distress Commission for the Youngstown City School District and is a graduate of Leadership Mahoning Valley Class of 2002.

28. Plaintiff Helen Youngblood is a respected community activist. She is the former President of Local 2001 Council of 8 of the American Federation of State County and Municipal Employees (“AFSCME”). Ms. Youngblood is the chairperson of the Mahoning Valley 1619 Project and has served in a variety of leadership roles in the Mahoning County, area. She was the Plaintiff in Helen Youngblood v. Board of Mahoning County Commissioner, Case no. 4:19-cv-0331, N.D. Ohio, an action challenging the responsiveness and hiring practices of the Mahoning County, Ohio Commissioners.

29. Rev. Macklin serves as the lead pastor of Holy Trinity Missionary Baptist Church. He was appointed to serve as a member of the Youngstown City School Board of Education. A returning member to the Children Services Board, he is former chairman of its board. He is the President Pro Tem of the Youngstown City Health District and past National Vice President of the One Church One Child, Inc. and local chairman of the Mahoning County's "One Church One Child" initiative to encourage foster and adoption. He is the past president of the Interdenominational Ministerial Alliance and the current president of the Baptist Pastors' Council, during which the endowed the Rev. Martin Luther & Mrs. Coretta Scott King Testament of Hope Scholarship Fund at YSU was established. He is the past president of the ACTION and Associated Neighborhood Centers.

He is the co-convener emeritus of the Rev. Martin Luther King Planning Committee and current chairman the annual African American Male Wellness Walk of the Mahoning Valley. Passionate about education, he serves on the boards of education for the Academy of Urban Scholars, Cardinal Mooney High School, Mahoning County High School,

Southside Academy and committees for the Youngstown City School District. In 2014 he was inducted into the Woodrow Wilson High School Hall of Fame. He was bestowed the Leadership Mahoning Valley Civic Leadership Award for community service. He has been recognized for community leadership with the Rev. Lonnie K.A. Simon Award by New Bethel Baptist Church and the YSU Office of Diversity for championing issues of diversity & inclusion. He has also been inducted into the prestigious Phi Kappa Phi Honor Society YSU Chapter.

He has been cited by the Vindicator as one of the "Persons Who Made a Difference," for supporting initiatives in the valley. He co-chaired, with now YSU President Jim Tressel, the three million dollar capital campaign for the renovated Rayen Football Stadium. He has served as a chaplain & life coach for the YSU Football Team and is the chairman of the Youngstown Police Department's Chaplaincy.

30. Defendants include each Ohio elected official who voted for approving, implementing and remedying Ohio's Congressional and General Assembly redistricting plans, such that all necessary parties are before the Court.

31. Mike DeWine is the Governor of Ohio and a member of the Commission and is sued in his personal and official capacity. Governor DeWine approved the invalid Congressional Plan and rejected General Assembly plans.

32. Frank LaRose is the Ohio Secretary of State and a member of the Commission and is sued in his personal and official capacity. He is the chief election officer in Ohio responsible for overseeing election administration pursuant to Ohio Rev. Code Ann §3501.04. Mr. LaRose approved the Senate Plan. Defendant Larose approved the acts challenged in this action.

33. Bob Cupp is the Speaker of the Ohio House of Representatives and a member of the Commission and is sued in his personal and official capacity. The General Assembly has primary authority for drawing Ohio's congressional districts. Defendants Cupp approved the acts challenged in this action.

34. Matt Huffman is the President of the Ohio State Senate and a member of the Commission and is sued in his personal and official capacity. Mr. Huffman approved the Congressional and General Assembly plans challenged in this action.

35. The Commission and its five members Co-Chair House Speaker Bob Cupp, Governor Mike DeWine, Secretary of State Frankl LaRose, Auditor Keith Faber, Senate President Matt Huffman, are each sued in their personal and official capacities. Defendants are sued in their personal capacity because their acts of racial discrimination were intentional.

36. Plaintiffs have not sued the members of the Redistricting Commission who endeavored to comply with the command of the 15th Amendment and VRA and voted against the challenged Congressional Plan. Plaintiff only sues those State officials that ignored their duties under the 15th Amendment and VRA and engaged in intentional racial discrimination in connection with the challenged redistricting.

37. Defendant Yost is sued for the reason Plaintiffs challenge the Constitutionality of any legislation enacted to approve any current or proposed redistricting plan

V. ALLEGATIONS

38. Plaintiffs reallege that which has been asserted above as though fully asserted herein.

39. The gravamen of this Complaint is the wholesale disregard by the Defendants of their duty in connection with drawing legislative districts to consider whether the boundaries adopted deprive Black voters of an equal opportunity to participate in the political process and to elect representatives of choice. Here Defendants violated both the 15th Amendment and VRA by adopting a specific policy to totally disregard the impact of racial bloc voting, and the Senate Report factors underlying the VRA, on their proposed districts.

40. The right to vote is a “precious” right, Harper v. State Bd. of Elections, 383 U.S. 663, 670 (1966), “of the most fundamental significance under our constitutional structure,” Burdick v. Takushi, 504 U.S. 428, 433 (1992) (internal quotation marks omitted).

Section 2 of the Voting Rights Act provides, in relevant part:

- (a) No voting qualification or prerequisite to voting or standard, practice, or procedure shall be imposed or applied by any State or political subdivision in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color, or in contravention of the guarantees set forth in section 10303(f)(2) of this title, as provided in subsection (b)
- (b) A violation of subsection (a) is established if, based on the totality of circumstances, it is shown that the political processes leading to nomination or election in the State or political subdivision are not equally open to participation by members of a class of citizens protected by subsection (a) in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice.

52 U.S.C. § 10301(b).

41. Congress enacted the Voting Rights Act for the broad remedial purpose of ridding the country of racial discrimination in voting.

42. Ohio and the Mahoning Valley have a documented history of imposing racially discriminatory voting requirements. See, e.g., Ezell Armour, et al. v. The State of Ohio, et al., 775 F. Supp. 1044 (N.D. Ohio 1991) (Black voting age residents who challenged constitutionality of apportionment of the Ohio House of Representative were entitled to relief because the challenged boundary intentionally minimized or cancelled out the voting strength of minority vote).

43. A Black candidate has never been elected to a Mahoning and Trumbull County office. The Defendants should have taken notice of this. The Armour Opinion and redistricting hearing testimony of Plaintiff Simon concerning Mahoning Valley history was brought to Defendants' attention on the first day of Regional Hearings See Simon August 23, 2021 Testimony Exhibit A . Plaintiffs also submitted testimony and a Proposed District map to Defendants at the September 14, 2021 , See Exhibit D.

44. In Case No. 2:22-cv-773, Gonidakis v. Ohio Redistricting Commission, the Plaintiffs requested that the Court adopt an Ohio General Assembly redistricting plan that the Simon Plaintiffs had previously challenged here in Case No 21-CV-2267. The Simon Plaintiffs intervened in the Gonidakis action to object to adoption of the proposed General Assembly Plan and to protect their status under the first-to-file rule which required Simon Plaintiffs' first and earlier filed challenge to Ohio's General Assembly map to go to judgment first. See Raatz v. Columbia Gas Transmission Co 812 F.3d 785, (6th Cir. 2016). Case No 21-CV-2267 was dismissed due to the SD Ohio Court granting the Simon parties' motion to intervene in the Gonodakis action. However ,on the April 12, 2022 the S.D. Ohio Court ruled the relief sought by the Simon Parties in relation to the Congressional Plan exceeded the scope of the permitted intervention in Gonadakis. The

Court suggested the Simon Plaintiffs refile in the N.D. Ohio to seek relief from the proposed Congressional map. This action is a refiling of N.D. Ohio Case No. 21-cv-2267.

45. As a result of the 2020 decennial census and resulting apportionment calculation Ohio will lose one Congressional district seat, requiring redistricting of Ohio's Congressional Districts prior to the 2022 midterm elections.

46. The primary purpose of the census enumeration remains the apportionment of Congressional seats.

47. Under the Current proposed Congressional Redistricting Plan the Congressional District encompassing Youngstown, Ohio in Mahoning County has been joined with areas south of Mahoning County stretching over 160 miles where racial bloc voting abounds. The new district will result in illegal and unconstitutional dilution of the Mahoning Valley Black vote by impairing the ability of the Mahoning Valley Black voters to elect a United States Congressional representative of choice, due to the submersion of Black voting strength into the counties of Columbiana, Carroll, Jefferson, Harrison, Belmont and Washington instead of the more racially diverse adjacent Stark, Summit or Cuyahoga Counties. Had the defendants considered racial block voting, this result would have been apparent based upon the 2020 Presidential election results alone. The proposed district stretches from Youngstown, Ohio to Marietta, Ohio a distance of 164 miles. The proposed district has a negligible Black population. The proposed district includes ten Ohio counties. Plaintiffs presented a proposed district to Defendants that included areas North and Northwest of Mahoning and Trumbull counties and would constitute a district with a black voting majority. See Exhibit D

48. The Ohio Constitution prescribes a method for the drawing of Congressional Districts. *See id.*, art. XIX, §1. The General Assembly has until “the last day of September of a year ending in the numeral one” to adopt a Congressional map. *Id.*, §1(A) (*i.e.*, September 30, 2021). Before that date, it must secure “the affirmative vote of three-fifths of the members of each house of the general assembly, including the affirmative vote of at least one-half of the members of each of the two largest political parties represented in that house.” *Id.* If the General Assembly fails to meet that September 2021 deadline, then the Ohio Redistricting Commission “shall adopt a Congressional District plan not later than the last day of October of that year.” *Id.*, §1(B). It can do so only with “the affirmative vote of four members of the commission, including at least two members of the commission” representing the “two largest political parties represented in the general assembly.” *Id.* If the Commission is unable to reach an agreement, then the General Assembly may adopt a plan by the end of November. This time, the plan must win the “affirmative vote of three-fifths of the members of each house, including the affirmative vote of at least one-third of the members of” the two largest parties. *Id.*, §1(C)(2). Finally, and as a fourth option if all other options fail, the Ohio General Assembly may adopt a plan by the vote of a simple majority of the members of each chamber that lasts for four years. *Id.*, §1(C)(3). The March 2 Plan is the product of this process.

49. Republicans control both chambers of the Ohio General Assembly.

50. The Black residents of Youngstown and Warren when combined with areas North and Northwest are a sufficiently large, and geographically compact population

to constitute a determinative vote in a Congressional District, are politically cohesive, vote as a bloc, the White majority in the Defendant proposed district vote sufficiently as a bloc to enable it to defeat the Blacks' preferred candidate.

51. Under the totality of the circumstances, the March 2 Plan and results in the denial and abridgment of the right to vote on account of race or color in violation of Section 2 of the Voting Rights Act.

52. The March 2 Plan dilutes Black voting strength and deprives Plaintiffs of an equal opportunity to elect representations of their choice.

53. Under the totality of the circumstances, including the history of the area detailed in the Armour Opinion, which Defendants failed to consider which detailed a history of discrimination in Youngstown in the employment practices, in the city's school system, sentencing and other fundamental areas, the March 2 of Ohio Congressional districts deprives Blacks in Youngstown and Warren of the opportunity to elect a candidate of their choice in the proposed 6th Congressional District.

54. The March 2 Plan also minimizes or cancels out the ability of Plaintiffs and other Black voters in the Mahoning Valley to elect their preferred candidates.

55. Accordingly, Plaintiffs allege, under the totality of the circumstances, the proposed redistricting of the 6th Congressional District impairs the ability of the Plaintiffs to participate equally in the political process.”

56. The following is additional support:

- a. The history set forth in Armour of official discrimination in the Mahoning Valley that touched the right of Blacks to register, vote, or otherwise to participate in the democratic process should have been considered by Defendants;
- b. Voting in the Mahoning Valley and the counties in the newly proposed 6th District is racially polarized;
- c. Blacks in the Mahoning Valley bear the effects of discrimination in such areas as education, employment and health, which hinder their ability to participate effectively in the political process, as evidenced by the record setting murder rate in Youngstown;
- d. Political campaigns have been characterized by overt and subtle racial appeals;
- e. No Black has been elected to county-wide elections for County Commissioner or Common Pleas Judges in Mahoning or Trumbull County.; and
- f. As outlined in the case of Youngblood v. County Commissioner, Sixth Circuit, Case No. 19-3877, elected officials in Mahoning County have been unresponsive to the particularized needs of the Black community in Mahoning County.

THE NEED FOR SECTION 3(C) RELIEF

57. Over time, the Ohio legislature and the Defendants have employed a variety of devices to restrict voters of color's access to the franchise, up to and including the recent enactment of the March 2 Plan and the violations cited in Armour.

58. Plaintiffs are “aggrieved persons” within the meaning of Section 3(c) of the Voting Rights Act, 52 U.S.C. § 10302(c).

59. In the absence of relief under Section 3(c) of the Voting Rights Act, 52 U.S.C. §10302(c), the Ohio legislature will continue to violate the Voting Rights Act and the voting guarantees of the Fourteenth Amendment in the future. Accordingly, Plaintiffs seek Section 3(c) relief also.

V. CLAIMS FOR RELIEF

FIRST CLAIM FOR RELIEF

Violation of Section 2 of the Voting Rights Act, 52 U.S.C. § 10301, *et seq.* Against All Defendants

60. Plaintiffs reallege and incorporate by reference all prior paragraphs of this Complaint as though fully set forth herein.

61. Section 2 of the Voting Rights Act, 52 U.S.C. § 10301(a), provides in pertinent part:

No voting qualification or prerequisite to voting or standard, practice, or procedure shall be imposed or applied by any State or political subdivision in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color

62. In direct violation of Section 2 of the Voting Rights Act, the March 2 Plan. Submerges Youngstown and Warren Black voters into a Congressional District with extreme racially polarized voting.

63. The electoral procedures discussed in the Paragraphs above , violate Section 2 even in the absence of discriminatory intent, because, by their discriminatory impact, they “result in a denial or abridgement” of the right of Black voters to vote and to

participate equally in the democratic process. Unfortunately the evidence here shows the Defendants intentionally ignored the VRA and 15th Amendment duties which has resulted in this discriminatory outcome.

64. A voting qualification, prerequisite, practice, or procedure violates Section 2 “if, based on the totality of circumstances,” election processes “are not equally open to participation” by protected classes of citizens, in that they “have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice.” 52 U.S.C. § 10301(b).

65. The March 2 Plan violates Section 2 of the Voting Rights Act because, given the “totality of circumstances,” including the long history of racial discrimination in Ohio, the challenged provisions, individually and cumulatively, will disproportionately deny Black voters in the Mahoning Valley an equal opportunity to participate in the political process and to elect representatives of their choice.

66. By reason of the foregoing Plaintiffs are entitled to an order declaring March 2 Plan unconstitutional.

SECOND CLAIM FOR RELIEF
Fourteenth Amendment
U.S. Const. amend., XIV, § 2; 42 U.S.C. § 1983
(Intentional Racial Discrimination)
Against All Defendants

67. Plaintiffs reallege and incorporate by reference all prior paragraphs of this Complaint as though fully set forth herein.

68. Section 2 of the Fourteenth Amendment to the United States Constitution provides:

Section 2

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number the male citizens twenty-one years of age in such State. (emphasis added)

69. The March 2 Plan violates the Fourteenth Amendment’s plain language that “[r]epresentatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state,” excluding only “Indians not taxed.” U.S. Const., amend. XIV, § 2 (emphasis added). It also flies in the face of the statutory scheme governing apportionment, which requires the State to include “the whole number of persons in each State” in the apportionment base—again, excluding only “Indians not taxed.” 2 U.S.C. § 2a(a) (emphasis added).

70. 42 U.S.C. § 1983 provides a cause of action, including for declaratory or injunctive relief, against “[e]very person who, under color of any statute, ordinance, regulation, custom, or usage ... subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws....”

71. The March 2 Plan violates Section 2 of the Fourteenth Amendment to the United States Constitution because the Plan abridges the rights of Black Ohioans to vote because the Plan was devised without consideration of the circumstances applicable to Black voters.

72. Ohio's history of racial discrimination in the context of voting, the known and reasonably foreseeable discriminatory impact of the March 2 Plan, the tenuous and pretextual nature of the stated justifications for this Plan raise a strong inference that it was proposed and enacted with a discriminatory purpose in violation of §2 of the Fourteenth Amendment. As a result of the intentional violation of Section 2 of the 14th Amendment by defendants the number of representatives in Ohio should be reduced to the same extent that defendants caused Ohio Black voting power to be debased

THIRD CLAIM FOR RELIEF
Fifteenth Amendment
U.S. Const. amend., XV; 42 U.S.C. § 1983
(Intentional Racial Discrimination in Voting)
Against All Defendants

73. Plaintiffs reallege and incorporate by reference all prior paragraphs of this Complaint as though fully set forth herein.

74. 42 U.S.C. § 1983 provides a cause of action, including for declaratory or injunctive relief, against “[e]very person who, under color of any statute, ordinance, regulation, custom, or usage... subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws...”

75. Section 1 of the Fifteenth Amendment to the United State Constitution prohibits states from denying or abridging the right of American citizens to vote on account of their race or color.

76. The March 2 Plan and violates the Fifteenth Amendment to the United States Constitution because Defendants intentionally proposed, enacted and intend to

administer and enforce this plan and election procedures to deny and abridge the right to vote on account of race or color.

FOURTH CLAIM FOR RELIEF
First and Fourteenth Amendments
U.S. Const. amends. I, XIV; 42 U.S.C. § 1983
(Undue Burden on the Right to Vote)
Against All Defendants

77. Plaintiffs reallege and incorporate by reference all prior paragraphs of this Complaint as though fully set forth herein.

78. The March 2 Plan violates both the First and Fourteenth Amendments.

79. Due to the previous stay Plaintiffs did not file to the March 2, Plan. Sooner in this Court but objected timely in Gonadakis.

80. Defendants have had adequate opportunity to formulate a lawful plan, but have instead adopted redistricting procedures that result in denial to the Simon Parties of opportunity to elect representatives of choice.

81. The State is not entitled to multiple opportunities to remedy unlawful districts. See, Reynolds v. Sims, 377 U.S. 533, 585-87.

82. The intentional failures of Defendants to comply with the VRA and the Fourteenth and Fifteenth Amendments combined with the imminent risk of election chaos created by Defendants' malfeasance, justify the immediate appointment of under Fed. R. Civ. P. 53 of the appointment of a special master to craft lawful districts

PRAYER FOR RELIEF

Wherefore, Plaintiffs respectfully request that this Court:

- a. Declare that the Ohio Congressional Redistricting process rule disregarding race and the March 2 Plan, violative of Section 2 of the Voting Rights Act, 52 U.S.C. §10301;
- b. Enjoin Defendants, their agents and successors in office, and all persons acting in concert with them from issuing certificates of nomination or election for any representative elected for the proposed 6th Congressional District under the March 2 Plan;
- c. Order Defendants to devise and adhere to a redistricting process that invalidates so-called Redistricting Rule 9 and that complies with Section 2 of the Voting Rights Act, the 14th and 15th Amendments;
- d. Appoint a Special Master under Fed. R. Civ. P. 53;
- e. Require the Special Master to craft Congressional districts through a process that complies with both the VRA and Ohio law;
- f. Retain jurisdiction and subject Defendants to a preclearance requirement pursuant to Section 3(c) of the Voting Rights Act, 52 U.S.C. §10302(c); and
- g. Grant such other and further relief as may be just and equitable including attorneys fees, and the proportionate reduction in the number of the representatives in Congress from Ohio to reflect the defendants' deliberate disregard of Black Ohio voters unless Defendants remedy their intentional dilution of Black voting strength.

Respectfully Submitted,

s/Percy Squire, Esq. _____

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CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- PTF DEF Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Table with 5 columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes codes like 110 Insurance, 310 Airplane, 365 Personal Injury, etc.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District, 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE DOCKET NUMBER

DATE SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

I. Civil Categories: (Please check one category only).

- 1. [] General Civil
2. [] Administrative Review/Social Security
3. [] Habeas Corpus Death Penalty

*If under Title 28, §2255, name the SENTENCING JUDGE: _____

CASE NUMBER: _____

II. RELATED OR REFILED CASES See LR 3.1 which provides in pertinent part: "If an action is filed or removed to this Court and assigned to a District Judge after which it is discontinued, dismissed or remanded to a State court, and subsequently refiled, it shall be assigned to the same Judge who received the initial case assignment without regard for the place of holding court in which the case was refiled. Counsel or a party without counsel shall be responsible for bringing such cases to the attention of the Court by responding to the questions included on the Civil Cover Sheet."

This action: [] is RELATED to another PENDING civil case [] is a REFILED case [] was PREVIOUSLY REMANDED

If applicable, please indicate on page 1 in section VIII, the name of the Judge and case number.

III. In accordance with Local Civil Rule 3.8, actions involving counties in the Eastern Division shall be filed at any of the divisional offices therein. Actions involving counties in the Western Division shall be filed at the Toledo office. For the purpose of determining the proper division, and for statistical reasons, the following information is requested.

ANSWER ONE PARAGRAPH ONLY. ANSWER PARAGRAPHS 1 THRU 3 IN ORDER. UPON FINDING WHICH PARAGRAPH APPLIES TO YOUR CASE, ANSWER IT AND STOP.

(1) Resident defendant. If the defendant resides in a county within this district, please set forth the name of such county

COUNTY:

Corporation For the purpose of answering the above, a corporation is deemed to be a resident of that county in which it has its principal place of business in that district.

(2) Non-Resident defendant. If no defendant is a resident of a county in this district, please set forth the county wherein the cause of action arose or the event complained of occurred.

COUNTY:

(3) Other Cases. If no defendant is a resident of this district, or if the defendant is a corporation not having a principle place of business within the district, and the cause of action arose or the event complained of occurred outside this district, please set forth the county of the plaintiff's residence.

COUNTY:

IV. The Counties in the Northern District of Ohio are divided into divisions as shown below. After the county is determined in Section III, please check the appropriate division.

EASTERN DIVISION

[]
[]
[]

AKRON
CLEVELAND
YOUNGSTOWN

(Counties: Carroll, Holmes, Portage, Stark, Summit, Tuscarawas and Wayne)
(Counties: Ashland, Ashtabula, Crawford, Cuyahoga, Geauga, Lake, Lorain, Medina and Richland)
(Counties: Columbiana, Mahoning and Trumbull)

WESTERN DIVISION

[]

TOLEDO

(Counties: Allen, Auglaize, Defiance, Erie, Fulton, Hancock, Hardin, Henry, Huron, Lucas, Marion, Mercer, Ottawa, Paulding, Putnam, Sandusky, Seneca VanWert, Williams, Wood and Wyandot)

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

Ohio Redistricting Commission - 8-23-2021 - Youngstown.mp4

Co-Chair, Senator Vernon Sykes [00:00:09] Those who are not present here today, we are so thankful that we're here at Youngstown State University and to greet us the host is President Jim Tressel.

Tressel [00:00:22] Thank you, Mr. Senator [applause] thank you, on behalf of our entire YSU family and the Mahoning Valley, we're excited that this discussion is here. We believe that a university is a wonderful place to have discussions. In fact I happen to think that a university is unity in diversity and we get a chance to share what we think with one another in a thoughtful manner. And so we're excited to be able to host this. I can assure you we'll get some sound here pretty soon. If not, we'll have some new sound managers. [laughter] Just kidding. But we appreciate it. It's a busy time on college campuses getting ready for school to begin, and we just had the naming of our new excellence training center, Kohli Hall, which will meet the workforce needs of the future. So we just had a big day and got a lot of things going on. Just wanted to stop and welcome you. And we're glad you're here and enjoy the afternoon. Thank you sir.

Co-Chair, Senator Vernon Sykes [00:01:30] Thank you. Thank you, will the staff please call the roll.

Roll Call [00:01:38] Co Chair, Senator Vernon Sykes, (present), Representative, Tim Ginter (present), designee for Co-Chair Robert Cupp (present), Matt Donahue, designate for Governor Mike DeWine. (present) Auditor Keith Faber (present), we have Merle Madrid designee for Secretary Frank LaRose, (present), we have Representative Michele Lepore-Hagan, designee for Leader Emilia Sykes, (present), And we have Senator Kirk Schuring designee for President Matt Huffman (here).

Co-Chair, Senator Vernon Sykes [00:02:18] We have a quorum present and we will move forward. I know...anyone that would like to testify today, we ask that you please fill out a witness list so that we can record it accordingly. In November of 2015, Ohio voters approved a constitutional amendment that implemented a new General Assembly redistricting process and established the Ohio Redistricting Commission. The commission consists of the governor, state auditor, secretary of state and one commissioner appointed by each of the legislative leaders of the two largest political parties in the Ohio House and the Ohio Senate. Four in total, one from each of the caucuses. The commission has until September 1st of this year to pass a plan with the votes of at least two members affiliated with each of the major parties. If they fail to do that, then by September 15th they may pass a map with the simple majority, just four votes. And that map would last for only four-year period. The Ohio legislative process, redistricting process, is one has taken place really in all the states around the country and is based on the census. The United States Department of Commerce published census data, so we have new numbers so we can configure the districts appropriately. In Ohio, the population was eleven thousand eleven million seven hundred ninety-nine thousand four hundred forty-eight people, a two point three percent growth over 2010. And that means for each of the House districts we have one hundred and nineteen thousand one hundred and eighty-six people, and in each of the Senate districts will have three hundred and fifty-seven thousand five hundred and fifty nine persons, with the five percent deviation. Legislative districts are complex– is more than just putting the right number of people in each one of the districts. There are several layers of complex requirements, including the district population requirements, rules on how to prioritize splits, political subdivisions and additional district standards dealing with favoring or disfavoring political parties and compactness of districts. The board also has to

comply with all federal regulations and guidelines, the Ohio Constitution and including the Voting Rights Act, on the federal level. These, we are going to when we can, get information broadcast here today. We had a hearing earlier today in in Cleveland and we will have a series of hearings all over the state all of this week, a total of ten. And we encouraging you to look at the website that we have www.redistricting.Ohio.gov for additional information or to submit written testimony or even submit maps. The purpose, the main purpose today since we're right up on the deadline for the House and district state maps that we are addressing the state legislative maps at this particular time. Today we're here to listen to you. We're not here to debate one another. We're here to get as much information as we can about how districts affect you and get input from you to use in formulation of the plan. Before we begin, we just want to make sure that you know that the written testimony will be available and able to be submitted on the website. With that if no other statements by any of the other members. We'd like to move to the first person to testify, Mr. John Bocchieri. Thank you.

Bocchieri [00:07:23] Thank you. Members of the Ohio Redistricting Commission bringing this public hearing to Mahoning County, performing your constitutional duties in the open so that we may have a discussion about the political future of this community. I have served with all of you at some point over the last 21 years, whether in the state legislature, or in our nation's capital. I've known all of you to be honorable in your public service and its approach. We passed legislation together. We worked together to help Ohioans after natural disasters and in their time of greatest need. I acknowledge your honorable service. However, when it comes to campaigns, Ohioans acknowledge that the process which legislative and congressional districts are drawn, and have been drawn, demonstrates your political muscle versus fairness. Simply put, past maps have not been drawn as honorably as your individual service. Past commissions have packed and cracked communities like mine, lumping vast numbers of voters in the districts that do not follow the fairness model in which comprises competitiveness, keeping cities whole, and representational fairness. It is clear that Ohio politicians are picking the people they want to represent versus people picking politicians they want representing them in government. It seems from this process, which in the days of Governor Jim Rhodes and Speaker Vern Riffe saw maps that were drawn with little...number 2 pencils, after much consensus, to maps now that are drawn with laser 3-D printers built from the ground up in political districts that favor the majority. This process should be about... shouldn't be about politics, but it should be about fairness. Don't get me wrong, both Democrats and Republicans are doing this all over the country. But Ohio hasn't witnessed fairness in decades. When first elected to the Ohio House, the legislative map for the 57th district stretched from the suburbs of Youngstown to Carrollton in Carroll County. In 2002, when the new map was redrawn, the 61st Ohio House district extended further south, including slivers of Mahoning County, Stark County, all of Carroll County and a sliver of Tuscarawas County all the way past New Philadelphia. The most populous counties in that redrawn district with a sliver of Stark County, which was now the newly configured 61st district. It had appeared from the district that was redrawn... it was drawn mainly to weaken the representative's political influence versus strengthening the political voice of citizens across the district. In 2002, while in the Ohio House, the majority eliminated the congressional district of then Congressman Jim Traficant. Now, that was an easy political move because Congressman Traficant had just been convicted of a felony and subsequently removed from the seat by a vote of his peers in the US House. However, the voices of Valley residents were now packed together into the 6th Congressional District, comprising 12 counties, one county wide, all the way down the Ohio River to Portsmouth and Scioto County. Speaker Larry Householder often referred to this district as the "sliver on the river." Mahoning County, the 10th most populous county in the state, was now cracked and packed into smaller

communities in an unfamiliar configuration drawn for political considerations and not for the needs of its citizens. There are some who suggest that the '02 [inaudible] map was fair because I won a seat in the 16th Congressional District against my esteemed colleague here who is an honorable gentleman in that race in the congressional district that hadn't seen a Democrat elected in 60 years. However, political reality soon set in after the 2010 election, Senator Schuring, when all the districts that saw different representatives soon put back to their original configurations were [?] their intended political representation. And in fact, the League of Women Voters of Ohio and Common Cause identified an important fact about that 2012 map. There was a sliver of Canton, they call it a puppet, I quote, a puppet shaped peninsula which was carved into the 16th district, a former district that I represented, that attached Canton to the district. The total population in that peninsula was zero. No other portion of Canton is in the 16th Congressional District. The zero-population area was attached to the 16th District, according to League of Women Voters, because it contained Timken manufacturing plants and their corporate headquarters, according to the League of Women Voters. Now there was no coincidence about that political move, however, I will draw your attention to that same 12 political map. A little nodule extending from the crack and packed 13th Congressional district that extended to the Stark County ultimately will be won by Congressman Tim Ryan. The majority conveniently drew my home, which was in Alliance, at that time, into the congressional district, attempting to pit us against one another, No one a part [?] of Stark County [?] is in the 13th Congressional district. My plea to all of you today, to my esteemed colleague, is to stop this madness. What I have learned by both winning and losing elections is that people want their elected representatives to reduce the political fighting and maximize their political voices in our capitol. This could not be achieved when partisan, partisans draw districts that favor political gains instead of gaining political influence for citizens of Ohio. The number of wave elections, national wave elections over the last 15 years is testimony in itself to citizens displeasure at this very process, drawing districts where a politician just has to worry about winning their primary election, has reduced the effectiveness of our institutions. Sure, it permits the majority to hold on to power, but it dilutes the discourse within these institutions and creates hyper-partisan rhetoric that weakens our ability to speak to one another. Fair district maps allow for consideration of opposing, opposing political views and the building of consensus, which is at the heart of our democracy. If we are truly about winning elections on ideas then let our campaign be about that, instead of a predetermined map that was delivered to maximize political opportunities. The data and demographics support the premise that the Mahoning Valley deserves its own congressional district and statehouse districts. Many of our citizens feel as if Columbus has forgotten about us. You have the chance to demonstrate that fair districts create fair government for all Ohio citizens. Thank you, Senator. I appreciate your time. [applause]

Co Chair, Senator Vernon Sykes [00:14:23] Thank you, Mr. Bocchieri, are there any questions of Mr. Bocchieri? Seeing none, thank you so much, appreciate it. Please forgive me in advance if I happen to stumble a little over a few names, Janice Simmons-Mortimer.

Simmons-Mortimer [00:14:54] My name is Janice, I'm from the Ohio District 76 and the Senate district 18 in Hiram Township. What you just heard right there and what you heard this morning, you got a an earful talking about fair districts from a grand perspective, even from Mahoning County. What I like to talk about as a mom [?] how I feel during [inaudible] Portage County. So where I'm from, northern Portage County. [inaudible] We're a rural community, we're a college town and also have that suburban vibe if you're on the west side. [inaudible] what Portage County doesn't have though, is a strong advocate, a unifying advocate. And that's because we have three U.S. congressional districts and 2 Ohio House districts that carve up our county. What has that led to? I feel like it's led to

inaccurate [?] representation when it comes to things such as health care and access [inaudible] when it comes to resources like libraries systems that have such poor funding, I think Portage County is at least 3rd in least funding for library systems. And also public education. And that's where my heart is at and why I want to talk to you about. When I compare through Ohio Department of Education preparedness grade for students...[loud feedback]

Co-Chair, Senator Vernon Sykes [00:16:41] They're at least working on it.

Simmons-Mortimer [00:16:45] A sign from God He's listening. [laughter] [applause] The Ohio Department of Education preparedness grades for students in northern Portage County school districts with those of the other districts with which we've been combined. Neighbors to the north, the impacts and differences are startling. Less than 50 percent of students in the three rural districts included in Portage County, less than 50 percent of students going to college, less than 30 percent graduate with a college degree in six years. One of those districts, in particular, Windham, has less than 20 percent of students who graduate with a college degree after 6 years. Less than 20 percent. Now, compare that with our neighbors to the north, in Geauga County. 73 percent of their students go into college. Fifty-one percent graduate with a college degrees in 6 years. If you take Kenston Schools, which is just north of where I'm from, which is an impressive school district, 86 percent of their students go on to college and 68 graduate with a college degree. So we have to look at our students seen as having a high school acting as a terminal degree. Ninety percent of students go into public education. That's why redistricting is so critical for us. The need for quality public education, public education is paramount to the future viability of our communities, of our workforce and of our community's success overall. Unfortunately, by cracking our county and taking our rural district and combining them with even more wealthy and affluent ones to the north, you silence our voices and render our opinions, with our representatives is just useless. Our own vocational school, which is a pipeline for quality jobs for a significant portion of the students in our area, isn't even in our district, and congressional [inaudible] Ohio House. You've taken away the community's voice even when it comes to the one pipeline a majority of our schools go to. Now, personally, I moved from Bainbridge into Hiram in 2010. I spent the last 10 plus years advocating from my home district. I have co-led levy campaigns for new buildings, didn't pass. I have helped with operating levies which is a continual struggle for a farming community, in trying to pass. I've also personally helped bring students into STEM camps and programs elicit the idea of science. It is embarrassing to note that our science labs are less equipped than what my children had in the Kenton district in first grade. We've even done archeological digs for our students in middle school, again trying to build the idea of looking beyond Portage County. I have used my skills, I've used my time, I've used my money to try to work with the teachers and staff in Crestwood schools who are so dedicated to doing what they can do with the limited resources available to them, to give a quality education. I feel like I'm lucky because I have to ability to do that, not very families in Portage County can, that's why I'm coming to you. The most critical things we need you to do is to not split up Portage County. To not break up communities and take our voices away. Yes, the communities of Crestwood and Garrettsville and Windham don't have the population, affluence or clout that a Bainbridge or Chesterland have. We do have pride in our area. We do want a better future for our children. And, we believe that we can do it. You can do it if you give us a representative who also works and listens to us and is an advocate for better. Thank you. [applause]

Co-Chair, Senator Vernon Sykes [00:20:58] Thank you. I'd like to take this time to recognize any other state legislators that are here today. Would you please stand all the

others, legislators, members of the House or the Senate, would you please stand to be recognized? Thank you. [applause]. Next, we will call up is Holly Oyster.

Oyster [00:21:51] ...do we need written testimony that I brought with me? Copies of it,

Co-Chair, Senator Vernon Sykes [00:21:59] the staff will get that for me.

Oyster [00:22:16] Hi, my name is Holly Oyster, I live in Alliance, actually, outside of Alliance, an area called Smith Township. I often refer to our area as the red headed stepchildren of Mahoning County because we are clear at the far corner and I have to drive 40 minutes to an hour to do anything in my county seat. And I do not feel particularly represented when lumped with Youngstown. I'm here today to remind the commission that the work that they are doing right now will directly affect me and my neighbors for the coming decade. If the districts they draw are unfair, their actions will directly result in the negation of my rights as an Ohioan and an American to have my voice heard. In the last ten years, I have felt unrepresented and ignored by my elected officials. I am active locally, helping to organize volunteers interested in supporting progressive issues. I came to this out of frustration that policies being instituted by my government were completely opposed to everything that I believe in. I have reached out to my representatives about issues that are important to me, about bills that are up for consideration, about topics I feel should be addressed. The only response I have ever received was a form letter, and that was a rare occurrence. As a civically engaged Ohioan, it is my responsibility to pay attention to what my government is doing. And if the policies that polls are showing Ohio and support are being passed and implemented by my government. There are so many issues about which I care deeply that are not being supported by my government. For example, various recent polls show that 51.3 percent or more of Americans, depending on what poll you read, support abortion remaining legal in most cases. However, our state government continues to pass unconstitutional laws that limit access to women's health care and repeatedly pass laws criminalizing abortion and those who provide the procedures. This is a failure of democracy. According to the most recent data I have been able to find, Ohio is made up of approximately forty six percent... forty six percent Democrats and fifty three percent Republicans, however, our statehouse has Republican supermajorities in both houses. Republicans hold sixty-four-point six percent of the seats in the Ohio Statehouse and seventy-five-point eight percent of the seats in the Ohio Senate. My Ohio senator does not care what I think...that I am desperate for universal health care, that my husband and I are considering a paper divorce so that I can go on public assistance to afford the medicine my child needs, that our education system is an embarrassment that robs our children of a decent education. He knows his job is secure because the district he nominally represents is drawn in such a way that my voice is ignored, lumping me together with those with whom I have zero in common. My representative doesn't care that I want a vaccine mandate, that I'm worried about the health of my immune compromised teenager, that I'm horrified that our schools don't teach comprehensive sex ed, instead teaching abstinence only, despite hundreds of studies showing such curricula do not reduce teen pregnancy or the spread of STDs. He does not represent me. So far, the process for redistricting has been confusing and vague. Despite an overwhelming, overwhelming majority of Ohioans twice voting to support fair districts, I have little to no confidence that their districts will be drawn. I am here to help ensure that the wishes of Ohioans are followed. Who is working on these maps right now? When will we see them? We need time to be able to assess those maps and determine if they are fair representation of Ohioans and time is running out. I need to know that this process is going to result in fair representation as mandated by the United States Constitution. I need to know that my vote will matter again. I want to know that my community will be included with those that have similar life experience to

me. I live in Mahoning County but have an Alliance address. Most of Alliance is Stark County. If the district is drawn along the county line, I will be voting with people I have no connection with. I need my community in a district with those where I shop, do business and whose kids go to school with my kids. Anything else means my voice and the voices of so many of my neighbors will be silenced. And this is not on my written testimony. But I wanted to add I was going to ask where our governor is today, who is supposed to be here. But I just discovered on Twitter that he's at a Cincinnati Bengals practice right now. Thank you, Governor DeWine.

Co-Chair, Senator Vernon Sykes [00:27:15] Thank you. Thank you very much. Any questions? [applause] Next, presenter is Kathleen Gaige.

Gaige [00:27:36] Good afternoon to all of you and thank you for being here today. My name is Kathleen Shafee-Gaige and I'm a lifelong resident of Mahoning County, Ohio, and the chair of the Voter Services Committee of the League of Women Voters of Greater Youngstown. The league looks forward to a redistricting, a redistricting process which supports a robust democracy. Such a process would result in districts that are comprised of communities of common interest and that are geographically compact. Such districts, regardless of the party affiliations of the people who live in them, would enable elected officials to better represent their constituent's interests. Districts that do not support a robust democracy look like districts Ohio currently has. Many are not comprised of communities of common interests, and many are not geographically compact. They were drawn primarily to advance, to advantage one political party over all others. Mahoning County, by any definition, is a geographically compact area that consists of communities of common interests. As one of many examples, we share this wonderful higher education resource that is hosting this public hearing today. Yet, since the redistricting of 2001, Mahoning County has been divided into two congressional districts, making advocacy for what is best for the entire community difficult. Our battle should be waged over election, elected officials promoting the interests of this region, and that is done best when the county is included in one district. Now, I understand that the redistricting commission does not have a primary role in establishing congressional districts, but you will have a role if the Ohio General Assembly fails to approve new 10-year maps, according to the new established rules. And finally, I would like to emphasize the importance of the commission adhering to the guidance of representational fairness. As you know, this states that the newly drawn state Senate districts and the newly drawn state representative districts in the aggregate should roughly correspond to the preferences of Ohio voters over the previous ten years, as expressed in statewide and federal partisan elections. Now, looking at just a couple of these examples, former President Trump won Ohio in 2020 by a margin of 53/45. So are we a 53 percent Republican state and a 43 percent... excuse me, 53 percent Republican state and 45 percent Democrat state? Governor DeWine won the gubernatorial race in 2018 by a margin of 50/47. So is Ohio a 50 percent Republican state? Forty seven percent Democrat state? Whatever Ohio is, we are not a 76 percent Republican, 24 percent Democrat state, which is the current configuration of the Ohio Senate. [applause] We are not a 65 percent Republican, 35 percent Democrat state, which is the current configuration of the Ohio House. Now in 2015 and 2018. Ohio voters overwhelmingly supported new rules for establishing districts that are intended to make elected officials responsive to their constituents rather than districts that favor any political party over any other. The League of Women Voters of Greater Youngstown and I personally expect those of you responsible for enacting these reforms to adhere to the spirit of their intention. Thank you very much. [applause]

Co-Chair, Senator Vernon Sykes [00:31:28] Thank you. Questions? Carol Canavan.

Canavan [00:31:42] Good afternoon, thank you to the commission for being here today to hear our perspectives on redistricting. I am also a member of the League of Women Voters of Canton and have been a member there for a well over 10 years. I live in Stark County. Again, one of those counties that has been chopped up a little bit. And we all know we've heard that this is damaging to us, the voters. I live in the 50th House district. My home is in Plain Township, North Canton schools, and by one street, the 50th district. I always think of myself as a North Canton resident, primarily because that is where my children went to school. I vote for the school levies and I go to a church right in the heart of this little town of North Canton. It's a very historic town. Hoover, you recognize the name, the 50th includes a large part of Stark County to the east. It is a more rural area in Stark County, but it includes Louisville, Alliance, and Hartville. I have communicated with my representative by email, but I have not met with him personally. And from what I can tell, he is, of course, doing as good a job as he can do as our representative there in Stark County. On the congressional side, and prior to the redistricting done in 2011, I knew who my congressman was. When I first moved to North Canton, I had the task of visiting our congressman, Ralph Regula, in his farm in Devar. We needed him to expedite passport applications so that a group of Stark County students and teachers could visit Russia under a program initiated by the Diebold Corporation. I was impressed by the accessibility of the congressman and his genuine interest in the project that the students were involved in. After 2011, I was amazed at how Stark County, the 16th District in particular, changed shape. I'm part of that peninsula that reaches down to the Timken Company. There are three other districts, of course, in the state, in the county as well. Which, of course, is quite contrary to what we know about [feedback] about what we know of effective representation. The League of Women Voters League of Women Voters is known for offering nonpartisan candidate forums, but it's difficult to get candidates to agree to come to North Canton or to Canton when it's just a tiny part of their district. Why should they be concerned about voters in that little peninsula reaching down to the Timken Company? Other candidates seem not to be interested in holding town halls because their state seats are safe. Candidates of the opposing party have difficulty securing sufficient funding and support to mount a strong campaign, especially in light of the extreme unlikelihood of success in a district arranged to support one party. This leaves voters feeling that their voices cannot be heard, and that leads to apathy and worse. Once when helping register voters at KSU Stark. I talked to a young man who told me flat out that he had no intention of registering to vote and no intention of voting ever. I asked him why and he told me they don't care what I think. My vote won't change anything. To me, that is the saddest statement of our younger generation. When we take away the hope of our youth that they can have an impact on their future by participating in our government and our democratic system, we are really chipping away at the bedrock of democracy. In 2015 and again in 2018, over 70 percent of Ohio voters in all 88 counties voted to have legislation that changes this process. We demand that districts be redrawn in this decennial year, are wonderful opportunity to make these districts fair, to make them truly represent the voters of Ohio. Time is wasting. You know that. We know that. We are wanting you to do the work that the voters of Ohio has demanded and we're watching. So please, get this. [applause]

Co-Chair, Senator Vernon Sykes [00:36:23] Thank you very much. Any questions? See no questions, the next person is Mr. Percy Squire. I believe the mics may be working, (say again?) I believe the mics may be working.

Squire [00:36:54] Yes, sir. Good afternoon, Mr. Chairman and members of the commission. I have submitted written comments for inclusion in the record. But I would like to summarize briefly a few issues that I am hopeful the commission will take into account

as it performs its duties that the chair outlined in its opening, in his opening, that you're obliged to do under the recent amendments to the Ohio Constitution. I won't belabor any details concerning the redistricting process. Suffice it to say that the Constitution has been amended, the State Constitution, that is, to require the approach to redistricting that you outlined at the outset, Mr. Chairman, with respect to the Ohio House and Senate. And I also understand the distinction between the redistricting process at the state and that which is required at the federal level. But I do want to say, and I would ask that the commission be mindful of the fact that as you undertake your duties with respect to redistricting, that by reason of the provisions of the Voting Rights Act of 1965 as amended, that your obligation to engage in an intensely local appraisal of indigenous political reality in the Mahoning Valley as you determine where these lines should be drawn. That concept, and I'm not trying to get into a lot of legalese here, but I represent a class of voters in the Mahoning Valley that are protected by the provisions of the Voting Rights Act of 1965 as amended. That class was formerly headed by a gentleman, by the name of Ezell Armour, who filed a lawsuit that resulted in an injunction and the declaratory judgment being issued against The State of Ohio, and that order is codified at five seven seven five FS one zero four four in the opinion of the 6th Circuit Court of Appeals from 1991. Mr. Armour, unfortunately, is no longer with us. But the representatives of that same class are here with us today, Miss Helen Youngblood and the Honorable Kenneth Simon. The appraisal of indigenous political reality in any jurisdiction where lines are being drawn is to be determined in accordance with the concept known as the Totality of Circumstances test. And that legislation sets forth a number of Senate report factors that should be considered in determining whether the political processes leading to the election of representatives of choice are equally open to members of the protected class. The first factor that the commission is required to consider is whether there's been a history of official discrimination in the affected jurisdiction. My clients, nor I, are here today to point the finger at anyone or to take the scab off old wounds, accusing anyone of the racism or historical mistreatment. But it has to be noted, and I'm here to ask you to take account of the fact that in the Armour case, in addition to a determination that there was a violation of the Voting Rights Act, the Sixth Circuit determined that there was a violation of the 15th Amendment. Now, the significance of that is a violation of the 16th and 15th Amendment means the court found not only that there was discrimination that resulted in the political processes not being equally open, but that it was intentional. And the fact that there has been a finding, found in an opinion of the United States Court of Appeals for the 6th Circuit that the state of Ohio intentionally discriminated against the members of the protected class in Mahoning County, should serve as a point of departure and analyzing indigenous political reality today. And that is even more important today, given the fact that the census data was released so late that there isn't going to be much opportunity for this commission to engage in an intensely local appraisal of conditions in the Valley since 1991. So I have attached to the materials provided to this body, a copy of the opinion from the Armour case in 1991, which performs an intensely local appraisal of indigenous political reality in great detail and provides the history of the valley, what's gone on, and so forth. Unfortunately, many of the findings that were made in 1980.. 1991 continue till this day. Specifically, there's never been an African American elected to a countywide office in Mahoning County in history. There's never been an African American elected to countywide office in Trumbull County, in history. There is extreme racially polarized block voting in this jurisdiction. I won't go through all those factors, but they're listed in my materials. Now, in the interest of time, and getting to the bottom line here, what's the upshot of what I'm asking this commission to look at today? Basically, given the history that set forth in the materials that I provided and there's a copy of the Armour opinion here and I ask you to make it part of the record. We've also attached maps showing the distribution of African American voters in the Mahoning Valley. Ninety five percent live in the cities of

Youngstown and Warren. So it's our position that any Senate district that is drawn in the Mahoning Valley that separates the city of Youngstown and Warren, dilutes the votes of the protected class. Secondly, any U.S. House district that separates the city of Youngstown and Warren into two separate US House districts, dilutes the power of the vote of the members of the protected class and will not only violate the Voting Rights Act, but the injunction that was imposed in *Armor* that it's our position, is still in effect today. I thank you for your attention, Mr. Chairman. [applause]

Co-Chair, Senator Vernon Sykes [00:44:52] Thank you for your testimony. We appreciate it. Thank you for bringing it to our attention. Thank you. We will do so. Thank you, sir. Next witness is Bill Patazak.

Patazak [00:45:23] I don't think I want to follow that. Well done, well said. That kind of leaves me speechless. [applause] My name is Bill Patazak, I'd like to thank the commission for being here today, Thomas Jefferson said information is the currency of democracy. And so coming here to hear the voices of our community are is so important, and I'd like to once again thank you for doing that. I grew up here in Austintown, most of my life spent there, graduated from Austintown Fitch from this august institution. And so I've been invested in this community my entire life. While growing up here, I had many wonderful state reps, state senators, Ron Gerberry, Bobby Hagan, John Boccieri, just so many, Ken Carano, so many fine elected politicians that were available and accessible and very helpful, active in their communities. But I'm here today, I work for the Ohio Association of Public School Employees. I represent employees in schools except for teachers. And but my main role is I'm for the reason for being here is I'm the president of the Mahoning Trumbull Central Labor Council, AFL-CIO. I'm on the Ohio AFL-CIO executive board. And so I just want to tell you a little bit about all of my members and what gerrymandering has meant to them and how they've become disenfranchised. I have... So I cover Mahoning and Trumbull County and we've seen the change in districts, congressional, state Reps, state Senate. And it's just I have members who live across the street from each other. They work in the same place. They go to the same church, but they have different elected representatives. And I just like to say that it is not beneficial for our democracy when politicians of any party manipulate voting maps to keep themselves and their parties in power. You know, in several times over the years, somebody mentioned this earlier, Ohioans want fair play, fair districts and they voted twice in 2015 and 2018 by over 70 percent to to pass redistricting reforms. Elected officials should respect those votes by providing a transparent process and fair maps. And like the gentleman said earlier, we want to, we're asking that you ensure redistricting to be fair, transparent, nondiscriminatory and politically impartial. Maps should serve the voters, not the other way around, not the political parties or not the interests of parties, not the interests of candidates. It doesn't matter which party does it when there's gerrymandering, it's wrong. So I want to be brief to let everybody else have a chance to speak today. Thank you very much for being here today. [applause]

Co-Chair, Senator Vernon Sykes [00:48:17] Thank you very much. Any questions of the witness? Seeing none, call the next person, Robert Clyde.

Clyde [00:48:35] Thank you, Mr. Chairman and members of the commission, and I, too, thank you for being here in Youngstown. I'm sorry, however, that there's not a map that we can look at that the census data did come in late, but with the miracle of technology, a lot can be done in a short amount of time. And it wasn't. So I'm wondering if there will be another hearing where we're able to look at a map and instead of discussing this without [applause] any sense of what we're what we're going to end up with? It would be much

more helpful if we could do that with a map. Now, I'm not ashamed to say that I'm a lifelong Democrat and I'm looking at a committee with two Democrats on it and the rest Republicans. And it troubles me. It's it's the way the state has been represented. It troubles me that that has been the case. My daughter served in the Ohio General Assembly as a state representative from Portage County, and she did that until she was term limited and she served with 33 fellow Democrats, maybe one year they were 35, but out of 99, that is a very small minority. And it was very difficult for her to work with Republicans as used to be the case back in the 80s, as I can remember myself, it's no longer, it had been the case. So I would like to see the end of gerrymandering. And I think that was the intent of the constitutional amendment. [applause] And hopefully we can have fair representation, which is called for by the constitutional amendment. I think that's it. I'll be short. And thank you very much for your attention.

Co-Chair, Senator Vernon Sykes [00:50:46] Thank you very much. Are there any questions? The next witness is Bria Bennett.

Bennett [00:51:13] I'm a little short so I will adjust this. Thank you, Senator Sykes, Auditor Faber and all the proxies that are here today, I'm Bria Bennett. I'm a resident of Warren, Ohio. I'm a lifelong resident of Trumbull County. I'm here as a Trumbull County Young Dems vice president. But most of all, I'm here as a fed-up Ohioan. DeWine and LaRose can make their way across the state to campaign to cut ribbons, to hand out vax-a-million winnings, but can't be here today to show up for the future of democracy in our state. [applause] By scheduling these meetings during the day and in the morning and then refusing to show up, they show that they don't really care about us, they just care about what they can get from us. So I thank you for those that are here today. Partisan gerrymandering is the process of unfairly drawing the lines so that a party in power can stay in power and can continue to be reelected. This is a manipulative and methodical drawing of lines. The lines that we currently see are cheating Ohioans. The absence of the people that are in charge of this process does not instill faith that the lines will be redrawn differently or that anything will change after what we have said today. And Ohioans have made it crystal clear time after time that our districts need redrawn. There's no reason that countless Ohio counties should be sliced and diced. There is overwhelming support for redistricting and you've heard a wonderful consensus of that today. So today, starting now, this is the time that we can redraw lines with bipartisan support. Now is the time where we can give Ohioans a fair shot at a fair election by having fair districts. I'll keep it short like everybody else. Thank you very much. [applause]

Co-Chair, Senator Vernon Sykes [00:53:43] Thank you. Any questions for Ms Bennett? Next witness is Anthony Buckman. He's not here. Daniel Newberg. Reverend Nicole Pickens.

Pickens [00:54:43] Thank you for the opportunity to to be with you today. Thank you to the commission for the work that you are putting into this process. I'm Reverend Nicole Pickens. I am an ordained minister with the United Church of Christ, currently actually serving a United Methodist congregation. And I've had the interesting opportunity to to kind of cross some boundaries and get to know people in different in different contexts within the wider church. And I found that to be a real blessing. But one of the things I've seen in all of the congregations I've served in student pastoring and since since finishing my education and becoming a solo pastor, is that it is getting harder and harder for people to be able to connect with each other. Divisions are becoming deeper and deeper. I've served congregations in different locations in Ohio and I've yet to serve a congregation or to live in a community that is all red or all blue. Every, every community I found myself in

has been in that, it's been a mix. It's been that purple blend. And many of those places, especially in the church congregations, I've seen that people have been committed to relationship for a long time together, even in the face of their differences, but that it is getting harder and harder because we are becoming more and more polarized. And as we become more polarized, as we as we do this, it gets harder and harder, not only for individuals in individual communities to connect, but for us to get things done as a community, as a government, as a state. And, I've, I've wondered about this, about what can we do about these things, and it's so easy to give in to the despair of saying this is just how it is. This is just the world in which we live in. But there are things that we can do. And one of the factors contributing to this polarization is gerrymandered districts.

Gerrymandering, because of the way that it breaks us up, makes it, for one thing, harder and harder for a great person of any party to get elected if they are not, if they're not matched up to more extreme sides of their own party. But it also contributes to, it makes it so you have to be more extreme. But it also makes it so that moderates find their voice more and more diminished. It makes it harder for us to get things done. It makes it, also, it gives us this tendency to think about governance is all about winning for our side. And that's not the way to meet the needs of all of the people in our world and all the people in Ohio and all the people in each district. If we value democracy, that we need to value all voices and we need to focus on not having power over the other. Because when we get caught up in that and then caught up in the idea of winning and our own side getting the best district for us, then it dilutes our ability to be able to connect with one another. It makes it harder for us to work for the common good. I believe that we don't have to give in to this temptation to try to have power over one another. I believe that we have the ability to do more, to do better, that we can, we can work to have power with, to not see power as something limited we have to grasp at, but as something that we can share and utilize to help others, so that we can all live sharing the abundance that we have. We do, we have so many resources. And by having fair districts, we can make it that much easier for us to share those resources and to seek the good of all. I know that as well as those dedicated to public service, that is what you are seeking to do, to do what is good for all Ohioans. And so I urge you to resist the temptations toward toward some sneaking in some kind of gerrymandering, sneaking in some kind of way to get advantage and to seek the well-being of all, especially those whose voices are marginalized or silenced. We can do this. Thank you. [applause]

Co-Chair, Senator Vernon Sykes [01:00:05] Thank you very much, Are there any questions? Next witness is William Neff. Sarah Lown.

Lown [01:00:47] Good afternoon. Thank you for making the long trek to the corner of the state to hear our voices. My name again is Sarah Lown. I represent the Western Reserve Port Authority, which owns and operates the Youngstown Regional Airport and also serves the Youngstown Air Reserve Station. We provide economic development services for Trumbull and Mahoning counties, along with the honor of convening the mayors of the Mahoning River Corridor. We've been able to do that for about 15 years and we started doing it because we heard one thing from Columbus and DC over and over again, and that was that we are a fragmented community. We need to come together and have one voice so that you can represent us better. The mayors, after much wrangling, came together as one voice focusing on the revitalization of the Mahoning River. And we've been able to marshal the money to remove the dams and the contaminated sediments behind those dams. We anticipate significant economic impact as a result of that. Beyond the improvement of the Mahoning River, the Mahoning River, Mayor corridor Mayors Association has been able to come together on issues that they share as old industrial legacy cities. Their central business districts lie along the banks of the river, and they have

been slowly but surely revitalizing those districts and finding new economic opportunity as a result. These mayors need representation that is going to understand and advocate for their needs, as Mr. Squires put it, the indigenous political realities, I like that, so many things were good that you said but this was good, the indigenous political realities among the cities are very real and shared, and our mayors are speaking as one voice. One mayor will defer to another if an opportunity comes along that serves one city better for this year than next year and so forth. On a state level, we have been very represented by Representative Michele Lapore-Hagan because she represents all of the cities along the Mahoning River corridor. So she understands the issues we face and she's able to advocate for us consistently and with great professionalism. In Trumbull County, we are split up between two representatives, both good, but they are not able to speak as one voice, and they are fragmented in their ability to advocate for their own districts because of this lack of indigenous political realities they are challenged to face. I also want to lift up Miss Kathy Gaige for what you were saying about communities of common interest and the geographically compact nature of these districts being vital to our success. The Western Reserve Port Authority serves Trumbull County and Mahoning County, the Youngstown Warren Regional Chamber serves Mahoning County and Trumbull County, Eastgate Regional Council of Government serves Mahoning County and Trumbull County. We need representation that knows the issues faced by these economic development and infrastructure organizations and is able to articulate and advocate for them in Washington and in Columbus. It's very important to us. The communities of common interest rest along these river-sheds, these watersheds, for the Mahoning River watershed to the Grand River watershed, these are natural cultural alliances that that have their history, a shared history in industrial wealth building. We would like to be able to continue to do that. The lake to river also shares a common history. It's compact. There are shared communities of interest. There are areas of economic opportunity that have never been tapped. They've never been tapped because our political representation has been fragmented and there's been no voice to help build wealth in this portion of the state. And we're behind as a result of it. The state would benefit, and the region would benefit, by having a more compact geographic region and by uplifting communities of common interest. And I want to thank you for your time. I think with a new district that I describe, we would all win. Thank you for your time. [applause]

Co-Chair, Senator Vernon Sykes [01:06:23] Are there any questions of the witness? Our next witness is Kayla Griffin.

Griffin [01:06:45] Good afternoon, Mr. Chairman and members of the commission, thank you for the opportunity to present testimony on behalf of my community and specifically The State of Ohio members of Delta Sigma Theta Sorority, incorporated in support of fair and equitable process for drawing lines for congressional and legislative districts in the state of Ohio. I am Kayla Griffin. I am a resident of Ohio. I was born and raised in Ohio, moved to Cleveland to go to law school, started my career in Cleveland and sat on the snake on the lake. Came back to Youngstown and still are facing so many disparities when it comes to congressional districts. As you are aware, Ohio voters twice voted to amend the state constitution to adopt a more transparent and inclusive process to conduct redistricting. And while this process is compromised due to covid-19 and the late release of the 2020 census data, because of covid, the members of Delta Sigma Theta believe that Ohio has the opportunity and the ability to still develop districts that meet the demands of its voters. The goal of avoiding avoiding political gerrymandering districts is tantamount. Ohio in the past has drawn obviously gerrymandered districts that clearly had the sole intention of assuring partisan advantage of one party over another. This happened under the control of both majority political parties in the past, and it is not a practice that should

be revisited under the current circumstances. Gerrymandering allows politicians to pick voters rather than allowing voters to select their public servants. The current process for redistricting, if followed with good intentions, will allow a fair process to achieve better and truly reflective representation. This includes compactness, preserving communities of interest, boundary preservation and compliance with the Voting Rights Act. It is imperative that despite the limited time frame we are working with, the deliberate efforts must be made to successfully carry out a sound process for the submission of maps for public citizens. It is also imperative that we ensure that there is at least a minimum level of bipartisan support to adopt the maps. Failure to meet these objectives would represent a fundamental failure for the underlying interests of the voters. Finally, I would like to emphasize that the need for a majority minority district represented in the state of Ohio is imperative. As the census data indicates, our nation continues to become more diverse. Ohio is no exception, despite the loss of one congressional seat, I would hope that the solution to redrawing the district lines would not be at the expense of representations of color, People of color throughout our community. The members of Delta Sigma Theta Sorority Inc., across the nation and here in Ohio are doing our part to represent the hundreds of thousands of alumni and collegiate chapters. We are individually and collectively engaged in educating the community about the important process. Additionally, we are here to assist citizens across the state and having their voices heard, we will be having map drawing competitions and submitting those as well. We encourage the community's participation through public testimony, submission of the maps and community education. Again, I just want to thank you for the opportunity to be heard. Thank you for your presence. And we look forward to fair maps. [applause]

Co-Chair, Senator Vernon Sykes [01:10:49] Thank you for your testimony. Next witness is Chris DeFrank.

DeFrank [01:11:11] Ladies and gentlemen, thank you for your time, I appreciate it. I'll be the first to admit I'm naive when it comes to some of the nuances about gerrymandering. I know the basics. And what I do know is this. It is tantamount to election fraud, is what it is. It's fraud. The GOP sees their days numbered. I believe in the youth today. I have faith in them. I know they are going to do the right thing as they get older and become voters. I know it. Tired of poor people, People of color being disenfranchised by a system that does not speak for them. It speaks for the rich white elite. And I've had it. I'm angry everyone here should be angry. My democracy is not working for me. And when a party sees they're not going to win an election and decide to change the rules in midstream. That's not a democracy anymore. I don't know what it is, but it's not a democracy. It's not my government. I've had it. I'm tired of repeating the same thing over and over and over again. I'm tired of writing the same letters, making the same phone calls and nothing changes. The people speak, they say, we want this. Elected officials look and they go, well, we see you want this, you want that...nah, we don't think so, because that doesn't benefit us. The people want what benefits them. That's the government's job. That's it. Sorry for yelling, thank you for your time. [applause]

Co-Chair, Senator Vernon Sykes [01:13:11] Thank you for your testimony. Any questions? Representative John Patterson.

Patterson [01:13:36] Thank you, Senator. That's former State Representative Jeff Patterson. I also had put on my witness list of retired social studies teacher too I take great pride in that. And it's good to see you all again. And I want to welcome you to Northeast Ohio. But this really isn't Northeast Ohio. I live in Ashtabula County, another hour up Conneaut, you'll know where Northeast Ohio is, the outpost of this great state. But I

mention that for this reason, Ohio, you know, like you, we all travel around the state as legislators and, you know, the distances we're talking about and you know the diversity of this state. But I feel very strongly about gerrymandering for this reason, I am the Patterson of the Cupp-Patterson Fair School funding plan, [applause] OK, and all of you should take great pride in that because it was a team effort. And I, in true confession here, and I know we have a pastor, a couple of pastors here, I'm going to make a true confession. I spent more time, and Representative Ginter, you can verify this, in Representative Cupp's office when we were working on this than I did with any other legislator, save for my roommate, John Rogers, with whom I shared an apartment, simply because school funding was so complex. But we did it. The first phase is completed. There are two more cycles, shameful plug for the next two budget cycles, but we have to get the work done because it's about our kids. It's about what makes Ohio great. It's about what we love the most, and that's our children and our collective future. But I had to find a partner in this effort who was willing to work, who had the same attitude towards service, even though we differed in terms of our party affiliation. It can happen. It can work, but we have to give it a chance to work. So let me explain what this is about from a former legislator's perspective, Senator Sykes, I know you're happily married, right?

Co-Chair, Senator Vernon Sykes [01:16:06] Yes.

Patterson [01:16:07] And very happily, correct?

Co-Chair, Senator Vernon Sykes [01:16:08] My wife is here. So yes, for sure. [laughter]

Patterson [01:16:12] Yes, and I know Representative Ginter, I know you, and you would say yes? Thank you. And I won't put Senator Yuko on the spot because Pam is sitting next to him. But that would be... she left! So you can speak freely. Oh, she's here. So why do I make mention of this? Think about those of you who have been married, the give and take that takes place in that intense relationship. One partner can have blind spots when making decisions. I know I have a ton of them, and she readily, and those of you who know my wife, readily points them out and that makes for a stronger marriage. But what we have here is a marriage between all of us in this great family we call the State of Ohio, and it has to work with divergent voices. And in order to do that, we need fair districts so those voices are heard. It will make Ohio a much stronger state. And here's where the rubber meets the road. And, Auditor Faber, always good to see you, we served together on a subcommittee during finance and produced some great legislation that changed some issues that were haunting the state of Ohio, but we work together. My point to you is this, the way the districts have been drawn lend themselves to districts that either lean left, many of them lean left or lean right, and in the extreme, force potential candidates to run further left or further right. Now, I'm a former history teacher. I chaperoned a number of dances. Anybody ever do that? [laughter] Yeah. Junior high dances were simple. The boys went to one corner, the girls went to another, chaperoning was easy. That's in part, what happens when we have gerrymandered districts. What we need in the State of Ohio is a high school dance where you need a crowbar to separate them [laughter] because they're working together for a common goal, whatever that is. I leave that up to you. [laughter] My point is we all, to quote John Kennedy, Mike O'Brien, Representative O'Brien, we all breathe the same air. We all have the same goals. We all want Ohio to grow and be prosperous. We want to leave behind a legacy that is larger than what we ever can dream by ourselves. We need to work together, but we need the opportunity to do just that. And fairly drawn districts will provide that opportunity. Thank you and God bless. [applause]

Co-Chair, Senator Vernon Sykes [01:19:22] My last witness slip, Bill Adams.

Adams [01:19:35] Hi, and thanks for being here. I was going to use the same American University quote from Kennedy. No, not really. That was a really tough act to follow. But this should take 90 seconds or less. I kind of timed it out. This is from the Daily Legal News, Thursday, August 19th, last week. Census data spurred GOP's largest partisan edge in decades. It says, I'm just going to read a few paragraphs about Ohio. You know, Ohio Republicans won 12 the 16 U.S. House districts in each election since the last redistricting, taking 75 percent of the seats, even though Republican candidates never received more than 58 percent of the total two-party vote. Quote, my eyes are going bad in old age, we have some of the most rigged districts in the country. Luke Feeney, a Democrat who is mayor of the south-central Ohio city of Chillicothe, asserted during an online forum on redistricting last month. Ohio's Senate president Matt Huffman, a Republican, said new redistricting criteria limiting the splitting of counties should put an end to oddly shaped districts such as the so-called snake on the lake that stretches from Toledo to Cleveland to squeeze together a bunch of Democratic voters. However, Hoffman maintains Democrats could have had more seats under the current map if they had run better campaigns in closely contested districts. Quote, Those who want to simply say, well, it's all because of what the districts are. Well, that's simply false. Huffman said it's not just about indexes and parties, it's about candidates. Well, as another 60s icon, John Lennon once said, just give me some truth. Thank you. [applause]

Co-Chair, Senator Vernon Sykes [01:21:46] Thank you. Any questions? Seeing none, is there anyone else that would like to testify today? So looks like we have one, Janet Carson.

Carson [01:22:23] Thank you, Senator Sykes, thank you to the commission for being here. I want to speak to you today because I'm concerned for my state as a grandparent, as a mother, as a small business owner and as a voter, I am very concerned about the future of Ohio. I was born and raised in Northeast Ohio. I've lived here all my life, although I've traveled the world and seen elections in many countries. I've seen the size and prosperity of our state diminish partly because of our unfair districts. Ohio is a purple state, but we are not led that way. Our children go off to college and never return to their home state because they view Ohio as being regressive and lacking in opportunities. Parents and grandparents leave to follow their children to live in other states. This causes a problem for not only business owners, but for our tax base and for our future as a state that can be seen to be grown. We've been doing programs and incentives to try to get businesses and young people to come back to Ohio. They won't come back if they think their views don't matter. We must pay attention to what they are saying. When the people and the population diminish in the state, businesses suffer from lack of talented employees, taxes rise because of loss of revenue. And I ask you, how do we keep young people here if they feel undervalued and that their votes don't matter? Whether districts are gerrymandered to favor Democrats or Republicans, the public always loses. [applause] Please listen to the 70 percent of the voters of the state of Ohio who have voted twice to ask for fairer districts and better representation, so that votes may be heard. If you love Ohio, you'll put aside political pressures and make our districts and maps fair again. Thank you.

Co-Chair, Senator Vernon Sykes [01:25:16] Thank you for your questions at all. Well, we have exhausted all of the witness slips. I want to say that we are very impressed with the presentations that have been made today. Do we see, is there another person coming forth? Is it Nicole Lollie?

Coca [01:26:00] Sorry, terrible handwriting, Nicholas Coca

Co-Chair, Senator Vernon Sykes [01:26:02] Coca, OK,

Coca [01:26:08] Well, first of all, welcome to Mahoning Valley. For those of you that are visiting and not one of our representatives. Thank you to the commission for coming to Youngstown State and for listening to public comment. I want to give you the perspective of this community as myself a young man, twenty-six years of age, I grew up in Austintown. As you came into town this afternoon, likely from all parts of the state, you passed by, Handles ice cream, founded by Alice Handel in 1945 and before that were the home of the Good Humor Bar, founded in the 20s. Did you come through Canfield? Drive past the fairgrounds where in just a few days, will be the home of the Canfield Fair, the annual Canfield Fair, one of the largest fairs in the state. And I think most of you know that, because with respect to the commission, some of you on the board and those you represent were there recently campaigning for the very jobs that have put you in this position. Did you drive down Market Street and pass an old pizza place? Actually, a very vibrant pizza place, founded by my grandparents in 1982, Italian immigrants raising a young family, my father included. Maybe you drove down 224 and passed by the site of the very first Arby's restaurant. While Mahoning Valley is rich in history, our economic conditions today are quite poor. In June of this year, Ohio's unemployment rate was right about on pace for the national average about 5.2 percent. The Mahoning Valley, all three counties, Mahoning, Trumbull and Columbiana were all in the top 20 in the highest unemployment percentage, the lowest of which is 7.4 percent. This is nothing new. The median household income for Youngstown and Warren is about half the national and state average. In other parts like Salem, higher, but still far below. Poverty levels range from twenty one percent, up to thirty five percent. So you might be asking yourself why live here in such a gloomy situation? Many of my friends and relatives celebrate when a college graduate leaves the area for a job. We're happy for them. But for a lot of us, for myself and many others, this is no celebration. To all of us here today, this is home and we are not giving up on it. The community, you're going to find the most selfless, generous, caring people with a work ethic that only the Steel Valley can produce. Teachers who work tirelessly in struggling districts to mold a generation of young minds, including myself. The Catholic priest who taught me how to use my voice, the small business owner, who took a leap of faith and provided for community that they knew did not have a lot of disposable income. For Mahoning Valley, the good times in America, OK, the bad times are devastating. Community built on small business suffered during the covid-19 pandemic immensely. But we endured. The old saying goes, Youngstown invented grit. We don't expect good things to happen, but we make things happen. This valley deserves the undivided attention of our legislatures in both Columbus and in Washington. We deserve a voice. No longer should we be gerrymandered apart, becoming an afterthought to the politician that inherited us as constituents, just some fraction of a community they could swing by during an election year. We deserve representatives who know the Mahoning Valley as their home as their livelihood. Representatives who know their constituents because their friends, family and neighbors. We're tight knit community of people who have always looked out for one another, quite frankly, because we've gotten used to looking out for ourselves. Look around you. You'll see there's hunger for growth, opportunity and improvement. This is a community with pride and a community you see not just what is, but what could be. I've had the privilege of traveling across the United States of America. I've seen the boardwalk on the Jersey Shore and the rocky beaches of San Diego. I've had barbecue and Texas, lobster in Maine, ridden ATVs in the desert of Sedona. I've witnessed the natural beauty of the Niagara Falls, but it's amazing. It's amazing the country we have. But throughout all this, I still find myself at times missing the Sunday sauce and the kitchens of our grandmothers, [?]Trumans Mill and Mill Creek Park.

The boat rides a Mosquito Lake. Let's be honest, Chicago deep dish got nothing on Briar Hill. I've seen the White House. It's nice, but have you ever even lived if you haven't eaten a blueberry donut from White House fruit farms? Or in my case, too. OK, fine. Six. [laughter] I implore the commission to give us the representation that we deserve. We're a unique community with unique needs to represent us, you have to be one of us. When they say call your local congressman, that process had better start by dialing 3-3-0 and [applause] in this community, we look out for each other because we have to look out for ourselves. It's about time we have the undivided attention of our representatives in Columbus and in Washington. Thank you to the commissioner and God bless Mahoning Valley.

Co-Chair, Senator Vernon Sykes [01:32:14] Questions? Seeing none, thank you very much, Reverend Kenneth Simon.

Simon [01:32:33] Chairman Sykes, and to the legislators and to this wonderful audience, my apologies, I did not intend to speak today, but I was moved by the young man who spoke so passionately. Um, I'm chairman of the Community Mobilization Coalition for the Greater Youngstown Area, a group of 18 minority organizations organized for the express purpose of voter registration, voter education and voter mobilization. We've been in existence for twenty-two years and affecting the political, hopefully, climate here in the city of Youngstown. I've been through this process before, along with many of us in this room, where we appear before our legislators. I've been down to Columbus appearing before a Senate education committee and giving testimony, and others have traveled distances to go down and testify. They're concerned people in this room who've taken time out of their schedules to come here and give their passionate testimony. And the passion that the young man displayed hits at the heart of all of our pain is that the sad reality is that we're going to have these sessions and we're going to listen to all of this testimony. And we're going to go behind closed doors and do what we've been doing, voting along party lines. And that's the sad reality and that's the pain that that young man was trying to convey. We spend all of this time in a formality and then we go back behind closed doors and we, we're not going to do the right thing, we're going to do what we've been doing, voting along party lines because, and it's not because we don't care, it's because we care about the wrong thing. [applause] We don't care about the people. I hope that you all would prove us prove me wrong. I hope that you would prove me wrong. But the sad reality is that's how it has been. I have been through hearings and hearings and testifying, and we just keep doing the same thing because we don't hear the people. We're loyal to our parties. And that has got to stop in The State of Ohio. Please prove me wrong. Thank you. [applause]

Co Chair, Senator Vernon Sykes [01:35:51] Irene McCollum.

McCollum [01:35:53] Yes, I'm Irene McCollum, and he felt passionate after hearing the person before him and now I feel passionate after hearing him. So I came today with an article that I found online from Forbes magazine, and it's dated November 10th, 2020, and it was written by Kevin Anderton. And the title is Middle School Students, students solve the issue of gerrymandering and win a ten-thousand-dollar prize. And three New York middle school students around the age of 15 put together a science research project and took on the serious issue of gerrymandering that is involves the political party in power being allowed to alter voting district boundaries to help retain their position, and that it's an ongoing problem in the United States. So they put together a mathematical algorithm that could draw a fair and balanced district boundaries, and they won this award based on their scientific research that was submitted. And I think it's something that we should look into, basically. Could it be something so simple that these young students, these smart young

students came up with a formula, a mathematical formula that will truly take away gerrymandering and come up with districts that have no personal involvement with them and are based on what's best, the best district lines that could come. And they used Alabama as an example in their article. So that's just what I wanted to share, in case, you know, and in case it really could be something that's solved so simply, thank you for listening and thank you. [applause]

Co-Chair, Senator Vernon Sykes [01:38:03] Thank you. And make sure we get a copy of that for our records, please. This is the final call, any additional?.. Well, I'd like again to thank you all for your participation, the presentations were passionate and informative. We are on a spin around the state. We're at Cleveland State this morning. We're going to be at Sinclair College and University of Cincinnati tomorrow. Every day we're covering two cities. We really appreciate the input. We are pledged. In fact, we've taken an oath, the members of the commission, to draft districts that comply with our new constitutional provisions. So we're getting the information from you so that we can improve fair districts in the State of Ohio. With that, I like to call this meeting adjourned.

**EXHIBIT
B**



IN THE SUPREME COURT OF OHIO

EXHIBIT
C

LEAGUE OF WOMEN VOTERS
OF OHIO, *et al.*,

Relators,

v.

OHIO REDISTRICTING
COMMISSION, *et al.*,

Respondents.

Case No. 2021-1193

BRIA BENNETT, *et al.*,

Relators,

v.

OHIO REDISTRICTING
COMMISSION, *et al.*,

Respondents.

Case No. 2021-1198

THE OHIO ORGANIZING
COLLABORATIVE, *et al.*,

Relators,

v.

OHIO REDISTRICTING
COMMISSION, *et al.*,

Respondents.

Case No. 2021-1210

STIPULATION OF EVIDENCE

(deposition transcript and exhibits)

Volume 3 of 7 (pages 00452 - 00832)

(counsel listing on next page)

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STIPULATION OF EVIDENCE
(deposition transcript and exhibits)
Volume 3 of 7 (pages 00452 - 00832)
Index of Documents

| Date | Description | Page Number |
|-------------|--|--------------------|
| 10/19/2021 | Transcript of deposition of Ray DiRossi | DEPO_00452-714 |
| | Exhibits to DiRossi deposition transcript | DEPO_00715-832 |



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Transcript of Ray DiRossi

Date: October 19, 2021

Case: League of Women Voters of Ohio, et al. -v- Ohio Redistricting Comm., et al.

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SUPREME COURT OF OHIO

| | |
|-----------------------------|---------------------|
| LEAGUE OF WOMEN VOTERS OF) | |
| OHIO, et al.,) | |
| Relators,) | Case No.: 2021-1193 |
| vs.) | 2021-1198 |
| OHIO REDISTRICTING) | 2021-1210 |
| COMMISSION, et al.,) | |
| Respondents.) | |

VIDEOTAPED DEPOSITION OF RAY DIROSSI

October 19, 2021

7:05 a.m.

Conducted Virtually

REPORTED BY:

Tammy Moon, CSR No. 13184, RMR, CRR

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 Videotaped Deposition of RAY DIROSSI, Conducted
2 Virtually, beginning at 7:05 a.m. Pacific Standard
3 Time, on October 19, 2021, before TAMMY MOON,
4 Certified Shorthand Reporter No. 13184, RMR, CRR.

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Transcript of Ray DiRossi
Conducted on October 19, 2021

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Transcript of Ray DiRossi
Conducted on October 19, 2021

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Transcript of Ray DiRossi
Conducted on October 19, 2021

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INDEX TO EXAMINATION

RAY DIROSSI

Tuesday, October 19, 2021

Tammy Moon CSR No. 13184, RPR, CRR

WITNESS: RAY DIROSSI

| EXAMINATION | PAGE |
|-------------|------|
| MR. FRAM | 10 |
| MR. KLEIN | 148 |
| MR. FUNARI | 167 |
| MS. MENASHE | 201 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

1
2
3
4
5
6
7
8
9
10
11
12
13
14
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16
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18
19
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21
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INDEX TO EXHIBITS

RAY DIROSSI

Tuesday, October 19, 2021

Tammy Moon CSR No. 13184, RPR, CRR

| MARKED | DESCRIPTION | PAGE |
|-----------|---|------|
| Exhibit 1 | 2021 Ten-year look back | 83 |
| Exhibit 2 | Article XI, Section 8(C)(2) Statement | 95 |
| Exhibit 3 | Bates-stamped pages SOS_001461-1524 | 112 |
| Exhibit 4 | Map: Hamilton County area districts | 114 |
| Exhibit 5 | Map: Montgomery County | 122 |
| Exhibit 6 | Ohio Redistricting Commission hearing 9/9/2021 | 133 |
| Exhibit 7 | Article XI, Section 6: Additional district standards | 151 |
| Exhibit 8 | Ohio Redistricting Commission hearing transcript 9.15.2021 | 195 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 QUESTIONS INSTRUCTED NOT TO ANSWER

2 PAGE LINE

3 109 18

4 171 19

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Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | Tuesday, October 19, 2021, 7:05 a.m. PST | |
| 2 | ---o0o--- | |
| 3 | THE VIDEOGRAPHER: Here begins the video | 07:04:41 |
| 4 | deposition of Ray DiRossi in the matter of the | 07:04:42 |
| 5 | League of Women Voters of Ohio, et al., vs. Ohio | 07:04:45 |
| 6 | Redistricting Commission, et al., in the Supreme | 07:04:50 |
| 7 | Court of Ohio, Case Numbers 2021-19 -- 1193 and | 07:04:51 |
| 8 | 2021-1198 and 2021-1210. | 07:05:02 |
| 9 | Today's date is Tuesday, October 19, 2021. | 07:05:07 |
| 10 | The time on the monitor is 7:05 a.m. Pacific time. | 07:05:11 |
| 11 | Your videographer of the day is Brendan Case | 07:05:14 |
| 12 | representing Planet Depos. This video deposition is | 07:05:18 |
| 13 | taking place remotely via Zoom video teleconference. | 07:05:20 |
| 14 | Would counsel present please identify | 07:05:23 |
| 15 | themselves and state whom they represent. | 07:05:26 |
| 16 | MR. FRAM: Robert Fram, Covington & | 07:05:29 |
| 17 | Burling, for the League of Women Voters, Relators. | 07:05:33 |
| 18 | MR. FUNARI: Brad Funari on behalf of the | 07:05:45 |
| 19 | Ohio Organizing Collaborative, et al., with Reed | 07:05:49 |
| 20 | Smith. And this is Case Number 2021-1210. | 07:05:53 |
| 21 | MR. KLEIN: Spencer Klein, Elias Law Group, | 07:06:01 |
| 22 | on behalf of the Bennett relators. | 07:06:05 |
| 23 | MR. CLARK: Eric Clark on behalf of the | 07:06:08 |
| 24 | Ohio Redistricting Commission. | 07:06:10 |
| 25 | MR. STRACH: Phil Strach, Nelson Mullins, | 07:06:14 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

10

| | | |
|----|---|----------|
| 1 | on behalf of Respondents Cupp and Huffman. | 07:06:17 |
| 2 | MS. MENASHE: Diane Menashe on behalf of | 07:06:22 |
| 3 | Respondents Senator Sykes and Leader Amelia Sykes. | 07:06:24 |
| 4 | THE VIDEOGRAPHER: If no one else will be | 07:06:42 |
| 5 | introducing themselves, the court reporter today is | 07:06:43 |
| 6 | Tammy Moon representing Planet Depos. | 07:06:46 |
| 7 | Will the reporter please swear in the | 07:06:47 |
| 8 | witness. | 07:06:49 |
| 9 | RAY DIROSSI, | |
| 10 | called as a witness, having been duly | |
| 11 | sworn, testified as follows: | 07:06:58 |
| 12 | THE WITNESS: I do. | 07:06:58 |
| 13 | EXAMINATION | 07:07:05 |
| 14 | MR. FRAM: | 07:07:05 |
| 15 | Q. Good morning, Mr. DiRossi. | 07:07:06 |
| 16 | A. Good morning. | 07:07:10 |
| 17 | Q. Hi. This is Robert Fram from Covington for | 07:07:10 |
| 18 | the League of Women Voters, Relators. | 07:07:14 |
| 19 | And I just want to ask you to please state | 07:07:16 |
| 20 | your full name for the record. | 07:07:20 |
| 21 | A. Raymond Edward DiRossi. | 07:07:20 |
| 22 | Q. Thank you. | 07:07:24 |
| 23 | Any reason you can't give full and truthful | 07:07:26 |
| 24 | testimony today? | 07:07:29 |
| 25 | A. No. | 07:07:30 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

11

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| 1 | Q. I know you've been deposed before. We met | 07:07:31 |
| 2 | before trial. So if you know how this works, we'll | 07:07:36 |
| 3 | just say a couple of the basics just to refresh. | 07:07:39 |
| 4 | And that is, I'm going to ask my question | 07:07:42 |
| 5 | and ask you please let me finish the question before | 07:07:46 |
| 6 | answering. And I'm going to do my best not to | 07:07:50 |
| 7 | interrupt you when you're providing your answer so | 07:07:52 |
| 8 | we have a nice clean record of the questions and the | 07:07:55 |
| 9 | answers. | 07:07:57 |
| 10 | Do you understand that? | 07:07:58 |
| 11 | A. I do. | 07:07:58 |
| 12 | Q. Great. And there may be objections from | 07:08:01 |
| 13 | time to time from your counsel. Hopefully not too | 07:08:06 |
| 14 | many. But if there are, it's just an objection. | 07:08:09 |
| 15 | The way it works is you should go ahead and provide | 07:08:12 |
| 16 | an answer unless your counsel instructs you not to | 07:08:15 |
| 17 | answer. | 07:08:19 |
| 18 | Do you understand that? | 07:08:20 |
| 19 | A. I do. | 07:08:21 |
| 20 | Q. Great. I'd like to ask you: What -- what | 07:08:22 |
| 21 | did you do to prepare for this deposition? | 07:08:29 |
| 22 | A. Upon receiving -- or being notified that a | 07:08:35 |
| 23 | subpoena had been received by my wife, I talked to | 07:08:40 |
| 24 | my attorneys about what I needed to do to be -- to | 07:08:45 |
| 25 | respond. | 07:08:51 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

12

1 And I searched all of the available 07:08:51
2 computers and other emails and so forth that I had 07:08:54
3 at my -- that were in my possession and, you know, 07:09:00
4 to turn over everything that I could that was 07:09:02
5 responsive. 07:09:05
6 Q. Did that include -- was Maptitude -- the 07:09:05
7 software Maptitude on one of the computers you 07:09:14
8 looked at? 07:09:19
9 A. It was. 07:09:19
10 Q. And did you provide any files -- Maptitude 07:09:21
11 files over to your counsel? 07:09:24
12 A. I -- I believe the -- the final maps that 07:09:26
13 were adopted by the redistricting commission, I 07:09:36
14 believe, were -- were provided. 07:09:39
15 Q. Did you have any other Maptitude files, 07:09:41
16 other than the final maps, on your computer? 07:09:47
17 A. I -- sir, I gave to the attorneys 07:09:48
18 everything that -- and turned over everything that 07:09:54
19 they told me to turn over. 07:09:55
20 Q. But I asked did you recall whether you 07:09:57
21 provided any Maptitude files, other than the final 07:09:59
22 maps? 07:10:02
23 A. I think I had some questions about what was 07:10:02
24 responsive. And so when I had questions about 07:10:06
25 things like that, I consulted with my attorneys 07:10:09

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 about what would be responsive. 07:10:11

2 Q. Right. And after consulting -- I'm not 07:10:13

3 asking you to tell me what the conversations with 07:10:15

4 your lawyers were, but just asking what you did. 07:10:17

5 After that was over, do you remember 07:10:21

6 providing them any Maptitude files other than the 07:10:22

7 final map? 07:10:26

8 A. Not that I recall sitting here today, no. 07:10:27

9 Q. On your computer -- let me back up for a 07:10:31

10 minute. 07:10:38

11 When you're talking about your computer, 07:10:39

12 you're talking about your -- your laptop or 07:10:40

13 something that sits in an office? What -- what 07:10:42

14 computer are we talking about you were looking at? 07:10:44

15 A. I -- I looked at a number of devices that I 07:10:46

16 had, both personal, my state equipment. The 07:10:49

17 computers that were purchased specifically for the 07:10:53

18 redistricting task and email accounts, both state 07:10:56

19 and private. 07:11:01

20 So every -- I looked at all those. 07:11:02

21 Q. Okay. And which computer -- or computers 07:11:04

22 was the Maptitude software on? 07:11:08

23 A. It was on a PC computer. 07:11:11

24 Q. Okay. And where was that located? 07:11:15

25 A. That was in the redistricting office. 07:11:18

Transcript of Ray DiRossi
Conducted on October 19, 2021

14

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| 1 | Q. Okay. And do you use that, say, computer | 07:11:20 |
| 2 | with -- when you were drawing maps? Is that the one | 07:11:27 |
| 3 | that has the Maptitude on it? | 07:11:29 |
| 4 | A. Yeah, that was -- that was the one that had | 07:11:32 |
| 5 | the Maptitude software on it. | 07:11:35 |
| 6 | Q. And just so I understand, when you have | 07:11:37 |
| 7 | Maptitude -- we talked about this last time you | 07:11:44 |
| 8 | testified. When you're using Maptitude, so you can | 07:11:47 |
| 9 | get different kinds of information, can appear in a | 07:11:53 |
| 10 | pop-up window up next to a district you've drawn. | 07:11:56 |
| 11 | Isn't that right? | 07:11:59 |
| 12 | A. You could -- I think you could customize | 07:12:00 |
| 13 | layouts however you would choose to. | 07:12:03 |
| 14 | Q. Right. And -- and you drew these maps. | 07:12:06 |
| 15 | Did you have such a pop-up window which you'd | 07:12:09 |
| 16 | customize some information? | 07:12:12 |
| 17 | A. What do you mean by a "pop-up window"? I'm | 07:12:14 |
| 18 | a little confused by that. | 07:12:17 |
| 19 | Q. You know, you know how Maptitude works. | 07:12:17 |
| 20 | You can see the district and then you can get | 07:12:20 |
| 21 | information -- can appear in a window or a pop-up or | 07:12:22 |
| 22 | whatever you want to call it, next to that district. | 07:12:26 |
| 23 | Isn't that right? | 07:12:29 |
| 24 | A. I mean, it wasn't a pop-up window, but | 07:12:30 |
| 25 | there was a -- there was a -- there was another | 07:12:34 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

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| 1 | window that displayed district information. | 07:12:35 |
| 2 | Q. Okay. Would you prefer if I called it a | 07:12:39 |
| 3 | "display window" rather than a "pop-up window"? | 07:12:43 |
| 4 | A. Sure. | 07:12:47 |
| 5 | Q. Okay. We'll call it the "display window." | 07:12:47 |
| 6 | Did you have a display window next to a | 07:12:51 |
| 7 | district when you were drawing a map? | 07:12:54 |
| 8 | A. Yes. There -- there was always a display | 07:12:55 |
| 9 | window that showed the district numbers and so | 07:12:57 |
| 10 | forth. | 07:13:00 |
| 11 | Q. Right. And part of that display window, | 07:13:01 |
| 12 | would that include the -- some information about | 07:13:05 |
| 13 | voting history in the district that you have drawn? | 07:13:08 |
| 14 | A. I don't understand what you mean by "voting | 07:13:13 |
| 15 | history." | 07:13:19 |
| 16 | Q. Any information about how many voters in | 07:13:19 |
| 17 | that district had voted republican versus how many | 07:13:23 |
| 18 | voted democrat? | 07:13:26 |
| 19 | A. I -- can you -- can you state that again? | 07:13:28 |
| 20 | Sorry. | 07:13:31 |
| 21 | Q. Sure. Is there any information, in that | 07:13:32 |
| 22 | display window, about how many voters in that | 07:13:34 |
| 23 | district that you had just drawn had voted | 07:13:38 |
| 24 | republican and how many voted democrat? | 07:13:41 |
| 25 | A. I -- I don't recall that information being | 07:13:43 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

16

| | | |
|----|--|----------|
| 1 | in the -- in the display window. | 07:13:45 |
| 2 | Q. Was there any of that information in | 07:13:46 |
| 3 | Maptitude at all? | 07:13:51 |
| 4 | A. Was there any information in Maptitude? | 07:13:53 |
| 5 | Q. About -- about how many voters had voted | 07:13:56 |
| 6 | democrat versus how many voted republican. | 07:13:59 |
| 7 | A. I mean, the display window is primarily | 07:14:01 |
| 8 | district numbers, population, deviations from | 07:14:05 |
| 9 | population. The things -- those were the things | 07:14:07 |
| 10 | that I was really focused on. | 07:14:09 |
| 11 | Q. Okay. But was there any information -- | 07:14:13 |
| 12 | this is primarily about that, but was there also | 07:14:15 |
| 13 | information about -- any -- any information about | 07:14:19 |
| 14 | how people had voted republican or democrat? | 07:14:21 |
| 15 | A. There -- there -- there was information | 07:14:24 |
| 16 | later -- later in the process that the -- this -- | 07:14:27 |
| 17 | this was a -- a long saga of getting this to work | 07:14:32 |
| 18 | properly and it took a lot of time. | 07:14:35 |
| 19 | So, eventually, we did have information | 07:14:37 |
| 20 | that was displaying some of the leanings of | 07:14:40 |
| 21 | districts. | 07:14:43 |
| 22 | Q. Okay. And then when you say "leanings," | 07:14:44 |
| 23 | you meant how many people had voted republican and | 07:14:48 |
| 24 | versus -- and how many had voted democrat? Is that | 07:14:50 |
| 25 | what you mean? | 07:14:52 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

17

| | | | |
|----|----|--|----------|
| 1 | A. | Yeah. I'm getting caught up with your "how | 07:14:52 |
| 2 | | many people." I don't -- I don't understand the | 07:14:55 |
| 3 | | data to be the number of people, but -- | 07:14:57 |
| 4 | Q. | Okay. The number of voters -- | 07:14:59 |
| 5 | A. | -- that's why I'm getting caught up on your | 07:15:00 |
| 6 | | question. | 07:15:03 |
| 7 | Q. | Fair enough. | 07:15:03 |
| 8 | | Number of vote -- number -- did you have | 07:15:04 |
| 9 | | any information about the number of democrat votes | 07:15:05 |
| 10 | | and number of republican votes in the district? | 07:15:08 |
| 11 | A. | Again, the number of votes -- the number of | 07:15:11 |
| 12 | | votes, I don't think, was ever displayed. | 07:15:13 |
| 13 | Q. | How about the percentage of votes; the | 07:15:16 |
| 14 | | percentage republican votes and the percentage of | 07:15:19 |
| 15 | | democrat votes? | 07:15:22 |
| 16 | A. | I do think there was -- there was some | 07:15:22 |
| 17 | | percentages that showed republican leanings or | 07:15:25 |
| 18 | | democratic leanings. | 07:15:30 |
| 19 | Q. | Okay. And that would appear in a display | 07:15:30 |
| 20 | | window or how would that appear? | 07:15:34 |
| 21 | A. | Yes. | 07:15:36 |
| 22 | Q. | Display window? | 07:15:36 |
| 23 | A. | Again, along with everything else I talked | 07:15:37 |
| 24 | | about, the district numbers, the populations, the | 07:15:40 |
| 25 | | deviations, the ideal population targets. | 07:15:42 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | Everything else set is constitutionally required. | 07:15:45 |
| 2 | Q. So just so I got it. I appreciate all the | 07:15:49 |
| 3 | other information is there also. There's more than | 07:15:51 |
| 4 | one thing in the display window. | 07:15:53 |
| 5 | But I just want to focus on this percentage | 07:15:55 |
| 6 | republican and percentage democrat votes in a | 07:16:00 |
| 7 | district as you're drawing the district. | 07:16:03 |
| 8 | Now, if you change the district lines, | 07:16:05 |
| 9 | would those percentages change? | 07:16:07 |
| 10 | A. Yes. | 07:16:09 |
| 11 | Q. Okay. And -- well, I appreciate your | 07:16:10 |
| 12 | clarifying that. | 07:16:17 |
| 13 | Now, is that information some of the -- in | 07:16:18 |
| 14 | any of the files you provided to counsel, were those | 07:16:22 |
| 15 | displayed -- | 07:16:25 |
| 16 | (Reporter clarification.) | 07:16:31 |
| 17 | Q. Were any of the districts, with display | 07:16:31 |
| 18 | windows, that had the republican/democrat | 07:16:34 |
| 19 | percentages, was any of that in the materials you | 07:16:38 |
| 20 | provided to counsel? | 07:16:42 |
| 21 | A. I -- I don't think I can speak to that. | 07:16:46 |
| 22 | I -- I'm not an expert on Maptitude and its -- and | 07:16:48 |
| 23 | how it exports files and what or what would not be | 07:16:52 |
| 24 | included. | 07:16:57 |
| 25 | Q. So you -- did you provide the full file to | 07:16:57 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | counsel, whether you're not sure whether it was | 07:17:00 |
| 2 | exported or not? Is that the -- that's what you're | 07:17:02 |
| 3 | saying? | 07:17:04 |
| 4 | A. We had prepared block -- what are known as | 07:17:05 |
| 5 | block assignment files for the districts and some | 07:17:10 |
| 6 | other information for the districts that were | 07:17:12 |
| 7 | adopted by the redistricting commission. | 07:17:15 |
| 8 | Q. All right. | 07:17:17 |
| 9 | A. That's what I'm referring to. | 07:17:17 |
| 10 | Q. Okay. You -- | 07:17:20 |
| 11 | A. Could I ask a question just logistics? | 07:17:31 |
| 12 | Q. Sure. | |
| 13 | A. Apologies. I've never -- I know you've | 07:17:34 |
| 14 | said we've done this before, but I've never done | 07:17:37 |
| 15 | this by video. Am I supposed to be looking at this | 07:17:39 |
| 16 | camera or this camera or speaking into -- what's the | 07:17:41 |
| 17 | -- | 07:17:44 |
| 18 | MR. STRACH: Look at this one. | |
| 19 | THE WITNESS: This one here? | 07:17:44 |
| 20 | MR. STRACH: Yeah. | 07:17:45 |
| 21 | MR. FRAM: Yeah. | 07:17:47 |
| 22 | THE WITNESS: Okay. Thank you. | 07:17:47 |
| 23 | MR. FRAM: Not a problem. Any questions | 07:17:49 |
| 24 | like that, feel free to ask away. | 07:17:51 |
| 25 | Q. And while we're on the questions of remote | 07:17:53 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | video, I just -- we're clear for the record that, | 07:18:01 |
| 2 | just like in a normal deposition, I know your | 07:18:04 |
| 3 | counsel won't be suggesting answers to you and you | 07:18:07 |
| 4 | won't be asking. But if anybody provides you with | 07:18:11 |
| 5 | any information in a text or email or chat or | 07:18:14 |
| 6 | anything about how to respond to a question, I'd ask | 07:18:19 |
| 7 | that you please tell us that you got such a text or | 07:18:24 |
| 8 | video -- or text or any other information? | 07:18:27 |
| 9 | A. Okay. | 07:18:30 |
| 10 | Q. Well, thank you. | 07:18:30 |
| 11 | Let me go through this quickly because | 07:18:43 |
| 12 | we've done it before. But just say a little bit | 07:18:46 |
| 13 | about your background. | 07:18:50 |
| 14 | You went -- is it fair to say you went to | 07:18:53 |
| 15 | Firestone High School in Akron. Is that right? | 07:18:53 |
| 16 | A. I did. I did, yes. | 07:18:56 |
| 17 | Q. Okay. And then you went -- | 07:18:57 |
| 18 | A. Falcons. | 07:19:00 |
| 19 | Q. There you go. | 07:19:00 |
| 20 | And you're from Akron. Is that right? | 07:19:04 |
| 21 | A. Yes. I was born and raised there, yes. | 07:19:07 |
| 22 | Q. Okay. And then after that you went to Ohio | 07:19:10 |
| 23 | State. Is that right? | 07:19:12 |
| 24 | A. Correct. | 07:19:14 |
| 25 | Q. Okay. And you got a degree in finance and | 07:19:14 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | marketing. Is that right? | 07:19:19 |
| 2 | A. That is correct. | 07:19:20 |
| 3 | Q. Okay. And graduated in 1994. Is that | 07:19:21 |
| 4 | right? | 07:19:25 |
| 5 | A. Yes. | 07:19:25 |
| 6 | Q. Okay. And -- since graduating from Ohio | 07:19:26 |
| 7 | State, when asked -- let's just walk through the | 07:19:44 |
| 8 | jobs you had. | 07:19:47 |
| 9 | What was your first job after getting out | 07:19:48 |
| 10 | of Ohio State? | 07:19:51 |
| 11 | A. Well, I was -- I was employed with the Ohio | 07:19:52 |
| 12 | Senate while I was attending classes at the Ohio | 07:19:56 |
| 13 | State University. | 07:20:01 |
| 14 | Q. Okay. And then after -- and after that -- | 07:20:01 |
| 15 | after you graduated, what was your first job? | 07:20:05 |
| 16 | A. My first job, I believe -- I recall -- it | 07:20:09 |
| 17 | was a few years ago -- I came back to the Ohio | 07:20:15 |
| 18 | Senate and was employed by the Ohio Senate in '95. | 07:20:21 |
| 19 | Q. All right. | 07:20:26 |
| 20 | (Reporter clarification.) | 07:20:32 |
| 21 | Q. When you were an aide -- were you an aid to | 07:20:33 |
| 22 | the senator -- when you an aide to a state senator | 07:20:37 |
| 23 | from the Dayton area? | 07:20:39 |
| 24 | A. At -- at some point a little bit later, | 07:20:41 |
| 25 | yes, I -- I was. | 07:20:43 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | | |
|----|----|---|----------|
| 1 | Q. | Okay. And do you recall who that senator | 07:20:45 |
| 2 | | was? | 07:20:47 |
| 3 | A. | Sure. | 07:20:47 |
| 4 | Q. | And who was that, please? | 07:20:49 |
| 5 | A. | It was Senator Chuck Horn from Kettering. | 07:20:51 |
| 6 | Q. | And Mr. Horn was -- was a republican. Is | 07:20:57 |
| 7 | | that right? | 07:21:02 |
| 8 | A. | Yes. | 07:21:02 |
| 9 | Q. | Okay. And did you also work for the | 07:21:04 |
| 10 | | republican caucus -- republican caucus staff in the | 07:21:11 |
| 11 | | senate for tax and economic policy? | 07:21:18 |
| 12 | A. | A little bit later, yes, I did. | 07:21:20 |
| 13 | Q. | And deputy finance director for the | 07:21:24 |
| 14 | | republican caucus and the house of representatives. | 07:21:28 |
| 15 | | Is that right? | 07:21:34 |
| 16 | A. | No. | 07:21:34 |
| 17 | Q. | No, you were not deputy finance director? | 07:21:36 |
| 18 | | Okay. | 07:21:38 |
| 19 | | Were you finance director? | 07:21:39 |
| 20 | A. | Yes. | 07:21:41 |
| 21 | Q. | Okay. | 07:21:42 |
| 22 | A. | You demoted me. | 07:21:44 |
| 23 | Q. | I'm so sorry. I apologize for that. And | 07:21:46 |
| 24 | | then that's all on the house. At some point, did | 07:21:51 |
| 25 | | you go work for the republican caucus on the senate | 07:21:56 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|---|----------|
| 1 | side? | 07:22:00 |
| 2 | A. Yes. | 07:22:00 |
| 3 | Q. Around 2015. Is that right? | 07:22:01 |
| 4 | A. Yes. | 07:22:02 |
| 5 | Q. Okay. Now, in 2008, I think the democrats | 07:22:03 |
| 6 | took control of the general assembly. Is that | 07:22:15 |
| 7 | right? | 07:22:18 |
| 8 | A. I guess I wouldn't say that. | 07:22:18 |
| 9 | Q. Okay. Did they control either of the | 07:22:25 |
| 10 | houses in 2008? | 07:22:27 |
| 11 | A. I don't think in 2008. I think the general | 07:22:29 |
| 12 | assembly was still controlled by the republicans in | 07:22:35 |
| 13 | the house and senate. | 07:22:39 |
| 14 | Q. At some point, did the democrats get | 07:22:40 |
| 15 | control of either house while you were working | 07:22:43 |
| 16 | there? | 07:22:45 |
| 17 | A. In -- yes. | 07:22:45 |
| 18 | Q. Do you recall about when that was? | 07:22:49 |
| 19 | A. 2009. | 07:22:51 |
| 20 | Q. 2009. Now, what did you do in 2009 when | 07:22:55 |
| 21 | the democrats took control of the house? | 07:23:00 |
| 22 | A. I left the house. | 07:23:01 |
| 23 | Q. Okay. And -- okay. And what did you do | 07:23:02 |
| 24 | then? | 07:23:12 |
| 25 | A. I started my own business and also was | 07:23:12 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|---|----------|
| 1 | appointed by a former senate president to a | 07:23:18 |
| 2 | position -- a boarding commission position with the | 07:23:25 |
| 3 | Ohio Department of Transportation. | 07:23:27 |
| 4 | Q. Okay. Now, your business, did that involve | 07:23:30 |
| 5 | fundraising for republicans? | 07:23:37 |
| 6 | A. Yes. | 07:23:40 |
| 7 | Q. And the board of transportation job, you | 07:23:48 |
| 8 | were appointed that job by Bill Har- -- Senate | 07:23:53 |
| 9 | President Bill Harris. Is that right? | 07:23:58 |
| 10 | A. That is correct. | 07:24:00 |
| 11 | Q. And Mr. Harris is a republican also. Is | 07:24:00 |
| 12 | that right? | 07:24:03 |
| 13 | A. Yes. | 07:24:03 |
| 14 | Q. Now, what are your current responsibilities | 07:24:04 |
| 15 | at your job today? | 07:24:19 |
| 16 | A. I am the finance director in the Ohio | 07:24:21 |
| 17 | senate, so budget and finance and tax policy. | 07:24:26 |
| 18 | Q. When did you start on that job? | 07:24:29 |
| 19 | A. 2015. | 07:24:31 |
| 20 | Q. Okay. And who pays your salary? | 07:24:34 |
| 21 | A. The taxpayers. | 07:24:40 |
| 22 | Q. Okay. But any particular congressional | 07:24:44 |
| 23 | unit organization office is responsible for | 07:24:50 |
| 24 | authorizing that? | 07:24:53 |
| 25 | A. I believe the checks are issued by the | 07:24:54 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | state treasurer's office. | 07:25:06 |
| 2 | (Reporter clarification.) | 07:25:08 |
| 3 | Q. And who do you report to? | 07:25:09 |
| 4 | A. The chief of staff of the Ohio senate. | 07:25:11 |
| 5 | Q. Okay. And is that -- what's that person's | 07:25:14 |
| 6 | name, please? | 07:25:20 |
| 7 | A. John Barron. | 07:25:21 |
| 8 | Q. To whom does Mr. Barron report, please? | 07:25:25 |
| 9 | A. I -- the president of the senate. | 07:25:31 |
| 10 | Q. That would be Mr. Huffman. Is that right? | 07:25:34 |
| 11 | A. Yes. | 07:25:37 |
| 12 | Q. Okay. Now, one of your job duties over the | 07:25:37 |
| 13 | past years was working on drawing the map -- | 07:25:48 |
| 14 | district map for the general assembly. Is that | 07:25:51 |
| 15 | right? | 07:25:56 |
| 16 | A. Well, it certainly hasn't been over the | 07:25:56 |
| 17 | past years because, as you know, we didn't get our | 07:25:58 |
| 18 | census data until just a couple months ago. So it | 07:26:05 |
| 19 | was -- | 07:26:07 |
| 20 | Q. Okay. When did you start? | 07:26:07 |
| 21 | A. Start doing what? | 07:26:09 |
| 22 | Q. Working on the map for the general | 07:26:10 |
| 23 | assembly. | 07:26:12 |
| 24 | A. That would have been sometime after the | 07:26:13 |
| 25 | census data was received in August. | 07:26:19 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | | |
|----|----|--|----------|
| 1 | Q. | So sometime -- do you recall -- was the | 07:26:20 |
| 2 | | census data received around August 12. Is that | 07:26:22 |
| 3 | | right? | 07:26:26 |
| 4 | A. | That sounds about right. I think -- the | 07:26:26 |
| 5 | | number 134 days late is stuck in my head. | 07:26:28 |
| 6 | Q. | Okay. So you started -- did you do any | 07:26:32 |
| 7 | | work on -- related to preparing to draw those maps | 07:26:35 |
| 8 | | before August 12? | 07:26:38 |
| 9 | A. | What do you mean by "work"? I mean, we | 07:26:39 |
| 10 | | didn't have the census data, so -- | 07:26:46 |
| 11 | Q. | Did you look at any information that would | 07:26:48 |
| 12 | | be useful for drawing the maps before August 12? | 07:26:51 |
| 13 | A. | Well, obviously, if you know anything about | 07:26:54 |
| 14 | | our state budget, I was preoccupied with our binding | 07:26:58 |
| 15 | | operating budget until it was signed by the governor | 07:27:02 |
| 16 | | and put in place on June 30th. So I was -- that was | 07:27:06 |
| 17 | | my main focus as my job duties up and through | 07:27:09 |
| 18 | | June 30th. | 07:27:12 |
| 19 | Q. | Appreciate that was your main focus. | 07:27:12 |
| 20 | | Were you in touch with anyone, say, at Ohio | 07:27:17 |
| 21 | | University about information particularly useful for | 07:27:20 |
| 22 | | drawing the maps? | 07:27:22 |
| 23 | A. | I mean, I don't recall specific | 07:27:23 |
| 24 | | interactions, but I'm sure I touched base with just | 07:27:28 |
| 25 | | trying to understand how they were preparing for the | 07:27:31 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | census bureau's late arrival of the census data. | 07:27:35 |
| 2 | Q. By the way, who asked you to work on | 07:27:37 |
| 3 | drawing the maps? | 07:27:41 |
| 4 | A. Well, are you talking in general, or are | 07:27:42 |
| 5 | you talking about a specific time? I'm confused by | 07:27:49 |
| 6 | your question. | 07:27:51 |
| 7 | Q. On this year's exercise, drawing the map | 07:27:52 |
| 8 | for the general assembly, who asked you to work on | 07:27:56 |
| 9 | that project? | 07:28:01 |
| 10 | A. In conversations with the president and the | 07:28:02 |
| 11 | chief of staff, that's how that came about. | 07:28:04 |
| 12 | Q. Okay. Do you recall when that conversation | 07:28:07 |
| 13 | took place? | 07:28:11 |
| 14 | A. I don't. | 07:28:12 |
| 15 | Q. Was it -- I take it, it was before | 07:28:12 |
| 16 | August 12, though. Is that right? | 07:28:17 |
| 17 | A. Yes, it was before the census data was | 07:28:18 |
| 18 | received. | 07:28:24 |
| 19 | Q. Okay. Was it back as early as February, | 07:28:25 |
| 20 | say, of 2021? | 07:28:30 |
| 21 | A. I -- I don't recall. I don't recall the | 07:28:32 |
| 22 | specific timeline of that conversation or | 07:28:38 |
| 23 | conversations. | 07:28:40 |
| 24 | Q. Okay. Do you recall if that conversation | 07:28:41 |
| 25 | was in person, or was it on the phone, or do you | 07:28:46 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | recall where -- how it happened? | 07:28:49 |
| 2 | A. I -- I don't recall the specifics of it. | 07:28:50 |
| 3 | Our offices are all pretty close, so -- | 07:28:55 |
| 4 | Q. Was anybody -- | 07:28:58 |
| 5 | (Simultaneous colloquy.) | 07:29:00 |
| 6 | Q. Was anybody -- this is all senate side. | 07:29:01 |
| 7 | Was anybody from the house side in that | 07:29:04 |
| 8 | conversation? | 07:29:06 |
| 9 | A. I -- I don't recall the specifics of that | 07:29:06 |
| 10 | conversation. | 07:29:10 |
| 11 | Q. Okay. As you proceeded with your work on | 07:29:11 |
| 12 | drawing the maps -- and we can talk about after | 07:29:23 |
| 13 | August 12 -- did you -- to whom did you report about | 07:29:26 |
| 14 | how the work was going? | 07:29:29 |
| 15 | A. I would report it to the president of the | 07:29:31 |
| 16 | senate. | 07:29:36 |
| 17 | Q. Okay. And did you report with -- well, how | 07:29:36 |
| 18 | did you report? Was it by phone, or was it by | 07:29:44 |
| 19 | email, or give them a draft? Tell me how the | 07:29:47 |
| 20 | reporting went. | 07:29:50 |
| 21 | A. Well, when I say "reporting," I just mean | 07:29:52 |
| 22 | verbal updates of what was happening and what I was | 07:29:55 |
| 23 | seeing. But there was no formal report. | 07:29:58 |
| 24 | Q. Okay. Did you ever send them an email | 07:30:03 |
| 25 | about it? | 07:30:05 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | | |
|----|----|---|----------|
| 1 | A. | I -- none that I recall specifically | 07:30:06 |
| 2 | | sitting here today. | 07:30:12 |
| 3 | Q. | Did he ever come take a look at the maps or | 07:30:12 |
| 4 | | drawings as you were drawing them on your computer? | 07:30:18 |
| 5 | A. | So are we still pre- -- I'm trying to | 07:30:20 |
| 6 | | understand your timeline. Are we still -- | 07:30:25 |
| 7 | Q. | After August 12. | 07:30:27 |
| 8 | | (Simultaneous colloquy.) | 07:30:29 |
| 9 | A. | I'm sorry. | 07:30:31 |
| 10 | Q. | I apologize for jumping in. | 07:30:32 |
| 11 | | After August 12, as you were drawing the | 07:30:35 |
| 12 | | maps, did Senate President Huffman ever come over | 07:30:39 |
| 13 | | and take a look at your computer to see how the | 07:30:44 |
| 14 | | districts were going? | 07:30:47 |
| 15 | A. | Yeah. I -- after August 12th, I know the | 07:30:47 |
| 16 | | president was extremely busy with other legislative | 07:30:51 |
| 17 | | duties, so I would -- as I felt that I needed to | 07:30:55 |
| 18 | | interact with him, I would seek him out, either in | 07:30:58 |
| 19 | | person or in any other way, to give him updates on | 07:31:00 |
| 20 | | what I was seeing and working on. | 07:31:05 |
| 21 | Q. | Okay. And would he take a look at your | 07:31:07 |
| 22 | | computer screen as part of your updates? | 07:31:09 |
| 23 | A. | Yes. | 07:31:12 |
| 24 | Q. | Okay. | 07:31:14 |
| 25 | A. | As well as conversations and other -- other | 07:31:15 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 ways. 07:31:19

2 Q. Right. I just -- the computer, as you sit 07:31:20

3 right now -- 07:31:26

4 (Reporter clarification.) 07:31:30

5 Q. You said you were over working -- the 07:31:30

6 computer you said you looked at was in the office. 07:31:32

7 When you were drawing the maps, were you drawing 07:31:35

8 them at the office, or were you in a hotel room? 07:31:37

9 A. The computer was in my office. And I also 07:31:40

10 had a number of meetings in the state house about 07:31:46

11 redistricting in general. Never in a hotel room. 07:31:49

12 Q. So you didn't rent a room over at the 07:31:53

13 Marriott -- Courtyard by Marriott? 07:31:56

14 A. So that I could sleep when I was about to 07:31:59

15 fall asleep, yes. 07:32:02

16 Q. But you didn't set it up as a workroom? 07:32:04

17 A. Absolutely not. 07:32:07

18 Q. Okay. Now, you were working on that 07:32:08

19 computer in the office. 07:32:23

20 Were you -- was anybody else working with 07:32:26

21 you as you were drawing the maps? 07:32:28

22 A. There were -- there were two workstations 07:32:30

23 that were set up. They were side by side. And 07:32:36

24 there was a gentleman Blake from the house who was 07:32:38

25 doing the same thing and, you know, working with the 07:32:42

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | speaker, reporting to the speaker. | 07:32:44 |
| 2 | Q. That would be Blake Springhetti. Is that | 07:32:46 |
| 3 | right? | 07:32:51 |
| 4 | A. Yes. | 07:32:51 |
| 5 | Q. Okay. And did you work on -- did you both | 07:32:53 |
| 6 | work on house district maps or -- how did you divide | 07:32:57 |
| 7 | it up? | 07:33:00 |
| 8 | A. Well, there was no specific division, but | 07:33:01 |
| 9 | we would both work on whatever needed work on. But | 07:33:05 |
| 10 | obviously, at the end of the day, he was the one | 07:33:08 |
| 11 | responsible for going back to the speaker and | 07:33:10 |
| 12 | briefing him and getting his feedback, and I was the | 07:33:13 |
| 13 | one responsible going to the senate president and | 07:33:16 |
| 14 | briefing him and getting his feedback. | 07:33:18 |
| 15 | Q. Right. But you had to work on some house | 07:33:20 |
| 16 | districts, didn't you, because you created the | 07:33:22 |
| 17 | senate districts combining of the house districts. | 07:33:25 |
| 18 | Isn't that right? | 07:33:30 |
| 19 | A. We would both work on whatever needed to be | 07:33:30 |
| 20 | worked on. So we both would have worked on house | 07:33:33 |
| 21 | districts, and we both would have worked on senate | 07:33:36 |
| 22 | districts. | 07:33:39 |
| 23 | Q. Okay. Now, you both had the -- the | 07:33:39 |
| 24 | percentage of republican and democrat votes in the | 07:33:48 |
| 25 | display window on your computer screens. Is that | 07:33:52 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

32

| | | |
|----|--|----------|
| 1 | right? | 07:33:57 |
| 2 | A. I can't speak to how his computer was set | 07:33:57 |
| 3 | up. Mine was set up with, as I said, all the | 07:34:02 |
| 4 | district numbers, the populations, the deviations, | 07:34:05 |
| 5 | the target populations, and any other data, as we've | 07:34:08 |
| 6 | talked about. | 07:34:14 |
| 7 | Q. And the other data that -- we talked about | 07:34:14 |
| 8 | the other data did include the republican and | 07:34:18 |
| 9 | democratic vote percentage in the district as you | 07:34:20 |
| 10 | had drawn it, correct? | 07:34:22 |
| 11 | A. Yeah. I think there's a lot of information | 07:34:24 |
| 12 | that led up to that moment. | 07:34:28 |
| 13 | So in answering your question, I know there | 07:34:29 |
| 14 | were a lot of conversations that I wasn't | 07:34:32 |
| 15 | specifically part of, but I was later told that | 07:34:34 |
| 16 | members of the senate democratic caucus, the chiefs | 07:34:38 |
| 17 | of staff for several of the caucuses -- at least | 07:34:43 |
| 18 | three of the caucuses were working together to try | 07:34:47 |
| 19 | to come up with some type of agreed-to publicly | 07:34:49 |
| 20 | available data source that could be used for not | 07:34:52 |
| 21 | only the computers that I had, but computers that | 07:34:55 |
| 22 | the senate democrats or maybe the house democrats, | 07:34:59 |
| 23 | if they chose to participate, would have access to. | 07:35:03 |
| 24 | Q. Thank you. | 07:35:05 |
| 25 | I want to -- | 07:35:06 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | | |
|----|----|--|----------|
| 1 | A. | That's what I'm referring to. | 07:35:07 |
| 2 | Q. | Sure. Thank you. | 07:35:08 |
| 3 | | I do want to talk about the source of the | 07:35:09 |
| 4 | | information in just a little bit, but right now, I'm | 07:35:11 |
| 5 | | just focused on what you could actually see -- just | 07:35:13 |
| 6 | | sitting at your computer, what you could see on that | 07:35:17 |
| 7 | | display window. | 07:35:20 |
| 8 | | And you already said part of what you could | 07:35:21 |
| 9 | | see was the democrat/republican percentage in the | 07:35:22 |
| 10 | | district as you've drawn it. | 07:35:25 |
| 11 | | Was that available right from the start | 07:35:27 |
| 12 | | when you started drawing, or is that something that | 07:35:29 |
| 13 | | became available a little later in the work? | 07:35:31 |
| 14 | A. | Yeah. No, I appreciate the question. | 07:35:34 |
| 15 | | That was a -- this whole issue of data was | 07:35:37 |
| 16 | | a work in progress, and it was a very challenging | 07:35:41 |
| 17 | | thing from the get-go when the census data was | 07:35:45 |
| 18 | | released. | 07:35:47 |
| 19 | | There was very little information that was | 07:35:48 |
| 20 | | available early on, and it wasn't until, I think, | 07:35:50 |
| 21 | | these conversations with the senate democratic | 07:35:53 |
| 22 | | caucus and the other two republican caucuses yielded | 07:35:57 |
| 23 | | some kind of joint data or read-to publicly | 07:36:02 |
| 24 | | available data sources. | 07:36:05 |
| 25 | | Then it took time to get that on the | 07:36:06 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 computers and get that up and operational. 07:36:09

2 Q. And do you recall around when that took 07:36:10

3 place? Was that before September 1 or after 07:36:12

4 September 1? 07:36:15

5 A. I refer to a couple different things. Can 07:36:16

6 you specify which one you're referring to. 07:36:21

7 Q. Sure. I'll talk about the display window 07:36:25

8 again. You got the display window. Like you said, 07:36:27

9 there was a lot of data in it. And like you said, 07:36:31

10 some of the data was republican and democrat vote 07:36:33

11 percentages. 07:36:37

12 My question is, at what -- about when did 07:36:37

13 the republican/democratic vote percentages start 07:36:42

14 showing up in the display window? Was it after 07:36:44

15 September 1 or before September 1? 07:36:47

16 A. Well, I think we have to go back a little 07:36:48

17 bit, I mean, to kind of walk through this. The 07:36:52

18 census data came out on whatever day the census data 07:36:56

19 came out. But I'm -- I assume you're aware that 07:36:59

20 data, the PL data, then had to go off to our 07:37:03

21 bipartisan contracted consultant, Ohio University. 07:37:08

22 And they had access to it for a couple of days, and 07:37:11

23 they were producing what we called the CURD, which 07:37:17

24 is the Common Unified Redistricting Database. 07:37:19

25 And that was then provided back to -- well, 07:37:23

Transcript of Ray DiRossi
Conducted on October 19, 2021

35

1 actually, I think it was made available to the 07:37:25
2 entire -- entire public. Not just the citizens of 07:37:27
3 the state, but anybody who had access to the 07:37:31
4 internet. 07:37:34

5 That information only had 2020 data in it 07:37:35
6 and 2020 geography in it. And so once that 07:37:42
7 happened, I think that's when those conversations 07:37:45
8 were starting to be had among the three caucuses 07:37:48
9 about what publicly available information might be 07:37:53
10 available to supplement the work that I thought all 07:37:56
11 caucuses were doing. 07:37:59

12 Q. Okay. So you get the -- let's see if I got 07:38:00
13 the sequence right. 07:38:06

14 You get the census data. Then Ohio 07:38:07
15 University takes a look at it. They give you some 07:38:10
16 information about elections, but they only give you 07:38:12
17 2020. Is that right? 07:38:15

18 A. Sitting here right now, that's my 07:38:16
19 recollection, that only 2020 was in the Common 07:38:19
20 Unified Redistricting Database. 07:38:25

21 Q. And then you have further conversations to 07:38:25
22 get more election data. Is that right? 07:38:28

23 A. Well, just to be clear, I did not have 07:38:34
24 those conversations. The -- I -- I am -- was led to 07:38:36
25 believe or I seem to remember that those 07:38:37

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 conversations were happening at a different level. 07:38:40

2 Q. And who led -- who led you to believe that, 07:38:44

3 which person? 07:38:52

4 A. I think the legal counsels for the various 07:38:52

5 caucuses and the chiefs of staff for the various 07:38:55

6 caucuses and even potentially the attorneys for the 07:38:58

7 various caucuses were engaged in trying to come to 07:39:00

8 some agreement on publicly available data. 07:39:03

9 Q. And who -- who -- anyone talk to you about 07:39:06

10 all of that? 07:39:10

11 A. It -- it was happening so fast after the 07:39:11

12 census data came out and the CURD data came back 07:39:15

13 from OU, I -- I don't recall the specifics of -- I 07:39:19

14 just have this recollection that we were waiting on 07:39:22

15 the caucuses to agree to some publicly available 07:39:25

16 data source that everybody could use and everybody 07:39:30

17 would have it so that going forward we could do 07:39:31

18 comparisons that were apples to apples. 07:39:35

19 Q. Sure. And at some point, did you get 07:39:37

20 election data beyond just 2020? 07:39:39

21 A. Yes. 07:39:41

22 Q. Okay. And do you recall about when that 07:39:42

23 happened? 07:39:49

24 A. I don't recall a specific date sitting here 07:39:49

25 today. 07:39:52

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | Q. Well, not a specific date. Was it -- | 07:39:52 |
| 2 | ballpark. Was it before September -- was it the | 07:39:55 |
| 3 | month of September or the month of August? | 07:39:57 |
| 4 | A. I think it was near the end of August. I | 07:39:59 |
| 5 | think the conversations must have proven fruitful | 07:40:01 |
| 6 | and there was some agreement of additional years of | 07:40:04 |
| 7 | data that everybody could use. | 07:40:08 |
| 8 | I -- I -- I seem to remember something with | 07:40:11 |
| 9 | Dave's redistricting being able to provide some type | 07:40:14 |
| 10 | of Ohio geography for some additional years that | 07:40:18 |
| 11 | everybody was in agreement could be used. | 07:40:20 |
| 12 | Q. Did you get that data from any consultant | 07:40:23 |
| 13 | or -- well, let's talk. | 07:40:27 |
| 14 | What was the -- what was the source of | 07:40:29 |
| 15 | election data? You said Dave's might have been one. | 07:40:29 |
| 16 | What else? | 07:40:32 |
| 17 | A. I -- I don't -- since I wasn't involved in | 07:40:33 |
| 18 | those conversations, I can't -- I can't say for | 07:40:36 |
| 19 | absolute certainty. That's my recollection sitting | 07:40:39 |
| 20 | here. | 07:40:41 |
| 21 | Q. Okay. Your recollection is that it was | 07:40:41 |
| 22 | Dave's. Is that right? | 07:40:46 |
| 23 | A. For '18 and '16 data, yes. That's my | 07:40:47 |
| 24 | recollection. | 07:40:50 |
| 25 | Q. What about data for any other election, do | 07:40:50 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|---|----------|
| 1 | you have any recollection? | 07:40:54 |
| 2 | A. I -- I think Dave's redistricting was only | 07:40:54 |
| 3 | -- I -- I think Dave's redistricting and the | 07:41:00 |
| 4 | conversations with the other caucuses was only | 07:41:03 |
| 5 | fruitful for '16 and '18. | 07:41:06 |
| 6 | Q. Did you get any data for 2012 or 2014? | 07:41:07 |
| 7 | A. Not from any publicly available sources, | 07:41:11 |
| 8 | no. | 07:41:16 |
| 9 | Q. Did you get it from 2012 or 2014 from any | 07:41:16 |
| 10 | source, publicly or not? | 07:41:20 |
| 11 | A. I think -- I think later in the process, | 07:41:21 |
| 12 | now probably getting into September or close to | 07:41:25 |
| 13 | September, there was some -- some data for would -- | 07:41:28 |
| 14 | I guess it would have been '12 and '14. | 07:41:35 |
| 15 | Q. And do you -- do you know what the source | 07:41:37 |
| 16 | is for that data? | 07:41:38 |
| 17 | MR. STRACH: Objection as to the -- Rob, | 07:41:40 |
| 18 | what do you mean by "data"? | 07:41:42 |
| 19 | MR. FRAM: Well, he just said he got some | 07:41:44 |
| 20 | data from the 2012 and 2014 elections at some point | 07:41:46 |
| 21 | in September. | 07:41:51 |
| 22 | Thank you for helping me be more precise on | 07:41:51 |
| 23 | that one. | 07:41:54 |
| 24 | Q. So for that 2012 and 2014 data that you got | 07:41:55 |
| 25 | sometime in September, do you recall where it came | 07:41:59 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 from? 07:42:02

2 A. I don't. 07:42:02

3 Q. Okay. But at some point you have it. Let 07:42:09

4 me ask you a question what you did with the data 07:42:13

5 that you got. 07:42:15

6 First, I'll start with the Ohio University 07:42:16

7 data. 07:42:20

8 Could that be loaded into a Maptitude so it 07:42:22

9 can be -- so that information could appear in -- in 07:42:25

10 a display window? 07:42:29

11 A. Again, I -- I am not a data -- yes. The 07:42:31

12 current data, using that word loosely, can be 07:42:36

13 incorporated into Maptitude as it was. But I don't 07:42:42

14 have the technical expertise or knowledge to know 07:42:47

15 how that happened or how that happens. 07:42:50

16 Q. Sure. I'm not asking you for that. I'm 07:42:52

17 just asking whether you know, however they got it 07:42:54

18 done, whatever computer wizardry took place, that 07:42:57

19 somehow or another that Ohio University current data 07:43:02

20 did wind up in Maptitude. Is that right? 07:43:07

21 A. Yes. 07:43:10

22 Q. Okay. And the same thing -- 07:43:10

23 (Simultaneous colloquy.) 07:43:12

24 A. Yeah. The current data -- I'm sorry. The 07:43:12

25 current data being the geography, the population of 07:43:13

Transcript of Ray DiRossi
Conducted on October 19, 2021

40

1 the counties, the population of all of our units of 07:43:18
2 geography in the state, municipal corporations or 07:43:21
3 townships and all the other units of geography as 07:43:24
4 well. Yes, that data. 07:43:29

5 And then I think 2020 election results. 07:43:29

6 Q. Right. And the -- and by the way, we 07:43:34
7 talked about Dave's and we're being formal there. 07:43:37
8 We might as well state it for the record. What is 07:43:40
9 Dave's? 07:43:44

10 A. I mean, I -- I can't answer that for sure. 07:43:44
11 It's an -- it's a website. 07:43:47

12 Q. It's a website that has information -- 07:43:49
13 election information. Is that right? 07:43:53

14 A. I did not use Dave's Redistricting. I 07:43:55
15 can't speak to that. 07:44:01

16 Q. Yeah. The -- let me put it this way. The 07:44:02
17 Dave's -- the election data that you think came from 07:44:04
18 Dave's, that also found its way, one way or the 07:44:06
19 other, into Maptitude. Is that right? 07:44:09

20 A. That -- that is my understanding, that the 07:44:10
21 publicly available data for '18 and '16, after an 07:44:16
22 agreement among the three caucuses, was able to be 07:44:22
23 incorporated into people's machines, yes. 07:44:26

24 Q. So now we've got election data for '16, '18 07:44:31
25 and '20 in Maptitude. Is that right, at some point 07:44:34

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|---|----------|
| 1 | in September? | 07:44:38 |
| 2 | A. I -- again, I'm not sure on the time lines. | 07:44:38 |
| 3 | But at some point, you said, yes. | 07:44:44 |
| 4 | Q. At some point in September, sir. I'm not | 07:44:48 |
| 5 | asking for a specific date. Just wanted to know | 07:44:50 |
| 6 | that -- whether it happened or not? | 07:44:52 |
| 7 | A. Sitting here, I'm not sure if it was late | 07:44:53 |
| 8 | August or if it was early September. | 07:44:56 |
| 9 | Q. Okay. | 07:44:57 |
| 10 | A. That -- that was a very -- a very busy | 07:44:57 |
| 11 | time, as you can imagine. | 07:44:59 |
| 12 | Q. Sure. And -- and you said, at some point, | 07:45:00 |
| 13 | additional information, nonpublic election | 07:45:07 |
| 14 | information was provided to you. Is that right, for | 07:45:10 |
| 15 | 2012 and 2014? | 07:45:13 |
| 16 | A. At some point. | 07:45:15 |
| 17 | Q. Okay. And that information was also | 07:45:18 |
| 18 | included in Maptitude. Is that right, at some | 07:45:22 |
| 19 | point? | 07:45:27 |
| 20 | A. At -- at -- some point. Again, much later. | 07:45:28 |
| 21 | Yes. We're getting close to -- to, you know, the | 07:45:30 |
| 22 | first week of -- first week of September now. | 07:45:34 |
| 23 | Q. Sure. So sometime before, say, | 07:45:36 |
| 24 | September 9. Is that right? | 07:45:38 |
| 25 | A. I don't know. It was -- it was -- it might | 07:45:39 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

42

1 have been right around then. Maybe a few days 07:45:46

2 before. 07:45:48

3 Q. Okay. And just so I understand how it 07:45:48

4 looks on the display window, did you see all the 07:45:51

5 different election results or was there some kind of 07:45:55

6 a composite average that appeared in the display 07:45:58

7 window for these election results? 07:46:03

8 A. Can you -- can you elaborate on what you 07:46:07

9 mean by "composite"? 07:46:11

10 Q. Sure. You said you had 2020 election, then 07:46:12

11 you got 2016 and 2018, and then you got 2012 and 07:46:15

12 2014. I'm just trying to understand what the -- 07:46:19

13 just physically what it looks like, what this window 07:46:22

14 looks like. 07:46:24

15 Are you seeing all these elections and the 07:46:24

16 percentages for all of them or are they all rolled 07:46:26

17 up into one kind of an average? 07:46:29

18 A. Well, again, at various stages in the time 07:46:34

19 that I think we've just discussed, we didn't 07:46:36

20 necessarily have many of these. So, obviously, 07:46:39

21 there was no composite rolled up into one. 07:46:44

22 And then, you know, in addition to all of 07:46:46

23 these time lines, one of my frustrations not being a 07:46:48

24 data -- a data, you know, expert, just because it's 07:46:53

25 been received as a file of some type, it doesn't 07:46:56

Transcript of Ray DiRossi
Conducted on October 19, 2021

43

1 mean it's operational on a computer. That took 07:46:59
2 time. 07:47:02
3 So the -- the amount of time and effort it 07:47:03
4 took to put into the software and make it actually 07:47:05
5 work took a lot of time as well. So -- so that's -- 07:47:08
6 I'm just giving you that background for these dates 07:47:14
7 that I'm talking about. 07:47:18
8 Some of these dates, I'm referring to the 07:47:18
9 dates the data might have been received, but doesn't 07:47:21
10 mean that it was necessarily operational for a 07:47:24
11 while. 07:47:26
12 Q. Sure. I appreciate that. 07:47:26
13 Once it's operational, I'm just trying to 07:47:28
14 understand what it looks like. That's all I'm
15 trying to get a picture of here.
16 So in the very beginning, you've just got 07:47:35
17 one election, says "2020," and there's no reason for 07:47:36
18 a composite. 07:47:38
19 Then after a little bit of time, we're 07:47:39
20 getting close to the end of August, maybe beginning 07:47:41
21 of September. You've got 2016 and 2018 election 07:47:44
22 data, as well as 2020, if I understand. Is that 07:47:49
23 right? 07:47:53
24 A. I'm sorry. Could you repeat that? 07:47:53
25 Q. I said by 2016 -- by sometime in early 07:47:56

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | September, you've got election data for 2016, | 07:48:00 |
| 2 | 2018 -- | 07:48:05 |
| 3 | (Reporter clarification.) | 07:48:13 |
| 4 | Q. By sometime in early September, you had | 07:48:14 |
| 5 | election data for 2020, 2018, and 2016. Isn't that | 07:48:17 |
| 6 | right? | 07:48:26 |
| 7 | A. Can you say those years again, please. I'm | 07:48:26 |
| 8 | sorry. | 07:48:30 |
| 9 | Q. Sure. 2020, 2018, 2016. | 07:48:30 |
| 10 | A. So when you say those years, what I think | 07:48:38 |
| 11 | of is that -- that is the data set, the election | 07:48:40 |
| 12 | results and the corresponding geography that was | 07:48:44 |
| 13 | agreed to with the -- the other members that -- the | 07:48:49 |
| 14 | senate democrat caucus. | 07:48:52 |
| 15 | Q. Sure. | 07:48:56 |
| 16 | A. That -- is that what you are referring to? | 07:48:57 |
| 17 | Q. Yes, sir. | 07:48:58 |
| 18 | A. Okay. And your question is? | 07:48:59 |
| 19 | Q. That you had all three of those years in | 07:49:01 |
| 20 | the election data and you had it by early September. | 07:49:05 |
| 21 | Is that right? | 07:49:09 |
| 22 | A. I believe so, yes. | 07:49:09 |
| 23 | Q. Okay. And now my question is: When you | 07:49:14 |
| 24 | had all three elections, how did that appear in the | 07:49:18 |
| 25 | display window? | 07:49:26 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

45

1 Did you see separate lines for each 07:49:26
2 election or was it any kind of composite average in 07:49:28
3 the display window? 07:49:32
4 A. I -- I would have had it set up for -- 07:49:33
5 those years that you just asked about, would have 07:49:37
6 displayed as one number. 07:49:40
7 Q. One number. Okay. 07:49:41
8 And you create that number just by a simple 07:49:44
9 average of the election -- of the data for each of 07:49:47
10 the three years? Or do you recall how do you set 07:49:50
11 that number up? 07:49:52
12 A. Well, that's getting into something that -- 07:49:53
13 I didn't do those calculations. So I -- I can't 07:49:55
14 speak to how that was done. I know it was done to 07:49:58
15 try to mimic what the senate democrat map, when they 07:50:01
16 put their map out and they used that same data set, 07:50:06
17 they were displaying it as one number. And so we 07:50:10
18 were trying to mimic that internally. Or at 07:50:13
19 least -- at least I was. 07:50:16
20 Q. Got it. Do you know who did the -- who set 07:50:16
21 up that data calculation in Maptitude? Was there a 07:50:19
22 technical person who worked with you? 07:50:23
23 A. I had access to data consultants that I 07:50:26
24 could ask when I was over my head on a technical or 07:50:31
25 a data issue. 07:50:35

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 Q. Sure. Were those technical consultants -- 07:50:36
2 do they work with the Ohio legislature, or were they 07:50:41
3 outside consultants? Were they employees or outside 07:50:45
4 consultants? 07:50:49

5 A. They did not work for the Ohio legislature. 07:50:51
6 Well, let me -- let me say I don't know. Because I 07:50:55
7 don't know how they were paid, and I don't know what 07:50:57
8 -- there was a lot of money that was being approved 07:50:58
9 on a bipartisan basis to fund the operations of both 07:51:00
10 the majority and minority efforts. 07:51:04

11 And I guess I should retract that. 07:51:08

12 I don't know how they were paid, and I 07:51:10
13 don't know if that money -- I don't know how that -- 07:51:13

14 Q. Sure. 07:51:18

15 A. I don't know how the composition for them 07:51:18
16 would -- worked. 07:51:20

17 Q. Could you please just identify for us who 07:51:21
18 those consultants were. 07:51:25

19 MR. STRACH: Rob, this is Phil. 07:51:26

20 I'm going to object. I'm going to allow 07:51:29
21 Ray to identify who they were, but I'm going to 07:51:31
22 instruct him not to answer any questions about any 07:51:34
23 specific tasks they were given because they are 07:51:39
24 consulting experts. So I just want to note that for 07:51:43
25 the record. 07:51:47

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | MR. FRAM: Sure. Let's get the foundation | 07:51:47 |
| 2 | as to who they were, and we can take it -- if | 07:51:49 |
| 3 | there's anything more to be asked about that or not. | 07:51:52 |
| 4 | Q. Who were these consultants? | 07:51:54 |
| 5 | A. My data consultant was Clark Benson, and my | 07:51:59 |
| 6 | technical consultant from Aptitude was John Morgan. | 07:52:13 |
| 7 | Q. Now, I'm not going to ask you about | 07:52:14 |
| 8 | conversations you had with Mr. Benson or Mr. Morgan. | 07:52:19 |
| 9 | I do want to ask you, though, about any factual | 07:52:23 |
| 10 | information that he provided to you. | 07:52:25 |
| 11 | Did Mr. Benson provide you with any | 07:52:27 |
| 12 | election data? | 07:52:30 |
| 13 | A. Can you repeat that question. I'm sorry. | 07:52:32 |
| 14 | Q. Did Mr. Benson provide you with any | 07:52:39 |
| 15 | election data? | 07:52:42 |
| 16 | A. I'm trying to recall. I -- as I said, the | 07:52:43 |
| 17 | areas of the data and the areas of the technical | 07:52:58 |
| 18 | operations of Maptitudes are beyond me. And so I'm | 07:53:02 |
| 19 | trying to think -- think and try to answer your | 07:53:06 |
| 20 | question. | 07:53:11 |
| 21 | Q. I don't want to interrupt your thinking. | 07:53:11 |
| 22 | Tell me if you're still thinking. | 07:53:26 |
| 23 | A. No, I -- I'm sorry. I thought you -- I | 07:53:28 |
| 24 | thought the feed cut out there for a second, | 07:53:30 |
| 25 | Mr. Fram. I'm sorry. | 07:53:32 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 Q. No. I just -- 07:53:33

2 A. Could you repeat the question? 07:53:34

3 Q. Sure. 07:53:35

4 I just asked if Mr. Benson gave you any 07:53:36

5 election data. 07:53:40

6 A. I believe that the consultants, once there 07:53:42

7 was agreements on data that could be used in 07:53:49

8 Maptitude, were working to provide us that data. So 07:53:51

9 if that included election data, the appropriate 07:53:54

10 agreed-to publicly available geography or something 07:53:57

11 else, that it would have been in there. 07:54:00

12 Q. Did Mr. Benson provide you with election 07:54:02

13 data for 2012 and/or 2014? 07:54:06

14 A. I guess I would have the same answer 07:54:08

15 regardless of the year. 07:54:11

16 Q. Well, you said he provided -- so he did 07:54:12

17 provide you with some election data. Is that right? 07:54:17

18 A. Again, election -- help me understand 07:54:19

19 "election data." 07:54:25

20 He provided me databases that made 07:54:26

21 Maptitude work. Beyond -- and I don't have the 07:54:30

22 comprehension to know if that is your definition of 07:54:33

23 "election data" or what it was. 07:54:36

24 Q. Okay. You said at some point somebody gave 07:54:37

25 you some nonpublic information about the election 07:54:40

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | data for 2012 and 2014, correct? | 07:54:43 |
| 2 | MR. STRACH: Objection as to "election | 07:54:48 |
| 3 | data." | 07:54:50 |
| 4 | MR. FRAM: Okay. Fair enough. | 07:54:50 |
| 5 | Q. At some point, somebody gave you nonpublic | 07:54:53 |
| 6 | information about the democrat and republican vote | 07:54:58 |
| 7 | percentage in the 2012 and 2014 elections, correct? | 07:55:01 |
| 8 | A. I think after the '16 and '18 data had been | 07:55:09 |
| 9 | secured with the conversations with the minority | 07:55:12 |
| 10 | caucus, there was still an ongoing effort to try to | 07:55:15 |
| 11 | find publicly available data for '12 and '14. And I | 07:55:19 |
| 12 | -- I think at some point, there was some nonpublic | 07:55:23 |
| 13 | available data from '12 and '14 that was found. | 07:55:28 |
| 14 | It would have been provided to me through | 07:55:36 |
| 15 | this -- my consultants, and -- but it was ultimately | 07:55:38 |
| 16 | not used because it wasn't the agreed to or the -- | 07:55:44 |
| 17 | it wasn't the apples to apples that we had with '16, | 07:55:47 |
| 18 | '18, and '20 data. | 07:55:50 |
| 19 | Q. So if I understand correctly, data's | 07:55:51 |
| 20 | provided to you by Mr. Benson and Mr. Morgan | 07:55:57 |
| 21 | regarding democrat and republican vote percentage | 07:56:00 |
| 22 | for 2012 and 2014. Is that right? | 07:56:05 |
| 23 | A. Eventually, yes. Late in the process. | 07:56:06 |
| 24 | Q. Okay. And later in the process -- within | 07:56:13 |
| 25 | the first week of September or so? Do you recall | 07:56:19 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

50

1 when? 07:56:22

2 A. Give or take. It was -- it was probably no 07:56:22

3 more than a few days before -- my recollection 07:56:27

4 sitting here today is that it was probably no more 07:56:31

5 than a few days before the -- the initial map was 07:56:33

6 offered on September 9th. 07:56:37

7 Q. Okay. And you said it wasn't used; it was 07:56:39

8 not loaded into Maptitude. 07:56:43

9 What do you mean, it wasn't used? If you 07:56:46

10 could please explain. 07:56:48

11 A. Well, at that point -- when we had offered 07:56:49

12 a map on September 9th -- or President Huffman had 07:56:53

13 offered a map before the redistricting commission 07:56:57

14 and the senate democrats had offered a map, you 07:57:00

15 know, five or six days before that, we got into a 07:57:05

16 lot of comparisons, and the negotiations were 07:57:09

17 happening. And while we had access to that data, 07:57:12

18 the common data between those plans was the '16, 07:57:16

19 '18, and '20 data. 07:57:22

20 Q. All right. But did you have -- 07:57:23

21 (Reporter clarification.) 07:57:36

22 Q. Did you have put into Maptitude at any time 07:57:36

23 the 2012 and 2014 election data showing republican 07:57:45

24 and democrat vote percentages? 07:57:52

25 A. And by -- again, the '12 and '14 data was 07:57:56

Transcript of Ray DiRossi
Conducted on October 19, 2021

51

| | | |
|----|---|----------|
| 1 | in two pieces, right? It was the geography from '12 | 07:58:00 |
| 2 | and '14, and then it was also the election results. | 07:58:05 |
| 3 | The election results were very -- very commonly | 07:58:08 |
| 4 | available from public sources. But the geography | 07:58:10 |
| 5 | was always in question. | 07:58:13 |
| 6 | So is your question a -- time specific? | 07:58:15 |
| 7 | I'm sorry if you asked it. Or did you say at any | 07:58:17 |
| 8 | time? I'm sorry. | 07:58:20 |
| 9 | Q. Fair enough. | 07:58:21 |
| 10 | I said, at any time, did you have 2012 and | 07:58:22 |
| 11 | 2014 election results data loaded into Maptitude? | 07:58:28 |
| 12 | A. Yes. Late, very late. | 07:58:36 |
| 13 | Q. "Very late" meaning close to September 9? | 07:58:40 |
| 14 | A. Yes. | 07:58:42 |
| 15 | Q. Okay. So as of September 9 -- let's take | 07:58:45 |
| 16 | it right there -- if you -- in your display window | 07:58:49 |
| 17 | in Maptitude, you see an average of the election | 07:58:54 |
| 18 | results data showing republican and democrat vote | 07:59:04 |
| 19 | percentages, right, by September 9? | 07:59:08 |
| 20 | A. I think, as I said before, as of | 07:59:14 |
| 21 | September 9th when we offered -- the redistricting | 07:59:17 |
| 22 | commission offered the first map and the senate | 07:59:20 |
| 23 | democratic caucus had offered a map, the only | 07:59:25 |
| 24 | agreed-to data was the '16, '18, and '20 data. And | 07:59:28 |
| 25 | so that was the focus for comparison for all the | 07:59:33 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

52

1 negotiations that followed. Other -- other 07:59:37
2 information was available, but the focus was on '16, 07:59:40
3 '18, and '20. 07:59:46
4 Q. I appreciate that. 07:59:46
5 I'm just asking whether or not, as of 07:59:48
6 September 9, on your computer, when you turned on 07:59:50
7 Maptitude, you looked at the district -- you looked 07:59:53
8 at the display window for the district, whether the 07:59:58
9 election results average you saw included the 08:00:03
10 election results for 2012 and 2014? 08:00:07
11 A. I -- I can't recall if I had that in my 08:00:12
12 display window. I -- being a budget director, I 08:00:15
13 like to just focus on my spreadsheets on what I was 08:00:19
14 focused on. And I don't recall at that point if I 08:00:22
15 took that data away in the display window or if it 08:00:24
16 stayed. 08:00:27
17 Q. I'm sorry. Or if it stayed -- it stayed 08:00:28
18 where? 08:00:31
19 A. Well, as we've discussed, it was -- it was 08:00:32
20 in the computer, but you could customize the display 08:00:33
21 window to focus on what you wanted; the population, 08:00:38
22 the qualities, the deviations, and the district 08:00:41
23 numbers and so forth. 08:00:43
24 The '16, '18, and '20 data was almost 08:00:44
25 always on my display window, but the other pieces 08:00:48

Transcript of Ray DiRossi
Conducted on October 19, 2021

53

1 were either on or off, depending on whether or not 08:00:54
2 they were being used or considered. 08:00:57
3 Q. Okay. And you say "on or off." They could 08:00:59
4 sometimes appear in a display window and sometimes 08:01:03
5 not? Is that what you're saying? 08:01:05
6 A. Again, I think users have the ability to 08:01:06
7 customize the display windows. 08:01:11
8 Q. I'm just asking what you did. 08:01:13
9 Did you sometimes it on and sometimes have 08:01:15
10 it off -- sometimes have the 2012 and 2014 data was 08:01:17
11 on, and sometimes it was off? 08:01:21
12 A. Yeah. I think you've asked me that. I 08:01:22
13 mean, I -- at some point, I had access to it, and I 08:01:28
14 used it. But then going forward after the 9th when 08:01:31
15 we had the two maps and the negotiations were 08:01:35
16 happening, we were using common agreed-to data, for 08:01:38
17 lack of the appropriate term, and that was not 12 08:01:45
18 and -- included '12 and '14. And so I don't recall 08:01:49
19 whether or not I left it in the window or I took it 08:01:52
20 off to just focus on what was important. 08:01:56
21 Q. Understood. 08:01:59
22 Did you say -- did you have separate 08:02:00
23 spreadsheets that reflected all the election data 08:02:05
24 for the different years, separate and apart from 08:02:11
25 Maptitude? 08:02:14

Transcript of Ray DiRossi
Conducted on October 19, 2021

54

1 A. Did you ask if I created? I didn't hear 08:02:15
2 the first part. You got a little crackly. 08:02:21

3 Q. Fair question. Before, I asked if you 08:02:23
4 wrote any spreadsheets. 08:02:26

5 Did you have any spreadsheets that just 08:02:28
6 showed the election data results for these years; 08:02:31
7 2012, '14, '16, '18, '20? Did you have any 08:02:35
8 spreadsheets? 08:02:39

9 A. The -- all of this information -- the 08:02:40
10 Common Unified Redistricting Database, population 08:02:49
11 amounts for counties, for subdivision, for all units 08:02:51
12 of political geography -- political subdivision 08:02:54
13 geography, the geography files for Maptitude, the 08:02:58
14 election results, all came in very different 08:03:02
15 formats. 08:03:06

16 Some were spreadsheets, but they're not the 08:03:07
17 spreadsheets that you and I would necessarily think 08:03:10
18 of, like a one-page spreadsheet showing some 08:03:13
19 information. They would have been spreadsheets that 08:03:15
20 were 2-, 300 pages or text files that were just 08:03:18
21 data. 08:03:24

22 And so all of that information that was 08:03:25
23 being sent from the consultants as they were 08:03:26
24 providing it would have been in various forms. Some 08:03:31
25 of them would have been Microsoft Excel files, but I 08:03:35

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 would hesitate to call them spreadsheets in there. 08:03:39

2 Q. Okay. So -- and do you have those -- those 08:03:43

3 files, whether they were Excel files or other forms 08:03:50

4 of data, do you have them saved on your computer? 08:03:53

5 A. That's a technical question. 08:03:57

6 Once they were integrated into Maptitude, I 08:04:04

7 don't know if the underlying files remain or they 08:04:07

8 just get added to some big database. I don't know. 08:04:10

9 Q. Okay. So if I understand correctly, you 08:04:12

10 did integrate all this election data into Maptitude, 08:04:15

11 but at some point, you might not have used 2012 and 08:04:18

12 2014 in your display window. Is that right? 08:04:23

13 A. It's possible. I don't -- I don't recall 08:04:25

14 specifically what was. 08:04:28

15 Q. Well, I just want to be clear for the 08:04:31

16 record. 08:04:34

17 I thought you said at some point you had 08:04:35

18 the 2012 and 2014 on the display window, and at some 08:04:36

19 point -- 08:04:40

20 (Reporter clarification.) 08:04:46

21 Q. Sure. At some point -- I'll say it again. 08:04:46

22 That -- I think you said that, at some 08:04:50

23 point, you had 2012 and 2014 election results as 08:04:53

24 part of the composite average of election results 08:04:58

25 that you would see in a display window in Maptitude. 08:05:02

Transcript of Ray DiRossi
Conducted on October 19, 2021

56

1 And, at some point, you took that information out of 08:05:05
2 that display window average. Is that right? 08:05:09

3 A. Yeah. Yeah. I don't -- I don't want to 08:05:12
4 keep restating what I've said because I don't want 08:05:16
5 to say something different than what I said because 08:05:20
6 I don't want to -- I don't want you to -- I mean, 08:05:23
7 I -- I think I've already answered that. 08:05:28

8 At some point I had it. It had some 08:05:30
9 problems. It wasn't publicly available. It didn't 08:05:33
10 --we -- we -- I found some geography errors in it 08:05:35
11 that I couldn't explain. And, at some point, I 08:05:38
12 stopped using it and focused on the '16, '18, and 08:05:41
13 '20 data. 08:05:45

14 Q. I understand. Okay. Thank you. Thank you 08:05:45
15 for that. 08:05:49

16 I think you said that Speaker Huffman would 08:05:49
17 sometimes come over and look at your computer screen 08:05:59
18 as part of your updating him. Is that right? I'm 08:06:02
19 sorry. Senate President Huffman. 08:06:07

20 A. Yes. So my -- my office in the state house 08:06:08
21 is -- I share a wall with President Huffman. So I 08:06:11
22 met with him in his office, in my office through 08:06:15
23 this process, and other offices in the state house 08:06:18
24 as well. But on occasion, when his calendar would 08:06:22
25 allow, he would come over to the redistricting 08:06:25

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | office. | 08:06:28 |
| 2 | Q. Okay. And he would look at the district | 08:06:28 |
| 3 | maps on the computer screen. Is that right? | 08:06:31 |
| 4 | A. If I -- if I -- if I thought there was an | 08:06:34 |
| 5 | issue or a problem of which there were several, yes, | 08:06:37 |
| 6 | I -- I would show him my computer screen. | 08:06:41 |
| 7 | Q. And -- and that screen would have the | 08:06:46 |
| 8 | district map on it. Is that right? | 08:06:49 |
| 9 | A. Yes. The graphic -- the graphical display | 08:06:50 |
| 10 | of the -- of the districts. | 08:06:55 |
| 11 | Q. And that would also have the display window | 08:06:56 |
| 12 | on it. Is that right? | 08:06:58 |
| 13 | A. Well, he -- the way I had it set up there | 08:06:59 |
| 14 | were two different monitors. One was dedicated | 08:07:04 |
| 15 | solely to the graphics and the other one was the | 08:07:06 |
| 16 | display window. He would -- he would always sit in | 08:07:10 |
| 17 | front of the graphic -- the graphic window. | 08:07:12 |
| 18 | Q. But he could -- he could see the display | 08:07:14 |
| 19 | window. Is that right? | 08:07:16 |
| 20 | A. I don't know what he could see. I -- I | 08:07:17 |
| 21 | wanted him to look at the graphics. What he looked | 08:07:20 |
| 22 | at, I don't know. | 08:07:23 |
| 23 | Q. I understand that's what you wanted him to | 08:07:24 |
| 24 | look at. But from where he was, was anything | 08:07:26 |
| 25 | blocking his view of the display -- of the monitor | 08:07:28 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

58

| | | |
|----|--|----------|
| 1 | with the display window on it? | 08:07:32 |
| 2 | A. Well, me. I was sitting -- I was sitting | 08:07:34 |
| 3 | between him and it, so I -- | 08:07:36 |
| 4 | Q. So he -- you don't know if he could see the | 08:07:38 |
| 5 | display window. Is that right? | 08:07:40 |
| 6 | A. I -- I -- I can't speak to what he could | 08:07:42 |
| 7 | see or couldn't see. | 08:07:44 |
| 8 | Q. Well, let me ask you: Did you ever talk to | 08:07:44 |
| 9 | him about any of the information that was in the | 08:07:46 |
| 10 | display window? | 08:07:47 |
| 11 | A. Yeah. Specifically, the population | 08:07:47 |
| 12 | deviations and that we had some significant problems | 08:07:52 |
| 13 | with the creation of districts. And I very often | 08:07:55 |
| 14 | would talk to him about those population problems we | 08:07:58 |
| 15 | were having, especially in northeast Ohio and | 08:08:02 |
| 16 | elsewhere throughout the state. | 08:08:04 |
| 17 | Q. Did you ever talk to him about any of the | 08:08:05 |
| 18 | election data in the display window? | 08:08:07 |
| 19 | A. I don't recall. | 08:08:10 |
| 20 | Q. Did you ever talk to him about how a | 08:08:14 |
| 21 | district might have a republican leaning or democrat | 08:08:18 |
| 22 | leaning? | 08:08:22 |
| 23 | A. You know, I -- now that you've asked the | 08:08:22 |
| 24 | second question, let me -- let me say, early on, I | 08:08:25 |
| 25 | know the focus was on following the constitutional | 08:08:28 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

59

1 guidelines and producing a map that followed all of 08:08:30
2 the requirements of the constitution. 08:08:35

3 Afterwards, when there was a democrat map 08:08:36
4 from the senate democrats and a map from the 08:08:41
5 redistricting commission on September 9th, there 08:08:44
6 would have been conversations, as he was going 08:08:46
7 through the negotiations with whoever he was 08:08:50
8 negotiating with, about republican leaning and 08:08:52
9 democrat-leaning districts and trying to make 08:08:56
10 districts more democrat leaning. 08:08:58

11 Q. Okay. And you say this conversation you 08:09:00
12 had -- you had these conversation with Senate 08:09:05
13 President Huffman. Was anybody else in that room 08:09:08
14 during those conversations? 08:09:11

15 A. Not -- not that I recall. 08:09:11

16 Q. Okay. And what do you recall that was said 08:09:13
17 in those conversations? 08:09:23

18 A. Well, I recall early on me talking to him 08:09:25
19 about some areas of the state where I felt 08:09:32
20 constructing districts that followed the 08:09:36
21 constitution was very difficult based on the 08:09:38
22 population data. 08:09:40

23 And so a lot of our early conversations 08:09:41
24 were on following the rules of the construction of 08:09:44
25 house and senate districts. There was also a lot of 08:09:49

Transcript of Ray DiRossi
Conducted on October 19, 2021

60

1 conversations that once some of the solutions that I 08:09:53
2 was finding to follow the constitution was going to 08:09:56
3 have significant negative impacts on republican 08:09:59
4 state senators. 08:10:04

5 And so I would have been talking to him 08:10:07
6 about which republican members were going to have to 08:10:08
7 be paired together and why we would potentially be 08:10:11
8 doing that in order to reduce splitting of counties 08:10:14
9 in other jurisdictions. 08:10:19

10 So those were garden variety early -- early 08:10:21
11 conversations. 08:10:24

12 Q. What about later conversations? 08:10:24

13 A. Well, as I said, once the -- he was engaged 08:10:27
14 in the negotiations. There was a lot of 08:10:30
15 conversations about how to get to a ten-year map and 08:10:34
16 what was being requested by the minority caucuses 08:10:38
17 and what was being requested by other members of the 08:10:42
18 redistricting commission. 08:10:45

19 Q. Okay. And what do you recall about that -- 08:10:46
20 those conversations? 08:10:48

21 A. I -- I recall that he was talking about 08:10:49
22 what republican-leaning districts would need to be 08:10:56
23 made democrat-leaning districts. And some of the 08:10:59
24 suggestions that he was hearing from his 08:11:02
25 conversation that I was not part of. 08:11:04

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|---|----------|
| 1 | Q. Which -- do you recall what -- any | 08:11:06 |
| 2 | districts in particular being discussed? | 08:11:09 |
| 3 | A. I -- with President Huffman, I remember the | 08:11:12 |
| 4 | 6th Senate District being a point of conversation. | 08:11:18 |
| 5 | And I remember the 24th Senate District being a | 08:11:22 |
| 6 | point of conversation. And the 27th Senate District | 08:11:26 |
| 7 | being discussed in the later stage. | 08:11:28 |
| 8 | In the early stages, I remember the 22nd | 08:11:32 |
| 9 | and 26th, the 32nd and -- | 08:11:35 |
| 10 | (Reporter clarification.) | 08:11:48 |
| 11 | A. I remember conversations about the 22nd and | 08:11:59 |
| 12 | 26th District, the 18th and the 32nd and the 27th. | 08:12:02 |
| 13 | Q. Okay. | |
| 14 | A. In the early stages. | 08:12:10 |
| 15 | Q. Okay. Let's -- going through the early | 08:12:12 |
| 16 | stage set that you've identified, was there any | 08:12:18 |
| 17 | discussion about the democrat or republican leaning | 08:12:21 |
| 18 | of those districts when you're talking about those | 08:12:24 |
| 19 | districts in the early stage conversations? | 08:12:26 |
| 20 | A. I do remember a conversation about the | 08:12:30 |
| 21 | 27th, which was significant because of the | 08:12:35 |
| 22 | footprint that I felt we needed to implement in | 08:12:41 |
| 23 | northeast Ohio to follow the construction rules of | 08:12:43 |
| 24 | the Ohio Constitution. | 08:12:46 |
| 25 | The 27th District was being significantly | 08:12:47 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

62

| | | |
|----|--|----------|
| 1 | reduced in its republican leaning and I wanted him | 08:12:50 |
| 2 | to be aware of that. | 08:12:54 |
| 3 | Q. And do you recall what it -- what -- what | 08:12:56 |
| 4 | did he say? | 08:12:58 |
| 5 | A. He said if that's what we have to do to | 08:12:59 |
| 6 | follow the rules of the constitution then we're | 08:13:03 |
| 7 | doing it. | 08:13:04 |
| 8 | Q. Okay. Do you recall about any -- would any | 08:13:05 |
| 9 | of the other of these districts in the early set | 08:13:09 |
| 10 | that you mentioned, 22, 26, 32 and 18, were the | 08:13:13 |
| 11 | democrat or republican leanings of those districts | 08:13:19 |
| 12 | discussed? | 08:13:22 |
| 13 | A. I do remember in the -- the 18th District | 08:13:23 |
| 14 | and the 32nd District where we, again, in northeast | 08:13:25 |
| 15 | Ohio, which was a considerable focus of my time, | 08:13:29 |
| 16 | trying to make sure we followed all the rules of the | 08:13:33 |
| 17 | districts and the constitutional requirements, that | 08:13:36 |
| 18 | we were going to have to pair two republican members | 08:13:39 |
| 19 | of the senate together and basically draw one out | 08:13:41 |
| 20 | of -- out of their district and assign them pursuant | 08:13:45 |
| 21 | to the Ohio Constitution to a district they did not | 08:13:50 |
| 22 | live in. | 08:13:52 |
| 23 | And that that district would become a -- | 08:13:53 |
| 24 | a -- less of a republican-leaning district and | 08:13:56 |
| 25 | really kind of become a competitive district. | 08:13:59 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

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|----|--|----------|
| 1 | Q. Got it. | 08:14:01 |
| 2 | Let's talk about District 6, 24, and 27, | 08:14:04 |
| 3 | the later conversations. | 08:14:07 |
| 4 | A. Sure. | |
| 5 | Q. Now, these later conversations, is that | 08:14:09 |
| 6 | when negotiations were happening with the democrats? | 08:14:11 |
| 7 | Is that right? | 08:14:13 |
| 8 | A. I wasn't part of those, but I -- I | 08:14:14 |
| 9 | generally would say that after the redistricting | 08:14:16 |
| 10 | commission adopted a map for consideration on | 08:14:19 |
| 11 | September 9th, it seemed that those conversations | 08:14:22 |
| 12 | really kicked in in earnest. | 08:14:25 |
| 13 | Q. Right. And they -- and some of those | 08:14:27 |
| 14 | conversations, did they concern Districts 6, 24, 27. | 08:14:29 |
| 15 | Is that right? | 08:14:33 |
| 16 | A. I wasn't part of those conversations, but I | 08:14:36 |
| 17 | do know that the president had inquired about | 08:14:41 |
| 18 | turning republican-leaning districts into | 08:14:44 |
| 19 | democrat-leaning districts or democrat-leaning | 08:14:47 |
| 20 | districts into even more democrat-leaning districts | 08:14:50 |
| 21 | in one case. | 08:14:53 |
| 22 | Q. Okay. And which districts did you -- do | 08:14:54 |
| 23 | you recall any specific districts where he talked | 08:14:56 |
| 24 | about taking a republican-leaning district and | 08:15:00 |
| 25 | making it a democratic-leaning district? | 08:15:02 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

64

1 A. The 6th Senate District in Montgomery
2 County absolutely fits that description. It was
3 made from a pretty significant republican-leaning
4 district to a democratic-leaning district. 08:15:07
5 (Reporter clarification.) 08:15:33
6 Q. I guess my question is -- 08:15:33
7 A. You asked about -- you asked about the 6th
8 Senate District, if I recall. 08:15:35
9 Q. We were talking about the 6th Senate 08:15:38
10 District and you were saying -- I was asking what 08:15:40
11 you recall about any conversation about the leaning 08:15:40
12 of that district and whether they should be changed 08:15:45
13 or not. 08:15:48
14 A. Yeah. Well, there were a few things going 08:15:48
15 on. There was a lot of testimony at some of the 08:15:51
16 hearings about the construction of the house and 08:15:53
17 senate districts in Montgomery County. 08:15:55
18 And in addition that was one -- one place 08:15:58
19 where the president had asked me to look at making 08:16:01
20 the 6th District, significantly changing both its 08:16:04
21 geography, as well as making it a pretty -- pretty 08:16:08
22 solid republican-leaning district to a 08:16:13
23 democrat-leaning district. And so that was that 08:16:16
24 conversation. 08:16:19
25 Q. Okay. And what about the 24th? 08:16:19

Transcript of Ray DiRossi
Conducted on October 19, 2021

65

1 A. So the 24th District in the initial map was 08:16:24
2 a very -- it was a competitive district, but it was 08:16:29
3 a -- it was a slight democrat-leaning district. But 08:16:31
4 I had been -- it was being relayed to me that the 08:16:35
5 negotiations wanted it to be even more of a 08:16:41
6 democrat-leaning district. 08:16:44

7 So in the final map that was produced, that 08:16:45
8 district became much more democrat leaning than it 08:16:49
9 was in the September 9th map. 08:16:53

10 Q. Okay. And the 27th District, what do you 08:16:54
11 recall about that one? 08:16:58

12 A. So, again, that's one that kind of spills 08:16:58
13 over between the early conversations pre-September 08:17:01
14 9th and post September 9th. 08:17:05

15 In the preconversations, that district was 08:17:07
16 made to be a much more -- or a much less 08:17:10
17 republican-leaning district just because we had to 08:17:13
18 -- in order to follow the rules of the constitution 08:17:17
19 and implement this northeast Ohio solution of 08:17:20
20 geography, that district was definitely trending 08:17:24
21 more towards a democrat-leaning district. 08:17:29

22 And then in the September -- the final map, 08:17:34
23 to achieve the requested negotiation of making the 08:17:40
24 24th District overwhelmingly democrat leaning, the 08:17:44
25 27th got marginally more republican leaning in order 08:17:49

Transcript of Ray DiRossi
Conducted on October 19, 2021

66

1 to achieve the change in Cuyahoga County. 08:17:53

2 Q. Okay. Now, were there any other districts 08:17:59

3 you recall which had been republican leaning in, 08:18:02

4 say, the September 9 map -- and there was 08:18:08

5 conversations about them after September 9 and they 08:18:11

6 say republican leaning when you got to the final 08:18:14

7 map? 08:18:19

8 A. Can you say that again, Mr. Fram? 08:18:19

9 Q. Sure. So you've got a September 9 map, if 08:18:21

10 I got that right. And you knew some of the 08:18:23

11 different partisan leanings of the districts for 08:18:26

12 that -- in that map. 08:18:31

13 Then, if I understand, there were 08:18:34

14 conversations about the leanings between September 9 08:18:36

15 and, say, September 15. 08:18:42

16 And my question is: During those 08:18:46

17 conversations, do you recall any districts which 08:18:48

18 were republican leaning in the September 9 map and 08:18:54

19 in the end stayed republican leaning in the final 08:19:00

20 map? 08:19:05

21 A. Well, there's 99 house districts and 33 08:19:10

22 senate districts. So the ones that I'm describing 08:19:16

23 that were part of the negotiations that were being 08:19:19

24 made to be democrat leaning, the other ones, I -- I 08:19:21

25 think there started to be some consensus on -- or 08:19:26

Transcript of Ray DiRossi
Conducted on October 19, 2021

67

1 many of them, not all but many -- where the -- the 08:19:29
2 various maps that were being traded back and forth, 08:19:33
3 where some of the September 9th districts that we 08:19:35
4 had put forward, the commission put forward, were 08:19:41
5 incorporated into some of the final maps that the 08:19:45
6 democratic caucus put forward. 08:19:52

7 Q. But I guess my -- okay. My question is: 08:19:53
8 Do you recall any of the districts, on the 08:19:58
9 September 9 map, the republican meeting, that by the 08:20:00
10 time being discussed -- being discussed, that stayed 08:20:05
11 republican leaning in its final map? 08:20:11

12 A. Yeah. I guess I -- I don't -- I just don't 08:20:16
13 understand the question. I mean, ones -- the ones 08:20:18
14 that I discussed, the 24th, the 6th, the 27th, and 08:20:20
15 then a host -- a small handful of them -- or handful 08:20:25
16 of them from the house map as well that you haven't 08:20:29
17 asked about, those were the ones that were the focus 08:20:31
18 of that round of negotiations. 08:20:34

19 Q. Okay. 08:20:37

20 A. So the other ones were largely unchanged. 08:20:37

21 Q. In that run of negotiations, do you recall 08:20:40
22 there being any suggestion by anybody that a 08:20:44
23 republican-leaning district should be made less 08:20:51
24 republican leaning, but in the end, no change was 08:20:54
25 made in the state republican leaning? 08:20:57

Transcript of Ray DiRossi
Conducted on October 19, 2021

68

1 A. Again, with -- I was not part of the 08:21:01
2 negotiation, so I was hearing these from 08:21:06
3 President Huffman based on what he was hearing. 08:21:09
4 So I'm struggling to think of a district 08:21:13
5 that matches this very specific fact pattern that 08:21:15
6 you're asking about. 08:21:18
7 Q. Did President Huffman ever tell you that 08:21:19
8 the -- a proposal had been made to make a certain 08:21:22
9 republican-leaning district less republican? 08:21:28
10 A. Well, he would -- he would have -- maybe 08:21:31
11 not him personally, but I would have provided a -- 08:21:37
12 been provided a block assignment file of the 08:21:40
13 democrat map. So I could see it. 08:21:43
14 Again, that took time. It sounds very 08:21:47
15 simplistic, but that's how the information was being 08:21:51
16 conveyed, and then also with conversations with him. 08:21:54
17 Q. Okay. Do you recall seeing any -- any 08:21:58
18 districts in the democrat map that would have made a 08:22:03
19 republican-leaning district less republican? Start 08:22:08
20 with that. 08:22:13
21 A. I'm sure there were. I was focused on the 08:22:14
22 ones that I was talking to the president about that 08:22:22
23 we were actively working to try to turn into 08:22:25
24 democrat-leaning maps, to send that proposal back to 08:22:27
25 them so that they could digest it and send a 08:22:31

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | proposal back to us. | 08:22:34 |
| 2 | Q. What I'm trying to find out is whether you | 08:22:35 |
| 3 | considered any democratic proposal to make a | 08:22:39 |
| 4 | district less republican that you did not include in | 08:22:42 |
| 5 | a proposal back to the democrats; you left it alone | 08:22:47 |
| 6 | as republican. | 08:22:53 |
| 7 | A. I cannot recall a specific example of that | 08:22:55 |
| 8 | in the house or senate maps, sitting here. But we | 08:22:58 |
| 9 | were focused on the limited time that we had between | 08:23:02 |
| 10 | September 9th and September 15th on, you know, | 08:23:08 |
| 11 | making the districts to send back a -- to give | 08:23:09 |
| 12 | President Huffman a -- from my standpoint, and I | 08:23:13 |
| 13 | know Blake would have been doing the same thing with | 08:23:17 |
| 14 | Speaker Cupp outside of me -- so that they could | 08:23:20 |
| 15 | send back something to the other members of the | 08:23:23 |
| 16 | redistricting commission for their consideration so | 08:23:27 |
| 17 | they could digest it and send it back. | 08:23:29 |
| 18 | But I don't recall a specific district that | 08:23:31 |
| 19 | meets that fact pattern, sitting here. | 08:23:33 |
| 20 | Q. Putting aside -- thank you. | 08:23:35 |
| 21 | Putting aside your recollection of a | 08:23:36 |
| 22 | specific district, I take it there were democratic | 08:23:39 |
| 23 | proposals to make some of the republican-leaning | 08:23:42 |
| 24 | districts less republican that you did not accept. | 08:23:47 |
| 25 | Is that right? | 08:23:50 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

70

1 A. The things that I remember about the map 08:23:50
2 were that it paired -- paired republican incumbents 08:23:55
3 together. It seemed to be challenged with the way 08:24:02
4 that they were applying section 5 to their 08:24:06
5 districts. And it also had some negative 08:24:09
6 consequences to some of their own incumbent members 08:24:11
7 that I think were probably unintentional by them. 08:24:15

8 But my focus was on the limited time 08:24:19
9 available on the districts that we've spoke about, 08:24:22
10 and that was turning those handful of house and 08:24:24
11 handful of senate districts from republican-leaning 08:24:27
12 districts to democrat-leaning districts so that we 08:24:31
13 could send that back to them and the negotiations 08:24:35
14 could continue among the redistricting commission 08:24:37
15 members. 08:24:40

16 Q. Is it fair to say that other than the ones 08:24:40
17 that you sent back for negotiation, there were other 08:24:43
18 districts where the democrats had proposed certain 08:24:47
19 republican-leaning districts be made less 08:24:52
20 republican. Is that right? 08:24:55

21 A. I cannot recall those districts by number 08:24:56
22 like I can the five, six, or seven that I 08:25:00
23 articulated earlier by number. 08:25:03

24 Q. I'm not asking --

25 A. Those are the ones I was focused on. I 08:25:06

Transcript of Ray DiRossi
Conducted on October 19, 2021

71

1 don't know. 08:25:09

2 Q. I'm not asking you to name a list of 08:25:09

3 numbers. I'm just saying -- let me back up a 08:25:11

4 second. 08:25:13

5 You didn't accept the entire democratic 08:25:13

6 proposal, right? 08:25:15

7 A. We -- after -- we picked out districts 08:25:17

8 where we could work on to make them democrat-leaning 08:25:24

9 districts. We incorporated that into the 08:25:27

10 September 9th map and then sent that back as a -- 08:25:30

11 through the proper channels of my president and the 08:25:32

12 speaker the -- that as a proposal. I don't know 08:25:35

13 what more I can tell you on that. 08:25:39

14 Q. Sure. But that list does not include the 08:25:40

15 entire democrat proposal, right? 08:25:43

16 A. Like I said, we looked at their proposal, 08:25:46

17 took the -- the districts that we -- through in 08:25:50

18 talking to my president and the house districts 08:25:55

19 that, you know, I was hearing about from Blake's 08:25:57

20 conversations with the speaker could be incorporated 08:25:59

21 into a proposal from them back. And we were focused 08:26:03

22 on those. 08:26:07

23 Q. Thank you. 08:26:08

24 A. As I said, I did notice that there were 08:26:08

25 some other, I thought, unintentional negative 08:26:12

Transcript of Ray DiRossi
Conducted on October 19, 2021

72

1 implications to incumbent democrat senators and 08:26:14
2 pairing of additional republican senators above and 08:26:20
3 beyond the five or six republican senators that had 08:26:23
4 been paired in the September 9th map. 08:26:27

5 But those are the things that I remember, 08:26:29
6 not what the rest of the map looked like, other than 08:26:30
7 they were splitting some additional counties that we 08:26:34
8 had figured out a way not to split. 08:26:39

9 Q. Okay. You mentioned your conversations 08:26:41
10 with Senate President Huffman and with Blake on the 08:27:32
11 house side. 08:27:38

12 Did you have any direct conversations with 08:27:41
13 Speaker Cupp yourself during this revision process? 08:27:43

14 A. I can think of one occasion very late in 08:27:49
15 the process, that I can recall sitting here. 08:27:53

16 Q. And what do you recall about that one? 08:27:56

17 A. I recall it being very late. In fact, it 08:27:58
18 might have been the day of September 15th. 08:28:03

19 And I remember that -- my recollection -- 08:28:09
20 my takeaway was that he was still actively engaged 08:28:11
21 in -- President Huffman was still actively engaged 08:28:16
22 in negotiations. And he had a list of a couple 08:28:18
23 things that were still being requested of him by 08:28:24
24 whoever he was negotiating with. 08:28:28

25 And he was asking Blake and I for our 08:28:30

Transcript of Ray DiRossi
Conducted on October 19, 2021

73

| | | |
|----|---|----------|
| 1 | thoughts on whether or not those could be achieved | 08:28:33 |
| 2 | in the final hours before the map needed to be | 08:28:36 |
| 3 | approved. | 08:28:39 |
| 4 | Q. Do you recall the districts? | 08:28:39 |
| 5 | A. I don't recall the district numbers. I -- | 08:28:41 |
| 6 | I don't recall the district numbers. | 08:28:45 |
| 7 | Q. Do you recall the region of the state? | 08:28:47 |
| 8 | A. I remember in Franklin County, there was a | 08:28:50 |
| 9 | -- there was some request about two of the house | 08:28:53 |
| 10 | districts in Franklin County about trying to change | 08:28:55 |
| 11 | the geography so that the two incumbents would | 08:28:59 |
| 12 | switch districts. I remember that being a | 08:29:02 |
| 13 | significant request where it seemed to be that that | 08:29:06 |
| 14 | was a significant focus of the -- whoever he was | 08:29:10 |
| 15 | negotiating with. | 08:29:15 |
| 16 | Q. Do you recall, was there a conclusion in | 08:29:16 |
| 17 | the conversation as to what to do? | 08:29:20 |
| 18 | A. Was there a conclusion on -- I mean, I | 08:29:23 |
| 19 | think -- I think that the takeaway was, you guys, | 08:29:31 |
| 20 | Blake, Ray, you guys, you know, try to work on that | 08:29:35 |
| 21 | and see if it works. We're going to go and continue | 08:29:39 |
| 22 | having other conversations about trying to get to a | 08:29:41 |
| 23 | ten-year map. | 08:29:44 |
| 24 | Q. Do you recall any sticking points in the | 08:29:45 |
| 25 | negotiations with democrats that you heard about | 08:29:50 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | from either Senate President Huffman or | 08:29:53 |
| 2 | Speaker Cupp? | 08:30:07 |
| 3 | (Reporter clarification.) | 08:30:09 |
| 4 | A. Not having been -- not having been part of | 08:30:10 |
| 5 | any of those conversations and not knowing what | 08:30:13 |
| 6 | would be a sticking point, I can't answer. | 08:30:17 |
| 7 | Q. Well, do you remember there being -- let me | 08:30:19 |
| 8 | break it down. | 08:30:23 |
| 9 | Did President Huffman ever tell you, the | 08:30:25 |
| 10 | democrats are asking you for a certain change, but I | 08:30:27 |
| 11 | don't think we can do that? | 08:30:31 |
| 12 | A. No, I don't recall that. | 08:30:38 |
| 13 | Q. Do you recall him ever saying, the | 08:30:40 |
| 14 | democrats are asking for a certain change, and | 08:30:43 |
| 15 | you're telling him you don't think you can do that? | 08:30:45 |
| 16 | A. I don't recall -- I don't recall that | 08:30:49 |
| 17 | conversation with President Huffman. | 08:30:58 |
| 18 | Q. Okay. Do you recall him ever saying, the | 08:31:00 |
| 19 | democrats are asking for a certain change, and then | 08:31:05 |
| 20 | you provided election results information to him | 08:31:08 |
| 21 | after he told you about that democrat proposal? | 08:31:10 |
| 22 | A. No. The -- no. I don't recall that. I | 08:31:14 |
| 23 | remember the takeaway being, in his conversations, | 08:31:17 |
| 24 | that they were close and that they wanted to have | 08:31:22 |
| 25 | some additional democrat-leaning districts in the | 08:31:25 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

75

1 house and the senate map, and they felt they were 08:31:29
2 close. And, you know -- but the time was -- these 08:31:32
3 are conversations that are happening in the final 08:31:36
4 days, and time was running out. 08:31:39

5 Q. You say they were close. 08:31:40

6 Were you ever told why no agreement was 08:31:42
7 reached? Were you ever told? 08:31:45

8 A. I don't recall a specific conversation like 08:31:47
9 that other than that there weren't enough 08:31:53
10 democrat-leaning districts, I guess. 08:31:59

11 Q. Do you have an understanding of how many 08:32:01
12 democratic-leaning districts were being asked for 08:32:06
13 that were not being provided by the republicans? 08:32:08

14 A. Yeah, I get -- I get caught up on this -- I 08:32:13
15 know it's easy to say, well, the computer spits out 08:32:15
16 a number of 48 or 49 or 51, and so it's that. But I 08:32:22
17 mean, it's -- it is so difficult to categorize a 08:32:27
18 district and who is going to win an outcome of an 08:32:30
19 election over the next ten years based on some 08:32:34
20 number on a computer screen that's focused on the 08:32:37
21 last six years of data. 08:32:41

22 But I remember him saying he thought they 08:32:44
23 were close. They were continuing to talk. A lot of 08:32:46
24 conversations were happening. But I don't recall 08:32:49
25 the specific instances of how close they were. I 08:32:52

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|---|----------|
| 1 | don't recall. | 08:32:57 |
| 2 | Q. Do you recall if they were ten seats apart | 08:32:57 |
| 3 | in the house or five seats apart? Any -- just a | 08:33:02 |
| 4 | ballpark? | 08:33:06 |
| 5 | A. I think it was single digits, but I don't | 08:33:06 |
| 6 | recall the number, sitting here. | 08:33:12 |
| 7 | Q. Okay. And you say everything was an | 08:33:13 |
| 8 | apples-to-apples basis. Understanding there's a | 08:33:16 |
| 9 | question about predicting the future, but apples to | 08:33:19 |
| 10 | apples, people were assessing whether it was | 08:33:21 |
| 11 | democrat or republican-leaning district based upon, | 08:33:24 |
| 12 | like you say, the 2020, 2018, and 2016 data. Is | 08:33:27 |
| 13 | that right? | 08:33:31 |
| 14 | A. That was the assessment, although I always | 08:33:31 |
| 15 | joke that using that methodology, there were seats | 08:33:35 |
| 16 | that would score as republican-leaning districts | 08:33:38 |
| 17 | that democrats occupied, and there were seats that | 08:33:42 |
| 18 | were -- you know, would be called democrat-leaning | 08:33:48 |
| 19 | seats that republicans occupied, and I remember | 08:33:49 |
| 20 | commenting how I thought that was just ironic. | 08:33:52 |
| 21 | Q. Right. Appreciate the irony. It does | 08:33:55 |
| 22 | happen. | 08:33:58 |
| 23 | But the -- in the conversations, the | 08:33:59 |
| 24 | common -- the common data set everyone was looking | 08:34:01 |
| 25 | at was 2016, 2018, and 2018 [sic] elections. That's | 08:34:05 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

77

| | | |
|----|--|----------|
| 1 | right? | 08:34:10 |
| 2 | A. From where I was seeing it, yes. When we | 08:34:10 |
| 3 | were getting maps during the negotiations or where | 08:34:13 |
| 4 | maps were being made available to me from the other | 08:34:15 |
| 5 | negotiations, it seemed that '16, '18, and '20 was | 08:34:18 |
| 6 | the -- the scoring that everybody was using. | 08:34:22 |
| 7 | Q. Okay. Did you ever have any communications | 08:34:27 |
| 8 | with Auditor Faber about the districts maps you were | 08:34:46 |
| 9 | drawing? | 08:34:50 |
| 10 | A. Very limited interaction with Auditor | 08:34:51 |
| 11 | Faber, but some. | 08:34:56 |
| 12 | Q. What do you recall about those? | 08:34:57 |
| 13 | A. Did you say interactions, or did I, | 08:34:59 |
| 14 | Mr. Fram? | 08:35:06 |
| 15 | Q. I asked about interactions. You said | 08:35:07 |
| 16 | limited. So I guessed what they were. | 08:35:10 |
| 17 | A. Yeah. There was one instance where I | 08:35:13 |
| 18 | physically met with the auditor before the map was | 08:35:15 |
| 19 | rolled out on September 9. | 08:35:23 |
| 20 | Q. And do you recall how many days before the | 08:35:26 |
| 21 | September 9 interaction? | 08:35:29 |
| 22 | A. Well, two things. I think it was in early | 08:35:35 |
| 23 | September, somewhere around the 3rd or 4th of | 08:35:38 |
| 24 | September. And it -- it wasn't to preview the maps. | 08:35:40 |
| 25 | It was more of just conversation about some of the | 08:35:47 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | struggles we were having to produce the map, which | 08:35:49 |
| 2 | ultimately was produced on the 9th. | 08:35:53 |
| 3 | Q. Did any questions about election results or | 08:35:55 |
| 4 | apportionment of democrat/republican shares of | 08:36:02 |
| 5 | districts come up in the conversation with Auditor | 08:36:06 |
| 6 | Faber? | 08:36:10 |
| 7 | A. I -- not that I recall. | 08:36:10 |
| 8 | Q. Okay. And so no other -- that was the only | 08:36:13 |
| 9 | interaction you had with Auditor Faber. Is that | 08:36:20 |
| 10 | right? | 08:36:23 |
| 11 | A. That was -- that was the only meeting that | 08:36:23 |
| 12 | I had with him, to my recollection. | 08:36:27 |
| 13 | Q. What about text messages or emails? | 08:36:28 |
| 14 | A. Yeah. I do recall one -- one text message | 08:36:32 |
| 15 | exchange very, very late in the process. Maybe even | 08:36:36 |
| 16 | a couple of days before the September 15th deadline. | 08:36:41 |
| 17 | Q. And what do you recall about that? | 08:36:45 |
| 18 | A. My recollection is that he was just asking | 08:36:46 |
| 19 | for the population of -- the populations of a couple | 08:36:51 |
| 20 | of counties and whether or not a couple of counties | 08:36:56 |
| 21 | in central Ohio could actually be paired together | 08:36:59 |
| 22 | and still meet the constitutional requirements. | 08:37:02 |
| 23 | Q. What about Secretary of State LaRose? Did | 08:37:05 |
| 24 | you ever have any interactions with him? | 08:37:09 |
| 25 | A. Sorry. You crackled for a second -- | 08:37:11 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|---|----------|
| 1 | Q. Secretary of State LaRose. Secretary of | 08:37:13 |
| 2 | State LaRose, did you have any interactions with | 08:37:16 |
| 3 | him? | 08:37:19 |
| 4 | A. Again, there was one meeting that comes to | 08:37:19 |
| 5 | memory that was probably -- I think one meeting -- | 08:37:22 |
| 6 | one meeting, that I can recall, sitting here. | 08:37:29 |
| 7 | Q. When was that? | 08:37:31 |
| 8 | A. September 7th, 8th. Somewhere in there. | 08:37:33 |
| 9 | Q. And what do you recall about what was said | 08:37:40 |
| 10 | in that meeting? | 08:37:43 |
| 11 | A. I -- I remember the secretary encouraging | 08:37:43 |
| 12 | the president and the speaker to find a consensus | 08:37:52 |
| 13 | ten-year map. He had -- he had some questions about | 08:37:57 |
| 14 | some of the constitutional challenges that I was | 08:38:01 |
| 15 | articulating to him that -- some geography issues | 08:38:03 |
| 16 | and the northeast Ohio issue. | 08:38:09 |
| 17 | Q. Okay. So in that meeting, the secretary | 08:38:11 |
| 18 | was there, President Huffman is there, Speaker Cupp | 08:38:13 |
| 19 | is there, you were there. Anybody else in the room? | 08:38:17 |
| 20 | A. Speaker -- just for -- for being as | 08:38:19 |
| 21 | accurate as I can, the speaker came late. He -- I | 08:38:23 |
| 22 | think he had a -- well, I don't know. He had | 08:38:27 |
| 23 | something else that was happening in the house. He | 08:38:29 |
| 24 | showed up at the very end of the meeting. | 08:38:32 |
| 25 | Q. Okay. And so -- and who else was in the | 08:38:37 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

80

| | | |
|----|---|----------|
| 1 | room? | 08:38:39 |
| 2 | A. I remember specifically the president, | 08:38:41 |
| 3 | Secretary LaRose, myself. I -- Speaker Cupp and | 08:38:45 |
| 4 | Blake came, like I said, very late. And there | 08:38:53 |
| 5 | were -- there were two staff for the secretary of | 08:38:58 |
| 6 | state that were present and I -- I can't remember | 08:39:00 |
| 7 | their names right now. | 08:39:03 |
| 8 | Q. Okay. And -- | 08:39:04 |
| 9 | A. That's -- that's everybody I can remember. | 08:39:09 |
| 10 | The chief of staff for the senate, John Barron, was | 08:39:13 |
| 11 | there. | 08:39:17 |
| 12 | Q. Okay. And you say there were some | 08:39:17 |
| 13 | discussion about what it would take to reach an | 08:39:20 |
| 14 | agreement on a ten-year map. Is that right? | 08:39:23 |
| 15 | A. No. I think I said that Secretary LaRose | 08:39:26 |
| 16 | just asked about how are the negotiations going to | 08:39:30 |
| 17 | get to a ten-year map. And I remember the president | 08:39:34 |
| 18 | saying they're ongoing, but, you know, time is -- | 08:39:37 |
| 19 | time is ticking away. And they were still actively | 08:39:41 |
| 20 | negotiating, or having conversations about | 08:39:45 |
| 21 | negotiations. | 08:39:47 |
| 22 | Q. Did they mention any issues in the | 08:39:48 |
| 23 | negotiations? | 08:39:53 |
| 24 | A. Not that I recall, no. Again, at this | 08:39:53 |
| 25 | point, as I had mentioned, Mr. Fram, we had not | 08:39:56 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

81

1 rolled out our map at the commission hearing. And 08:39:59
2 that's -- that's really when I kind of think things 08:40:03
3 really kind of kicked off. 08:40:05
4 But I'm sure there were plenty of 08:40:06
5 conversations happening beforehand, but I wasn't 08:40:08
6 party to them. 08:40:10
7 Q. So, I'm sorry. Was -- this conversation 08:40:11
8 was before September 9 when the first -- when the -- 08:40:13
9 when your map was rolled out. Is that right? 08:40:15
10 A. Yes. 08:40:17
11 Q. Okay. What about Governor DeWine? Did you 08:40:20
12 have any interactions with him during the map 08:40:26
13 drawing process? 08:40:30
14 A. I remember one in-person meeting with the 08:40:30
15 governor and the lieutenant governor. 08:40:33
16 Q. What do you recall about that meeting? 08:40:35
17 A. I -- I remember, again, the conversations I 08:40:37
18 was articulating to them, the challenges that I was 08:40:42
19 seeing in the map and that Blake was seeing in the 08:40:45
20 house map as well and -- you know, house and senate 08:40:50
21 maps, challenges that we were seeing. 08:40:54
22 Talked a lot about northeast Ohio and the 08:40:57
23 constitutional challenges there to come up with 08:41:01
24 districts that would follow all of the provisions of 08:41:05
25 the constitution. 08:41:08

Transcript of Ray DiRossi
Conducted on October 19, 2021

82

1 Recall that the lieutenant governor was a 08:41:09
2 member of the apportionment board in the previous 08:41:13
3 decade when nobody could find a constitutional 08:41:16
4 solution in northeast Ohio. 08:41:20

5 And so I think he was very cognizant of 08:41:22
6 that fact. And when I told him that there were 08:41:26
7 significant challenges again in northeast Ohio, 08:41:28
8 there were a lot of conversations about that. 08:41:31

9 And I recall telling him that we were most 08:41:34
10 likely going to roll out a map that would implement 08:41:37
11 the only solution that I could find and that it 08:41:43
12 would -- it would necessitate pairing a number of 08:41:45
13 republican members together. 08:41:49

14 And I remember him saying, very similar to 08:41:50
15 President Huffman, if that's what we have to do to 08:41:52
16 follow the constitution, then that's what we have to 08:41:54
17 do. 08:41:57

18 Q. Okay. 08:41:57

19 MR. FRAM: I'd like to ask the technician 08:42:03
20 to please pull up tab 12. We can mark it as an 08:42:05
21 exhibit. 08:42:15

22 THE REMOTE TECHNICIAN: Would you like me 08:42:18
23 to mark this as Exhibit 1? 08:42:18

24 MR. FRAM: Please. 08:42:21

25 THE REMOTE TECHNICIAN: Stand by. 08:42:22

Transcript of Ray DiRossi
Conducted on October 19, 2021

83

| | | |
|----|---|----------|
| 1 | (Exhibit 1 was marked for identification.) | 08:42:38 |
| 2 | MR. FRAM: | 08:42:38 |
| 3 | Q. Mr. DiRossi, is that -- can you see | 08:42:40 |
| 4 | Exhibit 1 up on your screen there? | 08:42:42 |
| 5 | A. I see it, yes. | 08:42:44 |
| 6 | Q. Have you ever seen this document before? | 08:42:45 |
| 7 | A. Yes. | 08:42:50 |
| 8 | Q. Okay. Did you have anything to do with | 08:42:50 |
| 9 | creating this document? | 08:42:53 |
| 10 | A. Yes. | 08:42:54 |
| 11 | Q. Okay. Do you recall about when you created | 08:42:55 |
| 12 | it? | 08:42:59 |
| 13 | A. I don't. | 08:43:01 |
| 14 | Q. Was it in August or September or before? | 08:43:03 |
| 15 | A. I -- I don't recall. I think it probably | 08:43:07 |
| 16 | was earlier. Much earlier than that. | 08:43:13 |
| 17 | Q. Okay. So before -- before August, you | 08:43:15 |
| 18 | think? | 08:43:20 |
| 19 | A. I don't recall specifically, but that's -- | 08:43:20 |
| 20 | that sounds about right. | 08:43:26 |
| 21 | Q. Okay. Do you recall if it was, like, back | 08:43:26 |
| 22 | in the spring? | 08:43:29 |
| 23 | A. No. It -- this would have been something | 08:43:33 |
| 24 | that I think I created shortly after the budget was | 08:43:35 |
| 25 | put in place, June 30th. | 08:43:38 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

84

| | | |
|----|--|----------|
| 1 | Q. Okay. So -- | 08:43:39 |
| 2 | A. But I can't -- I can't speak specifically | 08:43:42 |
| 3 | to the date. I -- | 08:43:44 |
| 4 | Q. Okay. Do you recall why you put it | 08:43:46 |
| 5 | together? | 08:43:48 |
| 6 | A. I was just -- as I was turning my attention | 08:43:48 |
| 7 | from the state operating budget to the redistricting | 08:43:56 |
| 8 | effort, I was reading the constitution and I was | 08:43:59 |
| 9 | just trying to, for my own benefit, you know, | 08:44:03 |
| 10 | think -- think through what -- what some of the | 08:44:07 |
| 11 | things in the constitution could -- could look like | 08:44:10 |
| 12 | as numbers. | 08:44:16 |
| 13 | Q. All right. And the thing in the | 08:44:17 |
| 14 | constitution, we're talking, of course, about | 08:44:19 |
| 15 | Article XI. Would this be relevant to Article XI in | 08:44:22 |
| 16 | Section 6(B). Is that right? | 08:44:29 |
| 17 | A. I don't know the specific section. | 08:44:30 |
| 18 | Q. Well, you're looking here at statewide | 08:44:37 |
| 19 | elections over the preceding decade or so. Is that | 08:44:40 |
| 20 | right? | 08:44:49 |
| 21 | A. Yes. | 08:44:49 |
| 22 | Q. Okay. So whatever provision in the Ohio | 08:44:50 |
| 23 | Constitution was talking about statewide elections | 08:44:53 |
| 24 | over the past ten years, that would be the one that | 08:44:55 |
| 25 | you had in mind when you put this together. Is that | 08:44:58 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

85

| | | |
|----|--|----------|
| 1 | right? | 08:45:00 |
| 2 | A. Well, this was just me putting on paper | 08:45:00 |
| 3 | what I -- what I was seeing in the constitution. | 08:45:03 |
| 4 | Q. Right. But I was just saying -- and I'm | 08:45:08 |
| 5 | trying to get to the part of the constitution this | 08:45:09 |
| 6 | relates to. Did it relate to a part of the | 08:45:11 |
| 7 | constitution that talks about statewide elections | 08:45:13 |
| 8 | over the past ten years? | 08:45:16 |
| 9 | A. Yeah. I mean, it -- it -- I just don't | 08:45:17 |
| 10 | know it by 6(B) or whatever you referenced it as. | 08:45:19 |
| 11 | Q. Sure. And I'm not going to hold you to | 08:45:22 |
| 12 | quoting citations. I just want to know which -- | 08:45:26 |
| 13 | which part of the constitution you were talking | 08:45:28 |
| 14 | about. | 08:45:30 |
| 15 | Let me ask you a question here about this. | 08:45:30 |
| 16 | I notice you've got data filled in for | 08:45:34 |
| 17 | statewide elections for 2020 and 2018 and 2014. And | 08:45:37 |
| 18 | you've got one for -- you've got the presidential | 08:45:53 |
| 19 | 2012. | 08:45:58 |
| 20 | But you did not include data -- although | 08:45:59 |
| 21 | you listed it, you did not include data for the 2010 | 08:46:00 |
| 22 | election. Do I have that right? | 08:46:04 |
| 23 | A. Correct. | 08:46:07 |
| 24 | Q. Do you recall why you did or didn't include | 08:46:07 |
| 25 | the data for the 2010 elections? | 08:46:10 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 A. Well, again, this, you know, is data -- you 08:46:12
2 know, these are just election results from the 08:46:15
3 secretary of state's website. These are just the 08:46:20
4 election results from those particular elections. 08:46:23
5 Q. Right. And you want -- so what you did to 08:46:26
6 create this is you went to the secretary of state 08:46:29
7 website and you filled in the data. Is that right? 08:46:33
8 A. I filled in the election results, yes. 08:46:34
9 Q. Right. Election results. 08:46:36
10 But you did not fill them in for 2010. Is 08:46:38
11 that right? 08:46:42
12 A. It appears not. 08:46:42
13 Q. Do you recall why not? 08:46:43
14 A. I -- I don't recall if I got called away to 08:46:44
15 some other duty or if -- I don't -- I don't recall 08:46:50
16 why. 08:46:52
17 Q. Okay. Did anybody ever tell you which 08:46:52
18 elections you should or should not include in your 08:46:56
19 analysis? 08:46:58
20 A. No. 08:46:59
21 Q. Okay. Did you ever share this document, 08:47:00
22 Exhibit 1, with anybody? 08:47:04
23 A. What do you mean by "share"? 08:47:05
24 Q. Did you ever send a copy to somebody? 08:47:12
25 A. I produced this document, under public 08:47:16

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | records request, numerous times. And I also shared | 08:47:22 |
| 2 | it with my attorneys in response to the subpoena for | 08:47:25 |
| 3 | documents. | 08:47:30 |
| 4 | Q. Did you ever give it to any -- did you ever | 08:47:30 |
| 5 | share this document with President Huffman? | 08:47:33 |
| 6 | A. Not that I recall. | 08:47:37 |
| 7 | Q. Did you ever share it with Blake | 08:47:39 |
| 8 | Springhetti? | 08:47:48 |
| 9 | A. Blake Springhetti? | 08:47:49 |
| 10 | Q. Springhetti. I apologize. Springhetti. | 08:47:51 |
| 11 | A. I don't recall if I did or not. | 08:47:53 |
| 12 | Q. Did you ever provide it to any member of | 08:47:56 |
| 13 | the redistricting commission? | 08:47:58 |
| 14 | A. Sorry. I couldn't -- I couldn't -- you | 08:47:58 |
| 15 | broke up. | 08:48:01 |
| 16 | Q. Did you ever provide it to any member of | 08:48:01 |
| 17 | the redistricting commission? | 08:48:04 |
| 18 | A. Not that I can recall. I don't think so. | 08:48:05 |
| 19 | Q. Okay. Did you ever -- other than providing | 08:48:08 |
| 20 | it to your counsel in response to public records | 08:48:14 |
| 21 | requests, did you ever provide a copy of this | 08:48:17 |
| 22 | document to anyone else? | 08:48:21 |
| 23 | A. Not that I can recall sitting here, no. | 08:48:25 |
| 24 | Q. Okay. Did you ever use this document for | 08:48:29 |
| 25 | any purpose, in terms of creating any other | 08:48:32 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

88

1 document? 08:48:36

2 A. Yeah. This -- so maybe a little 08:48:37

3 explanation. This -- this is a document that I 08:48:40

4 think I created shortly after the budget, as I was 08:48:42

5 starting to look forward, even before census data 08:48:46

6 had been received. 08:48:49

7 Once we got into the process, the value of 08:48:52

8 this document to me was -- was really nothing 08:48:55

9 because this -- this section of the constitution was 08:49:00

10 something that I was not involved in determining, 08:49:02

11 interpreting or doing anything like that with. So 08:49:08

12 this document, while I still had it, was -- was not 08:49:13

13 really of use to me in the process. 08:49:14

14 Q. All right. By the way, the numbers at the 08:49:17

15 bottom of the document in yellow, those are just the 08:49:20

16 averages. Is that right? From all the statewide 08:49:22

17 elections to where it says, "Total votes" at the 08:49:26

18 bottom. Is that right? 08:49:29

19 A. Yeah. There are -- and I think I produced 08:49:30

20 two copies of this document. One that has two -- 08:49:36

21 two highlights at the bottom. 08:49:41

22 So I -- I don't know if you're specifically 08:49:42

23 choosing this one or -- or the other one is -- 08:49:45

24 (Simultaneous colloquy.) 08:49:52

25 Q. You've got one row -- and I'm looking at 08:49:52

Transcript of Ray DiRossi
Conducted on October 19, 2021

89

1 the stuff in the yellow. One number is raw numbers 08:49:55
2 and the other is percentages. Is that right? 08:49:58
3 A. One row -- 08:50:01
4 Q. It says, "Total Votes," very bottom. 08:50:02
5 A. Oh, yeah. Okay. 08:50:05
6 Q. Do you see that? 08:50:08
7 A. Hold on one second. 08:50:10
8 (Brief pause.) 08:50:18
9 A. Do I have the -- do I have the ability to 08:50:18
10 zoom in on this at all? 08:50:19
11 Q. Do you have trouble seeing it? You can 08:50:21
12 make it bigger there. 08:50:22
13 A. Thank you. 08:50:22
14 Q. There you go. 08:50:23
15 A. I appreciate that. 08:50:24
16 Okay. Go ahead. I'm sorry. 08:50:27
17 Q. So you've got one row is total votes. 08:50:27
18 Do you see that row? 08:50:31
19 A. I do see that row. 08:50:31
20 Q. And that just totals up all the elections 08:50:33
21 you have data for above. Is that right? 08:50:37
22 A. It should, yes. 08:50:40
23 Q. And the percentage are under that. Okay. 08:50:41
24 And you calculated those percentage using 08:50:44
25 Excel or a calculator or something? 08:50:46

Transcript of Ray DiRossi
Conducted on October 19, 2021

90

1 A. You know, this looks like a Word document, 08:50:49
2 not an Excel sheet, so I probably would have done 08:50:52
3 those on a separate calculator. So hopefully, 08:50:55
4 they're accurate. 08:50:58
5 Q. Okay. So you calculated that the 08:50:58
6 democratic percentages for those elections was 08:51:01
7 45.9 percent. Is that right? 08:51:07
8 A. 45.9? 08:51:08
9 Q. That's correct. 08:51:14
10 A. Did you say -- oh, 45.9. I thought you 08:51:16
11 said 54.92. Sorry. 08:51:19
12 Q. 45 -- 08:51:21
13 A. I see that number. 08:51:22
14 Q. 45.9. That's right? 08:51:23
15 A. That's the number on the page, yes. 08:51:25
16 Q. And republicans 54.1. Is that right? 08:51:28
17 A. I see that as well. 08:51:32
18 Q. And you calculated those percentages? 08:51:33
19 A. Yes, I would have done that 08:51:35
20 hand-calculation if this is not a spreadsheet. 08:51:40
21 Q. Okay. Okay. All right. Well, thank you 08:51:43
22 for that. 08:51:48
23 Do you have -- so did you ever update this 08:51:53
24 spreadsheet after you first calculated it, or you 08:51:55
25 just did it once and that was it? 08:51:58

Transcript of Ray DiRossi
Conducted on October 19, 2021

91

| | | | |
|----|----|--|----------|
| 1 | A. | I think at some point in the second one -- | 08:52:00 |
| 2 | | sorry. I keep trying to scroll it. | 08:52:04 |
| 3 | | Can you scroll up to the top of the | 08:52:06 |
| 4 | | document, whoever is in control of documents? Thank | 08:52:09 |
| 5 | | you, to whoever that is. | 08:52:12 |
| 6 | | Yeah, there's a second version of this that | 08:52:15 |
| 7 | | I'm pretty sure was produced. | 08:52:17 |
| 8 | Q. | Do you recall when that was? | 08:52:19 |
| 9 | A. | It was produced a couple weeks ago. | 08:52:21 |
| 10 | Q. | Do you recall when you created the second | 08:52:27 |
| 11 | | version? | 08:52:29 |
| 12 | A. | Oh, sorry. I do not. No. The second | 08:52:32 |
| 13 | | version is just highlighting the second column in | 08:52:37 |
| 14 | | green and yellow, as the first column is. So it | 08:52:40 |
| 15 | | probably was done shortly thereafter the first one. | 08:52:45 |
| 16 | Q. | Did you share the second document with | 08:52:48 |
| 17 | | anybody? | 08:52:50 |
| 18 | A. | No, not to my recollection. | 08:52:51 |
| 19 | Q. | Okay. Do you recall why you created the | 08:52:55 |
| 20 | | second document? | 08:52:57 |
| 21 | A. | I'm sorry. You were crackly. | 08:52:59 |
| 22 | Q. | Did you recall why you created the second | 08:53:01 |
| 23 | | document? | 08:53:05 |
| 24 | A. | Well, the second -- the second document is | 08:53:05 |
| 25 | | the first document, just with shadings of additional | 08:53:12 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 cells or -- or columns and rows. 08:53:15

2 Q. But the -- the numbers didn't change. Is 08:53:17

3 that right? 08:53:20

4 A. I don't believe so, no. 08:53:20

5 Q. Okay. 08:53:23

6 A. I did it because I was bored after the 08:53:26

7 budget because we had no census data and there was 08:53:28

8 nothing to do to get ready. And so I was just kind 08:53:31

9 of trying to preoccupy my time. 08:53:36

10 Q. Okay. Now, if I've got it right, you've 08:53:38

11 got 16 elections for which you provided data. Is 08:53:42

12 that right? You can count them up if you want. 08:53:48

13 A. Again, you keep saying "data." It's just 08:53:51

14 the election results from the races. 08:53:53

15 Q. Fair. Let me restate the question. 08:53:56

16 You had 16 elections for which you provide 08:53:58

17 election results. Is that right? 08:54:01

18 A. It appears to be, yes, 16. 08:54:02

19 Q. If I'm reading this right, you've got the 08:54:04

20 democrats won three of them. Is that right? 08:54:08

21 A. That's what it shows. 08:54:11

22 Q. And the republicans won 13 of them. Is 08:54:12

23 that right? 08:54:15

24 A. Yes. 08:54:15

25 Q. And the percentage, therefore, the 08:54:16

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 republicans won was 81 percent of the elections, if 08:54:19
2 you just add up winners and losers of the elections. 08:54:26
3 Is that right? 08:54:29
4 A. That's 3/16ths, yes. 08:54:30
5 Q. Did you create -- other than this document 08:54:33
6 and the subsequent version with the shading, did you 08:54:51
7 create any other spreadsheets, Word documents, 08:54:53
8 tables adding up the democrat and republican results 08:54:58
9 in statewide election over the past ten years? 08:55:03
10 A. Not that I recall. 08:55:05
11 MR. FRAM: Phil, we've been going a couple 08:55:24
12 of hours now. We can -- I forget how you all -- are 08:55:26
13 doing breaks or not, if you're charging the breaks 08:55:31
14 against the time, what is the overall time for the 08:55:33
15 day, if I recall correctly, just not the time limits 08:55:36
16 that are -- 08:55:37
17 Do you want to take a break now? Is it an 08:55:37
18 okay time to do it? Or do you want to not take it? 08:55:40
19 It's up to the witness and up to you all. 08:55:43
20 MR. STRACH: I don't think we want to take 08:55:46
21 a lunch break until closer to 1:00 or so. And if 08:55:50
22 you want to take a short five-minute break now, 08:55:55
23 that's fine. But, you know, with the understanding 08:55:58
24 being that, you know, we stop today at 5:30. 08:56:01
25 MR. FRAM: Right. That's fine. 08:56:04

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | Why don't we take a five-minute now. It | 08:56:06 |
| 2 | might -- I don't know if that edges us a little bit | 08:56:11 |
| 3 | past 1:00. It's already noon, I guess, your time. | 08:56:14 |
| 4 | MR. STRACH: Right. | 08:56:17 |
| 5 | MR. FRAM: If you've got a hard stop at | 08:56:18 |
| 6 | 1:00, I guess that would be worth knowing. If | 08:56:20 |
| 7 | there's any flexibility on that, if we take a little | 08:56:23 |
| 8 | break now and then do a little lunch break. I think | 08:56:26 |
| 9 | you said, what, 30 minutes on lunch? | 08:56:34 |
| 10 | MR. STRACH: We're flexible on the 1:00 | 08:56:34 |
| 11 | o'clock. It doesn't have to be right at 1:00. | 08:56:36 |
| 12 | MR. FRAM: I appreciate that. | 08:56:37 |
| 13 | Let's take a five-minute now and then come | 08:56:38 |
| 14 | on back. | 08:56:42 |
| 15 | THE VIDEOGRAPHER: Please stand by. | 08:56:44 |
| 16 | The time is 8:56 a.m. We're going off the | 08:56:46 |
| 17 | record. | 08:56:50 |
| 18 | (Break taken.) | 09:12:57 |
| 19 | THE VIDEOGRAPHER: The time is now | 09:16:37 |
| 20 | 9:16 a.m. We are now back on the record. | 09:16:39 |
| 21 | MR. FRAM: | 09:16:41 |
| 22 | Q. Why don't we put up on the screen tab 16, | 09:16:44 |
| 23 | the commission 8(C)(2) statement. | 09:16:55 |
| 24 | THE REMOTE TECHNICIAN: Stand by. | 09:17:01 |
| 25 | (Brief pause.) | 09:17:37 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | MR. FRAM: | 09:17:37 |
| 2 | Q. Mr. DiRossi, can you see that document -- | 09:17:39 |
| 3 | MR. FRAM: I guess we'll mark that as | 09:17:41 |
| 4 | Exhibit 2. | 09:17:43 |
| 5 | (Exhibit 2 was marked for identification.) | |
| 6 | THE WITNESS: Yes. | 09:17:49 |
| 7 | MR. FRAM: | 09:17:49 |
| 8 | Q. Have you ever seen it before? | 09:17:49 |
| 9 | A. Is it just this one page, or is it -- | 09:17:53 |
| 10 | Q. Let's go all the way down to the bottom. I | 09:18:01 |
| 11 | think it may go right over the top of the second | 09:18:04 |
| 12 | page -- | 09:18:07 |
| 13 | A. Okay. Thank you. | 09:18:07 |
| 14 | Q. -- is what I printed out. | 09:18:09 |
| 15 | A. Okay. Thank you. Yes. | 09:18:13 |
| 16 | Q. So you have seen it before. | 09:18:14 |
| 17 | Do you recall when you first saw this | 09:18:17 |
| 18 | document? | 09:18:21 |
| 19 | A. Probably September 17th after the vote. | 09:18:22 |
| 20 | Q. After the vote. | 09:18:30 |
| 21 | You didn't see it before the vote? | 09:18:31 |
| 22 | A. I don't believe I ever saw it before the | 09:18:32 |
| 23 | vote. | 09:18:34 |
| 24 | Q. Did you ever have discussions about the | 09:18:35 |
| 25 | document before the vote? | 09:18:40 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 A. The only discussion I remember about this 09:18:46
2 was that it was not something that I was -- needed 09:18:48
3 to worry about. It wasn't my job to do it. And it 09:18:50
4 was being done by the commission. 09:18:56

5 Q. And do you recall who you had a 09:18:57
6 conversation with? 09:19:00

7 A. I don't recall how that was -- I don't 09:19:01
8 recall the specific of who said that. I just 09:19:05
9 remember asking if something needed to be done and 09:19:07
10 was told that the commission was taking care of it. 09:19:11

11 Q. Okay. Do you recall providing -- were you 09:19:13
12 asked to provide any figures that could be used for 09:19:18
13 this document? 09:19:25

14 A. I do not recall that, no. 09:19:26

15 Q. Do you recall ever being asked to provide 09:19:27
16 for a calculation of the percentage of statewide 09:19:31
17 elections won by republicans? 09:19:35

18 A. I don't, no. 09:19:37

19 Q. Okay. Do you recall -- looking at the 09:19:40
20 document, you'll see there's a reference to 09:19:45
21 republican candidates having a statewide share of 09:19:49
22 54 percent. 09:19:57

23 Do you see that? 09:19:57

24 A. Is that at the -- are you referring to the 09:20:00
25 bottom of what's on the screen, the very bottom 09:20:02

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | line? | 09:20:06 |
| 2 | Q. That's right. | 09:20:06 |
| 3 | A. I see it in the document. | 09:20:08 |
| 4 | Q. Right. Do you recall -- we just saw back | 09:20:10 |
| 5 | on Exhibit 1, you had a calculation of that -- of | 09:20:14 |
| 6 | the voters favoring statewide republican candidates. | 09:20:22 |
| 7 | Do you recall that? | 09:20:27 |
| 8 | A. I do. | 09:20:27 |
| 9 | Q. And why don't you take a look at Exhibit 1, | 09:20:27 |
| 10 | if you'd like, to see the percentage. That was the | 09:20:34 |
| 11 | one shaded in yellow, I believe, that you had it at | 09:20:36 |
| 12 | 50 -- I think it was 54.1 percent. | 09:20:38 |
| 13 | Do you recall that? | 09:20:42 |
| 14 | A. I don't recall the numbers from the first | 09:20:42 |
| 15 | exhibit specifically. | 09:20:46 |
| 16 | MR. FRAM: Why don't we take a look at it, | 09:20:48 |
| 17 | Exhibit 1, please. Go down to the bottom to the | 09:20:51 |
| 18 | yellow shaded material. | 09:20:56 |
| 19 | Q. Do you see there, 54.1 percent? | 09:20:58 |
| 20 | A. I see that, but again, recall there's a | 09:21:01 |
| 21 | second document of this where the shaded are 54.92 | 09:21:05 |
| 22 | and 45.08. | 09:21:10 |
| 23 | Q. Okay. So you have two different | 09:21:13 |
| 24 | calculations, one at 54 -- one about 54 and one | 09:21:16 |
| 25 | about 55 percent. Is that right? | 09:21:20 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 A. Correct. 09:21:22

2 Q. Okay. And do you recall why you had a 09:21:23

3 difference in the two calculations? 09:21:31

4 A. Why is there a difference? Is that the 09:21:33

5 question? 09:21:35

6 Q. You said it differently. One was about 09:21:35

7 54.1, and the other one was about 54.9. 09:21:38

8 Do you recall how -- what drove the 09:21:43

9 difference? 09:21:44

10 A. Math. 09:21:45

11 Q. Was there -- 09:21:47

12 A. Yeah. One is a percentage of votes, and 09:21:48

13 the other is a percentage of percentages. 09:21:51

14 Q. Percentage of percentages. 09:21:53

15 So -- but the percentage of vote was 09:21:57

16 54.1 percent. Is that right? 09:22:00

17 A. The first column is 54.1. 45.9 was my 09:22:02

18 hand-calculation, I believe, yes. 09:22:11

19 Q. Okay. So just looking at that column for a 09:22:13

20 minute, comparing that -- 09:22:19

21 MR. FRAM: We can go back to Exhibit 2. 09:22:20

22 Okay. So we've got there -- pick up Exhibit 2, 09:22:22

23 please. Put it on the screen. 09:22:29

24 Q. Now, you see there is statewide republican 09:22:31

25 candidates proportion of the voters is 54 percent. 09:22:35

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 Do you see that there? 09:22:41

2 A. I see that, the last line of the screen, 09:22:42

3 yes. 09:22:45

4 Q. Do you know who made that calculation, if 09:22:45

5 it wasn't you? 09:22:48

6 A. I don't. 09:22:49

7 Q. And so -- and you never -- did you ever 09:22:50

8 provide your 54 percent calculation to anybody, in 09:22:57

9 conversation or otherwise? 09:23:02

10 A. Not that I recall. 09:23:03

11 Q. Okay. 09:23:04

12 (Brief pause.)

13 MR. FRAM: Going down a little further in 09:23:19

14 the document if you could, please, Exhibit 1. I'm 09:23:21

15 sorry. Exhibit 2. I apologize. Exhibit 2. 09:23:30

16 Further down. 09:23:32

17 Q. The -- you see where it says that the 09:23:46

18 commission adopt -- "the commission adopted the 09:23:49

19 final general assembly district plan, which contains

20 85 districts (64.4 percent) favoring republican 09:23:56

21 candidates." 09:24:02

22 Do you see that? 09:24:03

23 A. Sorry. Can you say what numbers you were 09:24:14

24 speaking about again. 85 -- 09:24:16

25 Q. It says -- yeah. It says, "the commission 09:24:19

Transcript of Ray DiRossi
Conducted on October 19, 2021

100

1 adopted the final general assembly district plan, 09:24:23
2 which contains 85 districts (64.4 percent) favoring 09:24:27
3 republican candidates and 47 districts (35.6 09:24:34
4 percent) favoring democratic candidates out of a 09:24:39
5 total of 132 districts." 09:24:43
6 Do you see that? 09:24:46
7 A. I'm sorry. Did you say, do I see that? 09:24:47
8 Q. My question is simply, do you see it? 09:24:54
9 A. Yes. I'm sorry. You cut out for a very 09:24:58
10 quick second. 09:25:01
11 Q. No problem. You do see it. Okay. 09:25:02
12 A. I do see it. 09:25:04
13 Q. My question is, did you ever provide 09:25:05
14 that -- did you ever do a calculation of the 09:25:06
15 percentage of districts favoring republican 09:25:09
16 candidates in the final plan? 09:25:14
17 A. Probably as the negotiations were going 09:25:16
18 back and forth, there was some calculations like 09:25:22
19 that. 09:25:26
20 Q. Did you ever communicate your calculations 09:25:26
21 to anyone? 09:25:31
22 A. I don't recall specifically, but if I did, 09:25:31
23 it would have been to Senator Huffman. 09:25:37
24 Q. Okay. And did you ever communicate to 09:25:39
25 Senator Huffman the percentage of the -- let me back 09:25:46

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | up. Let me rephrase. | 09:25:54 |
| 2 | Did you ever communicate to Senator Huffman | 09:25:55 |
| 3 | the proportion of voters favoring statewide | 09:25:57 |
| 4 | republican candidates over the previous ten years? | 09:26:01 |
| 5 | A. During the negotiations that he was engaged | 09:26:04 |
| 6 | in, I'm sure there were a lot of information that | 09:26:11 |
| 7 | were -- was shared. I don't recall a specific | 09:26:14 |
| 8 | instance where that was asked, though. | 09:26:18 |
| 9 | Q. Whether it was asked or not, do you recall | 09:26:20 |
| 10 | ever providing that information? | 09:26:23 |
| 11 | A. Well, if it was asked, I would have | 09:26:23 |
| 12 | provided it, but I don't recall the asking or the | 09:26:28 |
| 13 | providing of it. | 09:26:31 |
| 14 | Q. Okay. So you had -- you had calculated the | 09:26:32 |
| 15 | republican percentage of elections that were won and | 09:26:38 |
| 16 | 81 percent previously in Exhibit 1. Isn't that | 09:26:44 |
| 17 | right? | 09:26:48 |
| 18 | A. Well, I mean, the previous -- can you say | 09:26:48 |
| 19 | that again. Did you say 81 percent -- | 09:26:58 |
| 20 | (Simultaneous colloquy.) | 09:27:00 |
| 21 | Q. You had calculated that 13 out of 16 | 09:27:00 |
| 22 | elections were won by republicans. Is that right? | 09:27:03 |
| 23 | A. Well, I listed 16 races, and I noted that | 09:27:06 |
| 24 | 13 had been won by republicans to help, you know, do | 09:27:10 |
| 25 | the calculations. | 09:27:14 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

102

1 Q. And you would agree with me that 13 of 16 09:27:15
2 is 81 percent. Is that right? 09:27:17
3 A. That's what the math says, yes. 09:27:19
4 Q. And did you ever convey to anybody that 09:27:21
5 fact that the republicans had won 13 out of 16 09:27:25
6 elections or 81 percent in the last ten-year 09:27:30
7 statewide elections? 09:27:33
8 A. I remember -- no. I remember hearing that 09:27:35
9 from President Huffman, I think, at the hearing -- 09:27:37
10 one of the hearings I was watching. 09:27:41
11 Q. Okay. Did you ever hear about that number 09:27:43
12 from anybody else other than President Huffman? 09:27:47
13 A. Yeah. I -- I don't recall a specific 09:27:50
14 conversation of that. Again, this whole area, even 09:27:56
15 though I put that document together after the 09:28:01
16 budget, was something that was not in my purview and 09:28:03
17 not in my to-do area. And so I did not focus on 09:28:06
18 that a lot, this -- this document. I'm not even 09:28:11
19 sure I produced this document. 09:28:16
20 Q. Okay. And did you ever talk to anybody 09:28:18
21 about the republican statewide vote share being 09:28:24
22 54 percent of the elections over the past ten years? 09:28:28
23 A. 54 -- I -- I do recall some conversations 09:28:40
24 about the information that we received -- not to 09:28:48
25 backtrack and rehash, but the information that we 09:28:53

Transcript of Ray DiRossi
Conducted on October 19, 2021

103

1 received, the geography that the senate democratic 09:28:57
2 caucus provided. I remember the '16, '18, and '20 09:29:03
3 calculation, talking about what that would look 09:29:09
4 like -- look like on a statewide basis. But I can't 09:29:11
5 recall if it's 54 or some variation of that. 09:29:13
6 Q. You see in the next sentence, it says, "The 09:29:19
7 commission obtained publicly available geographic 09:29:24
8 data for statewide partisan elections in 2016, 2018, 09:29:27
9 and 2020." 09:29:31
10 Do you see that? 09:29:34
11 A. I do see that, yeah. 09:29:35
12 Q. Do you recall talking to anybody about how 09:29:37
13 the publicly available geographic data for statewide 09:29:40
14 partisan elections was limited to the election of 09:29:49
15 2016, 2018, and 2020? 09:29:53
16 A. I remember conversations -- being told that 09:29:56
17 the conversations with the senate democrats were 09:30:03
18 fruitful and that there was going to be some type of 09:30:07
19 geographic data that was going to be provided for 09:30:10
20 '16 and '18, because I think we already had '20. I 09:30:14
21 do -- I do recall that. 09:30:23
22 Q. And who told you that? 09:30:24
23 A. I think that was the chief of staff of the 09:30:25
24 senate who had -- who had mentioned that in passing 09:30:28
25 when I asked about how it was going. 09:30:30

Transcript of Ray DiRossi
Conducted on October 19, 2021

104

| | | | |
|----|----|---|----------|
| 1 | Q. | To determine -- let me ask you the next | 09:30:33 |
| 2 | | question, another sentence. | 09:30:47 |
| 3 | | It says -- looking at that sentence, it | 09:30:48 |
| 4 | | says, "the commission adopted the final general | 09:30:51 |
| 5 | | assembly district plan, which contains 85 districts | 09:30:54 |
| 6 | | (64.4 percent) favoring republican candidates." | 09:30:59 |
| 7 | | Do you see that? | 09:31:06 |
| 8 | A. | No, I don't. Where -- I'm looking. Where | 09:31:07 |
| 9 | | -- | 09:31:10 |
| 10 | Q. | "The commission adopted the final general | 09:31:11 |
| 11 | | assembly district plan..." | 09:31:15 |
| 12 | A. | Yeah. Please -- yeah. Okay. Now I see | 09:31:17 |
| 13 | | it. Thank you for paginating. Yes. | 09:31:21 |
| 14 | Q. | Okay. There you got it. | 09:31:24 |
| 15 | | Now, my question is, did you ever | 09:31:25 |
| 16 | | communicate to anybody that the final plan adopted | 09:31:29 |
| 17 | | by the commission had 85 districts, 64.4 percent, | 09:31:35 |
| 18 | | favoring republicans? | 09:31:45 |
| 19 | A. | I don't -- I don't recall that specific | 09:31:47 |
| 20 | | conversation, but it's possible. It would -- it | 09:31:57 |
| 21 | | would have needed to originate from, I assume, a | 09:32:00 |
| 22 | | computer. | 09:32:03 |
| 23 | Q. | Right. It would have been information you | 09:32:03 |
| 24 | | would have had on Maptitude. Isn't that right? | 09:32:05 |
| 25 | A. | Possibly. I don't recall that specific | 09:32:08 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|---|----------|
| 1 | conversation happening. But -- | 09:32:11 |
| 2 | Q. Right. But putting aside a conversation | 09:32:13 |
| 3 | happening, you would have had that information on | 09:32:15 |
| 4 | Maptitude. Is that right? | 09:32:17 |
| 5 | A. Let me -- let me read it and make sure. | 09:32:18 |
| 6 | Yeah, using the '16 and '18 and '20 | 09:32:38 |
| 7 | geography and the '16 and '18 and '20 results, yes, | 09:32:41 |
| 8 | that would have been available on the computer. | 09:32:45 |
| 9 | Q. Right. So in other words, you had the | 09:32:47 |
| 10 | information for each district, whether it favored | 09:32:48 |
| 11 | republicans or democrats, on your computer, right? | 09:32:51 |
| 12 | A. Well, with the caveats of, you know, what | 09:32:54 |
| 13 | variations of a number actually favor a candidate, | 09:32:58 |
| 14 | yeah. There was -- what numbers were | 09:33:01 |
| 15 | republican-leaning and which were democrat-leaning, | 09:33:04 |
| 16 | yes. | 09:33:07 |
| 17 | Q. Right. And so to come up with an overall | 09:33:07 |
| 18 | map solution, you would take -- you would put all | 09:33:11 |
| 19 | the district, and then you'd add them up, right? | 09:33:14 |
| 20 | A. Yes. | 09:33:19 |
| 21 | Q. And you had that information on Maptitude, | 09:33:20 |
| 22 | and Blake had that information on Maptitude, right? | 09:33:27 |
| 23 | A. Yes. | 09:33:31 |
| 24 | Q. Did anybody else have that information, to | 09:33:34 |
| 25 | your knowledge? | 09:33:39 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

106

1 A. Well, I can't speak for everybody else. 09:33:39
2 But whoever had the final map, the block assignment 09:33:44
3 file, and whoever had this publicly available data 09:33:46
4 could have recreated it. 09:33:50
5 Q. Right. But in terms of people who actually 09:33:51
6 had it from Maptitude, it would be you and Blake. 09:33:55
7 Is that right? 09:33:58
8 A. Well, I mean, anybody who had Maptitude and 09:33:58
9 had the current data and had the publicly available 09:34:04
10 geography and the block assignment files of the 09:34:08
11 adopted map would have had this. 09:34:11
12 Q. Okay. Now, in terms of who had Maptitude, 09:34:12
13 you had two -- I believe you got two licenses from 09:34:15
14 Maptitude. Isn't that right? 09:34:18
15 A. That is true. 09:34:19
16 Q. And you used one of them. Is that right? 09:34:20
17 A. Correct. 09:34:24
18 Q. And who used the second one? 09:34:25
19 A. Blake did. 09:34:28
20 Q. Okay. So it's just the two -- as far as 09:34:29
21 you know, two people have licenses from Maptitude. 09:34:31
22 Isn't that right? 09:34:34
23 A. Between Blake and I, I'm aware of two 09:34:35
24 people that have licenses from Maptitude, but I know 09:34:40
25 the Senate democrats, I think, were using Maptitude, 09:34:43

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | and plenty of other people were probably using | 09:34:47 |
| 2 | Maptitude. | 09:34:49 |
| 3 | Q. Right. But on the republican side, people | 09:34:49 |
| 4 | involved in drawing the maps was just you and Mr. -- | 09:34:53 |
| 5 | and Blake. Isn't that right? | 09:34:55 |
| 6 | A. His name is Blake, yes. | 09:34:56 |
| 7 | Q. Okay. All right. But you do -- do you | 09:34:59 |
| 8 | have any recollection of providing the | 09:35:05 |
| 9 | 64.4 percent -- | 09:35:08 |
| 10 | (Reporter clarification.) | 09:35:21 |
| 11 | Q. Did you provide a 64.4 percent calculation | 09:35:21 |
| 12 | of the districts favoring republicans -- did you | 09:35:25 |
| 13 | provide that to anyone at any time? | 09:35:29 |
| 14 | A. I don't recall that specific conversation. | 09:35:33 |
| 15 | I don't recall that. | 09:35:38 |
| 16 | Q. Do you recall providing any calculation of | 09:35:39 |
| 17 | the total number of districts favoring republicans | 09:35:43 |
| 18 | to anyone at any time? | 09:35:46 |
| 19 | A. Yeah, I think -- as I said before, during | 09:35:48 |
| 20 | the negotiations, I think that was something that | 09:35:53 |
| 21 | the democrat members were asking for more districts | 09:35:59 |
| 22 | to be more democrat leaning. And so I'm sure I was | 09:36:03 |
| 23 | asked where the maps and the proposals were from | 09:36:09 |
| 24 | them and us. | 09:36:14 |
| 25 | Q. And who would have asked you? | 09:36:14 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

108

1 A. Well, my -- my principal contact was 09:36:16
2 President Huffman. 09:36:19

3 Q. Okay. And did you provide 09:36:20
4 President Huffman with the calculation of the total 09:36:23
5 number of districts favoring republicans in the map? 09:36:28

6 A. During the negotiations, it would seem very 09:36:32
7 likely. On the final one, I can't recall that 09:36:35
8 specific conversation. 09:36:39

9 Q. You said -- in terms of other elections, 09:36:39
10 2012 and 2014, I believe you said the data came from 09:37:12
11 Mr. Benson. Is that right? 09:37:16

12 A. Well, again, the election results were 09:37:18
13 available either through the CURD or through the 09:37:23
14 secretary of state's office. The geography is what 09:37:27
15 was very sought after, and that was the point of a 09:37:34
16 lot of focus. And then marrying the two in a way 09:37:38
17 that could be used in Maptitude. 09:37:43

18 Q. And that information -- the geography and 09:37:46
19 then marrying the geography election results for -- 09:37:49
20 (Internet connection interrupted.)

21 THE WITNESS: You're a little crackly, but 09:38:03
22 I -- I -- can you just repeat that instead of me 09:38:07
23 guessing what you said? I'm sorry.

24 MR. FRAM: Let me try it again. Hold on a 09:38:10
25 second. Let me try something. No. I think that's 09:38:11

Transcript of Ray DiRossi
Conducted on October 19, 2021

109

| | | |
|----|--|----------|
| 1 | right. | 09:38:26 |
| 2 | Q. The -- so Mr. Benson provided you with | 09:38:26 |
| 3 | information that would marry the geography with the | 09:38:28 |
| 4 | election results. Is that right? | 09:38:32 |
| 5 | A. Once the geography was provided from Dave's | 09:38:37 |
| 6 | Redistricting to the Senate democrats to the | 09:38:42 |
| 7 | republican chiefs of staff, that was then given, I | 09:38:46 |
| 8 | assume, to our data consultant so that he could then | 09:38:51 |
| 9 | marry that with the other publicly available | 09:38:55 |
| 10 | election results. | 09:39:01 |
| 11 | So if I just restated what you asked, | 09:39:02 |
| 12 | apologies, but that's -- | 09:39:04 |
| 13 | Q. That -- that was helpful. | 09:39:05 |
| 14 | And then he provided that back to you, that | 09:39:06 |
| 15 | combination of the information? | 09:39:09 |
| 16 | A. Yes, that's how I -- that's how I would | 09:39:11 |
| 17 | have got it. | 09:39:18 |
| 18 | Q. Okay. Who suggested to you to work with | 09:39:21 |
| 19 | Mr. Benson? | 09:39:23 |
| 20 | MR. STRACH: Objection. Compound. | 09:39:25 |
| 21 | Rob, that would be privileged. I'm going | 09:39:28 |
| 22 | to ask him not to answer that. | 09:39:30 |
| 23 | MR. FRAM: Okay. | 09:39:33 |
| 24 | Q. Do you recall when you started | 09:39:34 |
| 25 | communicating with Mr. Benson? | 09:39:35 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

110

| | | |
|----|--|----------|
| 1 | A. I -- I don't recall. I mean, I don't | 09:39:37 |
| 2 | recall when I started. | 09:39:46 |
| 3 | Q. Would it have been in August? | 09:39:48 |
| 4 | A. It very well could have been because that's | 09:39:54 |
| 5 | when the census data finally arrived, in mid-August. | 09:39:56 |
| 6 | Q. Okay. I noticed when you calculated the -- | 09:40:00 |
| 7 | when you calculated the statewide election results, | 09:40:29 |
| 8 | you included 2012 and 2014. But that -- as you say, | 09:40:35 |
| 9 | you didn't have the common data set with everybody | 09:40:41 |
| 10 | for the individual districts except for 2016, '18, | 09:40:47 |
| 11 | and '20, if I've got that right. Is that right? | 09:40:51 |
| 12 | A. Close. Somewhat. | 09:40:54 |
| 13 | Q. Please clarify. | 09:40:59 |
| 14 | A. Well, it has nothing to do with the | 09:41:01 |
| 15 | districts that were being drawn by anybody in the | 09:41:04 |
| 16 | state of Ohio, the redistricting commission or | 09:41:06 |
| 17 | anybody else. It had to do with the geography and | 09:41:10 |
| 18 | the election results and the geography that existed | 09:41:14 |
| 19 | at the time those elections happened. | 09:41:17 |
| 20 | Q. Right. And -- but you said in two | 09:41:19 |
| 21 | different sets of data -- two different data sets, | 09:41:22 |
| 22 | depending on the question. If the question was, was | 09:41:25 |
| 23 | the statewide election results, if you looked all | 09:41:29 |
| 24 | the way back, including 2012 and 2014. But if you | 09:41:32 |
| 25 | looked at particular geographies, you were only | 09:41:36 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

111

| | | |
|----|---|----------|
| 1 | going to look at 2016, '18, and '20. Is that right? | 09:41:38 |
| 2 | A. Those were the ones that everybody seemed | 09:41:41 |
| 3 | to be coalescing around. The further back we went, | 09:41:45 |
| 4 | the further unreliable the data seemed to -- seemed | 09:41:49 |
| 5 | to get. | 09:41:51 |
| 6 | Q. Did you have any conversations with anybody | 09:41:52 |
| 7 | about the fact that you had these two different | 09:41:54 |
| 8 | data -- two different sets of elections you were | 09:41:56 |
| 9 | looking at, two different questions? | 09:41:59 |
| 10 | A. Did I have conversations with anybody? | 09:42:03 |
| 11 | Q. Anybody. | 09:42:05 |
| 12 | A. I'm sure Blake and I would have talked | 09:42:06 |
| 13 | about it. | 09:42:09 |
| 14 | Q. What do you recall those conversations? | 09:42:10 |
| 15 | A. I laugh because it probably would have been | 09:42:15 |
| 16 | like, "What's going on with the data?" It would | 09:42:18 |
| 17 | have been something along those lines. | 09:42:23 |
| 18 | Because, again, that was -- that was all | 09:42:27 |
| 19 | happening outside of us. We were just the end | 09:42:28 |
| 20 | recipients of what was being obtained through | 09:42:31 |
| 21 | publicly available things. And that -- you know, it | 09:42:38 |
| 22 | wasn't anything that we were doing. | 09:42:40 |
| 23 | Q. What -- do you recall him commenting in any | 09:42:41 |
| 24 | way about what was going on with the data? | 09:42:46 |
| 25 | A. I -- I remember telling him had that -- | 09:42:48 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

112

1 that it was a very messy thing this time through and 09:42:50
2 that the data issues were major stumbling blocks 09:42:54
3 this time, unlike previous times. Which is obvious 09:42:57
4 since, you know, it came so late. It was 09:43:02
5 exacerbating everything. 09:43:05
6 MR. FRAM: I'd like to ask the technician 09:43:26
7 to please put up on the screen tab 21, which is 09:43:28
8 titled, "A Description of the Final General Assembly 09:43:35
9 District Plan As Adopted By the Ohio Redistricting
10 Commission." 09:43:49
11 THE REMOTE TECHNICIAN: Would you like to 09:43:49
12 mark this as Exhibit 3? 09:43:50
13 MR. FRAM: Yes, please. 09:43:52
14 (Exhibit 3 was marked for identification.) 09:44:11
15 Q. Mr. DiRossi, can you see that up on your 09:44:11
16 screen? 09:44:14
17 A. I see the cover page. 09:44:14
18 Q. Yeah, it's the first page. Bates Number 09:44:17
19 SOS_001461, the cover page. 09:44:20
20 You might want to -- I want to -- just to 09:44:26
21 ask you about -- more about the document, first few 09:44:30
22 pages of the document. 09:44:34
23 Why don't we scroll through the first three 09:44:35
24 pages, if we could, just to make sure you've seen 09:44:37
25 this before. 09:44:40

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 (Simultaneous colloquy.)

2 MR. FRAM: Actually, the first five pages. 09:44:45

3 There you go. Let's stop right there and 09:44:57

4 take a look if you could, please. 09:45:00

5 And why don't we go to the next one. 09:45:01

6 (Brief pause.) 09:45:04

7 Q. Do you see that? Okay. I just want to 09:45:04

8 ask -- you can -- you can go up through the rest if 09:45:07

9 you'd like. But do you recall seeing this document 09:45:11

10 before? 09:45:12

11 A. Yes. It looks familiar. 09:45:13

12 Q. Okay. And is this, in fact, the final 09:45:15

13 adopted map for the general assembly? 09:45:18

14 A. Yes. 09:45:26

15 Q. Okay. 09:45:26

16 A. So I'm looking at the senate map right now. 09:45:28

17 Q. Senate -- 09:45:31

18 MR. FRAM: We can look up at the -- go to 09:45:32

19 the top of that document for a second there if we 09:45:33

20 could, please, the very top of that page. Top of 09:45:36

21 that page, please. 09:45:39

22 This is the adopted senate seats, senate 09:45:43

23 districts. 09:45:47

24 And then if you go to the previous 09:45:47

25 document -- previous page, which says, "Adopted 09:45:49

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | house districts." Do you see that? | 09:45:52 |
| 2 | A. I do. | 09:45:53 |
| 3 | Q. All right. And so what I would like to do | 09:45:54 |
| 4 | is show you some -- we've created sort of a blowup | 09:46:05 |
| 5 | of certain portions of the same document just for | 09:46:08 |
| 6 | viewing purposes so it's easier to see. Because | 09:46:11 |
| 7 | some of these districts are small on the page. So | 09:46:14 |
| 8 | I'm going to show you if we could put up tab 25, | 09:46:17 |
| 9 | please. Hamilton County House District. | 09:46:21 |
| 10 | This will be Exhibit 4, I guess. | 09:46:32 |
| 11 | (Exhibit 4 was marked for identification.) | 09:46:59 |
| 12 | Q. Mr. DiRossi, do you see that Exhibit 4, the | 09:46:59 |
| 13 | Hamilton County area districts? Do you see that? | 09:47:04 |
| 14 | A. I do. | 09:47:06 |
| 15 | Q. Okay. Now, Hamilton County had seven whole | 09:47:09 |
| 16 | house districts. Is that right? | 09:47:14 |
| 17 | A. That sounds right, yes. | 09:47:15 |
| 18 | Q. Those would be Districts 24 through 30. Is | 09:47:17 |
| 19 | that right? | 09:47:22 |
| 20 | A. Yes, seven. | 09:47:22 |
| 21 | Q. Yeah. Okay. Now, I just -- starting in | 09:47:26 |
| 22 | some of the districts -- District 24, do you see | 09:47:31 |
| 23 | that down there, sort of the middle of the -- of | 09:47:36 |
| 24 | the -- of the document? | 09:47:40 |
| 25 | A. I do. | 09:47:40 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

115

| | | |
|----|---|----------|
| 1 | Q. District 24, that -- that district tends to | 09:47:41 |
| 2 | favor democratic candidates, right? | 09:47:47 |
| 3 | A. It would be helpful if I had access to | 09:47:50 |
| 4 | my -- to my computer to know that, but... | 09:47:54 |
| 5 | Q. Well, 24 is -- Cincinnati is 24. Isn't | 09:48:01 |
| 6 | that right? | 09:48:05 |
| 7 | A. If you -- yeah. I don't know if you could | 09:48:05 |
| 8 | scroll ahead. In this same document, there is a | 09:48:08 |
| 9 | description of District 24. It would help me -- | 09:48:10 |
| 10 | Q. Sure. | |
| 11 | A. -- understand the geography if it's -- | 09:48:15 |
| 12 | Q. There definitely is. | 09:48:16 |
| 13 | MR. FRAM: If we go to Bates Number | 09:48:18 |
| 14 | SOS_001466, please. | 09:48:23 |
| 15 | THE REMOTE TECHNICIAN: Is that a page | 09:48:44 |
| 16 | number or a tab? | 09:48:45 |
| 17 | MR. FRAM: Sure. It's a Bates number. | 09:48:46 |
| 18 | It's a Bates number. That's the Bates number. | |
| 19 | Bates Number is SOS_001466. | 09:48:48 |
| 20 | THE REMOTE TECHNICIAN: Give me one moment, | 09:48:51 |
| 21 | please. | 09:48:53 |
| 22 | MR. FRAM: Sure. | 09:48:53 |
| 23 | (Brief pause.) | 09:49:11 |
| 24 | MR. FRAM: We're going to look for District | 09:49:11 |
| 25 | 24. | 09:49:15 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 THE REMOTE TECHNICIAN: All right. 09:49:15
2 MR. FRAM: It's down a little ways. 09:49:17
3 (Brief pause.) 09:49:41
4 MR. FRAM: 09:49:41
5 Q. Now, you see where -- there you go. 09:49:42
6 District 24. Do you see that, Mr. DiRossi? 09:49:44
7 A. I do. Thank you. 09:49:47
8 Q. Do you see "Hamilton County (part)," and it 09:49:47
9 says, "Cincinnati (part)"? Do you see that? 09:49:52
10 A. I do. 09:49:55
11 Q. Okay. Does it refresh your recollection 09:49:55
12 that District 24 includes Cincinnati? 09:49:57
13 A. Yes. 09:50:00
14 Q. Okay. Does it refresh your recollection 09:50:00
15 that District 24 is a democratic-leaning district? 09:50:02
16 A. Well, I would say based on the '16, '18, 09:50:07
17 and '20 geography, that's -- that's how it would 09:50:11
18 score, yes. 09:50:13
19 Q. Okay. All right. 09:50:13
20 A. Whether it is or not, I'll leave that to 09:50:14
21 somebody else. 09:50:16
22 Q. Okay. Fair enough. Let's -- in answer to 09:50:17
23 my question in terms of how it scores under those 09:50:19
24 elections, thank you for clarifying that. 09:50:22
25 If we can go back up to the -- if we can go 09:50:24

Transcript of Ray DiRossi
Conducted on October 19, 2021

117

| | | |
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| 1 | back and take a look at tab 25 for a minute. | 09:50:32 |
| 2 | Exhibit -- I guess Exhibit 4, is it? The -- that | 09:50:37 |
| 3 | blowup. Just -- there you go. | 09:50:40 |
| 4 | If we go to District 25, do you have a | 09:50:44 |
| 5 | recollection of the depth of the partisan leaning | 09:50:47 |
| 6 | for those -- for that district under the 2016, '18, | 09:50:51 |
| 7 | and '20 scoring? | 09:50:56 |
| 8 | A. I mean, I would guess that it is similar, | 09:50:57 |
| 9 | but I -- but I -- I can't say for sure. But my | 09:51:03 |
| 10 | guess is it's similar to the 24th. | 09:51:07 |
| 11 | Q. And you know for sure you'd have to check | 09:51:08 |
| 12 | your -- your -- your Maptitude files. Isn't that | 09:51:11 |
| 13 | right? | 09:51:13 |
| 14 | A. Yes. | 09:51:13 |
| 15 | Q. Okay. And same thing about District 26, | 09:51:14 |
| 16 | also leans democrat under that scoring? | 09:51:24 |
| 17 | A. I can't say for sure, but I would -- I | 09:51:27 |
| 18 | would think it would score along those lines. | 09:51:32 |
| 19 | Q. Okay. And District 30 also? | 09:51:35 |
| 20 | A. I -- | 09:51:40 |
| 21 | (Simultaneous colloquy.) | 09:51:47 |
| 22 | Q. Would it lean republican? | 09:51:47 |
| 23 | (Reporter clarification.) | 09:52:00 |
| 24 | A. I would -- I guess I would think so, but | 09:52:00 |
| 25 | I -- I would obviously, again, check to -- to verify | 09:52:02 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

118

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| 1 | before definitively saying. | 09:52:05 |
| 2 | Q. Okay. And so looking at these districts | 09:52:06 |
| 3 | here, is it your sense that Districts 27, 29, and 30 | 09:52:11 |
| 4 | would lean republican? I'll say it again. 27, 29, | 09:52:17 |
| 5 | and 30. | 09:52:21 |
| 6 | A. I -- I would check. I don't -- I -- I | 09:52:23 |
| 7 | would grant 29 and 30, but I don't know about 27. | 09:52:29 |
| 8 | And -- yeah. I'd have to check. | 09:52:33 |
| 9 | Q. Okay. When you say "check," you mean check | 09:52:42 |
| 10 | in with -- check on Maptitude? | 09:52:45 |
| 11 | A. Yes. | 09:52:47 |
| 12 | Q. Okay. | 09:52:48 |
| 13 | MR. FRAM: Counsel, if I could just ask. | 09:52:55 |
| 14 | Are those -- the Maptitude files the witness keeps | 09:52:57 |
| 15 | referring to, have they been produced in this -- in | 09:53:00 |
| 16 | response to our document request? | 09:53:03 |
| 17 | MR. STRACH: Yeah. We -- we -- Rob, we -- | 09:53:04 |
| 18 | I can't remember which files we produced, but we | 09:53:07 |
| 19 | saved them in our interrogatory answers that we | 09:53:10 |
| 20 | produced. | 09:53:13 |
| 21 | Exported Maptitude -- Maptitude files for | 09:53:15 |
| 22 | at least the enacted plan, maybe the September 9th | 09:53:16 |
| 23 | plan, too, from both Ray and Blake. | 09:53:20 |
| 24 | MR. FRAM: Okay. And did those -- but did | 09:53:27 |
| 25 | they say for the -- for the enacted plan, did they | 09:53:29 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 include the information that appeared once it was 09:53:32
2 described as in the display windows? 09:53:35

3 MR. STRACH: It's whatever comes in a 09:53:39
4 Maptitude file. I really have no idea, Rob. 09:53:41

5 MR. FRAM: Okay. Okay. Okay. I 09:53:44
6 appreciate that. 09:53:45

7 Q. Now, we discussed what your general 09:53:51
8 understanding was with the partisan leaning of these 09:53:53
9 districts in Hamilton County. 09:53:55

10 Did you ever discuss the partisan leanings 09:53:58
11 of the districts in Hamilton County with anyone at 09:54:01
12 any time? 09:54:05

13 MR. STRACH: Rob, if you could clarify for 09:54:05
14 the house or for the senate. 09:54:07

15 MR. FRAM: We're talking -- we're -- right. 09:54:08
16 Thank you. 09:54:09

17 Q. We're talking about the house districts 09:54:10
18 here is what we're talking about. Did you ever talk 09:54:12
19 with -- with anybody at any time? 09:54:14

20 A. Blake and I work side by side on -- on all 09:54:16
21 projects. So I -- I would imagine Blake and I would 09:54:22
22 have discussed that at some point. 09:54:24

23 Q. Okay. Did you talk with anybody else other 09:54:26
24 than Blake? 09:54:28

25 A. Not -- not that I specifically recall. 09:54:29

Transcript of Ray DiRossi
Conducted on October 19, 2021

120

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| 1 | Q. | Okay. Did you communicate with him in any | 09:54:35 |
| 2 | | way -- well, let me back up. | 09:54:41 |
| 3 | | Do you recall Speaker Huffman ever coming | 09:54:42 |
| 4 | | and looking at the districts in Hamilton County with | 09:54:45 |
| 5 | | you on your computer screen and looking at that | 09:54:49 |
| 6 | | display window? | 09:54:52 |
| 7 | A. | When you -- can you clarify? You said | 09:54:54 |
| 8 | | "Speaker Huffman" again. Did you mean -- | 09:54:57 |
| 9 | | (Simultaneous colloquy.) | 09:54:59 |
| 10 | Q. | I apologize. | 09:54:59 |
| 11 | A. | No problem. | 09:55:01 |
| 12 | | (Simultaneous colloquy.) | 09:55:02 |
| 13 | Q. | I keep making that mistake. President | 09:55:02 |
| 14 | | Huffman. | 09:55:04 |
| 15 | | Did he ever come over and look at your | 09:55:07 |
| 16 | | computer screen and the display window as regards to | 09:55:10 |
| 17 | | any of the districts in Hamilton County? | 09:55:12 |
| 18 | A. | Not that I recall. Not the house | 09:55:14 |
| 19 | | districts, nor the senate districts, that I recall. | 09:55:20 |
| 20 | Q. | Do you recall anybody coming over, other | 09:55:24 |
| 21 | | than you, Mr. Springhetti, looking at the house | 09:55:26 |
| 22 | | districts in Hamilton County on the computer screen? | 09:55:32 |
| 23 | A. | Can you say that again, Mr. Fram. | 09:55:37 |
| 24 | Q. | Do you recall anybody coming on over and | 09:55:43 |
| 25 | | looking at your computer screen -- looking at the | 09:55:44 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

121

1 house districts in Hamilton County? 09:55:48

2 A. With me -- I don't recall that. I would 09:55:55

3 have at some point shown President Huffman the 09:56:00

4 senate districts in Hamilton County, but they were 09:56:06

5 pretty straightforward. And so I don't think we 09:56:08

6 would have spent a lot of time looking at the senate 09:56:11

7 districts in Hamilton County. There was a little 09:56:14

8 issue in Butler and Warren, but not Hamilton. 09:56:15

9 Q. What was the issue in Butler and Warren? 09:56:20

10 A. So the population ratios, as they changed 09:56:24

11 with the updated census data -- I don't know if you 09:56:28

12 can picture the Butler County and Warren County 09:56:31

13 house and senate districts from the previous decade 09:56:36

14 in your head, but there is one wholly contained 09:56:40

15 house district in Warren County, and then there is 09:56:43

16 another house district that takes the northern two 09:56:46

17 wards roughly of Middleton in Butler County to form 09:56:50

18 the required construction of house and then senate 09:56:55

19 districts. 09:56:57

20 And with the new census data, that 09:56:57

21 obviously I said we got very late, the ratios of 09:57:00

22 Warren County changed from being roughly 09:57:05

23 1.97 percent of the house ratio to 2.03 percent. 09:57:09

24 And so that pairing was not constitutional 09:57:13

25 anymore. And it caused the districts down there in 09:57:15

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
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| 1 | southwest Ohio, specifically Butler and Warren | 09:57:19 |
| 2 | counties, to be drawn into dif- -- different way | 09:57:24 |
| 3 | with Preble County and Butler County being the ones | 09:57:27 |
| 4 | that were joined in the house and senate districts. | 09:57:35 |
| 5 | So that was that issue. We focused on that | 09:57:37 |
| 6 | because it was a seemingly small change in numbers, | 09:57:39 |
| 7 | but it had a big impact on the map. And that's one | 09:57:43 |
| 8 | of the things that I was focused on. | 09:57:46 |
| 9 | MR. FRAM: Got it. Let me ask you a | 09:57:48 |
| 10 | question about a different county and ask you a | 09:57:52 |
| 11 | question about -- let's see here -- Montgomery | 09:57:57 |
| 12 | County. | 09:58:06 |
| 13 | If we could put tab 26 up and mark that as | 09:58:06 |
| 14 | Exhibit 5, I guess. | 09:58:12 |
| 15 | (Exhibit 5 was marked for identification.) | 09:58:39 |
| 16 | Q. Do you see that, Exhibit 5 up on the screen | 09:58:39 |
| 17 | that shows the districts in and around Montgomery | 09:58:42 |
| 18 | County? Do you see that? | 09:58:48 |
| 19 | A. I see an image of house districts in | 09:58:48 |
| 20 | Montgomery County. It doesn't say Exhibit 5, but | 09:58:52 |
| 21 | I'll take your word for it. | 09:58:54 |
| 22 | MR. FRAM: Right. If we can make sure that | 09:58:56 |
| 23 | gets marked as -- | 09:58:57 |
| 24 | THE WITNESS: Oh, there you go. Thank you. | 09:58:59 |
| 25 | MR. FRAM: Thank you. All right. | 09:59:00 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

123

1 Q. Now, Montgomery County itself -- I take it 09:59:12
2 there are four house districts that are in 09:59:17
3 Montgomery County, and then there's one district 09:59:19
4 that overlaps into the neighboring counties, I guess 09:59:21
5 that is Preble and Butler. Is that right? 09:59:25
6 A. Yes, in a house map, correct. 09:59:28
7 Q. House map. Okay. 09:59:30
8 So the house districts are -- what is it -- 09:59:31
9 35, 36, 37, 38 -- is that right -- are in -- are in 09:59:37
10 Montgomery County, and then 39 is sort of the 09:59:45
11 crossover that goes over into Preble and Butler. Is 09:59:47
12 that right? 09:59:52
13 A. Yes. 09:59:52
14 Q. And just going through the districts a 09:59:53
15 little bit at a time. The -- looking at 38, is that 09:59:58
16 a democrat-leaning county under the 2016, 2018, and 10:00:06
17 2020 election data? 10:00:11
18 A. Again, I'd want to verify that, but I would 10:00:13
19 think so, yes. 10:00:18
20 Q. Right. And why would you think that? 10:00:21
21 A. I remember looking at that district later 10:00:24
22 in the negotiations when District 36 was made from 10:00:30
23 being a republican-leaning district to a 10:00:36
24 democrat-leaning district and -- during those 10:00:39
25 negotiations. And so I remember looking at 38 as 10:00:42

Transcript of Ray DiRossi
Conducted on October 19, 2021

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| 1 | well. | 10:00:44 |
| 2 | Q. Okay. And District 35, we'll take a look | 10:00:45 |
| 3 | at that. District 35, I take it that's a | 10:00:52 |
| 4 | republican-leaning district, isn't it? | 10:01:00 |
| 5 | A. Again, same provisions, I'd want to check. | 10:01:02 |
| 6 | But since we took a lot of time and effort to unify | 10:01:06 |
| 7 | Dayton mostly into two house districts and unify | 10:01:12 |
| 8 | Dayton mostly in one senate district and make that | 10:01:16 |
| 9 | Dayton district the district that stayed inside | 10:01:20 |
| 10 | Montgomery County were wholly contained, as I call | 10:01:24 |
| 11 | it, I would think that 35, when I checked, would be | 10:01:27 |
| 12 | a very marginal republican-leaning district. | 10:01:33 |
| 13 | Q. What about 37? Which way would that lean? | 10:01:38 |
| 14 | A. Again, same caveats. I would check. But I | 10:01:43 |
| 15 | would think that after we took steps to make 36 a | 10:01:47 |
| 16 | strong republican-leaning district to a | 10:01:52 |
| 17 | democrat-leaning district, I would think 37 would be | 10:01:55 |
| 18 | a republican-leaning district. | 10:01:59 |
| 19 | Q. Okay. What about 39? | 10:02:00 |
| 20 | A. Again, with every district, same things. | 10:02:03 |
| 21 | I'd want to check to verify. I think -- having | 10:02:10 |
| 22 | worked and spent a lot of time in Montgomery County | 10:02:13 |
| 23 | because that was a point of negotiations, that was a | 10:02:17 |
| 24 | point of a lot of public testimony at the regional | 10:02:19 |
| 25 | hearings and the redistricting committee hearings, I | 10:02:22 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

125

1 know that area pretty well, and I think that would 10:02:26
2 generally be a republican-leaning district. 10:02:29

3 Q. Okay. Now, did you have any -- you said it 10:02:35
4 was a point of conversation and negotiations. 10:02:37

5 What do you recall about those 10:02:40
6 conversations? 10:02:43

7 A. I remember the president saying to me that 10:02:44
8 the 6th Senate District, which is the senate 10:02:46
9 district that is comprised of three of the house 10:02:50
10 districts you had me looking at, we needed to make 10:02:52
11 that a democrat-leaning district. And so that's 10:02:55
12 what I recall about Montgomery County. 10:03:00

13 Also, as I said before, making sure that 10:03:02
14 Dayton was in the senate district that remained in 10:03:05
15 Montgomery County or wholly contained. That was 10:03:09
16 something I was being told was a point of 10:03:12
17 discussion, a point of contention at the negotiating 10:03:16
18 table, if there ever was a negotiating table, per 10:03:19
19 se. 10:03:22

20 Also, the fact that Dayton should be in -- 10:03:22
21 try to be in as few house districts and as few 10:03:25
22 senate districts as possible was also a point of 10:03:29
23 request from the democrat members of the 10:03:31
24 redistricting commission. 10:03:35

25 Q. Did you ever have a conversation with 10:03:36

Transcript of Ray DiRossi
Conducted on October 19, 2021

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| 1 | anybody about any of these districts, that they | 10:03:41 |
| 2 | should stay republican leaning? | 10:03:45 |
| 3 | A. Can you say that again? I'm sorry. During | 10:03:48 |
| 4 | the negotiations -- | 10:03:53 |
| 5 | Q. At any time, did you have a conversation | 10:03:53 |
| 6 | with anybody that any of these districts should stay | 10:03:56 |
| 7 | in republican land? | 10:04:00 |
| 8 | A. Well, I -- I am sure and it's very possible | 10:04:05 |
| 9 | that I spoke to Senator Antani, who obviously would | 10:04:07 |
| 10 | not have been a fan of his district being made from | 10:04:13 |
| 11 | a republican-leaning district to a democrat-leaning | 10:04:16 |
| 12 | district. So it's very possible, in fact, probably | 10:04:20 |
| 13 | probable that I would have had a conversation with | 10:04:23 |
| 14 | him at some point about why he did not like that. | 10:04:25 |
| 15 | Q. Did you have a conversation with anybody | 10:04:28 |
| 16 | about a district that remained republican and that | 10:04:30 |
| 17 | should remain republican? | 10:04:33 |
| 18 | A. I don't think I follow. | 10:04:34 |
| 19 | Q. You said you had a conversation with | 10:04:39 |
| 20 | Senator Antani about taking a republican-leaning | 10:04:42 |
| 21 | district and making it democratic. Now I'm asking | 10:04:46 |
| 22 | it the other way around. | 10:04:48 |
| 23 | Did you have a conversation with anybody | 10:04:51 |
| 24 | about a district that was republican leaning and | 10:04:52 |
| 25 | conversation it should remain republican leaning, | 10:04:56 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

127

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| 1 | and then it did remain republican leaning? | 10:04:58 |
| 2 | A. I don't recall -- you mean with the office | 10:05:01 |
| 3 | holder of the district in question or -- | 10:05:07 |
| 4 | (Simultaneous colloquy.) | 10:05:10 |
| 5 | Q. No. No. With anybody. | 10:05:10 |
| 6 | A. And you are specifically asking about | 10:05:12 |
| 7 | Montgomery County? | 10:05:18 |
| 8 | Q. Any districts in Montgomery County. | 10:05:18 |
| 9 | A. Any districts. Thank you for the | 10:05:21 |
| 10 | clarification. | 10:05:23 |
| 11 | I'm trying to remember. I mean, I only | 10:05:24 |
| 12 | have one senator that represents the wholly | 10:05:26 |
| 13 | contained district in Montgomery County. | 10:05:30 |
| 14 | Q. We've got the house districts up here on | 10:05:36 |
| 15 | the map. | 10:05:39 |
| 16 | A. Understood. | 10:05:40 |
| 17 | Q. Did you ever have any conversations with | 10:05:40 |
| 18 | anybody about any of the house districts remaining | 10:05:42 |
| 19 | republican? | 10:05:46 |
| 20 | A. It's possible in the September 9th map, | 10:05:46 |
| 21 | because obviously, in the September 9th map, those | 10:05:55 |
| 22 | negotiations hadn't happened yet. And so the | 10:05:59 |
| 23 | changes I just described happened afterwards. So | 10:06:04 |
| 24 | none that I can recall -- that I can articulate here | 10:06:09 |
| 25 | for you today. | 10:06:12 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

128

1 Q. Okay. Putting aside Montgomery County. 10:06:13
2 Just statewide, did you have a conversation with 10:06:17
3 anybody -- anybody at any time about 10:06:19
4 republican-leaning districts that were republican 10:06:25
5 leaning and they thought that they should stay 10:06:27
6 republican leaning? 10:06:30
7 A. Well, I already mentioned I'm sure that -- 10:06:31
8 it's very possible, if not probable, that I talked 10:06:40
9 to Senator Antani about the very fact pattern you 10:06:44
10 just asked about. Of course, we didn't do that, to 10:06:50
11 which I'm sure he's very upset. 10:06:52
12 No additional ones that I can think of or 10:06:55
13 articulate for you right now. 10:07:01
14 Q. I'm not talking about conversations 10:07:02
15 necessarily with the office holder, okay. Just 10:07:03
16 about with anybody saying, we got a certain district 10:07:07
17 that's republican leaning, let's keep it that way? 10:07:10
18 A. Yeah. I -- well, like I said, I talked to 10:07:15
19 Blake daily, and we would have talked about 10:07:22
20 districts in Montgomery County, house districts and 10:07:24
21 senate districts. But that's kind of going the 10:07:28
22 other way. That was when we were being instructed 10:07:30
23 to make them democrat leaning. So beyond that, I 10:07:32
24 don't think I have a -- I can articulate a specific 10:07:38
25 conversation for you. 10:07:40

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 Q. So let's -- let me see if I understand 10:07:40
2 correctly.

3 On the September 9 map, you had budget 10:07:44
4 districts which were republican leaning. Later, 10:07:48
5 there were -- and then there were negotiations about 10:07:50
6 suggestion making some of them democrat leaning. 10:07:55

7 Do I have that right? 10:08:00

8 A. I wasn't part of those negotiations, but it 10:08:00
9 was relayed to me that in Montgomery County, there 10:08:04
10 was specific things that -- again, I say the 10:08:07
11 democratic caucuses, but I understood it to be the
12 senate democrats were the ones negotiating. But I 10:08:10
13 -- 10:08:14

14 Those negotiations were being relayed to me 10:08:14
15 from President Huffman that we needed to make the 10:08:17
16 6th Senate District a democrat-leaning district and 10:08:22
17 the 36th House District a democrat-leaning district. 10:08:25
18 But that would have come to me through Blake, I 10:08:31
19 assume, from the speaker. 10:08:33

20 Q. Okay. But just so I understand, there were 10:08:34
21 a couple -- a couple of districts were identified 10:08:36
22 for possible change, but the others were not. Is 10:08:38
23 that right? There's not all the districts that were 10:08:43
24 identified for a change? 10:08:45

25 A. I -- in the Senate, it's a lot easier 10:08:46

Transcript of Ray DiRossi
Conducted on October 19, 2021

130

1 because there's only two, right? And the democrats 10:08:49
2 -- the senate democrats were asking that the 10:08:52
3 district that was wholly contained to be inside -- 10:08:56
4 include Dayton. The democrats were asking that 10:09:00
5 Dayton be in a district that was wholly contained in 10:09:03
6 Montgomery County. So there was only the 5th and 10:09:07
7 6th Senate District. 10:09:11

8 On the house side, there's obviously -- as 10:09:12
9 you said, there's four and a half districts in 10:09:17
10 Montgomery County. I -- I -- I'm pretty sure, from 10:09:19
11 talking to Blake, that 36 was identified. If we 10:09:21
12 could have made multiple ones, I'm sure that would 10:09:23
13 have been something we would have worked on, but I 10:09:28
14 don't think that we thought that was possible. 10:09:31

15 Q. So you did it for -- one of them was you 10:09:32
16 tried to shift it over to the democrat leaning, but 10:09:35
17 you did not make a similar change, if I understand 10:09:37
18 correctly, for the others. Is that right? 10:09:40

19 A. Well, it's not that we tried on the 36th 10:09:42
20 District. I'm pretty sure we tried and succeeded. 10:09:46

21 And, again, that was just to have something 10:09:49
22 so that the principals, my principal, President 10:09:50
23 Huffman, could back to -- I keep saying negotiate 10:09:54
24 table, but the negotiations -- and have -- continue 10:09:58
25 to have more conversations. 10:10:01

Transcript of Ray DiRossi
Conducted on October 19, 2021

131

1 And, you know, then we could see another 10:10:02
2 proposal from the other size. 10:10:05

3 Q. But you did it for 36, I take it. You 10:10:06
4 tried -- as you said, tried and succeeded. But you 10:10:10
5 did not either try or succeed for the other 10:10:13
6 districts. Isn't that right? 10:10:16

7 A. Well, we tried and succeeded in the 36 in 10:10:17
8 the house. We tried and succeeded for the 6th in 10:10:20
9 the senate. And for Montgomery County changes, 10:10:24
10 those were that round of changes that we sent back 10:10:26
11 -- well, I shouldn't say we sent back -- that we 10:10:30
12 then gave to our principals and that they could go 10:10:31
13 back and have conversations about. 10:10:35

14 So there were two districts where we 10:10:36
15 succeeded. 10:10:38

16 Q. Right. And so there was neither an attempt 10:10:39
17 or a success in changing the partisan leaning of 10:10:42
18 Districts 35, 38, 37, or 39 in the house. Isn't 10:10:47
19 that right? 10:10:53

20 A. No. I mean, look, there's only so many 10:10:53
21 people in Montgomery County and they vote how they 10:10:59
22 vote. That's -- you know, that's up to them. And 10:11:02
23 when you score them, it's going to be whatever the 10:11:04
24 scoring is going to be. 10:11:07

25 In order to turn the 36th District from a 10:11:09

Transcript of Ray DiRossi
Conducted on October 19, 2021

132

1 strong republican-leaning district to a 10:11:12
2 democrat-leaning district required geography changes 10:11:15
3 and the displacement of a number of 10:11:19
4 republican-leaning voters. Those voters had to go 10:11:23
5 into some districts. 10:11:26

6 So in that first attempt, one in the house, 10:11:28
7 one in the senate, we were successful in moving 10:11:30
8 those to the democrat-leaning column. 10:11:33

9 But as a by-product of that, surrounding 10:11:35
10 districts, you know, probably were going the other 10:11:38
11 way. 10:11:41

12 So, yes, we were successful in those two in 10:11:43
13 that round. Happy to do other rounds as other 10:11:47
14 rounds came back. But those were the ones that we 10:11:49
15 were tasked with looking at in -- in 10:11:52
16 Montgomery County. 10:11:54

17 (Reporter admonition.) 10:12:09

18 Q. I appreciate that. That's -- that's 10:12:09
19 helpful. We're well past the 1:00 o'clock time. I 10:12:14
20 know Phil said he could flex a little on it, but I 10:12:22
21 don't want to abuse the courtesy. 10:12:25

22 Do you want to -- Phil, do you want to take 10:12:27
23 your half hour now? 10:12:27

24 MR. STRACH: Yeah, let's -- let's do that 10:12:28
25 and come back at 1:45. 10:12:30

Transcript of Ray DiRossi
Conducted on October 19, 2021

133

| | | |
|----|--|----------|
| 1 | MR. FRAM: See you then. | 10:12:32 |
| 2 | THE VIDEOGRAPHER: Time is 10:12 a.m. We | 10:12:34 |
| 3 | are going off the record. | 10:12:36 |
| 4 | We are off the record. | 10:12:38 |
| 5 | (Lunch break taken.) | |
| 6 | THE VIDEOGRAPHER: The time is 10:47 a.m. | 10:47:10 |
| 7 | We're now back on the record. | 10:47:12 |
| 8 | MR. FRAM: Yeah. It's 10:47 Pacific time, | 10:47:19 |
| 9 | I guess. | 10:47:21 |
| 10 | Technician, if you could please put up tab | 10:47:27 |
| 11 | 15 up on the screen. | 10:47:30 |
| 12 | THE REMOTE TECHNICIAN: Stand by. | 10:47:35 |
| 13 | MR. FRAM: Just for the record, this is | 10:47:37 |
| 14 | going to be a transcript of the September 9 hearing. | 10:47:38 |
| 15 | THE REMOTE TECHNICIAN: Would you like to | 10:47:57 |
| 16 | mark this as Exhibit 6? | 10:47:58 |
| 17 | (Brief pause.) | 10:48:01 |
| 18 | THE REMOTE TECHNICIAN: Counsel, would you | 10:48:01 |
| 19 | like to mark this as Exhibit 6? | 10:48:02 |
| 20 | MR. FRAM: Yes, please. | 10:48:04 |
| 21 | (Exhibit 6 was marked for identification.) | 10:48:21 |
| 22 | MR. FRAM: Okay. If we could please turn | 10:48:21 |
| 23 | to -- let's see -- the fourth page. Let's come down | 10:48:22 |
| 24 | to the fifth page, the bottom of the page where it | 10:48:36 |
| 25 | says, "State Senator Vernon Sykes at [00:19:42]." | 10:48:38 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

134

| | | |
|----|---|----------|
| 1 | (Brief pause.) | 10:49:05 |
| 2 | MR. FRAM: Let's see. You may have gone | 10:49:05 |
| 3 | past it, please. There you go. | 10:49:07 |
| 4 | Q. Do you see that? Okay. Mr. DiRossi, do | 10:49:11 |
| 5 | you see Exhibit 6 up on your screen? | 10:49:15 |
| 6 | A. Yes. | 10:49:18 |
| 7 | Q. Okay. And you recall on the September 9 | 10:49:20 |
| 8 | hearing you made a presentation regarding the | 10:49:23 |
| 9 | proposed map at the time. Do you recall that? | 10:49:26 |
| 10 | A. I do remember testifying, yes. | 10:49:29 |
| 11 | Q. And following that, do you recall | 10:49:32 |
| 12 | Senator Sykes asked you a question? | 10:49:37 |
| 13 | And I'm just focusing in on, this is a | 10:49:38 |
| 14 | question he asked right after your -- after your -- | 10:49:41 |
| 15 | after our presentation. Do you see that question? | 10:49:44 |
| 16 | He's putting -- that's on the -- for the record, | 10:49:48 |
| 17 | it's on the -- I believe it's on the fifth and the | 10:49:53 |
| 18 | sixth page. | 10:49:56 |
| 19 | The question is on the fifth page and then | 10:49:57 |
| 20 | your answer -- goes over to the fifth page and your | 10:49:59 |
| 21 | answer is on the sixth page. | 10:50:04 |
| 22 | A. Okay. | 10:50:10 |
| 23 | Q. Okay. And do you see here where he thanked | 10:50:11 |
| 24 | you for your presentation, and then he asks -- he | 10:50:17 |
| 25 | says, "I like to know," and you didn't mention this | 10:50:20 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

135

1 in your presentation, how you satisfy the new 10:50:26
2 requirement in Section 6(B) of the Constitution that 10:50:30
3 deals with the statewide proportion of districts 10:50:34
4 whose voters based on statewide and federal partisan 10:50:37
5 general election results during the past ten years 10:50:43
6 favor each political party shall correspond closely 10:50:47
7 to the statewide preferences of voters of Ohio." 10:50:52

8 Do you see that? 10:50:59

9 A. I see the text, yes. 10:50:59

10 Q. And then he asks further down in -- when 10:51:01
11 he's asking his question, "And so I'm just wondering 10:51:04
12 how you address this issue." 10:51:08

13 Do you see that? 10:51:11

14 A. Okay. At the very end of it, yes, I see 10:51:14
15 it. 10:51:18

16 Q. And then you see your answer that follows 10:51:18
17 then at 00:21:35? And where you say, at the end of 10:51:22
18 your answer, "That analysis is ongoing, it's not 10:51:28
19 complete as of today, and it is ongoing." 10:51:31

20 Do you see that? 10:51:36

21 A. I do. 10:51:37

22 Q. Okay. What were you doing as part of that 10:51:39
23 ongoing analysis? 10:51:41

24 A. Well, as I mentioned in our earlier 10:51:45
25 conversations, the -- getting the data, getting the 10:51:48

Transcript of Ray DiRossi
Conducted on October 19, 2021

136

1 election results, getting the geography put together 10:51:54
2 in a computer that was in a useful, meaningful, 10:51:59
3 useful way for us was very challenging. It -- well, 10:52:03
4 I'll speak for myself. It was extremely challenging 10:52:06
5 and time consuming and frustrating. 10:52:10

6 So at this point when I'm testifying, we 10:52:12
7 were still trying to get that data, get it into the 10:52:17
8 computers. It may have been in the computers, but 10:52:20
9 maybe not fully functional. And so that's what I 10:52:22
10 was trying to articulate in my answer, that our 10:52:25
11 analysis was not complete and that it was still 10:52:28
12 ongoing. 10:52:31

13 Q. Okay. And at some point, did you complete 10:52:32
14 your analysis? 10:52:35

15 A. You know, it was a -- it was an evolving -- 10:52:35
16 an evolving process getting that data, making it 10:52:48
17 functional, finding new problems with it and getting 10:52:52
18 that corrected and making it work. 10:52:55

19 After the September 9th -- I'm sorry. I 10:52:59
20 just have a bunch of messages from people on the 10:53:03
21 thing popping up on my screen. 10:53:06

22 MR. FRAM: Okay. Can we please, people, 10:53:08
23 maybe don't give the witness messages in the middle 10:53:10
24 of his testimony? 10:53:12

25 THE WITNESS: It looks like they were chat 10:53:17

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|---|----------|
| 1 | messages to some chat group. | 10:53:19 |
| 2 | MR. FRAM: Okay. | |
| 3 | THE WITNESS: Can you -- can we back up? | 10:53:22 |
| 4 | Can you restate the question -- | 10:53:23 |
| 5 | (Simultaneous colloquy.) | 07:29:00 |
| 6 | MR. FRAM: | |
| 7 | Q. You said the analysis was ongoing. You | 10:53:25 |
| 8 | explained some of the challenges. And my question | 10:53:28 |
| 9 | to you is, did you ever complete the analysis? | 10:53:30 |
| 10 | A. Yeah, okay. Thank you for that reminder. | 10:53:33 |
| 11 | So as I mentioned I think earlier in our | 10:53:35 |
| 12 | conversations, the -- I don't want to say the world | 10:53:38 |
| 13 | changed. But after we presented that map on | 10:53:42 |
| 14 | September 9th is when all of these negotiations | 10:53:45 |
| 15 | seemed to, in my opinion, start. And things were | 10:53:48 |
| 16 | happening and evolving very fast. | 10:53:51 |
| 17 | And so I don't know if we ever completed | 10:53:53 |
| 18 | the analysis. But, you know, we maybe moved on to | 10:53:56 |
| 19 | new analyses that were -- analyses that were being | 10:53:59 |
| 20 | done to help -- help the negotiations progress. | 10:54:06 |
| 21 | Q. Do you know if anyone ever completed an | 10:54:09 |
| 22 | analysis to determine compliance with Section 6(B) | 10:54:12 |
| 23 | of the constitution, Article XI? | 10:54:18 |
| 24 | MR. STRACH: Objection. Objection. Go | 10:54:21 |
| 25 | ahead. | 10:54:24 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

138

1 THE WITNESS: Well, I can't speak for 10:54:24
2 everyone. I -- I mean, I -- like I said, I think we 10:54:25
3 talked about length I -- you know, as the 10:54:30
4 negotiations went on, there was a lot of 10:54:32
5 conversations and training of block assignment 10:54:35
6 files, i.e. maps, trying to get at a ten-year plan 10:54:38
7 that a majority of the redistricting commission 10:54:42
8 could support. And that quickly became the focus in 10:54:46
9 those last six days, five-and-a-half days. 10:54:49
10 MR. FRAM: 10:54:52
11 Q. Okay. Again -- so my question to you, 10:54:54
12 again, is, I take it you never completed the 10:54:56
13 analysis. Is that right? 10:55:01
14 A. Yeah. I -- I guess what I'm referring to 10:55:03
15 is the election data that I'm referring to here on 10:55:11
16 September 9th was evolving. And so it would -- that 10:55:14
17 was a different set of data after we got more 10:55:21
18 geography from publicly available sources or were 10:55:24
19 able to get it into the computers and make it work. 10:55:28
20 So the -- any analysis that I would have 10:55:31
21 done would have been then directed -- my efforts 10:55:35
22 were directed to support President Huffman in his 10:55:37
23 negotiations to try to get to a ten-year map. 10:55:41
24 Q. Okay. Did you ever complete an analysis to 10:55:44
25 determine whether or not the map complied with 10:55:48

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | Section B -- sorry -- Section 6(B) of Article XI, as | 10:55:56 |
| 2 | asked in Senator Sykes' question? | 10:56:04 |
| 3 | MR. STRACH: Objection. | 10:56:08 |
| 4 | Go ahead. | 10:56:09 |
| 5 | THE WITNESS: I was focused on providing a | 10:56:10 |
| 6 | map that followed all of the requirements of the | 10:56:19 |
| 7 | constitution dealing with the construction of senate | 10:56:22 |
| 8 | districts and house districts, making sure that we | 10:56:26 |
| 9 | didn't make any dumb or sloppy mistakes and | 10:56:29 |
| 10 | providing that information as timely as I could to | 10:56:33 |
| 11 | President Huffman so that he could carry on the | 10:56:36 |
| 12 | negotiations for a ten-year map. | 10:56:39 |
| 13 | Inherent in that would have been any -- any | 10:56:43 |
| 14 | information about, as we've talked about the | 10:56:46 |
| 15 | republican or democrat leaning of districts. | 10:56:50 |
| 16 | If you -- if that's an analysis, then, I | 10:56:53 |
| 17 | guess that your answer. And if that's not an | 10:56:56 |
| 18 | analysis, I guess that's my best answer. | 10:56:58 |
| 19 | MR. FRAM: | 10:57:00 |
| 20 | Q. I guess my question is: If that was your | 10:57:01 |
| 21 | analysis, did you ever complete it? | 10:57:04 |
| 22 | MR. STRACH: Objection. | 10:57:07 |
| 23 | MR. FRAM: | 10:57:08 |
| 24 | Q. If it's ongoing. I'm trying to understand | 10:57:09 |
| 25 | if you ever -- if it ever got completed? | 10:57:11 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

140

1 A. I did not produce any type of report or 10:57:14
2 analysis that way. I guess what I'm trying to 10:57:18
3 convey to you is that we were focused on the 10:57:21
4 negotiations at hand that were evolving minute to 10:57:24
5 minute, hour to hour, day to day in the short time 10:57:27
6 we had left. 10:57:30

7 And trying to provide, for me, 10:57:31
8 President Huffman with any information that he 10:57:34
9 needed in his negotiations or conversations with the 10:57:39
10 other members of the commission. 10:57:41

11 Q. Okay. So it was not a comprehensive review 10:57:42
12 of the map as a whole, but it was rather responding 10:57:47
13 to specific questions about particular districts in 10:57:51
14 the negotiations. Do I understand you correctly? 10:57:55

15 A. No. We were always focused on the entire 10:57:57
16 map. So any -- that was one of the things that -- 10:58:01
17 that -- I don't want to say it was frustrating, but 10:58:04
18 anytime that we were making changes to geography, 10:58:06
19 whether it's Montgomery County like we talked about, 10:58:09
20 northeast Ohio or any other districts, there were a 10:58:12
21 number of things that needed to be done. 10:58:15

22 Some of which, I guess, you could call 10:58:18
23 analyses to make sure that the map complied with the 10:58:21
24 continuity requirements, the population 10:58:23
25 requirements. You know, they didn't -- we didn't 10:58:26

Transcript of Ray DiRossi
Conducted on October 19, 2021

141

1 split extra counties. We weren't splitting 10:58:29
2 unnecessarily the wards of major cities. We weren't 10:58:31
3 splitting any protected political subdivisions as 10:58:35
4 outlined in other provisions of the constitution. 10:58:39

5 So all of that was all happening 10:58:41
6 simultaneously anytime we were reviewing a democrat 10:58:43
7 proposal or making one of our own. 10:58:47

8 Q. So you say you never provided a written 10:58:50
9 report regarding compliance with Section 6(B) of 10:58:53
10 Article XI. Is that right? 10:58:58

11 A. I don't recall doing so, no. 10:58:59

12 Q. And how did you convey information relative 10:59:01
13 to the election results analysis that you said was 10:59:09
14 ongoing? What form? If it was not in a written 10:59:12
15 report, how did you convey it? 10:59:16

16 A. I mean, a lot of that was done verbally -- 10:59:18

17 Q. Okay. 10:59:22

18 A. -- personal conversations between myself 10:59:23
19 and President Huffman. 10:59:25

20 Q. I understand. 10:59:26

21 Was any of it done in any visual way; for 10:59:28
22 example, using your Maptitude screen? 10:59:33

23 A. I don't recall, between September 9th and 10:59:37
24 September 15th when we were in the -- they were in 10:59:42
25 the negotiations, if I showed the screen to the 10:59:46

Transcript of Ray DiRossi
Conducted on October 19, 2021

142

1 president, although I can recall one time when I was 10:59:50
2 with him in the office. 10:59:54

3 But I don't -- I don't recall specifically 10:59:59
4 showing him any type of analysis that you're 11:00:02
5 referring to. It was more about, these are the 11:00:06
6 things that -- I'll say the democratic members of 11:00:09
7 the redistricting commission were asking to be 11:00:14
8 considered and what were we going to do to do that 11:00:17
9 or suggest alternatives. That was the focus. 11:00:20

10 Q. When -- you testified when 11:00:24
11 President Huffman did see a screen -- you testified 11:00:27
12 he did -- I take it that was done before 11:00:29
13 September 9? 11:00:31

14 A. I am sure throughout the process I showed 11:00:32
15 -- in fact I know I showed Senator Huffman the 11:00:38
16 graphics on the screen. I don't recall specifically 11:00:41
17 what was before September 9th and what was after 11:00:47
18 September 9th. 11:00:49

19 Q. Okay. Thank you. I appreciate that. 11:00:50

20 And in the conversations with Senator 11:00:52
21 Huffman regarding the negotiations, other than the 11:00:58
22 items which you've already testified, do you recall 11:01:05
23 any other conversations that concerned the partisan 11:01:08
24 leaning of any district? 11:01:11

25 A. I recall him asking our status on, you 11:01:13

Transcript of Ray DiRossi
Conducted on October 19, 2021

143

1 know, receiving data, both the geography and 11:01:23
2 election results, and getting them into the computer 11:01:28
3 system. 11:01:30
4 And I recall expressing frustration to him 11:01:32
5 that it was a -- I called it, it's not a light 11:01:35
6 switch. It takes time. So I do recall 11:01:38
7 conversations -- me expressing frustration to him 11:01:41
8 about how long that was taking. 11:01:45
9 Q. And that -- 11:01:46
10 A. -- taking. 11:01:48
11 Q. Those conversations were towards the end of 11:01:48
12 August, very, very beginning of September. Is that 11:01:51
13 right? 11:01:53
14 A. Yeah. The end of August through -- through 11:01:53
15 September 15th. 11:02:00
16 Q. So there were still frustrations about not 11:02:00
17 getting good election data all the way up to 11:02:04
18 September 15, or were those conversation really up 11:02:07
19 to September 9? 11:02:09
20 A. Well, as I mentioned before, at one -- at 11:02:10
21 some point, we received the '16, '18, and '20 data, 11:02:18
22 but that took time to have that be received and have 11:02:22
23 it in a usable way that the computers would work 11:02:27
24 with it. So that was one set of frustrations. 11:02:32
25 There were just a number of frustrations 11:02:34

Transcript of Ray DiRossi
Conducted on October 19, 2021

144

1 throughout the process about data. Not necessarily 11:02:39
2 about election results. Not necessarily about 11:02:41
3 geography. But just about how the computers were 11:02:44
4 working and how we were able to turn projects 11:02:47
5 around. 11:02:51
6 Q. Okay. Let me see if I can break it down a 11:02:52
7 little bit. 11:02:54
8 So prior to September 9 -- let me look at 11:02:55
9 it another way. 11:03:02
10 As of September 9, I take it the election 11:03:04
11 results stayed, and the geography data -- at least 11:03:07
12 as to 2016, '18, and 2020 elections, that was fully 11:03:11
13 baked. Is that right? 11:03:19
14 A. Could you restate the question. 11:03:19
15 Q. As of September 9, was the election results 11:03:21
16 data and the geography data as regarding the 11:03:24
17 elections for 2016, 2018, and 2020 -- was that fully 11:03:29
18 baked? 11:03:37
19 MR. STRACH: Objection. 11:03:38
20 MR. FRAM: I can clarify. 11:03:40
21 Q. Was it -- had it been conveyed and 11:03:41
22 formatted in a manner that was usable by the 11:03:46
23 Maptitude software map in your computer? 11:03:49
24 A. I would say -- I would say the '16, '18, 11:03:51
25 and '20 information was after September 9th, the 11:03:56

Transcript of Ray DiRossi
Conducted on October 19, 2021

145

1 focal point for what was using. I would say some of 11:04:04
2 the frustrations that I was experiencing with its 11:04:07
3 functionality were ongoing through the process. 11:04:10
4 Q. But my question is, was -- you were able to 11:04:14
5 use, in Maptitude, the 2016, 2018, and 2020 election 11:04:18
6 data as of September 9. Is that right? 11:04:26
7 A. I don't specifically recall. And as we 11:04:32
8 continue to talk about it and various pieces of it 11:04:36
9 here today, I'm starting to doubt the -- it's 11:04:40
10 becoming less clear when what data was available, 11:04:46
11 when it was useful, when it was operational for all 11:04:50
12 of these different data sets. 11:04:56
13 Q. So you're not sure, as you sit here now, 11:04:58
14 that there was a usable data set of election data 11:05:00
15 even as late as September 15. Is that right? 11:05:03
16 A. No, I didn't say September 15th. No. 11:05:05
17 Q. So as of -- by September 15, I take it, 11:05:09
18 there was a usable set of election data for the 11:05:15
19 2016, 2018, and 2020 elections. Is that right? 11:05:21
20 A. I'm trying to restate what I think I've 11:05:23
21 already stated before previously, and that is, the 11:05:26
22 '16, '18, and '20 data was some of the -- other than 11:05:29
23 the '20 geography and '20 election results, the '16, 11:05:37
24 '18, and '20 pieces were available through the 11:05:41
25 conversations with the democratic caucuses earlier 11:05:45

Transcript of Ray DiRossi
Conducted on October 19, 2021

146

1 in the process. 11:05:49

2 Once those conversations were fruitful and 11:05:50

3 the data was given to us and made available to us in 11:05:53

4 a usable form and it was integrated in the 11:05:57

5 computers, that was happening around early 11:06:00

6 September. 11:06:05

7 But it doesn't mean -- as I've tried to 11:06:06

8 articulate, and maybe I've done a poor job 11:06:09

9 mentioning it. There were continuing problems with 11:06:11

10 the data where the data wasn't lining up at all 11:06:14

11 levels of geography. And it was received by us, 11:06:18

12 usable by us, but that's why I'm saying there was 11:06:24

13 continuing frustration throughout the process that 11:06:27

14 was really never fully resolved. But I'm not 11:06:30

15 suggesting it wasn't -- the '16, '18, and '20 sets 11:06:32

16 of geography and election results weren't usable. 11:06:36

17 Q. So they were usable? 11:06:41

18 A. I'm trying to -- yes. They were usable, 11:06:42

19 but there was ongoing -- the layers weren't 11:06:46

20 necessarily matching up, and that was a cause for 11:06:51

21 frustration that I've tried to articulate. 11:06:54

22 Q. Okay. But they were usable to the point 11:06:58

23 where you could see the results of election -- 11:06:59

24 strike that. 11:07:05

25 It was usable to the point where you could 11:07:06

Transcript of Ray DiRossi
Conducted on October 19, 2021

147

1 see the partisan leaning of a district in the 11:07:09
2 display window in Maptitude when you looked at a 11:07:14
3 district. Is that right? 11:07:19

4 A. Yes. I could see it generating numbers. I 11:07:23
5 mean, I'm not speaking to its authenticity or 11:07:26
6 accuracy, but yes, I could see numbers. 11:07:28

7 Q. Okay. And so when you said to 11:07:30
8 Senator Sykes that your analysis was ongoing, was 11:07:39
9 not complete as of today, September 9, and it's 11:07:44
10 ongoing -- when you said that, in fact, it remained 11:07:47
11 ongoing right up through September 15, or not? 11:07:50

12 A. Well, as I think I said before, if not a 11:07:52
13 couple times, on September 9th, everything seemed to 11:08:02
14 change. You know, we were five and a half days away 11:08:06
15 from the deadline. 11:08:09

16 There was renewed conversations about 11:08:10
17 negotiations, getting a ten-year map, the exchanging 11:08:12
18 of proposals started in earnest. There were maps to 11:08:15
19 receive and analyze. There were maps to propose and 11:08:19
20 send. 11:08:23

21 And so that process of doing that analysis 11:08:24
22 that I spoke of on the 9th kind of evolved. 11:08:26

23 Q. It was displaced by a focus on responding 11:08:34
24 to issues in the negotiation. Is that right? 11:08:38

25 MR. STRACH: Objection. 11:08:41

Transcript of Ray DiRossi
Conducted on October 19, 2021

149

1 to correct me if I'm wrong here -- that after 11:10:07
2 negotiations got going over the maps in early 11:10:11
3 September, that you stopped looking at this. Is 11:10:14
4 that right? 11:10:19

5 A. Can you clarify -- are you saying stopped 11:10:19
6 looking at this document? 11:10:24

7 Q. Yes, correct. You stopped consulting this 11:10:26
8 document -- actually, strike that. 11:10:29

9 You stopped consulting this data that you 11:10:31
10 compiled in this document generally. 11:10:38

11 MR. STRACH: Objection. 11:10:40

12 MR. KLEIN: Basis? 11:10:51

13 MR. STRACH: It's a confusing and weird 11:10:52
14 question. 11:10:54

15 MR. KLEIN: Okay. I can rephrase it. 11:10:54

16 Q. So what I'm asking is -- well, let's 11:10:56
17 actually bring it back to the initial question, 11:10:58
18 which was, at that time, as negotiations got going 11:11:00
19 in early September, is it correct that you stopped 11:11:03
20 looking at this document? 11:11:06

21 A. I mean, when I -- when I created it, you 11:11:06
22 know, post-budget, before census data is when I 11:11:17
23 think I created it, I didn't know if it would be 11:11:20
24 useful to me, but this -- I -- yes. When 11:11:23
25 negotiations were going, I don't recall looking at 11:11:27

Transcript of Ray DiRossi
Conducted on October 19, 2021

150

1 this document. That was -- I had much more 11:11:30
2 important things to do. 11:11:34

3 Q. Okay. Now, was it also your testimony 11:11:37
4 earlier that you did not consult this document 11:11:44
5 because -- and I'm quoting verbatim here from the 11:11:50
6 transcript -- "this section of the constitution was 11:11:53
7 not something I was responsible for determining, 11:11:55
8 interpreting, or doing anything like that with"? 11:11:58

9 A. If that's what I said before, yes, that's 11:12:04
10 right. 11:12:06

11 Q. Okay. So when you're talking about that 11:12:06
12 section of the constitution, were you -- were you 11:12:09
13 referring to Article XI, Section 6? And we can also 11:12:15
14 pull that up if you need it. 11:12:18

15 MR. STRACH: Objection. The record will 11:12:24
16 speak for itself. 11:12:25

17 But you can answer that if you can. 11:12:27

18 THE WITNESS: Yeah. I said I was -- I was 11:12:32
19 focused on providing President Huffman any 11:12:34
20 information he needed to go through negotiations and 11:12:37
21 hopefully get to a ten-year -- ten-year conclusion, 11:12:41
22 ten-year map. That was my focus in those final five 11:12:44
23 and a half days-ish, six days. 11:12:47

24 MR. KLEIN: Okay. So why don't we pull up 11:12:50
25 tab 19, I believe, Article XI, Section 6 it should 11:12:52

Transcript of Ray DiRossi
Conducted on October 19, 2021

151

| | | |
|----|--|----------|
| 1 | be. | 11:13:08 |
| 2 | THE REMOTE TECHNICIAN: Would you like to | 11:13:08 |
| 3 | mark this as the next exhibit? | 11:13:09 |
| 4 | MR. KLEIN: Yes. | 11:13:12 |
| 5 | (Brief pause.) | 11:13:16 |
| 6 | (Exhibit 7 was marked for identification.) | 11:13:23 |
| 7 | MR. KLEIN: | 11:13:23 |
| 8 | Q. All right. Our -- so first, Mr. DiRossi, | 11:13:23 |
| 9 | are you familiar with the constitutional provision | 11:13:26 |
| 10 | that's contained within this document? | 11:13:28 |
| 11 | MR. STRACH: Objection. | 11:13:32 |
| 12 | THE WITNESS: Yes. Did you say am I | 11:13:34 |
| 13 | familiar with it? | 11:13:36 |
| 14 | MR. KLEIN: | 11:13:38 |
| 15 | Q. Yes. | 11:13:39 |
| 16 | A. Well, I know it exists. | 11:13:40 |
| 17 | Q. Okay. And at the time you began your work | 11:13:43 |
| 18 | on the maps, were you aware of what's set forth in | 11:13:52 |
| 19 | this constitutional provision in front of you? | 11:13:55 |
| 20 | A. I mean, I see the words, but I don't know | 11:13:57 |
| 21 | how to interpret them. I was very glad when this | 11:14:00 |
| 22 | ended up not being something that I was being tasked | 11:14:06 |
| 23 | with. | 11:14:08 |
| 24 | So I see the words, but I don't know how to | 11:14:08 |
| 25 | interpret these provisions. | 11:14:13 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

152

1 Q. Okay. And Mr. DiRossi, when you say this 11:14:18
2 was not something that you were tasked with, what do 11:14:21
3 you mean precisely by that? 11:14:24

4 A. Like I said, we had five or six days after 11:14:26
5 the September 9th meeting, and there were a whole 11:14:29
6 host of things that needed to be done every time a 11:14:30
7 map was received from the democrat members of the 11:14:36
8 redistricting commission to -- ultimately to me or 11:14:39
9 to Blake. 11:14:42

10 Or the other way, making sure that the 11:14:45
11 districts complied with all of the other very 11:14:47
12 obvious provisions of the constitution, like 11:14:50
13 population equality, contiguity, the construction 11:14:53
14 requirements of house and senate districts, Section 11:14:57
15 5, the assignment of senators. 11:15:02

16 And the simple mechanics of trying to 11:15:05
17 receive files, import them into Maptitude, make the 11:15:09
18 software work correctly, and export files to send 11:15:12
19 back through President Huffman to the negotiations. 11:15:15

20 That was a monumental task. That was my 11:15:19
21 singular -- well, I shouldn't say singular focus, 11:15:25
22 but that was my main focus in those final less than 11:15:26
23 a week we had to try to get to a ten-year map. 11:15:30

24 Q. Okay. Okay. So going back before 11:15:39
25 September 9th in stages of the map-making process 11:15:40

Transcript of Ray DiRossi
Conducted on October 19, 2021

153

1 from when the census data came out to when you 11:15:43
2 presented the map on September 9, was this also not 11:15:46
3 something you were tasked with in determining 11:15:50
4 whether the map complies with Article XI, Section 6? 11:15:54

5 MR. STRACH: Objection. 11:15:59

6 THE WITNESS: Early on -- again, remember, 11:16:04
7 we didn't even have computers set up and 11:16:07
8 operational. We didn't have census data that we had 11:16:09
9 received from the census bureau to Ohio University 11:16:12
10 back to us, you know, trying to get it in the 11:16:15
11 computer. 11:16:19

12 In those early days, I know everybody was 11:16:20
13 of the mindset of, like, hey, you got the census 11:16:23
14 data yesterday, where are the maps. But internally, 11:16:26
15 there was a tremendous amount of time and effort 11:16:28
16 that was going into just getting up and running and 11:16:30
17 getting operational and getting functional. 11:16:33

18 That was what was happening early on. So I 11:16:35
19 wasn't focused on this or not focused on this. I 11:16:40
20 was focused on all those logistical things early on. 11:16:43

21 MR. KLEIN: 11:16:49

22 Q. What do you mean by "those logistical 11:16:49
23 things"? 11:16:51

24 A. The functionality of the computers; making 11:16:52
25 sure that the software worked with the computers; 11:16:57

Transcript of Ray DiRossi
Conducted on October 19, 2021

154

1 making sure that the census data -- I mean, the 11:17:00
2 population data was working in the computer system; 11:17:04
3 making sure that the geography at each layer of 11:17:08
4 geography, that blocks aggregated to precincts; that 11:17:12
5 precincts aggregated to wards; that wards aggregated 11:17:17
6 to political subdivisions; that political 11:17:22
7 subdivisions aggregated to counties; making sure the 11:17:26
8 populations were right. 11:17:28

9 All of that was happening early on, and 11:17:29
10 that was the early focus before we even -- you have 11:17:31
11 to walk before you can run. And that was all -- 11:17:35
12 that's just a sampling of the things we were trying 11:17:37
13 to do to get ready to walk. 11:17:39

14 Q. Okay. And around what point were all of 11:17:43
15 those logistical matters up and running? 11:17:46

16 A. I don't recall. Some of them would have 11:17:48
17 gotten worked out, you know, sometime in August. 11:17:51
18 And, obviously, then come September, we were, you 11:17:59
19 know, preparing something for September 9th, 11:18:02
20 ultimately. But various things that I just 11:18:07
21 described were worked out in August and -- through 11:18:11
22 the month of August. 11:18:14

23 Q. Okay. So what I'm trying to figure out is, 11:18:15
24 as you're preparing the map leading up to the 11:18:19
25 presentation on September 9, was whether the map 11:18:23

Transcript of Ray DiRossi
Conducted on October 19, 2021

155

1 reflected the standards in Article XI, Section 6 -- 11:18:27
2 was that a consideration in your mind? 11:18:30

3 A. I was much more focused about, as I refer 11:18:34
4 to, in northeast Ohio, there being a specific 11:18:38
5 geography problem that had plagued the state for a 11:18:42
6 number of decades. I was very focused on that 11:18:44
7 because early on, I could not find a mathematical 11:18:47
8 solution to it. 11:18:50

9 I was focused on a couple other areas of 11:18:51
10 the state where I thought there were changes that 11:18:55
11 were going to cause some disruption. I think I 11:19:00
12 spoke about one -- a simple one in Warren and Butler 11:19:02
13 Counties earlier. But those were the early -- the 11:19:13
14 early issues that I was focused on. 11:19:15

15 And then making sure that all the districts 11:19:17
16 were contiguous, had the right populations, and 11:19:19
17 had -- adhered to all the other mandatory 11:19:22
18 requirements of the constitution. 11:19:24

19 Q. All right. So is it a fair 11:19:25
20 characterization to say that the matter of 11:19:28
21 Article XI, Section 6 was just not at the top of 11:19:30
22 your -- this was not at the top of your -- of your 11:19:33
23 priority list in drawing this map presented on 11:19:37
24 September 9? 11:19:43

25 MR. STRACH: Objection. 11:19:43

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|--|----------|
| 1 | Go ahead. | 11:19:45 |
| 2 | THE WITNESS: My goal and what I viewed my | 11:19:45 |
| 3 | role was -- in those early days was putting forward | 11:19:48 |
| 4 | a map for the president of the senate to consider | 11:19:50 |
| 5 | presenting to the redistricting commission that did | 11:19:54 |
| 6 | not have any constitutional construction errors or | 11:19:57 |
| 7 | problems in it and that found solutions to be a | 11:20:03 |
| 8 | constitutional map. | 11:20:07 |
| 9 | MR. KLEIN: | 11:20:10 |
| 10 | Q. Right. As -- and so what I'd like to know | 11:20:11 |
| 11 | is, in your view, in drawing these maps, would a map | 11:20:14 |
| 12 | that does not reflect the standards in Article XI, | 11:20:21 |
| 13 | Section 6 be a map that has, by your | 11:19:31 |
| 14 | characterization, constitutional errors? | 11:20:47 |
| 15 | MR. STRACH: Objection. Calls for a legal | 11:20:51 |
| 16 | conclusion. | |
| 17 | (Reporter clarification.) | 11:20:51 |
| 18 | MR. STRACH: Same objection. | 11:20:51 |
| 19 | Spencer, your voice is kind of trailing off | 11:20:53 |
| 20 | at the end of sentences. | 11:20:55 |
| 21 | MR. KLEIN: I'm sorry about that. I'll try | 11:20:57 |
| 22 | to speak up a bit more. | 11:20:59 |
| 23 | MR. STRACH: Go ahead, Ray. | 11:21:01 |
| 24 | THE WITNESS: I'm sorry, Mr. Klein. Can | 11:21:03 |
| 25 | you repeat that. | 11:21:06 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 MR. KLEIN: Sure thing. 11:21:07
2 Could we actually have that read back.
3 (Record read.) 11:21:42
4 MR. KLEIN: 11:21:42
5 Q. What I'd like to know is that -- just 11:21:53
6 moving back a little bit, you had said that your 11:21:57
7 goal was to give a map to the senate president that 11:21:59
8 did not have constitutional construction errors. 11:22:04
9 What I'm asking is, if a map -- was whether 11:22:07
10 a map that does not reflect the standards set forth 11:22:11
11 in Article XI, Section 6, is that a map that has 11:22:15
12 these, by your characterization, constitutional 11:22:20
13 construction errors? 11:22:22
14 MR. STRACH: Objection. Calls for a legal 11:22:23
15 conclusion.
16 Go ahead, Ray. 11:22:26
17 THE WITNESS: I mean I'm not sure I know 11:22:26
18 how to answer that. I feel the map -- the map 11:22:30
19 complies with all the provisions of the 11:22:33
20 constitution, but Section 6(B), I think you referred 11:22:35
21 to it as, was for President Huffman and others to 11:22:41
22 focus on. 11:22:46
23 MR. KLEIN: 11:22:48
24 Q. Right. So it is your understanding that -- 11:22:49
25 so -- sorry. Strike that. 11:22:56

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 It is your understanding that it was not 11:22:57
2 your responsibility to focus on Article XI, 11:23:01
3 Section 6; that was for Senate President Huffman and 11:23:05
4 the other commissioners, correct? 11:23:09
5 A. It was not my responsibility. 11:23:13
6 Q. Okay. Thank you. Just a moment. 11:23:15
7 Did you ever have conversations with any of 11:23:19
8 the commissioners concerning Article XI, Section 6? 11:23:34
9 A. I am thinking through. 11:23:38
10 (Brief pause.) 11:23:57
11 A. The only one I generally recall was 11:23:57
12 Senator Huffman, and him saying that that was not my 11:24:02
13 responsi- -- that was not my focus; that I should 11:24:07
14 focus on following the construction rules of the 11:24:09
15 constitution for producing a fair and neutral map 11:24:11
16 that complied with all those construction 11:24:16
17 requirements. 11:24:19
18 Q. And Mr. DiRossi, do you recall when that 11:24:19
19 conversation occurred? 11:24:24
20 A. I don't. I do not. 11:24:26
21 Q. Was it prior to September 9th? 11:24:30
22 A. I can't recall. Those six days were a 11:24:36
23 whirlwind of everything. 11:24:43
24 Q. Okay. 11:24:46
25 A. And even before that time was amazingly 11:24:46

Transcript of Ray DiRossi
Conducted on October 19, 2021

159

| | | |
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| 1 | chaotic. | 11:24:54 |
| 2 | Q. Was this at some point in September that | 11:24:54 |
| 3 | you had this conversation? | 11:24:57 |
| 4 | A. I hesitate to say yes. And then sometime | 11:24:57 |
| 5 | later, remember, it was August 30th. I don't recall | 11:25:04 |
| 6 | when the conversation was. | 11:25:07 |
| 7 | Q. Was it after the census data came out? | 11:25:08 |
| 8 | A. I'm sorry. You kind of garbled there after | 11:25:13 |
| 9 | you said "was it after." | 11:25:17 |
| 10 | Q. Sorry. This may be an issue with my mic. | 11:25:18 |
| 11 | Let me just make sure that Zoom has this all right. | 11:25:22 |
| 12 | My apologies. | 11:25:25 |
| 13 | A. No problem. | 11:25:26 |
| 14 | Q. All right. Did this conversation occur | 11:25:28 |
| 15 | following the release of the census data? | 11:25:33 |
| 16 | A. I don't recall specifically. That -- that | 11:25:36 |
| 17 | sounds a little more realistic, but I cannot recall. | 11:25:49 |
| 18 | Q. Okay. Do you recall anything about the | 11:25:54 |
| 19 | context for this conversation? | 11:25:57 |
| 20 | A. I don't. Yeah, the only thing I remember | 11:26:00 |
| 21 | is that President Huffman said he had his own -- his | 11:26:12 |
| 22 | ideas, and he was -- he was the one negotiating with | 11:26:15 |
| 23 | the other members of the commission, and keep | 11:26:19 |
| 24 | drawing maps that were compliant with the other | 11:26:23 |
| 25 | provisions of the constitution. | 11:26:25 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 Q. Okay. All right. Changing gears a bit. 11:26:26
2 You've testified earlier on that you 11:26:39
3 received feedback on the maps from incumbent 11:26:42
4 legisla- -- from -- from incumbent legislators. Is 11:26:49
5 that right? 11:26:58
6 A. Well, I would say the ones that were 11:26:58
7 negatively impacted certainly made their concerns 11:27:04
8 and displeasure known. 11:27:08
9 Q. Okay. So what legislators -- and this is 11:27:13
10 whether positive or negative feedback. But which -- 11:27:17
11 sorry. I'll actually have that struck. Sorry about 11:27:20
12 that. 11:27:23
13 Which legislators did you receive feedback 11:27:23
14 from on the maps? 11:27:28
15 A. I'll start with Senator Antani was very 11:27:30
16 displeased and not happy about his district being 11:27:37
17 made to be a democrat-leaning district. 11:27:41
18 Senator Roegner was unhappy that her 11:27:45
19 district was made from being a very 11:27:48
20 republican-leaning district to a marginal 11:27:53
21 republican-leaning district. 11:27:56
22 Senator Romanchuk was very unhappy, as was 11:27:58
23 his wife, that he was being drawn into the district 11:28:03
24 of another republican and common state senator, and 11:28:06
25 he made his -- very politely, but made his 11:28:11

Transcript of Ray DiRossi
Conducted on October 19, 2021

161

1 displeasure known. 11:28:15

2 And those are the ones that I had direct 11:28:16

3 interaction with. I had heard that others were 11:28:21

4 upset because their districts were negatively 11:28:23

5 impacted, in their view. But those were the ones 11:28:27

6 that I had direct interaction with. 11:28:30

7 Q. Okay. And did you receive any feedback 11:28:32

8 from -- from legislators prior to September 9? 11:28:38

9 A. I mean, I was talking to President Huffman, 11:28:47

10 who was an incumbent senator, so I would put -- I 11:28:56

11 would check that box. 11:29:00

12 I'm trying to recall if, before a map was 11:29:01

13 ruled out, other than the senators that I've 11:29:04

14 articulated who were being told that their districts 11:29:08

15 were going to be -- they were going to be drawn out 11:29:11

16 of their districts, drawn into another district. Or 11:29:12

17 in the case of Antani, that didn't happen until the 11:29:16

18 negotiations were progressing. I'm trying to 11:29:20

19 remember if there were any other incumbent senators 11:29:22

20 that I had heard from. 11:29:25

21 Q. Take your time. 11:29:34

22 A. Yeah. Can you -- can you ask -- Mr. Klein, 11:29:35

23 can you ask that question again and see if it helps 11:29:38

24 me? 11:29:41

25 Q. Sure. Absolutely. So aside from Senate 11:29:41

Transcript of Ray DiRossi
Conducted on October 19, 2021

162

| | | |
|----|--|----------|
| 1 | President Huffman -- | 11:29:47 |
| 2 | A. Okay. Thank you. | |
| 3 | Q. -- did you receive feedback on the maps, | 11:29:48 |
| 4 | from any incumbent legislators, prior to | 11:29:51 |
| 5 | September 9th? | 11:29:56 |
| 6 | A. And I'm struggling with "prior to | 11:29:56 |
| 7 | September 9th," because there -- there are a few -- | 11:29:58 |
| 8 | a few others that I would say, but I couldn't say | 11:30:01 |
| 9 | for sure that they were before or after | 11:30:02 |
| 10 | September 9th. | 11:30:06 |
| 11 | Q. All right. Well, so then let's speak | 11:30:06 |
| 12 | generally before or after. Which legislators did | 11:30:09 |
| 13 | you receive feedback from, aside from the ones we've | 11:30:15 |
| 14 | already canvassed, aside from Senate | 11:30:32 |
| 15 | President Huffman? | 11:30:34 |
| 16 | (Reporter clarification.) | 11:30:39 |
| 17 | A. Form state senator and now current member | 11:30:39 |
| 18 | of the house, Tom Patton. I -- I can't remember if | 11:30:42 |
| 19 | he called me or -- yeah, I think he called me -- and | 11:30:48 |
| 20 | he was not happy with the map that was -- I guess | 11:30:55 |
| 21 | that -- I'm guessing now that that would have been | 11:30:59 |
| 22 | after the 9th because he was not happy with the map, | 11:31:03 |
| 23 | that he felt that was a negative thing for him. So | 11:31:05 |
| 24 | that would be one additional one. | 11:31:11 |
| 25 | As you can see, there's a theme here of all | 11:31:13 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

163

1 of the negativity, nobody ever called to say good 11:31:15
2 things. It was all not good things. 11:31:18

3 Any other members that I heard from 11:31:21
4 directly. I'm trying -- I'm trying to be thorough, 11:31:30
5 but I -- those are the ones that I recall. Those 11:31:32
6 are the ones that I recall, you know, on the -- on 11:31:34
7 this call with you right now. 11:31:37

8 Q. Okay. And were there any instances where 11:31:39
9 that feedback was ultimately incorporated into the 11:31:42
10 map approved on September 15th or 16th? 11:31:46

11 A. Well, Senator Antani's district sure went a 11:31:50
12 very different way than he would have wanted. 11:31:59

13 Senator Roegner's district stayed a 11:32:02
14 marginal republican-leaning district. There are no
15 changes to the 32nd district or the 18th district -- 11:32:19

16 (Reporter admonition.) 11:32:29

17 Q. Were there any instances where the feedback 11:32:29
18 provided by incumbent legislators was ultimately 11:32:33
19 incorporated into plan that was ultimately approved? 11:32:38

20 A. Yeah. So I'm speaking of the senate 11:32:42
21 districts of which I'm much more familiar, 11:32:47
22 obviously. And I think I was saying -- now here I'm 11:32:50
23 trying to restate what I was saying a second ago. 11:32:54

24 I think Senator Roegner's district stayed a 11:32:57
25 marginal republican-leaning district so I don't 11:33:02

Transcript of Ray DiRossi
Conducted on October 19, 2021

164

1 think there was any -- there were changes to the 11:33:05
2 27th Senate District. But they were being done as 11:33:14
3 the opposites of the changes that we were doing to 11:33:19
4 the 24th in Cuyahoga County. 11:33:21

5 So I'm trying -- I'm trying to get back to 11:33:25
6 your premise, were there any conversations that led 11:33:28
7 to changes between the 9th and the 15th. 11:33:30

8 Q. Uh-huh.

9 A. Yeah. I mean, the -- none come to mind. I 11:33:36
10 mean, the -- the general focus, from the 9th to the 11:33:43
11 15th, was focused on making republican-leaning 11:33:46
12 districts democrat-leaning districts both in the 11:33:51
13 house and Senate. 11:33:54

14 And so I am struggling to think of any 11:33:55
15 examples of where we were getting feedback from 11:33:58
16 legislators where we were making -- oh. I just 11:34:02
17 thought of one. Thank you. 11:34:07

18 During the testimony in Cleveland, 11:34:08
19 Stephanie Howse, a current legislator in the house 11:34:14
20 testified about the -- excuse me -- the geography in 11:34:19
21 Cuyahoga County with some of the house districts and 11:34:23
22 the senate districts. 11:34:27

23 And she was displeased that, in her 11:34:28
24 opinion, some traditional districts that were on the 11:34:32
25 east side, primarily of Cleveland, were now having a 11:34:35

Transcript of Ray DiRossi
Conducted on October 19, 2021

165

1 portion of their districts on the west side of 11:34:40
2 Cleveland. 11:34:42

3 And so that was something that would have 11:34:43
4 been mentioned to me by someone as, "You guys should 11:34:47
5 go back and listen to her testimony again that was 11:34:51
6 made at one of the hearings." 11:34:53

7 And if that's something in our nine -- you 11:34:55
8 know, I guess it's -- it was the final plan. But, 11:34:59
9 obviously, there were plans going back and forth 11:35:01
10 between 9/9 and 9/15. If there are changes that we 11:35:04
11 can make, that would make that along the lines of 11:35:07
12 what she was talking about, let's try to do that. 11:35:10

13 And, obviously, I -- I hadn't talked to her 11:35:13
14 about that, but we did make changes to the geography 11:35:17
15 to try to make some of the house districts and 11:35:20
16 senate districts more traditional east side 11:35:23
17 districts than there was in the 9/9 map. 11:35:26

18 So, I guess, there's -- that's -- that's 11:35:29
19 one thing that meets your fact pattern for your 11:35:30
20 question. I can't recall any others. There may 11:35:35
21 have been more, but I cannot recall them. It's a 11:35:37
22 very jumbled mess of whirlwind of activity during 11:35:39
23 those days. 11:35:44

24 Q. Okay. And moving the timetable back for 11:35:44
25 prior to September 9th, before the map was actually 11:35:51

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 presented to the commission, were there any 11:35:53
2 instances where there was feedback from incumbent 11:35:57
3 legislators and that feedback was incorporated into 11:36:01
4 the map? 11:36:04

5 A. I'm thinking through the geography in my 11:36:10
6 head. Apologies during the -- see if anything jumps 11:36:32
7 out at me. 11:36:35

8 None -- none come to -- none come to mind 11:36:47
9 right now. I -- I -- I can think of a few people 11:36:48
10 that asked for things that didn't do. But you -- 11:36:54
11 you specifically said that we did do. I can't think 11:36:57
12 of any. 11:36:58

13 Q. All right.

14 A. Sitting here right now at least. 11:36:59

15 Q. All right. 11:37:00

16 MR. KLEIN: I was wondering if we might
17 take a quick break, if that's okay. 11:37:21

18 MR. STRACH: Sure. How long? 11:37:22

19 MR. KLEIN: Let's say five minutes. 11:37:24

20 MR. STRACH: Okay. Sounds good. 11:37:26

21 MR. KLEIN: Thanks. 11:37:28

22 THE VIDEOGRAPHER: Please stand by. Time
23 is 11:37 a.m. We are going off the record. 11:37:30

24 (Break taken.) 11:42:43

25 THE VIDEOGRAPHER: Time is 11:42 a.m. 11:42:43

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 We're now back on the record. 11:42:45

2 MR. KLEIN: So that's all for me. I'll 11:42:46

3 turn it over to any other counsel who has questions. 11:42:49

4 MR. FUNARI: Thank you. Thank you, 11:42:54

5 Spencer. 11:42:56

6 EXAMINATION

7 MR. FUNARI:

8 Q. Mr. DiRossi, can you hear me okay? 11:42:57

9 A. Yes. 11:43:00

10 Q. Okay. Good to -- good to meet you. My 11:43:02

11 name is Brad Funari and I am counsel to the relators 11:43:04

12 in the Ohio organizing coalition matter. And I have 11:43:08

13 a few questions. I'm not going to retread through 11:43:12

14 ground that was already covered by Mr. Klein, but I 11:43:17

15 do have some follow ups related to some of your 11:43:20

16 testimony that you -- you gave in response to their 11:43:23

17 questions. 11:43:25

18 The first is something that you mentioned 11:43:28

19 both in response to questions from Mr. Fram and also 11:43:30

20 from Mr. Klein. It was testimony to the effect that 11:43:33

21 senator -- or Senate President Huffman kept telling 11:43:37

22 you to keep drawing the maps that complied with 11:43:40

23 requirements of the constitution. 11:43:44

24 Do you remember testifying to that effect? 11:43:46

25 MR. STRACH: Objection. I'm not quite sure 11:43:49

Transcript of Ray DiRossi
Conducted on October 19, 2021

168

1 that's exactly what -- the words he used, but -- 11:43:51

2 MR. FUNARI: Sure. Understood. 11:43:54

3 Understood. I'm paraphrasing. I don't have the 11:43:55

4 transcript in front of me. 11:43:57

5 Q. Would you agree with me, Mr. DiRossi, that 11:44:00

6 you have testified, in essence, that senator 11:44:06

7 president -- Senate President Huffman kept telling 11:44:10

8 you to keep drawing maps that comply with the 11:44:13

9 requirements of the Ohio Constitution? 11:44:14

10 A. Can -- unrelated, can we turn the volume up 11:44:17

11 on that? You're a little softer. You're a little 11:44:20

12 bit softer than -- I think I heard the question. 11:44:30

13 I'm sure I did, but just maybe -- I don't know if we 11:44:31

14 have to make that louder or if you could make it

15 louder.

16 Q. My computer is as loud as it will go. So 11:44:35

17 do you think you can raise your -- 11:44:38

18 A. I don't know how to use this. 11:44:39

19 MR. STRACH: Yeah. Just if you can get 11:44:46

20 closer to the mic, Brad, that might help. 11:44:47

21 MR. FUNARI: Okay.

22 Q. You heard the question?

23 A. I think I -- no, you don't need to repeat

24 it. I heard your question, yeah. 11:44:50

25 I mean, I don't know if I said keep -- I 11:44:53

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 don't know the phraseology I used, but, yes, he -- 11:44:55
2 he -- he wanted me to keep following the provisions 11:44:57
3 of the constitution. 11:45:02
4 Q. Did he specify for you which requirements 11:45:05
5 or which sections of the Ohio Constitution he wanted 11:45:08
6 you to keep following? 11:45:12
7 A. Now, I think -- I think it happened because 11:45:15
8 I -- I made a comment to him about some of the other 11:45:18
9 maps that were publicly circulating that I thought 11:45:20
10 had significant constitutional defects in them. 11:45:23
11 And he just said, "Keep -- keep making sure 11:45:28
12 we follow the constitutional provisions." 11:45:31
13 Q. So though he didn't specify for you which 11:45:33
14 constitutional provisions, which constitutional 11:45:38
15 provisions did you reach a conclusion he was asking 11:45:41
16 you to keep following as you drew the maps? 11:45:46
17 A. Again, I'm not a legal folk -- person. 11:45:50
18 But, you know, generally the ones that -- where I 11:45:54
19 was commenting on the ones that dealt with the 11:45:57
20 construction of house districts. 11:45:58
21 So the very basic ones. Population 11:46:00
22 equality, continuity, the formation of whole ratios 11:46:02
23 of representation and how many districts a house or 11:46:06
24 senate district got inside a county that had a 11:46:10
25 sufficient population to have more than one whole 11:46:13

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 ratio of representation. 11:46:15

2 Oh, sorry. Going too fast. 11:46:21

3 The -- I know the Section V, the numbering 11:46:22

4 of senate districts was an issue that came up after 11:46:27

5 one of the redistricting commission hearings. And 11:46:30

6 so I know I had commented on Section V to him. 11:46:35

7 And so those -- those -- those are the ones 11:46:40

8 that generally I understood he said make -- you 11:46:42

9 make -- you make sure that we follow all of those. 11:46:45

10 Q. And those are all contained in Article XI 11:46:48

11 of the Ohio Constitution that you're referring to? 11:46:53

12 A. I believe so, yes, Article XI. Correct. 11:46:55

13 Q. As you were drafting the maps and revising 11:46:58

14 the maps, did you take into consideration any of the 11:47:01

15 constitutional requirements set forth in Article I 11:47:06

16 of the Ohio Constitution? 11:47:09

17 A. I do not have a copy of the constitution 11:47:11

18 handy, so I have no idea what -- what those are from 11:47:17

19 just saying "Section I."

20 But I was -- I was focused on Article XI. 11:47:23

21 And if there are any issues that I felt that I 11:47:25

22 didn't understand, of which there were several, I 11:47:30

23 consulted legal -- legal counsel for advice on 11:47:32

24 those. 11:47:34

25 Q. Okay. So understanding that you don't have 11:47:35

Transcript of Ray DiRossi
Conducted on October 19, 2021

171

1 a working understanding of Article I of the Ohio 11:47:38
2 Constitution, you would need to refer to the 11:47:44
3 constitution if you were tasked with ensuring the 11:47:46
4 maps you were drawing complied with the 11:47:53
5 requirements, if any, contained in Article I, 11:47:55
6 correct? 11:48:00

7 MR. STRACH: Objection. Go ahead. 11:48:00

8 THE WITNESS: Yeah. I'm confused by that 11:48:02
9 question. I was going to say -- 11:48:04

10 MR. FUNARI:

11 Q. Do you -- let me ask it a different way. 11:48:07

12 During your map drawing process -- during 11:48:09
13 your map drawing process, whenever you began to -- 11:48:13
14 whenever the final vote to adopt the plan of was 11:48:14
15 early morning of September 16th, did you ever refer 11:48:19
16 to Article I of the Ohio Constitution? 11:48:23

17 A. I don't -- I don't recall using Article I 11:48:26
18 or referring to Article I. 11:48:35

19 Q. Do you recall ever referring to or asking 11:48:37
20 any questions of legal counsel with respect to 11:48:43
21 Article I of the Ohio Constitution? 11:48:48

22 And that's the question, but let me caution 11:48:52
23 you. 11:48:54

24 I'm just asking you whether or not you had 11:48:54
25 such conversations. I don't want to know the 11:48:57

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 substance of those conversations. 11:48:59

2 MR. STRACH: Yeah. I -- I think I'm going 11:49:01

3 to ask him not to answer that, Brad. I think that 11:49:02

4 that's -- the subject of legal advice would, itself, 11:49:08

5 be protected, I believe. 11:49:11

6 MR. FUNARI: So your objection, Phil, so 11:49:13

7 that I understand it, I'm asking whether he sought 11:49:15

8 any legal advice regarding Article I of the 11:49:20

9 constitution. 11:49:23

10 And your position is, whether or not he 11:49:23

11 sought the advice -- not asking about the content of 11:49:26

12 any such advice -- but the mere fact that he sought 11:49:29

13 it, you are going to direct the witness not to 11:49:32

14 answer? 11:49:37

15 MR. STRACH: Correct. I think that asking 11:49:37

16 him the substance of -- of what he sought, i.e., 11:49:38

17 about Article I, is itself protected. 11:49:42

18 MR. FUNARI: 11:49:48

19 Q. At any point, do you -- during the map 11:49:48

20 drawing process, did you have any discussions with 11:49:51

21 Senate President Huffman specific to any 11:49:56

22 requirements set forth in Article I of the Ohio 11:50:00

23 Constitution? 11:50:05

24 A. None that I recall. 11:50:05

25 Q. What about any other members of the 11:50:07

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 commission? Did you discuss with any of them any 11:50:13
2 provision of Article I of the Ohio Constitution with 11:50:15
3 respect to the work of the redistricting commission? 11:50:19
4 A. Again, none -- none that I recall. 11:50:21
5 Q. I want to spend some time talking about 11:50:29
6 those other members of the commission. 11:50:32
7 A. Sure. Sure. 11:50:35
8 Q. So the same question is going to apply to 11:50:35
9 each of the individuals, but I'm going to go through 11:50:40
10 them in turn. 11:50:43
11 What, if any, input did Governor DeWine 11:50:44
12 have into the map drawing process that you went 11:50:49
13 through and described at length earlier this 11:50:55
14 morning? 11:51:00
15 A. So, as I had mentioned before, the meeting 11:51:01
16 that I recall with Governor DeWine and Lieutenant 11:51:06
17 Governor Houston focused -- a significant portion of 11:51:11
18 that time was focused on northeast Ohio and the 11:51:14
19 constitutional mathematical impossibilities that 11:51:17
20 had, you know, befelled us in previous decades. 11:51:22
21 The -- the -- the only thing that I 11:51:27
22 remember Governor DeWine mentioning to me, in 11:51:29
23 response to something that I mentioned to him, I 11:51:33
24 told him that we were taking great time and effort 11:51:36
25 to reduce the number of split counties that they 11:51:40

Transcript of Ray DiRossi
Conducted on October 19, 2021

174

1 would see in the house and Senate maps. And that we 11:51:44
2 were spending and going to spend a good amount of 11:51:50
3 time in trying to reduce those splits. 11:51:53

4 And I remember him commenting that that was 11:51:57
5 good. Trying to keep counties together was a 11:51:59
6 very -- a very good thing. 11:52:03

7 Other than that, I have no additional 11:52:04
8 comments to add about things that he opined on at 11:52:07
9 that meeting. 11:52:11

10 Q. So other than him responding to your 11:52:12
11 comment about trying to limit the number of split 11:52:16
12 counties, you had no conversations wherein Governor 11:52:19
13 DeWine provided you any input into what he wanted to 11:52:24
14 see in the maps that you had drawn. Is that 11:52:31
15 correct? 11:52:32

16 A. Well, I think it was inherent in that 11:52:32
17 meeting. I told him that I and Blake were 11:52:37
18 endeavoring to follow all of the construction 11:52:41
19 requirements of districts, whether it was the 11:52:44
20 population inequalities, the northeast Ohio issue. 11:52:47

21 I told them there were likely some 11:52:51
22 instances where, in order to follow those rules, we 11:52:53
23 were going to have to pair republican members 11:52:56
24 together and that there might be some republican 11:52:58
25 members who were very unhappy about that. 11:53:02

Transcript of Ray DiRossi
Conducted on October 19, 2021

175

1 So I'm just saying, I think I was proactive 11:53:05
2 in saying those things, and I'm sure he was in 11:53:10
3 agreement with those, that those were good things to 11:53:13
4 do, or else he would have corrected me on them. 11:53:17

5 So --

6 The only additional thing that he mentioned 11:53:20
7 to me, as I've articulated, was reducing splits, 11:53:22
8 both in the house map and in the senate map, which 11:53:25
9 we were very successful in doing, by the way, was 11:53:29
10 the only other thing above and beyond the things I 11:53:31
11 offered to him that we were already doing. 11:53:35

12 Q. Okay. I appreciate that thought. I 11:53:37
13 understand that you were telling him a lot of 11:53:40
14 things. 11:53:42

15 One of the, I think, instructions that Rob 11:53:43
16 gave or should have given at the beginning of the 11:53:44
17 deposition was, we don't want you to speculate. So 11:53:46
18 inherent in your response was speculation in terms 11:53:50
19 of what the governor might have been thinking and 11:53:53
20 how he might have been processing the information 11:53:55
21 that you were giving him. I don't want you to 11:54:00
22 speculate. 11:54:03

23 What I want you to answer is the question 11:54:04
24 of whether Governor DeWine actually provided you and 11:54:06
25 your team with any input from his mouth to you with 11:54:15

Transcript of Ray DiRossi
Conducted on October 19, 2021

176

1 -- in terms of what he wanted to see in the maps. 11:54:18

2 A. I thought I answered the question. I mean, 11:54:23

3 other than the reduction in the splits to counties, 11:54:27

4 that -- that's what I recall from that meeting. 11:54:31

5 Q. Did he raise the reduction in splits in 11:54:33

6 counties, or did you and he agreed with it? 11:54:38

7 A. I -- that's a good question. I don't 11:54:43

8 recall if he mentioned it or if it was in response 11:54:45

9 to what I said. I don't specifically recall. 11:54:48

10 That's a good question. Thank you. 11:54:50

11 Q. Okay. Have you had any discussions with 11:54:52

12 anyone with respect to Governor DeWine's deposition 11:54:56

13 testimony in this case? 11:55:00

14 A. I'm not even sure, sitting here, whether 11:55:01

15 he's done it or not. I think he has. But other 11:55:07

16 than it's happened, I don't recall any, no. 11:55:13

17 Q. Okay. So the same question I have for the 11:55:14

18 other members of the commission. We'll start with 11:55:18

19 Secretary of State LaRose. 11:55:21

20 Did he provide you with any input in terms 11:55:25

21 of what he wanted in the maps? 11:55:27

22 A. I think I -- as I said before, he wanted a 11:55:33

23 -- he wanted a ten-year map. A lot of his questions 11:55:42

24 were -- maybe not to me, but to President Huffman 11:55:45

25 about how the negotiations were going to be done to 11:55:48

Transcript of Ray DiRossi
Conducted on October 19, 2021

177

1 try to get there. That's my -- that's my big 11:55:52

2 takeaway from the one meeting I had with him. 11:55:57

3 Q. So he was focused more on process, right, 11:56:02

4 how the negotiations would unfold with his goal 11:56:05

5 being a ten-year map rather than a four-year map. 11:56:09

6 That's what you recall discussions about? 11:56:13

7 A. Yeah. And taking the advice from you not 11:56:14

8 to speculate, I went through a lot of the same 11:56:16

9 things that I spoke to Governor DeWine and 11:56:19

10 Lieutenant Governor Houston about, and that was, you 11:56:22

11 know, what we were seeing, challenges and so forth, 11:56:24

12 and what we might have to do with republican members 11:56:28

13 being paired together. 11:56:30

14 The one thing that he articulated back, 11:56:31

15 whether it was to me or to President Huffman, was, 11:56:34

16 you know, focusing on a ten-year map. That's what I 11:56:38

17 recall. 11:56:41

18 Q. Thank you. Let's move on to auditor of 11:56:41

19 state Faber. 11:56:44

20 Did he provide you with any input with 11:56:47

21 regard to what he wished would be seen or reflected 11:56:52

22 in the map-making process that you were a part of? 11:56:55

23 A. So again, not to repeat what I said, but it 11:57:00

24 was a very similar meeting to these we just talked 11:57:04

25 about where I would have articulated the challenges 11:57:07

Transcript of Ray DiRossi
Conducted on October 19, 2021

178

1 we were seeing and the things that we wanted to 11:57:09
2 achieve, reducing splits to eliminating split 11:57:11
3 jurisdictions, et cetera. 11:57:15

4 There -- there was one geography-related 11:57:17
5 issue in northwest Ohio that he was seemingly 11:57:21
6 hinting at at the meeting. But at the meeting, he 11:57:26
7 did not really elaborate on what that was at the 11:57:31
8 meeting. 11:57:33

9 Q. Did you reach a conclusion or did you have 11:57:34
10 an understanding of what he was trying to convey? 11:57:37

11 A. Much later in the process. I think I 11:57:41
12 achieved an understanding of it, but it was never 11:57:47
13 crystal clear. 11:57:50

14 Q. What -- what was that understanding of the 11:57:51
15 issue? 11:57:53

16 A. Well, he's a former state senator, and he 11:57:53
17 used to represent the 12th Senate District. And he 11:57:57
18 was talking about the geography, specifically on how 11:58:01
19 the 12th Senate District and the other district in 11:58:06
20 northwest Ohio would ultimately be drawn in the 11:58:11
21 house and senate districts. 11:58:15

22 Q. And did he give you any specific input in 11:58:17
23 terms of what he wanted to see with respect to those 11:58:20
24 districts in northwest Ohio? 11:58:24

25 A. He did not, no. 11:58:27

Transcript of Ray DiRossi
Conducted on October 19, 2021

179

1 Q. Did members of his staff? 11:58:28
2 A. Yeah. There was a conversation with a 11:58:30
3 member of his staff subsequently. 11:58:33
4 Q. And could you tell me about the substance 11:58:35
5 of that conversation. 11:58:38
6 A. It was along the same lines. The geography 11:58:39
7 -- this was after the 9/9 map had rolled out, and he 11:58:45
8 now, I guess, had had a chance to see it and analyze 11:58:50
9 it. 11:58:53
10 And I had a conversation with one of his 11:58:54
11 staff about changing the geography in the 12th 11:58:57
12 Senate District and the 1st Senate District along 11:59:01
13 the lines of a more historical -- what the district 11:59:04
14 looked like when he represented it. I'm guessing. 11:59:06
15 Q. And was the 12th senatorial district more 11:59:10
16 heavily republican or democrat? 11:59:17
17 A. I'd give you the same caveats I gave to 11:59:19
18 Mr. Klein. I would want to look and verify. 11:59:25
19 But my gut reaction is that the 12th Senate 11:59:27
20 District is a republican-leaning senate district. 11:59:31
21 Q. What about the 1st? 11:59:34
22 A. Same caveats. But I think it's a 11:59:35
23 republican-leaning senate district. 11:59:38
24 Q. As of -- from September 9th moving forward, 11:59:42
25 you had this conversation with his staffer. 11:59:46

Transcript of Ray DiRossi
Conducted on October 19, 2021

180

| | | |
|----|--|----------|
| 1 | Who was the staffer, by the way? | 11:59:49 |
| 2 | A. You know, I -- I am almost absolutely sure | 11:59:51 |
| 3 | that it was Alex Bilchak. | 12:00:02 |
| 4 | Q. Okay. So you have this conversation with | 12:00:04 |
| 5 | Mr. Bilchak sometime after the 9th. | 12:00:06 |
| 6 | The map that was ultimately enacted, did | 12:00:08 |
| 7 | any changes -- were there any changes made to either | 12:00:11 |
| 8 | the 12th or the 1st senatorial district? | 12:00:17 |
| 9 | A. There were, but not along the lines as | 12:00:21 |
| 10 | we've been discussing. The change that I now | 12:00:24 |
| 11 | understand that the auditor wanted was not made. | 12:00:28 |
| 12 | Q. What was it that you -- what did he want | 12:00:32 |
| 13 | made -- was your understanding of what he wanted the | 12:00:36 |
| 14 | change to be? | 12:00:38 |
| 15 | A. I'm sorry, Mr. Funari. Can you repeat the | 12:00:39 |
| 16 | question? | 12:00:41 |
| 17 | Q. What was your understanding -- what was | 12:00:42 |
| 18 | your understanding of the change that he wanted to | 12:00:43 |
| 19 | be made? | 12:00:46 |
| 20 | A. My understanding of the change was that he | 12:00:47 |
| 21 | wanted the geography of the 12th Senate District to | 12:00:51 |
| 22 | be more historic to what it was maybe when he | 12:00:54 |
| 23 | represented it. | 12:00:57 |
| 24 | Q. And was that a more republican-leaning | 12:00:58 |
| 25 | district when he represented it? | 12:01:04 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 Q. So I understand that there was some 12:02:17
2 negotiations occurring -- and I apologize. My phone 12:02:25
3 is ringing in the background. 12:02:29

4 But there was some negotiations happening 12:02:31
5 between, your testimony was, senate President 12:02:36
6 Huffman and those on the democrat leadership over 12:02:41
7 the map that was proposed on the 9th? 12:02:44

8 My question for you is, did -- either 12:02:47
9 directly or indirectly through staff, did Senator 12:02:53
10 Vernon Sykes provide you with any input in terms of 12:02:58
11 what -- you directly -- any input into the maps? 12:03:02

12 A. Directly? 12:03:08

13 Q. Yes. 12:03:10

14 A. I do not recall any -- any direction from 12:03:12
15 Senator Sykes to me directly during that process. 12:03:19

16 Q. Okay. What about indirectly? 12:03:22

17 A. I don't recall any -- I mean, I guess 12:03:23
18 that's what your definition of "indirect" is. But I 12:03:26
19 don't recall any interactions with Senator Sykes 12:03:30
20 other than me testifying and he sharing the 9/9 12:03:33
21 redistricting committee hearing itself where he did 12:03:38
22 ask me questions, and I did answer them. 12:03:41

23 Q. Okay. An example of what I mean by 12:03:43

24 "indirectly" would be your boss, Senate 12:03:47

25 President Huffman, coming back to you and saying, I 12:03:51

Transcript of Ray DiRossi
Conducted on October 19, 2021

183

1 just met with Senator Sykes, and he wants us to look 12:03:55
2 at these counties for these reasons. 12:03:58
3 A. Okay. Thank you for that clarification. 12:03:59
4 You know, I understood that, whether it was 12:04:02
5 Senator Yuko or Senator Sykes -- I never really got 12:04:07
6 the impression that there were house democrats 12:04:12
7 involved in it. But President Huffman was bringing 12:04:16
8 back ideas from someone. I guess I assumed it was 12:04:19
9 Yuko and/or Sykes. 12:04:23
10 So if that -- if that meets your definition 12:04:24
11 of "indirectly," I guess that would be an example of 12:04:28
12 that. Thank you for clarifying. 12:04:32
13 Q. Sure. Just so the record is clear, you had 12:04:33
14 no direct interaction with Senator Sykes with 12:04:37
15 respect to his input into the map that you were 12:04:42
16 drawing? 12:04:47
17 A. Can you say that again? 12:04:47
18 Q. Sure. Just so the record is clear, where 12:04:48
19 you were talking about direct and indirect. I want 12:04:50
20 to just make it clear for the record that you, 12:04:53
21 personally, did not have any direct interaction with 12:04:56
22 Senator Sykes with respect to anything he wanted to 12:05:00
23 see on the map that you were drawing? 12:05:04
24 A. You switched back between indirect and 12:05:05
25 direct. You're asking about direct? 12:05:09

Transcript of Ray DiRossi
Conducted on October 19, 2021

184

1 Q. Yes. That's why I want to clarify because 12:05:10
2 we -- we went back and forth. 12:05:13

3 A. Okay. Thank you. 12:05:15

4 I do not -- I do not recall any direct 12:05:16
5 interactions with Senator Sykes, other than the 12:05:17
6 testimony on 9/9. 12:05:20

7 Q. Okay. What about House Minority Leader 12:05:21
8 Amelia Sykes, did she provide any input into what 12:05:24
9 she wanted to see in the map that you were drawing, 12:05:28
10 directly? 12:05:31

11 A. That's a -- that's a little more 12:05:33
12 complicated for me to answer because -- but if 12:05:34
13 you're asking from her, Minority Leader Sykes to me 12:05:37
14 directly -- 12:05:41

15 Q. Yes.

16 A. -- no. 12:05:43

17 But I -- I would assume, if there was any 12:05:45
18 direct or indirect communication from her, it was 12:05:47
19 going through the speaker and ultimately to Blake 12:05:50
20 and then to myself. 12:05:52

21 Q. Okay. Do you know if any of that happened 12:05:53
22 or is that speculation? 12:05:59

23 A. I -- I can't -- I don't know. Not a 12:06:00
24 question -- 12:06:04

25 (Simultaneous colloquy.) 12:06:04

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 Q. Do you know if any of that actually 12:06:04
2 happened, whether -- 12:06:06

3 A. I -- I never -- I don't know -- I cannot -- 12:06:07
4 I'm not going to speculate as to how engaged 12:06:09
5 Minority Leaders Sykes was in that, what I call 12:06:13
6 negotiations. 12:06:17

7 Q. Okay. Let's move on. 12:06:17

8 A. I did -- Mr. -- Mr. Funari, just -- 12:06:20
9 sorry -- to be -- to be complete. 12:06:23

10 Q. Yeah.

11 A. I did, after the 9/9 redistricting 12:06:24
12 committee hearing, have a very quick, what I call 12:06:28
13 hallway conversation, with Minority Leader Sykes. 12:06:32

14 I was introduced to her by her -- I don't 12:06:35
15 know if it's chief of staff or one of her -- one of 12:06:38
16 staff members who I've known for decades. And he 12:06:41
17 just asked if I had ever actually been introduced to 12:06:45
18 her, since we were both from Akron, and he made the 12:06:49
19 introduction. That was on 9/9 right after the 12:06:52
20 testimony. 12:06:55

21 So, I guess, to the extent that is direct. 12:06:56
22 It had nothing to do with redistricting. It was 12:07:00
23 just, "Hello. How are you?" But it was a direct 12:07:02
24 contact so I just wanted to be -- 12:07:04

25 Q. See, you're -- you're getting a hang of 12:07:04

Transcript of Ray DiRossi
Conducted on October 19, 2021

186

1 this. That was going to be my next question, did 12:07:08

2 you talk about anything of substance? 12:07:10

3 A. I saved you a question. You owe me one. 12:07:11

4 Q. I assume the answer is, "no," right, that 12:07:14

5 you didn't talk -- 12:07:16

6 A. What's the question? I'm sorry. 12:07:16

7 Q. You didn't -- you didn't talk with Minority 12:07:17

8 Leader Sykes about anything of substance related to 12:07:20

9 the redistricting process? 12:07:22

10 A. No. It was -- it was all exchanging of 12:07:24

11 pleasantries and that we were both born in Akron -- 12:07:26

12 or from Akron. 12:07:29

13 Q. All right. You mentioned some discussions 12:07:30

14 that you had with, I think, at least one incumbent 12:07:34

15 legislator about the map drawing process. 12:07:38

16 Did you have any conversations with anyone, 12:07:43

17 who wasn't a member of the commission or an 12:07:45

18 incumbent legislator, about what he or she wanted to 12:07:50

19 see in the map? 12:07:55

20 A. Well, that's a lot of potential different 12:07:57

21 people. I -- can you -- can you be more specific, 12:08:01

22 maybe, for me? 12:08:04

23 Q. Sure. Were there any representatives from 12:08:06

24 special interest groups, for example, that you met 12:08:11

25 with, or that Senator President Huffman met with 12:08:15

Transcript of Ray DiRossi
Conducted on October 19, 2021

187

1 that conveyed to you their desire to see certain 12:08:25
2 things in the map? 12:08:27

3 A. Hm. Trying to -- so you're outside of 12:08:28
4 legislators is what you're -- 12:08:37

5 Q. No, I didn't -- yes. Outside of elected 12:08:39
6 officers, I will say. 12:08:44

7 A. I'm trying to remember any specific -- 12:08:46

8 specific things. The only thing that I recall 12:09:02

9 sitting here that might meet your fact pattern is, 12:09:06

10 like, after the 9/9 maps had rolled out, I did 12:09:09

11 receive a text message from somebody with the -- I 12:09:12

12 think, the Ohio Right to Life association asking why 12:09:17

13 some of the republican members were being -- 12:09:24

14 districts were being made to be democrat-leaning 12:09:29

15 districts or more democratic. I didn't -- didn't 12:09:33

16 respond. 12:09:36

17 That's the only thing I remember. 12:09:38

18 MR. FUNARI: Phil, do you know if that text 12:09:41

19 message was produced? 12:09:42

20 THE WITNESS: No, I don't -- especially, 12:09:46

21 I -- I mean, I just -- I saw it, I read it, I 12:09:47

22 immediately got rid of it. It wasn't of any value 12:09:50

23 to me. That's my practice not to keep text 12:09:54

24 messages. 12:09:56

25 Q. Well, I'd ask that you go back -- not right 12:09:56

Transcript of Ray DiRossi
Conducted on October 19, 2021

188

1 now, but when we're off the record -- and search for 12:09:59
2 that text message. And if you have it, you could 12:10:02
3 turn it over to your lawyer. If not, I'll follow up 12:10:04
4 with your lawyer. 12:10:07

5 MR. STRACH: Yeah. Brad, he's already 12:10:10
6 searched all -- he's already searched his text 12:10:12
7 messages for anything that was responsive or 12:10:14
8 whatever, which would have included that had it been 12:10:20
9 there. But he didn't have anything. 12:10:22

10 MR. FUNARI: Okay. Thank you for that. 12:10:25

11 Q. Other than a representative from the Ohio 12:10:27
12 Right to Life association, do you recall the input 12:10:30
13 of any other outside individuals, non-office 12:10:32
14 individuals or special interest groups, trade 12:10:38
15 associations, business executives, by way of 12:10:42
16 example, contacting you directly, or indirectly, 12:10:44
17 about what they wanted to see in the map? 12:10:50

18 A. No. I don't -- I can't think of any other 12:10:53
19 instances, that I can recall, where anybody -- I 12:11:01
20 mean, it would have been like, "Hey. How you doing? 12:11:07
21 When's the process end," type stuff. 12:11:09

22 But as far as, "Here's what we want to 12:11:11
23 see," which is your question, I don't recall any 12:11:14
24 other interactions. 12:11:16

25 Q. Did you personally attend any of the public 12:11:20

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 hearings that occurred prior to the introduction of 12:11:26
2 the map on 9/9? I believe they may have occurred 12:11:31
3 beginning the week of August 25 or so. 12:11:36
4 A. I did not. 12:11:39
5 Q. Did you receive any type of report or 12:11:40
6 transcript from those meetings? 12:11:44
7 A. I did not. I tried to and I did listen to 12:11:46
8 as many of them as I could with available -- within 12:11:53
9 the available time I had. 12:11:56
10 Q. Okay. How many -- approximately, how many 12:11:57
11 did you listen to? 12:12:02
12 A. Well, I -- I can't remember if there were 12:12:05
13 ten or 11, but I tried to listen to as much of them 12:12:07
14 as I could. So I would imagine that I listened to 12:12:10
15 part of, at least, a number of them. The majority 12:12:13
16 of them. 12:12:18
17 Q. Did any of the public comments make their 12:12:19
18 way into your map drawing process? 12:12:23
19 A. Yes. 12:12:26
20 Q. Okay. What specifically, from the public, 12:12:27
21 in those meetings that you heard and the reportings 12:12:32
22 made their way into your map drawing process? 12:12:36
23 A. Well, there was a wide range of testimony 12:12:39
24 at -- you know, I think there were two, three, four 12:12:43
25 hours, maybe even more for some of them. And there 12:12:47

Transcript of Ray DiRossi
Conducted on October 19, 2021

190

1 were at least ten of them that I think I can think 12:12:50
2 of. 12:12:53

3 There was a lot of testimony, maybe at the 12:12:53
4 hearing in Dayton, about the construction of the 12:12:56
5 districts in Montgomery County. And as I think I 12:12:59
6 talked with Mr. Fram or Mr. Klein, I think some of 12:13:04
7 those suggestions found their way into the final 12:13:09
8 maps. 12:13:12

9 I think I also, in previous conversation 12:13:13
10 with some of the other folks on the Zoom call here, 12:13:16
11 talked about testimony at the Cleveland hearing from 12:13:20
12 former -- or current -- apologies -- State 12:13:23
13 Representative Howse. And her concern was some of 12:13:29
14 the geography of the house and senate districts in 12:13:31
15 Cuyahoga County, those were -- you know, we tried to 12:13:36
16 incorporate changes in the final map to address 12:13:42
17 those issues. 12:13:44

18 There was some testimony early on, maybe 12:13:44
19 some of the first testimony at the first hearing, 12:13:48
20 about trying to make the 24th Senate District, which 12:13:49
21 currently starts in Bay Village on the west side and 12:13:54
22 wraps all the way around to more or less Mayfield 12:13:58
23 Heights on the eastern end, a more compact district. 12:14:01

24 And, obviously, I think anybody who would 12:14:05
25 look at the final maps would -- would agree that the 12:14:07

Transcript of Ray DiRossi
Conducted on October 19, 2021

191

1 24th District, as adopted by and enacted by the 12:14:09
2 redistricting commission is a much more compact 12:14:13
3 traditional west side district. 12:14:15

4 There -- there were -- there were some 12:14:20
5 others. Those are the two, three, or four that 12:14:21
6 immediately jump out to me. I mean, there's 12:14:23
7 probably 30 hours of testimony. There's a lot of 12:14:25
8 testimony there about things that were not drawing 12:14:27
9 districts that follow school district boundaries. 12:14:33
10 Drawing districts in other ways that people wanted 12:14:36
11 them to follow to make sure where they lived and 12:14:39
12 where they worked were in the same district. 12:14:41

13 And I'm sure, as -- as you know from 12:14:44
14 reading the constitution, there are some very 12:14:46
15 specific construction requirements. 12:14:48

16 But those are the things that I would say 12:14:49
17 we heard the public give testimony on and we tried 12:14:52
18 to incorporate those in the -- in the maps. 12:14:55

19 Q. And just so the record is clear, those -- 12:14:57
20 that testimony you're referring to was all 12:15:01
21 pre-September 9th, correct, before you introduced 12:15:04
22 the map? 12:15:08

23 A. Well, I guess the answer to that is "yes" 12:15:09
24 and "no" -- or "no" and "yes," whatever -- 12:15:18

25 Q. My question was -- my question was, what, 12:15:20

Transcript of Ray DiRossi
Conducted on October 19, 2021

192

1 if any, public comment you heard, prior to 12:15:25
2 introducing a map, made its way into the map drawing 12:15:28
3 process for the map that was introduced on 12:15:32
4 September 9? 12:15:35

5 I understand there were three -- three 12:15:35
6 public hearings after September 9th. I'm going to 12:15:38
7 ask you about those next. 12:15:40

8 A. So not to try to -- I know you're trying to 12:15:42
9 separate them, not to try to put them together. But 12:15:46
10 it's -- I'm trying to recall, in my mind, the 12:15:48
11 regional hearings versus the hearings that were held 12:15:51
12 after the map was introduced. And some of the -- 12:15:53
13 and when certain testimony was offered and when they 12:15:56
14 were incorporated. 12:15:59

15 I -- I -- I guess I would stick with my 12:16:01
16 statement that what -- the items that I articulated 12:16:03
17 were in the final map, as far as which ones of the 12:16:06
18 -- what regional hearings before the 9th or what 12:16:11
19 happened or commission hearings after the 9th, I'm a 12:16:14
20 little less clear on, but... 12:16:18

21 Q. Understood. Did the commission -- 12:16:19

22 A. I'm sure -- I'm sure there are other 12:16:23
23 examples, but those are the ones that I can recall 12:16:24
24 sitting here today. 12:16:26

25 Q. Did the commission itself ever prepare a 12:16:27

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 map? 12:16:32

2 A. Well, I -- the commission voted to propose 12:16:34

3 a map that was then publicly available for comment. 12:16:40

4 So you can -- I guess you can count that as -- as 12:16:46

5 their map. 12:16:49

6 Q. Okay. I guess I -- I meant it more 12:16:50

7 literally as used in the constitution. The 12:16:52

8 constitution provides that the commission shall draw 12:16:56

9 a map or shall prepare a map is, I believe, the 12:17:00

10 language in the constitution. 12:17:03

11 To your knowledge, did the commission 12:17:06

12 prepare a map? 12:17:07

13 MR. STRACH: Objection. Calls for a legal 12:17:11

14 conclusion. 12:17:16

15 THE WITNESS: Yeah. I -- I don't know what 12:17:16

16 the -- if you're referring to the seven individual 12:17:19

17 members, if -- what they did together outside of me, 12:17:20

18 I don't know.

19 MR. FUNARI: 12:17:26

20 Q. Do you know whether they hired an 12:17:26

21 independent map drawer to construct a map? 12:17:28

22 A. Mr. Funari, the first part of your question 12:17:33

23 was garbled. Can you ask that again? I'm sorry. 12:17:36

24 Q. Do you know whether the commission hired an 12:17:38

25 independent map drawer to prepare a map? 12:17:42

Transcript of Ray DiRossi
Conducted on October 19, 2021

194

| | | |
|----|---|----------|
| 1 | A. I -- I can't speak to whether the | 12:17:45 |
| 2 | commission as a body did. I know that -- or it's my | 12:17:50 |
| 3 | understanding is that the house democrats and the | 12:17:54 |
| 4 | Senate democrats used outside consults to prepare | 12:17:58 |
| 5 | their map, if that answers your question. | 12:18:02 |
| 6 | Q. So you don't know whether the commission | 12:18:07 |
| 7 | itself hired an independent map drawer? | 12:18:09 |
| 8 | A. I -- yeah. I -- I can't speak to the seven | 12:18:13 |
| 9 | members, what they did. | 12:18:17 |
| 10 | Q. Did the commission have any of its own | 12:18:19 |
| 11 | staffers? | 12:18:23 |
| 12 | A. Can I make sure I understood? Did the | 12:18:28 |
| 13 | commission have any of its own staffers? | 12:18:30 |
| 14 | Q. Staff. Did the -- did the commission have | 12:18:32 |
| 15 | any of its own staff? Or was the staff comprised of | 12:18:35 |
| 16 | the staff with individual members? | 12:18:39 |
| 17 | A. That's a great question. I don't know the | 12:18:40 |
| 18 | answer to that. At the redistricting committee | 12:18:43 |
| 19 | hearings, at the regional hearings, and at the | 12:18:45 |
| 20 | redistricting committee hearings, there were staff | 12:18:48 |
| 21 | from many of the caucuses. I don't know if they | 12:18:52 |
| 22 | were acting as staff for the commission or | 12:18:55 |
| 23 | individual members. I don't know. | 12:18:57 |
| 24 | MR. FUNARI: I'm not sure if the | 12:19:27 |
| 25 | September 15th transcript is in the folder that | 12:19:30 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

195

1 Planet Depos has, but I have a copy of it, the 12:19:36
2 transcript. And I'm going to share screen. And 12:19:40
3 I'll get that to Planet Depos to mark as our next 12:19:43
4 exhibit, which is, I think -- what would that be? 12:19:49
5 Ms. Court Reporter, is that Exhibit 7 or 8? 12:19:53
6 THE REMOTE TECHNICIAN: That would be 12:19:57
7 Exhibit 8. 12:19:59
8 (Exhibit 8 was marked for identification.) 12:20:11
9 MR. FUNARI: 12:20:11
10 Q. Do you see this, Mr. DiRossi? 12:20:11
11 A. I see something on the screen, yes. 12:20:14
12 Q. I'll represent to you that this is the 12:20:16
13 transcript from the September 15th hearing of the 12:20:18
14 Ohio Redistricting Commission, when it convened in 12:20:23
15 the morning of September 15th available at this 12:20:27
16 public hyperlink. I'm not going to ask you to read 12:20:31
17 the entire testimony. 12:20:36
18 I will ask, were you present at this 12:20:38
19 meeting? 12:20:40
20 A. I was not. 12:20:41
21 Q. Have you read the transcript from this 12:20:48
22 meeting? 12:20:50
23 A. I have not. 12:20:51
24 Q. I'm going to draw your attention right here 12:20:51
25 to this statement by Senate President Huffman at 12:20:57

Transcript of Ray DiRossi
Conducted on October 19, 2021

196

1 approximately three minutes into the meeting -- into 12:21:03
2 the hearing. And it's highlighted -- this 12:21:08
3 highlighting is my highlighting -- the part of his 12:21:13
4 comments that I'm going to ask you about. But I 12:21:15
5 want to give you the opportunity to read the entire 12:21:18
6 paragraph before I do, if you would like. 12:21:20
7 A. Okay. Thank you. I'll do that now. 12:21:24
8 Q. And you let me know when I need to scroll. 12:21:26
9 A. Can you -- is it possible for you to move 12:21:32
10 the language on my screen to the left? The Zoom 12:21:36
11 window is -- it looks like it's over some of the -- 12:21:40
12 (Simultaneous colloquy.) 12:21:54
13 MR. FUNARI: You have exceeded my 12:22:01
14 technological -- 12:22:03
15 THE WITNESS: You and I both. Okay. I 12:22:07
16 think it might be okay, because it looks like 12:22:09
17 there's no words -- I'm just looking at the words up
18 on the other screen to see if this is covering
19 anything.
20 (Brief pause.) 12:23:20
21 THE WITNESS: I'm to the bottom of what I 12:23:20
22 see on the screen. 12:23:22
23 MR. FUNARI: I'm not going to ask you 12:23:25
24 anything down here, but I'm happy to give you the 12:23:26
25 opportunity to read that. 12:23:30

Transcript of Ray DiRossi
Conducted on October 19, 2021

| | | |
|----|---|----------|
| 1 | (Brief pause.) | 12:23:46 |
| 2 | THE WITNESS: Okay. Thank you. | 12:23:46 |
| 3 | MR. FUNARI: | 12:23:48 |
| 4 | Q. I'm not going to ask you anything about the | 12:23:48 |
| 5 | substantive changes. | 12:23:52 |
| 6 | I've highlighted an excerpt from his -- his | 12:23:53 |
| 7 | opening comment, Senate President Huffman's opening | 12:23:57 |
| 8 | comments. | 12:24:02 |
| 9 | He says, "I should say initially that we've | 12:24:02 |
| 10 | made a number of technical changes. This is, of | 12:24:05 |
| 11 | course, a big job with a lot of data so that | 12:24:07 |
| 12 | naturally these things happen. But there are a | 12:24:10 |
| 13 | number of technical changes, these fix misassigned | 12:24:12 |
| 14 | census blocks, and the block assignment files. And | 12:24:16 |
| 15 | really those changes, for the most part, had no | 12:24:19 |
| 16 | impact on -- I think that's a typo -- on | 12:24:21 |
| 17 | population." | 12:24:25 |
| 18 | Did I read that excerpt correctly? | 12:24:26 |
| 19 | A. That's what's highlighted, yes. You got | 12:24:29 |
| 20 | it. | 12:24:33 |
| 21 | Q. Okay. What were these technical changes | 12:24:33 |
| 22 | that were made to the map from the time it was | 12:24:36 |
| 23 | introduced on September 9th and this date when this | 12:24:42 |
| 24 | hearing convened on September 15th, if you know? | 12:24:48 |
| 25 | A. Yeah. So not to -- appreciate the | 12:24:51 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

198

1 question. Not to kind of rehash what I've said 12:24:55
2 before, but I shared with Mr. Fram especially some 12:24:58
3 of my frustrations that data was an ongoing issue. 12:25:04
4 And again, when I say "data," I'm referring to the 12:25:10
5 geography files that came to us from the census 12:25:14
6 through the CURD. 12:25:20

7 We continued to have some instances where, 12:25:22
8 if you were trying to assign a precinct award, a 12:25:26
9 political subdivision, a census block, that those 12:25:34
10 units of geography weren't completely nested in each 12:25:37
11 other. 12:25:42

12 And we -- after the map was introduced on 12:25:43
13 the 9th, we continued to actively try to find if any 12:25:46
14 of those had happened in there and to clean them up. 12:25:52

15 And what he generally is referring to here, 12:25:56
16 I would assume, is that we had found a number of 12:25:59
17 those pieces of geography that block assignment file 12:26:04
18 was mis-assigning to incorrect districts. And so we 12:26:10
19 were making the changes to make sure that that was 12:26:13
20 not the case. 12:26:15

21 Q. Okay. Let me make sure I understand that. 12:26:23

22 So why did you have to make those changes 12:26:27
23 between the 9th and the 15th? 12:26:28

24 My understanding from your earlier 12:26:30
25 testimony in response to Mr. Fram was those 12:26:33

Transcript of Ray DiRossi
Conducted on October 19, 2021

199

1 technical problems that you encountered were all 12:26:35
2 during the initial map-drawing phase pre-September 12:26:38
3 9th. I now understand, like you said, that 12:26:41
4 continued to the 15th. 12:26:44

5 So why did you have to make those changes 12:26:45
6 between the 9th and 15th? 12:26:47

7 A. Well, I guess what I'm saying is, the map 12:26:53
8 that was introduced on the 9th had a number of these 12:26:54
9 technical changes that had to be made. And the -- I 12:26:58
10 guess the adopting of the amendment on the 15th was 12:27:01
11 the next time that the commission actually took a 12:27:05
12 vote to amend the 9/9 plan. 12:27:08

13 Q. It goes on to say, "And really those 12:27:14
14 changes, for the most part, had no impact on 12:27:16
15 population." 12:27:20

16 Do you agree with that statement, that 12:27:21
17 these changes that are referred to as technical 12:27:24
18 changes had no impact on population within the 12:27:27
19 districts? 12:27:30

20 A. I -- you know what, I would clarify it the 12:27:31
21 exact same way he did, if this transcript is 12:27:38
22 accurate. For the most part, that's absolutely 12:27:42
23 true. 12:27:44

24 Q. So what were some of the impacts it had? 12:27:44

25 A. Well, these -- for instance -- I cannot 12:27:48

Transcript of Ray DiRossi
Conducted on October 19, 2021

200

1 think of a specific one, but if you -- I'll just use 12:27:51
2 Franklin County because that was kind of the poster 12:27:57
3 child for the most challenging geography in the 12:27:59
4 state. 12:28:03

5 If you -- if there was a district that you 12:28:03
6 were constructing and you were trying to assign an 12:28:07
7 additional precinct to it, it wouldn't -- the 12:28:11
8 precinct wouldn't necessarily assign all of the 12:28:15
9 blocks that comprise a precinct. So you might try 12:28:18
10 to assign one precinct and hope to be getting 100 12:28:22
11 blocks, but only get 99 of the blocks. And then you 12:28:27
12 think, okay, well, it worked perfectly. 12:28:31

13 But then when you go back and do analysis 12:28:35
14 or run reports against the districts to make sure 12:28:38
15 that they are contiguous, to make sure that all the 12:28:41
16 block assignments are right, to make sure all the 12:28:44
17 noncontinuous portions and continuous portions of 12:28:46
18 districts are in the correct districts, you could 12:28:49
19 find some of those. 12:28:52

20 And those are what he's referring to here, 12:28:54
21 because Blake and I were able to find a good handful 12:28:55
22 of those that we wanted to fix and make -- and make 12:28:58
23 correct. 12:29:00

24 Q. Do you recall what those handful of block 12:29:01
25 assignment errors, we'll call them, were? 12:29:06

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 A. Oh, boy. I don't recall any of those 12:29:11
2 technical ones that didn't have population assigned 12:29:16
3 to them or had very, very minor population. I can't 12:29:19
4 think of an example off the top of my head. 12:29:22

5 MR. FUNARI: Okay. I believe those are all 12:29:44
6 the questions that I have for you. Give me one 12:29:45
7 second, though, to review my notes. 12:29:48

8 (Brief pause.)

9 MR. FUNARI: Mr. DiRossi, I believe those 12:30:10
10 are all of the questions I have for you. 12:30:11

11 And I have to figure out how to put this 12:30:13
12 down and see your face again. There we go. All 12:30:15
13 right. 12:30:21

14 I'm going to turn you over to any of the 12:30:21
15 other lawyers who might have questions. Thank you 12:30:23
16 for your time. 12:30:25

17 THE WITNESS: Thank you, Mr. Funari. 12:30:29

18 MS. MENASHE: On behalf of the respondents
19 Senator Sykes and Leader Amelia Sykes. Just a 12:30:57
20 couple questions for you. 12:30:57

EXAMINATION

22 MS. MENASHE:

23 Q. At any point before 9/9, did you ever reach 12:30:59
24 out to co-chair of the commission Senator Vernon 12:31:01
25 Sykes and ask to meet with him about what he would 12:31:08

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 like to see in the map as a co-chair? 12:31:10

2 A. What was the date that you referenced? 12:31:14

3 Q. Before 9/9. 12:31:19

4 A. Before 9/9. 12:31:21

5 I -- it was not my role to reach out to 12:31:22

6 them. That was -- that was for President Huffman to 12:31:25

7 have that direct line of communication with Leader 12:31:29

8 Yuko and/or Dr. -- I said Dr. -- Senator Sykes. 12:31:33

9 That was -- that was not my role. Those 12:31:36

10 conversations were for the president. 12:31:38

11 Q. And was it not your role because you didn't 12:31:39

12 see yourself as drafting a commission map? 12:31:43

13 MR. STRACH: Objection. 12:31:49

14 THE WITNESS: It's not my role because 12:31:53

15 he -- Senator Huffman is a senator. Senator Yuko is 12:31:55

16 a senator. Sensor Sykes is a senator. And I am a 12:31:59

17 staff person. 12:32:03

18 MS. MENASHE: 12:32:05

19 Q. So the map that you drafted and put forth 12:32:05

20 on 9/9, how do you name that map? Whose map is 12:32:08

21 that? Who did that belong to? 12:32:15

22 MR. STRACH: Objection. Objection. 12:32:16

23 Answer if you can. 12:32:18

24 THE WITNESS: I mean, it was a -- it was a 12:32:19

25 map adopted by a majority vote of the commission. 12:32:22

Transcript of Ray DiRossi
Conducted on October 19, 2021

203

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| 1 | MS. MENASHE: | 12:32:27 |
| 2 | Q. But before it was adopted, whose map was | 12:32:27 |
| 3 | it? | 12:32:31 |
| 4 | MR. STRACH: Objection. | 12:32:32 |
| 5 | THE WITNESS: I didn't name the maps. I | 12:32:34 |
| 6 | don't know. | |
| 7 | MS. MENASHE: | 12:32:37 |
| 8 | Q. So, then, before 9/9 did you ever | 12:32:37 |
| 9 | proactively reach out to commission member Leader | 12:32:41 |
| 10 | Amelia Sykes and ask her for her input in any map? | 12:32:45 |
| 11 | A. Again, even farther from my role. That | 12:32:49 |
| 12 | would have been the speaker of the house's role, and | 12:32:55 |
| 13 | to a lesser extent, Blake Springhetti's role, and | 12:32:58 |
| 14 | certainly not mine. | 12:33:04 |
| 15 | Q. And then after 9/9 when the map that you | 12:33:05 |
| 16 | had put forth was adopted, did you ever, after that | 12:33:08 |
| 17 | point in time, reach out to co-chair Senator Sykes | 12:33:12 |
| 18 | and ask him for any input that he would have in the | 12:33:16 |
| 19 | adopted map? | 12:33:19 |
| 20 | A. Again, not my role. My understanding was | 12:33:21 |
| 21 | all of those communications were happening with the | 12:33:24 |
| 22 | president and directly with Leader Yuko and/or | 12:33:26 |
| 23 | Leader Sykes -- or Senator Sykes. My apologies. | 12:33:31 |
| 24 | Q. And so, then, the same question about after | 12:33:35 |
| 25 | the map was adopted on 9/9, whether you reached out | 12:33:38 |

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 personally or not to commission member Leader Sykes 12:33:41
2 and asked about any input that she might have. 12:33:46

3 A. Any input that was come from Leader Sykes 12:33:51
4 in the house or Senator Sykes in the senate or 12:33:55
5 Minority Leader Yuko in the senate was coming 12:34:00
6 through the president to me or through the speaker 12:34:03
7 to Blake. And it was not my role to reach out to 12:34:05
8 them, nor did they ever reach out to me to offer any 12:34:09
9 input. 12:34:12

10 Q. When you say that it was coming through to 12:34:13
11 you from the speaker and the president, how do you 12:34:19
12 know that it wasn't firsthand? 12:34:24

13 MR. STRACH: Objection. 12:34:26

14 THE WITNESS: Well, I was speaking to 12:34:28
15 President Huffman directly, and he was relaying to 12:34:31
16 me things that he thought we needed to do to achieve 12:34:36
17 a ten-year map. 12:34:39

18 And also, I was being provided block 12:34:41
19 assignment files that I was being told were from the 12:34:44
20 senate democrats or from Chris Glassburn or from 12:34:47
21 Randall Rouse or mostly people on the senate side. 12:34:53
22 That was their latest proposal. So with that, I 12:34:56
23 made the assumption that that was originating with 12:35:00
24 the democrat redistricting committee members. 12:35:02

25 MS. MENASHE: 12:35:06

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 Q. When you just said you were provided those 12:35:06
2 types of files or information, what -- before 9/9 or 12:35:08
3 after 9/9 were you told that that information was 12:35:14
4 coming from the democrat side? 12:35:16

5 A. I'm a little less certain of before 9/9, 12:35:18
6 because before 9/9, the commission had not put out a 12:35:27
7 first map, as you know. So before that, I'm a 12:35:30
8 little less clear. 12:35:35

9 But afterwards, it was pretty -- pretty 12:35:36
10 obvious to me that the president, on behalf of the 12:35:39
11 senate, was in active negotiations with the 12:35:43
12 democrats. And that's my understanding of where 12:35:46
13 that information was coming from. 12:35:49

14 Q. And so to the best of your recollection, 12:35:51
15 you believe after 9/9, you were receiving files, 12:35:55
16 information, et cetera, that was coming from the 12:36:01
17 Dems but through the president or the speaker and 12:36:05
18 then to you? 12:36:09

19 A. Well, I would have got information either 12:36:10
20 verbal from the president or block assignment files 12:36:14
21 from a number of sources. But yes, ultimately, to 12:36:17
22 the best recollect- -- or the best of my knowledge, 12:36:22
23 it was coming from the democrat members of the 12:36:24
24 redistricting commission. Much more Senator Sykes 12:36:28
25 than Leader Sykes. 12:36:33

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 Q. And those block assignment files, how were 12:36:34
2 they delivered to you, in what form? 12:36:37
3 A. Flash drives. 12:36:42
4 Q. Flash drives. 12:36:42
5 And how would you be delivered a flash 12:36:44
6 drive? Who would do that? Who was that person that 12:36:46
7 would deliver that to you or -- 12:36:49
8 (Simultaneous colloquy.) 12:36:52
9 A. I don't recall if it was the president or 12:36:53
10 the senate or if I got it from -- Blake got it from 12:36:55
11 the speaker or I got it from one of the other senate 12:36:58
12 staff. I don't recall who physically handed me a 12:37:02
13 flash drive or emailed me a file. I don't recall. 12:37:06
14 Q. And if you recall, during this time frame, 12:37:10
15 so after 9/9, how many flash drives do you think you 12:37:14
16 were delivered that you believed were from the dem 12:37:19
17 side? 12:37:23
18 A. That is seemingly a simple question, but 12:37:24
19 I'm trying to recall the flurry of exchanges of 12:37:34
20 information that happened. I'm trying to remember 12:37:38
21 if the initial map that the senate democrats -- 12:37:44
22 Senator Sykes proposed to the redistricting 12:37:51
23 commission before 9/9 actually made its way to me as 12:37:53
24 a flash drive or an email. That could have been 12:37:59
25 one. 12:38:01

Transcript of Ray DiRossi
Conducted on October 19, 2021

207

1 After 9/9, there was definitely one that 12:38:01
2 came back from them. And there might have been one 12:38:04
3 last one as late as September 15th, but I don't know 12:38:11
4 if that was actually an electronic file or more just 12:38:14
5 a list of requested changes. 12:38:20

6 Apologies if that's not the answer -- the 12:38:27
7 complete answer. But that's my recollection of the 12:38:30
8 file transfers. 12:38:33

9 Q. No, sure, that's helpful. 12:38:34

10 And in terms of those things that you just 12:38:37
11 listed, the flash drive that might have contained 12:38:39
12 the 8/31 map and then maybe another flash drive 12:38:43
13 after 9/9 and then maybe even something on 9/15 12:38:47
14 which was listing the requested changes, was that 12:38:51
15 information provided to your counsel through the 12:38:54
16 discovery process? 12:38:58

17 A. Can you say -- was it provided by my 12:38:58
18 counsel? 12:39:07

19 Q. No, to your counsel. 12:39:07

20 A. I don't recall. I believe the -- I believe 12:39:08
21 the 9/9 and 9/16 maps were the ones that were 12:39:15
22 provided. 12:39:21

23 Q. No, I mean the communications or the files 12:39:21
24 that were coming, in your opinion, from the Dems. 12:39:28
25 Once they were in your position, through the 12:39:32

Transcript of Ray DiRossi
Conducted on October 19, 2021

208

1 discovery process in this case, did you give those 12:39:34
2 to your counsel? 12:39:36

3 A. I don't believe so, no. I gave to my 12:39:38
4 counsel what I was told to turn over for the 12:39:46
5 subpoena documents. 12:39:50

6 MS. MENASHE: Thank you. Nothing further. 12:39:57

7 THE WITNESS: Thank you, Diane. 12:40:01

8 MR. STRACH: Thanks, Diane. 12:40:01

9 We're not going to have any questions. 12:40:02

10 Is the AG's office on? Are you all going 12:40:06
11 to have any questions? 12:40:08

12 MR. WALTON: This is Mike Walton with the
13 AG's office on behalf of the three statewides.

14 No questions. 12:40:14

15 MR. STRACH: No questions from us. 12:40:15

16 So Rob Fram, does that mean we're done? 12:40:17
17 Sorry. I'm forgetting about Erik Clark. I'm 12:40:23
18 getting everybody -- too many lawyers involved. 12:40:26

19 Erik, do you have any questions? 12:40:28

20 MR. CLARK: I have no questions at this 12:40:30
21 time. Thanks. 12:40:32

22 MR. STRACH: So now I guess we're wrapped 12:40:32
23 up. 12:40:34

24 THE VIDEOGRAPHER: Please stand by. 12:40:36

25 The time is 12:40 p.m. We're going off the 12:40:38

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 record. This completes today's deposition. 12:40:42

2 MR. STRACH: I'm going to -- whatever Rob 12:41:01

3 Fram says he wants, I'm going to get the same. 12:41:03

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5 (TIME NOTED: 12:41 p.m.)

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Transcript of Ray DiRossi
Conducted on October 19, 2021

DECLARATION UNDER PENALTY OF PERJURY

I, RAY DIROSSI, do hereby certify under penalty of perjury that I have read the foregoing transcript of my deposition taken on October 19, 2021; that I have made such corrections as appear noted on the Deposition Errata Page, attached hereto, signed by me; that my testimony as contained herein, as corrected, is true and accurate.

Dated this day of 2021 at

,

RAY DIROSSI

Transcript of Ray DiRossi
Conducted on October 19, 2021

1 UNITED STATES DISTRICT COURT)
)
2 THE CENTRAL DISTRICT OF NORTHERN CALIFORNIA)

3 I, TAMMY MOON, CSR No. 13184, Certified
4 Shorthand Reporter, do hereby certify:

5 That prior to being examined, the witness
6 in the foregoing proceedings was by me duly sworn to
7 testify to the truth, the whole truth, and nothing
8 but the truth;

9 That said proceedings were taken before me
10 at the time and place therein set forth and were
11 taken down by me in shorthand and thereafter
12 transcribed into typewriting under my direction and
13 supervision;

14 That a review of the transcript by the
15 deponent (was/was not x) requested;

16 That the foregoing is a true and correct
17 transcript of my shorthand notes so taken.

18 I further certify that I am neither counsel
19 for, nor related to, any party to said proceedings,
20 nor in any way interested in the outcome thereof.

21 In witness whereof, I have hereunto
22 subscribed my name.

23 Dated: 20th of October, 2021

24 
25 Tammy Moon, CSR No. 13184

Transcript of Ray DiRossi
Conducted on October 19, 2021

212

| A | | | |
|-------------------|-------------------|-------------------|-------------------|
| ability | activity | 203:25 | 39:11, 41:2, |
| 53:6, 89:9 | 165:22 | adopting | 41:20, 42:18, |
| able | actually | 199:10 | 44:7, 48:18, |
| 37:9, 40:22, | 33:5, 35:1, | advice | 50:25, 53:6, |
| 138:19, 144:4, | 43:4, 78:21, | 170:23, 172:4, | 55:21, 62:14, |
| 145:4, 200:21 | 105:13, 106:5, | 172:8, 172:11, | 65:12, 66:8, |
| above | 113:2, 149:8, | 172:12, 177:7 | 68:1, 68:14, |
| 72:2, 89:21, | 149:17, 157:2, | after | 79:4, 80:24, |
| 175:10 | 160:11, 165:25, | 13:2, 13:5, | 81:17, 82:7, |
| absolute | 175:24, 185:1, | 20:22, 21:9, | 86:1, 92:13, |
| 37:19 | 185:17, 199:11, | 21:14, 21:15, | 97:20, 99:24, |
| absolutely | 206:23, 207:4 | 25:24, 28:12, | 101:19, 102:14, |
| 30:17, 64:2, | add | 29:7, 29:11, | 108:12, 108:24, |
| 161:25, 180:2, | 93:2, 105:19, | 29:15, 34:3, | 111:18, 117:25, |
| 199:22 | 174:8 | 34:14, 36:11, | 118:4, 120:8, |
| abuse | added | 40:21, 43:19, | 120:23, 123:18, |
| 132:21 | 55:8 | 49:8, 53:14, | 124:5, 124:14, |
| accept | adding | 63:9, 66:5, | 124:20, 126:3, |
| 69:24, 71:5 | 93:8 | 71:7, 74:21, | 129:10, 130:21, |
| access | addition | 83:24, 88:4, | 138:11, 138:12, |
| 32:23, 34:22, | 42:22, 64:18 | 90:24, 92:6, | 153:6, 161:23, |
| 35:3, 45:23, | additional | 95:19, 95:20, | 165:5, 169:17, |
| 50:17, 53:13, | 7:17, 37:6, | 102:15, 108:15, | 173:4, 177:23, |
| 115:3 | 37:10, 41:13, | 124:15, 134:14, | 183:17, 193:23, |
| accounts | 72:2, 72:7, | 134:15, 136:19, | 198:4, 201:12, |
| 13:18 | 74:25, 91:25, | 137:13, 138:17, | 203:11, 203:20 |
| accuracy | 128:12, 162:24, | 142:17, 144:25, | against |
| 147:6 | 174:7, 175:6, | 149:1, 152:4, | 93:14, 200:14 |
| accurate | 200:7 | 159:7, 159:8, | aggregated |
| 79:21, 90:4, | address | 159:9, 162:9, | 154:4, 154:5, |
| 199:22, 210:10 | 135:12, 190:16 | 162:12, 162:22, | 154:7 |
| achieve | adhered | 170:4, 179:7, | ago |
| 65:23, 66:1, | 155:17 | 180:5, 185:11, | 21:17, 25:18, |
| 178:2, 204:16 | admonition | 185:19, 187:10, | 91:9, 163:23 |
| achieved | 132:17, 163:16 | 192:6, 192:12, | agree |
| 73:1, 178:12 | adopt | 192:19, 198:12, | 36:15, 102:1, |
| aclu | 99:18, 171:14 | 203:15, 203:16, | 168:5, 190:25, |
| 3:33, 4:3 | adopted | 203:24, 205:3, | 199:16 |
| acting | 12:13, 19:7, | 205:15, 206:15, | agreed |
| 194:22 | 63:10, 99:18, | 207:1, 207:13 | 44:13, 49:16, |
| active | 100:1, 104:4, | afterwards | 176:6 |
| 205:11 | 104:10, 104:16, | 59:3, 127:23, | agreed-to |
| actively | 106:11, 112:9, | 205:9 | 32:19, 48:10, |
| 68:23, 72:20, | 113:13, 113:22, | ag's | 51:24, 53:16 |
| 72:21, 80:19, | 113:25, 181:7, | 208:10, 208:13 | agreement |
| 198:13 | 181:9, 191:1, | again | 36:8, 37:6, |
| | 202:25, 203:2, | 15:19, 17:11, | 37:11, 40:22, |
| | 203:16, 203:19, | 17:23, 34:8, | 75:6, 80:14, |

Transcript of Ray DiRossi
Conducted on October 19, 2021

213

| | | | |
|---|--|--|--|
| <p>175:3 agreements 48:7 ahead 11:15, 89:16, 115:8, 137:25, 139:4, 148:14, 156:1, 156:23, 157:16, 171:7 aid 21:21 aide 21:21, 21:22 akron 20:15, 20:20, 185:18, 186:11, 186:12 al 1:3, 1:10, 3:2, 3:11, 4:16, 4:25, 9:5, 9:6, 9:19 alex 180:3 alicia 4:28 all 12:1, 13:20, 16:3, 18:2, 19:8, 21:19, 22:24, 28:3, 28:6, 32:3, 35:10, 36:10, 40:1, 40:3, 42:4, 42:15, 42:16, 42:22, 43:14, 44:19, 44:24, 50:20, 51:25, 53:23, 54:9, 54:11, 54:14, 54:22, 55:10, 59:1, 62:16, 67:1, 81:24, 84:13, 88:14, 88:16, 89:10, 89:20, 90:21, 93:12, 93:19, 95:10,</p> | <p>105:18, 107:7, 110:23, 111:18, 114:3, 116:1, 116:19, 119:20, 122:25, 129:23, 137:14, 139:6, 141:5, 143:17, 145:11, 146:10, 148:4, 148:16, 151:8, 152:11, 153:20, 154:9, 154:11, 154:14, 155:15, 155:17, 155:19, 157:19, 158:16, 159:11, 159:14, 160:1, 162:11, 162:25, 163:2, 166:13, 166:15, 167:2, 170:9, 170:10, 174:18, 186:10, 186:13, 188:6, 190:22, 191:20, 199:1, 200:8, 200:15, 200:16, 201:5, 201:10, 201:12, 203:21, 208:10 allow 46:20, 56:25 almost 52:24, 180:2 alone 69:5 along 17:23, 111:17, 117:18, 165:11, 179:6, 179:12, 180:9 alora 4:10 already 33:8, 56:7, 94:3, 103:20, 128:7, 142:22, 145:21, 162:14, 167:14, 175:11, 188:5, 188:6</p> | <p>also 5:37, 16:12, 18:3, 22:9, 23:25, 24:11, 30:9, 40:18, 41:17, 51:2, 57:11, 59:25, 68:16, 70:5, 87:1, 117:16, 117:19, 125:13, 125:20, 125:22, 148:10, 148:11, 150:3, 150:13, 153:2, 167:19, 190:9, 204:18 alternatives 142:9 although 76:14, 85:20, 142:1 always 15:8, 51:5, 52:25, 57:16, 76:14, 140:15 alyssa 5:7 amazingly 158:25 amelia 5:14, 10:3, 184:8, 201:19, 203:10 amend 199:12 amendment 199:10 american 4:9 among 35:8, 40:22, 70:14 amount 43:3, 153:15, 174:2 amounts 54:11 analyses 137:19, 140:23</p> | <p>analysis 86:19, 135:18, 135:23, 136:11, 136:14, 137:7, 137:9, 137:18, 137:22, 138:13, 138:20, 138:24, 139:16, 139:18, 139:21, 140:2, 141:13, 142:4, 147:8, 147:21, 200:13 analyze 147:19, 179:8 another 14:25, 39:19, 104:2, 121:16, 131:1, 144:9, 160:24, 161:16, 207:12 answer 8:1, 11:7, 11:16, 11:17, 40:10, 46:22, 47:19, 48:14, 74:6, 109:22, 116:22, 134:20, 134:21, 135:16, 135:18, 136:10, 139:17, 139:18, 150:17, 157:18, 172:3, 172:14, 175:23, 182:22, 184:12, 186:4, 191:23, 194:18, 202:23, 207:6, 207:7 answered 56:7, 176:2 answering 11:6, 32:13 answers 11:9, 20:3, 118:19, 194:5 antani 126:9, 126:20, 128:9, 160:15, 161:17</p> |
|---|--|--|--|

Transcript of Ray DiRossi
Conducted on October 19, 2021

214

| | | | |
|---|---|---|---|
| <p>antani's 163:11 anybody 20:4, 28:4, 28:6, 28:7, 30:20, 35:3, 59:13, 67:22, 79:19, 86:17, 86:22, 91:17, 99:8, 102:4, 102:12, 102:20, 103:12, 104:16, 105:24, 106:8, 110:15, 110:17, 111:6, 111:10, 111:11, 119:19, 119:23, 120:20, 120:24, 126:1, 126:6, 126:15, 126:23, 127:5, 127:18, 128:3, 128:16, 188:19, 190:24 anymore 121:25 anyone 26:20, 36:9, 87:22, 100:21, 107:13, 107:18, 119:11, 137:21, 176:12, 186:16 anything 20:6, 26:13, 47:3, 57:24, 83:8, 88:11, 111:22, 150:8, 159:18, 166:6, 183:22, 186:2, 186:8, 188:7, 188:9, 196:19, 196:24, 197:4 anytime 140:18, 141:6 apart 53:24, 76:2, 76:3 apologies 19:13, 109:12,</p> | <p>159:12, 166:6, 190:12, 203:23, 207:6 apologize 22:23, 29:10, 87:10, 99:15, 120:10, 182:2 appear 14:9, 14:21, 17:19, 17:20, 39:9, 44:24, 53:4, 210:7 appearances 3:1, 4:1, 5:1 appeared 42:6, 119:1 appears 86:12, 92:18 apples 36:18, 49:17, 76:9, 76:10 apples-to-apples 76:8 apply 173:8 applying 70:4 appointed 24:1, 24:8 apportionment 78:4, 82:2 appreciate 18:2, 18:11, 26:19, 33:14, 43:12, 52:4, 76:21, 89:15, 94:12, 119:6, 132:18, 142:19, 175:12, 197:25 appropriate 48:9, 53:17 approved 46:8, 73:3, 163:10, 163:19 approximately 189:10, 196:1 aptitude 47:6</p> | <p>area 7:12, 21:23, 102:14, 102:17, 114:13, 125:1 areas 47:17, 59:19, 155:9 arena 5:18 around 23:3, 26:2, 34:2, 42:1, 77:23, 111:3, 122:17, 126:22, 144:5, 146:5, 154:14, 181:19, 190:22 arrival 27:1 arrived 110:5 article 7:8, 7:17, 84:15, 137:23, 139:1, 141:10, 150:13, 150:25, 153:4, 155:1, 155:21, 156:12, 157:11, 158:2, 158:8, 170:10, 170:12, 170:15, 170:20, 171:1, 171:5, 171:16, 171:17, 171:18, 171:21, 172:8, 172:17, 172:22, 173:2 articulate 127:24, 128:13, 128:24, 136:10, 146:8, 146:21 articulated 70:23, 161:14, 175:7, 177:14, 177:25, 192:16 articulating 79:15, 81:18 aside 69:20, 69:21,</p> | <p>105:2, 128:1, 161:25, 162:13, 162:14 asked 12:20, 21:7, 27:2, 27:8, 45:5, 47:3, 48:4, 51:7, 53:12, 54:3, 58:23, 64:7, 64:19, 67:17, 75:12, 77:15, 80:16, 96:12, 96:15, 101:8, 101:9, 101:11, 103:25, 107:23, 107:25, 109:11, 128:10, 134:12, 134:14, 139:2, 166:10, 185:17, 204:2 asking 13:3, 13:4, 20:4, 39:16, 39:17, 41:5, 52:5, 53:8, 64:10, 68:6, 70:24, 71:2, 72:25, 74:10, 74:14, 74:19, 78:18, 96:9, 101:12, 107:21, 126:21, 127:6, 130:2, 130:4, 135:11, 142:7, 142:25, 149:16, 157:9, 169:15, 171:19, 171:24, 172:7, 172:11, 172:15, 183:25, 184:13, 187:12 asks 134:24, 135:10 asleep 30:15 assembly 23:6, 23:12, 25:14, 25:23,</p> |
|---|---|---|---|

Transcript of Ray DiRossi
Conducted on October 19, 2021

215

| | | | |
|---|---|---|---|
| <p>27:8, 99:19, 100:1, 104:5, 104:11, 112:8, 113:13 assessing 76:10 assessment 76:14 assign 62:20, 198:8, 200:6, 200:8, 200:10 assigned 201:2 assignment 19:5, 68:12, 106:2, 106:10, 138:5, 152:15, 197:14, 198:17, 200:25, 204:19, 205:20, 206:1 assignments 200:16 association 187:12, 188:12 associations 188:15 assume 34:19, 104:21, 109:8, 129:19, 184:17, 186:4, 198:16 assumed 183:8 assumption 204:23 athomas@acluohio 4:14 attached 210:8 attempt 131:16, 132:6 attend 188:25 attending 21:12 attention 84:6, 195:24</p> | <p>attorney 4:32, 5:27 attorneys 11:24, 12:17, 12:25, 36:6, 87:2 auditor 5:25, 77:8, 77:10, 77:18, 78:5, 78:9, 177:18, 180:11, 181:24 august 25:25, 26:2, 26:8, 26:12, 27:16, 28:13, 29:7, 29:11, 29:15, 37:3, 37:4, 41:8, 43:20, 83:14, 83:17, 110:3, 143:12, 143:14, 154:17, 154:21, 154:22, 159:5, 189:3 authenticity 147:5 authorizing 24:24 available 12:1, 32:20, 33:11, 33:13, 33:20, 33:24, 35:1, 35:9, 35:10, 36:8, 36:15, 38:7, 40:21, 48:10, 49:11, 49:13, 51:4, 52:2, 56:9, 70:9, 77:4, 103:7, 103:13, 105:8, 106:3, 106:9, 108:13, 109:9, 111:21, 138:18, 145:10, 145:24, 146:3, 189:8, 189:9, 193:3,</p> | <p>195:15 ave 3:27, 3:35, 4:5, 5:9 average 42:6, 42:17, 45:2, 45:9, 51:17, 52:9, 55:24, 56:2 averages 88:16 award 198:8 aware 34:19, 62:2, 106:23, 151:18 away 19:24, 52:15, 80:19, 86:14, 147:14</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>back 7:7, 13:9, 21:17, 27:19, 31:11, 34:16, 34:25, 36:12, 67:2, 68:24, 69:1, 69:5, 69:11, 69:15, 69:17, 70:13, 70:17, 71:3, 71:10, 71:21, 83:21, 94:14, 94:20, 97:4, 98:21, 100:18, 100:25, 109:14, 110:24, 111:3, 116:25, 117:1, 120:2, 130:23, 131:10, 131:11, 131:13, 132:14, 132:25, 133:7, 137:3, 148:21, 148:23, 149:17, 152:19, 152:24, 153:10, 157:2, 157:6, 164:5,</p> | <p>165:5, 165:9, 165:24, 167:1, 177:14, 182:25, 183:8, 183:24, 184:2, 187:25, 200:13, 207:2 background 20:13, 43:6, 182:3 backtrack 102:25 baked 144:13, 144:18 ballpark 37:2, 76:4 bannon 4:28 barron 25:7, 25:8, 80:10 base 26:24 based 59:21, 68:3, 75:19, 76:11, 116:16, 135:4 basic 169:21 basically 62:19 basics 11:3 basis 46:9, 76:8, 103:4, 149:12 bates 112:18, 115:13, 115:17, 115:18, 115:19 bates-stamped 7:10 bay 190:21 became 33:13, 65:8, 138:8 because 20:11, 25:17,</p> |
|---|---|---|---|

Transcript of Ray DiRossi
Conducted on October 19, 2021

216

| | | | |
|---|--|---|--|
| <p>31:16, 42:24, 46:6, 46:23, 49:16, 56:4, 56:5, 61:21, 65:17, 88:9, 92:6, 92:7, 103:20, 110:4, 111:15, 111:18, 114:6, 122:6, 124:23, 127:21, 130:1, 150:5, 155:7, 161:4, 162:7, 162:22, 169:7, 184:1, 184:12, 196:16, 200:2, 200:21, 202:11, 202:14, 205:6 become 62:23, 62:25 becoming 145:10 been 10:10, 11:1, 11:23, 25:16, 25:24, 37:15, 38:14, 42:1, 42:25, 43:9, 48:11, 49:8, 49:14, 54:19, 54:24, 54:25, 59:6, 60:5, 65:4, 66:3, 68:8, 68:12, 69:13, 72:4, 72:18, 74:4, 83:23, 88:6, 93:11, 100:23, 101:24, 104:23, 105:8, 110:3, 110:4, 111:15, 111:17, 118:15, 126:10, 130:13, 136:8, 138:21, 139:13, 144:21, 162:21, 165:4, 165:21, 175:19, 175:20, 180:10,</p> | <p>185:17, 188:8, 188:20, 203:12, 206:24, 207:2 befelled 173:20 before 2:3, 11:1, 11:2, 11:5, 19:14, 20:12, 26:8, 26:12, 27:15, 27:17, 34:3, 34:15, 37:2, 41:23, 42:2, 50:3, 50:5, 50:13, 50:15, 51:20, 54:3, 73:2, 77:18, 77:20, 78:16, 81:8, 83:6, 83:14, 83:17, 88:5, 95:8, 95:16, 95:21, 95:22, 95:25, 107:19, 112:25, 113:10, 118:1, 125:13, 142:12, 142:17, 143:20, 145:21, 147:12, 149:22, 150:9, 152:24, 154:10, 154:11, 158:25, 161:12, 162:9, 162:12, 165:25, 173:15, 176:22, 191:21, 192:18, 196:6, 198:2, 201:23, 202:3, 202:4, 203:2, 203:8, 205:2, 205:5, 205:6, 205:7, 206:23, 211:10 beforehand 81:5 began 151:17, 171:13 beginning 2:2, 43:16,</p> | <p>43:20, 143:12, 175:16, 189:3 begins 9:3 behalf 9:18, 9:22, 9:23, 10:1, 10:2, 201:18, 205:10, 208:13 being 11:22, 15:25, 37:9, 39:25, 40:7, 42:23, 46:8, 52:12, 53:2, 54:23, 60:16, 60:17, 61:2, 61:4, 61:5, 61:7, 61:25, 65:4, 66:23, 67:2, 67:10, 67:22, 68:15, 72:17, 72:23, 73:12, 74:7, 74:23, 75:12, 75:13, 77:4, 79:20, 93:24, 96:4, 96:15, 102:21, 103:16, 110:15, 111:20, 121:22, 122:3, 123:23, 125:16, 126:10, 128:22, 129:14, 137:19, 151:22, 155:4, 160:16, 160:19, 160:23, 161:14, 164:2, 177:5, 177:13, 187:13, 187:14, 204:18, 204:19, 211:6 believe 12:12, 12:14, 21:16, 24:25, 35:25, 36:2, 44:22, 48:6, 92:4, 95:22, 97:11, 98:18,</p> | <p>106:13, 108:10, 134:17, 148:22, 150:25, 170:12, 172:5, 189:2, 193:9, 201:5, 201:9, 205:15, 207:20, 208:3 believed 206:16 belong 202:21 benefit 84:9 bennett 4:16, 9:22, 148:9 benson 47:5, 47:8, 47:11, 47:14, 48:4, 48:12, 49:20, 108:11, 109:2, 109:19, 109:25 best 11:6, 139:18, 181:25, 205:14, 205:22 between 50:18, 58:3, 65:13, 66:14, 69:9, 106:23, 141:18, 141:23, 164:7, 165:10, 181:6, 181:21, 182:5, 183:24, 198:23, 199:6 beyond 36:20, 47:18, 48:21, 72:3, 128:23, 175:10 bfunari@reedsmith 3:30 big 55:8, 122:7, 177:1, 197:11 bigger 89:12 bilchak 180:3, 180:5</p> |
|---|--|---|--|

Transcript of Ray DiRossi
Conducted on October 19, 2021

217

| | | | |
|---|---|--|---|
| <p>bill 24:8, 24:9</p> <p>binding 26:14</p> <p>bipartisan 34:21, 46:9</p> <p>bit 20:12, 21:24, 22:12, 33:4, 34:17, 43:19, 94:2, 123:15, 144:7, 156:22, 157:6, 160:1, 168:12</p> <p>blake 30:24, 31:2, 69:13, 72:10, 72:25, 73:20, 80:4, 81:19, 87:7, 87:9, 105:22, 106:6, 106:19, 106:23, 107:5, 107:6, 111:12, 118:23, 119:20, 119:21, 119:24, 128:19, 129:18, 130:11, 152:9, 174:17, 184:19, 200:21, 203:13, 204:7, 206:10</p> <p>blake's 71:19</p> <p>block 19:4, 19:5, 68:12, 106:2, 106:10, 138:5, 197:14, 198:9, 198:17, 200:16, 200:24, 204:18, 205:20, 206:1</p> <p>blocking 57:25</p> <p>blocks 112:2, 154:4, 197:14, 200:9, 200:11</p> <p>blowup 114:4, 117:3</p> | <p>board 24:7, 82:2</p> <p>boarding 24:2</p> <p>bob 5:3</p> <p>body 194:2</p> <p>bored 92:6</p> <p>born 20:21, 186:11</p> <p>boss 182:24</p> <p>both 13:16, 13:18, 31:5, 31:9, 31:19, 31:20, 31:21, 31:23, 46:9, 64:20, 118:23, 143:1, 164:12, 167:19, 175:8, 185:18, 186:11, 196:15</p> <p>bottom 88:15, 88:18, 88:21, 89:4, 95:10, 96:25, 97:17, 133:24, 196:21</p> <p>boundaries 191:9</p> <p>box 161:11</p> <p>boy 201:1</p> <p>brad 3:26, 9:18, 148:15, 148:16, 167:11, 168:20, 172:3, 188:5</p> <p>branch 5:8</p> <p>break 74:8, 93:17, 93:21, 93:22, 94:8, 94:18, 133:5, 144:6,</p> | <p>166:17, 166:24</p> <p>breaks 93:13</p> <p>brendan 5:37, 9:11</p> <p>brennan 4:24, 4:27</p> <p>bria 4:16</p> <p>bridget 5:28, 5:35</p> <p>brief 89:8, 94:25, 99:12, 113:6, 115:23, 116:3, 133:17, 134:1, 148:13, 151:5, 158:10, 196:20, 197:1, 201:8</p> <p>briefing 31:12, 31:14</p> <p>bring 149:17</p> <p>bringing 183:7</p> <p>broad 4:11, 5:32</p> <p>broadway 4:29</p> <p>broke 87:15</p> <p>budget 24:17, 26:14, 26:15, 52:12, 83:24, 84:7, 88:4, 92:7, 102:16, 129:3</p> <p>bunch 136:20</p> <p>bureau 153:9</p> <p>bureau's 27:1</p> <p>burling 3:4, 3:14, 9:17</p> <p>business 23:25, 24:4, 188:15</p> | <p>busy 29:16, 41:10</p> <p>butler 121:8, 121:9, 121:12, 121:17, 122:1, 122:3, 123:5, 123:11, 155:12</p> <p>by-product 132:9</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>calculated 89:24, 90:5, 90:18, 90:24, 101:14, 101:21, 110:6, 110:7</p> <p>calculation 45:21, 96:16, 97:5, 99:4, 99:8, 100:14, 103:3, 107:11, 107:16, 108:4</p> <p>calculations 45:13, 97:24, 98:3, 100:18, 100:20, 101:25</p> <p>calculator 89:25, 90:3</p> <p>calendar 56:24</p> <p>california 3:20, 211:3</p> <p>call 14:22, 15:5, 55:1, 124:10, 140:22, 163:7, 185:5, 185:12, 190:10, 200:25</p> <p>called 10:10, 15:2, 34:23, 76:18, 86:14, 143:5, 162:19, 163:1</p> <p>calls 156:15, 157:14, 193:13</p> <p>came 21:17, 27:11,</p> |
|---|---|--|---|

Transcript of Ray DiRossi
Conducted on October 19, 2021

218

| | | | |
|---|---|---|--|
| <p>34:18, 34:19, 36:12, 38:25, 40:17, 54:14, 79:21, 80:4, 108:10, 112:4, 132:14, 153:1, 159:7, 170:4, 198:5, 207:2 camera 19:16 can't 10:23, 32:2, 37:18, 40:10, 40:15, 45:13, 52:11, 58:6, 74:6, 80:6, 84:2, 103:4, 106:1, 108:7, 117:9, 117:17, 118:18, 138:1, 158:22, 162:18, 165:20, 166:11, 184:23, 188:18, 189:12, 194:1, 194:8, 201:3 candidate 105:13 candidates 96:21, 97:6, 98:25, 99:21, 100:3, 100:4, 100:16, 101:4, 104:6, 115:2 cannot 69:7, 70:21, 159:17, 165:21, 185:3, 199:25 canvassed 162:14 care 96:10 carey 4:4 carolina 5:10 carry 139:11, 148:3 case 1:5, 5:37, 9:7,</p> | <p>9:11, 9:20, 63:21, 161:17, 176:13, 198:20, 208:1 categorize 75:17 caucus 22:10, 22:14, 22:25, 32:16, 33:22, 44:14, 49:10, 51:23, 67:6, 103:2 caucuses 32:17, 32:18, 33:22, 35:8, 35:11, 36:5, 36:6, 36:7, 36:15, 38:4, 40:22, 60:16, 129:11, 145:25, 194:21 caught 17:1, 17:5, 75:14 cause 146:20, 155:11 caused 121:25 caution 171:22 caveat 181:15 caveats 105:12, 124:14, 179:17, 179:22 cells 92:1 census 25:18, 25:25, 26:2, 26:10, 27:1, 27:17, 33:17, 34:18, 35:14, 36:12, 88:5, 92:7, 110:5, 121:11, 121:20, 149:22, 153:1, 153:8, 153:9, 153:13,</p> | <p>154:1, 159:7, 159:15, 197:14, 198:5, 198:9 center 4:24, 4:27 central 78:21, 211:3 certain 68:8, 70:18, 74:10, 74:14, 74:19, 114:5, 128:16, 187:1, 192:13, 205:5 certainly 25:16, 160:7, 203:14 certainty 37:19 certified 2:4, 211:4 certify 210:3, 211:5, 211:19 cetera 178:3, 205:16 challenged 70:3 challenges 79:14, 81:18, 81:21, 81:23, 82:7, 137:8, 177:11, 177:25 challenging 33:16, 136:3, 136:4, 200:3 chance 179:8 change 18:8, 18:9, 66:1, 67:24, 73:10, 74:10, 74:14, 74:19, 92:2, 122:6, 129:22, 129:24, 130:17, 147:14, 180:10, 180:14, 180:18, 180:20, 181:4, 181:5,</p> | <p>181:14, 181:23 changed 64:12, 121:10, 121:22, 137:13, 181:3, 181:21 changes 127:23, 131:9, 131:10, 132:2, 140:18, 155:10, 163:15, 164:1, 164:3, 164:7, 165:10, 165:14, 180:7, 190:16, 197:5, 197:10, 197:13, 197:15, 197:21, 198:19, 198:22, 199:5, 199:9, 199:14, 199:17, 199:18, 207:5, 207:14 changing 64:20, 131:17, 160:1, 179:11 channels 71:11 chaotic 159:1 characterization 155:20, 156:14, 157:12 charging 93:13 chat 20:5, 136:25, 137:1 check 117:11, 117:25, 118:6, 118:8, 118:9, 118:10, 124:5, 124:14, 124:21, 161:11 checked 124:11 checks 24:25 chester 3:35 chief 25:4, 27:11,</p> |
|---|---|---|--|

Transcript of Ray DiRossi
Conducted on October 19, 2021

219

| | | | |
|--|---|---|--|
| <p>80:10, 103:23, 185:15 chiefs 32:16, 36:5, 109:7 child 200:3 choose 14:13 choosing 88:23 chose 32:23 chris 204:20 chuck 22:5 cincinnati 115:5, 116:9, 116:12 circulating 169:9 citations 85:12 cities 141:2 citizens 35:2 city 4:5 civil 4:9 clarification 18:16, 21:20, 25:2, 30:4, 44:3, 50:21, 55:20, 61:10, 64:5, 74:3, 107:10, 117:23, 127:10, 156:17, 162:16, 183:3 clarify 110:13, 119:13, 120:7, 144:20, 149:5, 184:1, 199:20 clarifying 18:12, 116:24,</p> | <p>183:12 clark 4:36, 9:23, 47:5, 208:17, 208:20 classes 21:12 clean 11:8, 198:14 clear 20:1, 35:23, 55:15, 145:10, 178:13, 183:13, 183:18, 183:20, 191:19, 192:20, 205:8 cleveland 3:36, 164:18, 164:25, 165:2, 190:11 close 28:3, 38:12, 41:21, 43:20, 51:13, 74:24, 75:2, 75:5, 75:23, 75:25, 110:12 closely 135:6 closer 93:21, 168:20 co-chair 201:24, 202:1, 203:17 co-counsel 148:11 coalescing 111:3 coalition 167:12 cognizant 82:5 collaborative 3:24, 4:25, 9:19 colloquy 28:5, 29:8, 39:23, 88:24,</p> | <p>101:20, 113:1, 117:21, 120:9, 120:12, 127:4, 137:5, 184:25, 196:12, 206:8 columbus 4:6, 4:38, 5:20, 5:33 column 91:13, 91:14, 98:17, 98:19, 132:8 columns 92:1 com 3:9, 3:22, 3:30, 4:40, 5:22 combination 109:15 combining 31:17 come 29:3, 29:12, 32:19, 36:7, 56:17, 56:25, 78:5, 81:23, 94:13, 105:17, 120:15, 129:18, 132:25, 133:23, 154:18, 164:9, 166:8, 204:3 comes 79:4, 119:3 coming 120:3, 120:20, 120:24, 182:25, 204:5, 204:10, 205:4, 205:13, 205:16, 205:23, 207:24 comment 169:8, 174:11, 192:1, 193:3, 197:7 commented 170:6 commenting 76:20, 111:23,</p> | <p>169:19, 174:4 comments 174:8, 189:17, 196:4, 197:8 commission 1:10, 4:33, 7:15, 7:19, 9:6, 9:24, 12:13, 19:7, 24:2, 50:13, 51:22, 59:5, 60:18, 63:10, 67:4, 69:16, 70:14, 81:1, 87:13, 87:17, 94:23, 96:4, 96:10, 99:18, 99:25, 103:7, 104:4, 104:10, 104:17, 110:16, 112:10, 125:24, 138:7, 140:10, 142:7, 152:8, 156:5, 159:23, 166:1, 170:5, 173:1, 173:3, 173:6, 176:18, 186:17, 191:2, 192:19, 192:21, 192:25, 193:2, 193:8, 193:11, 193:24, 194:2, 194:6, 194:10, 194:13, 194:14, 194:22, 195:14, 199:11, 201:24, 202:12, 202:25, 203:9, 204:1, 205:6, 205:24, 206:23 commissioners 158:4, 158:8 committee 124:25, 182:21, 185:12, 194:18, 194:20, 204:24 common 34:24, 35:19, 50:18, 53:16,</p> |
|--|---|---|--|

Transcript of Ray DiRossi
Conducted on October 19, 2021

220

| | | | |
|--|---|--|---|
| 54:10, 76:24, 110:9, 160:24 commonly 51:3 communicate 100:20, 100:24, 101:2, 104:16, 120:1 communicating 109:25 communication 184:18, 202:7 communications 77:7, 203:21, 207:23 compact 190:23, 191:2 compared 181:1 comparing 98:20 comparison 51:25 comparisons 36:18, 50:16 competitive 62:25, 65:2 compiled 149:10 complete 135:19, 136:11, 136:13, 137:9, 138:24, 139:21, 147:9, 185:9, 207:7 completed 137:17, 137:21, 138:12, 139:25 completely 198:10 completes 209:1 compliance 137:22, 141:9 compliant 159:24 complicated 184:12 | complied 138:25, 140:23, 152:11, 158:16, 167:22, 171:4 complies 153:4, 157:19 comply 168:8 composite 42:6, 42:9, 42:21, 43:18, 45:2, 55:24 composition 46:15 compound 109:20 comprehension 48:22 comprehensive 140:11 comprise 200:9 comprised 125:9, 194:15 computer 12:16, 13:9, 13:11, 13:14, 13:21, 13:23, 14:1, 29:4, 29:13, 29:22, 30:2, 30:6, 30:9, 30:19, 31:25, 32:2, 33:6, 39:18, 43:1, 52:6, 52:20, 55:4, 56:17, 57:3, 57:6, 75:15, 75:20, 104:22, 105:8, 105:11, 115:4, 120:5, 120:16, 120:22, 120:25, 136:2, 143:2, 144:23, 153:11, 154:2, 168:16 computers 12:2, 12:7, | 13:17, 13:21, 32:21, 34:1, 136:8, 138:19, 143:23, 144:3, 146:5, 153:7, 153:24, 153:25 concern 63:14, 190:13 concerned 142:23 concerning 158:8 concerns 160:7 conclusion 73:16, 73:18, 150:21, 156:16, 157:15, 169:15, 178:9, 193:14 conducted 1:20, 2:1 confused 14:18, 27:5, 171:8 confusing 149:13 congressional 24:22 connection 108:20 consensus 66:25, 79:12 consequences 70:6 consider 156:4 considerable 62:15 consideration 63:10, 69:16, 155:2, 170:14 considered 53:2, 69:3, 142:8 constitution 59:2, 59:21, 60:2, 61:24, 62:6, 62:21, | 65:18, 81:25, 82:16, 84:8, 84:11, 84:14, 84:23, 85:3, 85:5, 85:7, 85:13, 88:9, 135:2, 137:23, 139:7, 141:4, 150:6, 150:12, 152:12, 155:18, 157:20, 158:15, 159:25, 167:23, 168:9, 169:3, 169:5, 170:11, 170:16, 170:17, 171:2, 171:3, 171:16, 171:21, 172:9, 172:23, 173:2, 191:14, 193:7, 193:8, 193:10 constitutional 5:31, 58:25, 62:17, 78:22, 79:14, 81:23, 82:3, 121:24, 151:9, 151:19, 156:6, 156:8, 156:14, 157:8, 157:12, 169:10, 169:12, 169:14, 170:15, 173:19 constitutionally 18:1 construct 193:21 constructing 59:20, 200:6 construction 59:24, 61:23, 64:16, 121:18, 139:7, 152:13, 156:6, 157:8, 157:13, 158:14, 158:16, 169:20, 174:18, 190:4, 191:15 consult 150:4 |
|--|---|--|---|

PLANET DEPOS

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DEPO_00672

Transcript of Ray DiRossi
Conducted on October 19, 2021

221

| | | | |
|---|---|---|---|
| <p>consultant 34:21, 37:12, 47:5, 47:6, 109:8</p> <p>consultants 45:23, 46:1, 46:3, 46:4, 46:18, 47:4, 48:6, 49:15, 54:23</p> <p>consulted 12:25, 170:23</p> <p>consulting 13:2, 46:24, 149:7, 149:9</p> <p>consults 194:4</p> <p>consuming 136:5</p> <p>contact 108:1, 185:24</p> <p>contacting 188:16</p> <p>contained 121:14, 124:10, 125:15, 127:13, 130:3, 130:5, 151:10, 170:10, 171:5, 207:11, 210:9</p> <p>contains 99:19, 100:2, 104:5</p> <p>content 172:11</p> <p>contention 125:17</p> <p>context 159:19</p> <p>contiguity 152:13</p> <p>contiguous 155:16, 200:15</p> <p>continue 70:14, 73:21, 130:24, 145:8</p> <p>continued 198:7, 198:13,</p> | <p>199:4</p> <p>continuing 75:23, 146:9, 146:13</p> <p>continuity 140:24, 169:22</p> <p>continuous 200:17</p> <p>contracted 34:21</p> <p>control 23:6, 23:9, 23:15, 23:21, 91:4</p> <p>controlled 23:12</p> <p>convened 195:14, 197:24</p> <p>conversation 27:12, 27:22, 27:24, 28:8, 28:10, 59:11, 59:12, 60:25, 61:4, 61:6, 61:20, 64:11, 64:24, 73:17, 74:17, 75:8, 77:25, 78:5, 81:7, 96:6, 99:9, 102:14, 104:20, 105:1, 105:2, 107:14, 108:8, 125:4, 125:25, 126:5, 126:13, 126:15, 126:19, 126:23, 126:25, 128:2, 128:25, 143:18, 158:19, 159:3, 159:6, 159:14, 159:19, 179:2, 179:5, 179:10, 179:25, 180:4, 185:13, 190:9</p> <p>conversations 13:3, 27:10, 27:23, 29:25, 32:14, 33:21,</p> | <p>35:7, 35:21, 35:24, 36:1, 37:5, 37:18, 38:4, 47:8, 49:9, 59:6, 59:14, 59:17, 59:23, 60:1, 60:11, 60:12, 60:15, 60:20, 61:11, 61:19, 63:3, 63:5, 63:11, 63:14, 63:16, 65:13, 66:5, 66:14, 66:17, 68:16, 71:20, 72:9, 72:12, 73:22, 74:5, 74:23, 75:3, 75:24, 76:23, 80:20, 81:5, 81:17, 82:8, 102:23, 103:16, 103:17, 111:6, 111:10, 111:14, 125:6, 127:17, 128:14, 130:25, 131:13, 135:25, 137:12, 138:5, 140:9, 141:18, 142:20, 142:23, 143:7, 143:11, 145:25, 146:2, 147:16, 158:7, 164:6, 171:25, 172:1, 174:12, 186:16, 202:10</p> <p>convey 102:4, 140:3, 141:12, 141:15, 178:10</p> <p>conveyed 68:16, 144:21, 187:1</p> <p>coontz 5:28</p> <p>coontz@ohioattor- neygeneral 5:35</p> | <p>copies 88:20</p> <p>copy 86:24, 87:21, 170:17, 195:1</p> <p>corporations 40:2</p> <p>correct 20:24, 21:2, 24:10, 32:10, 49:1, 49:7, 85:23, 90:9, 98:1, 106:17, 123:6, 149:1, 149:7, 149:19, 158:4, 170:12, 171:6, 172:15, 174:15, 191:21, 200:18, 200:23, 211:17</p> <p>corrected 136:18, 175:4, 210:9</p> <p>corrections 210:6</p> <p>correctly 49:19, 55:9, 93:15, 129:2, 130:18, 140:14, 152:18, 197:18</p> <p>correspond 135:6</p> <p>corresponding 44:12</p> <p>could 12:4, 14:12, 19:11, 30:14, 32:20, 33:5, 33:6, 33:8, 36:16, 36:17, 37:7, 37:11, 39:8, 39:9, 43:24, 45:24, 46:17, 48:2, 48:7, 50:10, 52:20, 53:3, 57:18, 57:20, 58:4, 58:6,</p> |
|---|---|---|---|

Transcript of Ray DiRossi
Conducted on October 19, 2021

222

| | | | |
|---|---|---|---|
| <p>68:13, 68:25, 69:14, 69:17, 70:13, 70:14, 71:8, 71:20, 73:1, 78:21, 82:3, 82:11, 84:11, 96:12, 99:14, 106:4, 108:17, 109:8, 110:4, 112:24, 113:4, 113:20, 114:8, 115:7, 118:13, 119:13, 122:13, 130:12, 130:23, 131:1, 131:12, 132:20, 133:10, 133:22, 138:8, 139:10, 139:11, 140:22, 144:14, 146:23, 146:25, 147:4, 147:6, 155:7, 157:2, 168:14, 179:4, 181:8, 188:2, 189:8, 189:14, 200:18, 206:24 couldn't 56:11, 58:7, 87:14, 162:8 counsel 9:14, 11:13, 11:16, 12:11, 18:14, 18:20, 19:1, 20:3, 87:20, 118:13, 133:18, 148:7, 167:3, 167:11, 170:23, 171:20, 207:15, 207:18, 207:19, 208:2, 208:4, 211:19 counsels 36:4 count 92:12, 193:4 counties 40:1, 54:11,</p> | <p>60:8, 72:7, 78:20, 122:2, 123:4, 141:1, 154:7, 155:13, 173:25, 174:5, 174:12, 176:3, 176:6, 183:2 county 7:12, 7:14, 64:2, 64:17, 66:1, 73:8, 73:10, 114:9, 114:13, 114:15, 116:8, 119:9, 119:11, 120:4, 120:17, 120:22, 121:1, 121:4, 121:7, 121:12, 121:15, 121:17, 121:22, 122:3, 122:10, 122:12, 122:18, 122:20, 123:1, 123:3, 123:10, 123:16, 124:10, 124:22, 125:12, 125:15, 127:7, 127:8, 127:13, 128:1, 128:20, 129:9, 130:6, 130:10, 131:9, 131:21, 132:16, 140:19, 164:4, 164:21, 169:24, 181:16, 181:20, 181:21, 190:5, 190:15, 200:2 couple 11:3, 25:18, 34:5, 34:22, 72:22, 78:16, 78:19, 78:20, 91:9, 93:11, 129:21, 147:13, 155:9, 201:20 course 84:14, 128:10, 197:11</p> | <p>court 1:1, 9:7, 10:5, 195:5, 211:1 courtesy 132:21 courtyard 30:13 cover 112:17, 112:19 covered 167:14 covering 196:18 covington 3:4, 3:14, 9:16, 10:17 crackled 78:25 crackly 54:2, 91:21, 108:21 cramer 4:19 create 45:8, 86:6, 93:5, 93:7 created 31:16, 54:1, 83:11, 83:24, 88:4, 91:10, 91:19, 91:22, 114:4, 149:21, 149:23 creating 83:9, 87:25 creation 58:13 crossover 123:11 crr 1:28, 2:4, 6:4, 7:4 crystal 178:13 csr 1:28, 6:4, 7:4, 211:4, 211:26 cuff 5:3</p> | <p>cupp 10:1, 69:14, 72:13, 74:2, 79:18, 80:3 curd 34:23, 36:12, 108:13, 198:6 current 24:14, 39:12, 39:19, 39:24, 39:25, 106:9, 162:17, 164:19, 190:12 currently 190:21 customize 14:12, 14:16, 52:20, 53:7 cut 47:24, 100:9 cuyahoga 66:1, 164:4, 164:21, 190:15</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>daily 128:19 data's 49:19 database 34:24, 35:20, 54:10, 55:8 databases 48:20 date 9:9, 36:24, 37:1, 41:5, 84:3, 197:23, 202:2 dated 210:12, 211:24 dates 43:6, 43:8, 43:9 dave's 37:9, 37:15, 37:22, 38:2, 38:3, 40:7,</p> |
|---|---|---|---|

Transcript of Ray DiRossi
Conducted on October 19, 2021

223

| | | | |
|---|--|---|---|
| <p>40:9, 40:14, 40:17, 40:18, 109:5 david 3:17, 4:4 day 9:11, 31:10, 34:18, 72:18, 93:15, 140:5, 210:12 days 26:5, 34:22, 42:1, 50:3, 50:5, 50:15, 75:4, 77:20, 78:16, 138:9, 147:14, 150:23, 152:4, 153:12, 156:3, 158:22, 165:23 days-ish 150:23 dayton 21:23, 124:7, 124:8, 124:9, 125:14, 125:20, 130:4, 130:5, 190:4 dc 3:7, 4:21 dcarey@acluohio 4:7 deadline 78:16, 147:15 dealing 139:7 deals 135:3 dealt 169:19 decade 82:3, 84:19, 121:13 decades 155:6, 173:20, 185:16 declaration 210:1</p> | <p>dedicated 57:14 defects 169:10 defiance 181:20 definitely 65:20, 115:12, 207:1 definition 48:22, 182:18, 183:10 definitive 181:11 definitively 118:1 degree 20:25 deliver 206:7 delivered 206:2, 206:5, 206:16 dem 206:16 democrat 15:18, 15:24, 16:6, 16:14, 16:24, 17:9, 17:15, 18:6, 18:18, 31:24, 33:9, 34:10, 44:14, 45:15, 49:6, 49:21, 50:24, 51:18, 58:21, 59:3, 59:10, 61:17, 62:11, 65:8, 65:24, 66:24, 68:13, 68:18, 71:15, 72:1, 74:21, 76:11, 78:4, 93:8, 107:21, 107:22, 117:16, 125:23, 128:23, 129:6, 130:16, 139:15, 141:6, 152:7,</p> | <p>179:16, 182:6, 204:24, 205:4, 205:23 democrat-leaning 59:9, 60:23, 63:19, 63:20, 64:23, 65:3, 65:6, 65:21, 68:24, 70:12, 71:8, 74:25, 75:10, 76:18, 105:15, 123:16, 123:24, 124:17, 125:11, 126:11, 129:16, 129:17, 132:2, 132:8, 160:17, 164:12, 187:14 democratic 17:18, 32:9, 32:16, 33:21, 34:13, 51:23, 67:6, 69:3, 69:22, 71:5, 90:6, 100:4, 103:1, 115:2, 126:21, 129:11, 142:6, 145:25, 187:15 democratic-leani- ng 63:25, 64:4, 75:12, 116:15 democrats 23:5, 23:14, 23:21, 32:22, 50:14, 59:4, 63:6, 69:5, 70:18, 73:25, 74:10, 74:14, 74:19, 76:17, 92:20, 103:17, 105:11, 106:25, 109:6, 129:12, 130:1, 130:2, 130:4, 183:6, 194:3, 194:4, 204:20, 205:12,</p> | <p>206:21 demoted 22:22 dems 205:17, 207:24 department 24:3 depending 53:1, 110:22 deponent 211:16 depos 9:12, 10:6, 195:1, 195:3 deposed 11:1 deposition 1:17, 2:1, 9:4, 9:12, 11:21, 20:2, 175:17, 176:12, 209:1, 210:5, 210:7 depth 117:5 deputy 22:13, 22:17 described 119:2, 127:23, 154:21, 173:13 describing 66:22 description 7:6, 64:2, 112:8, 115:9 desire 187:1 determine 104:1, 137:22, 138:25 determining 88:10, 150:7, 153:3 deviations 16:8, 17:25, 32:4, 52:22, 58:12 devices 13:15</p> |
|---|--|---|---|

Transcript of Ray DiRossi
Conducted on October 19, 2021

224

| | | | |
|--|---|--|--|
| <p>dewine 5:24, 81:11, 173:11, 173:16, 173:22, 174:13, 175:24, 177:9 dewine's 176:12 diane 5:17, 5:22, 10:2, 208:7, 208:8 dif 122:2 difference 98:3, 98:4, 98:9 different 14:9, 34:5, 36:1, 42:5, 53:24, 54:14, 56:5, 57:14, 66:11, 97:23, 110:21, 111:7, 111:8, 111:9, 122:2, 122:10, 138:17, 145:12, 163:12, 171:11, 186:20 differently 98:6 difficult 59:21, 75:17 digest 68:25, 69:17 digits 76:5 direct 72:12, 161:2, 161:6, 172:13, 183:14, 183:19, 183:21, 183:25, 184:4, 184:18, 185:21, 185:23, 202:7 directed 138:21, 138:22 direction 182:14, 211:13</p> | <p>directly 163:4, 182:9, 182:11, 182:12, 182:15, 184:10, 184:14, 188:16, 203:22, 204:15 director 22:13, 22:17, 22:19, 24:16, 52:12 dirossi 1:17, 2:1, 6:2, 6:5, 7:2, 9:4, 10:9, 10:15, 10:21, 83:3, 95:2, 112:15, 114:12, 116:6, 134:4, 148:19, 148:24, 151:8, 152:1, 158:18, 167:8, 168:5, 195:10, 201:9, 210:3, 210:17 discovery 207:16, 208:1 discuss 119:10, 173:1 discussed 42:19, 52:19, 61:2, 61:7, 62:12, 67:10, 67:14, 119:7, 119:22 discussing 148:24, 180:10 discussion 61:17, 80:13, 96:1, 125:17 discussions 95:24, 172:20, 176:11, 177:6, 186:13 displaced 147:23 displacement 132:3 display 15:3, 15:5,</p> | <p>15:6, 15:8, 15:11, 15:22, 16:1, 16:7, 17:19, 17:22, 18:4, 18:17, 31:25, 33:7, 34:7, 34:8, 34:14, 39:10, 42:4, 42:6, 44:25, 45:3, 51:16, 52:8, 52:12, 52:15, 52:20, 52:25, 53:4, 53:7, 55:12, 55:18, 55:25, 56:2, 57:9, 57:11, 57:16, 57:18, 57:25, 58:1, 58:5, 58:10, 58:18, 119:2, 120:6, 120:16, 147:2 displayed 15:1, 17:12, 18:15, 45:6 displaying 16:20, 45:17 displeased 160:16, 164:23 displeasure 160:8, 161:1 disruption 155:11 divide 31:6 division 31:8 document 83:6, 83:9, 86:21, 86:25, 87:5, 87:22, 87:24, 88:1, 88:3, 88:8, 88:12, 88:15, 88:20, 90:1, 91:4, 91:16, 91:20, 91:23,</p> | <p>91:24, 91:25, 93:5, 95:2, 95:18, 95:25, 96:13, 96:20, 97:3, 97:21, 99:14, 102:15, 102:18, 102:19, 112:21, 112:22, 113:9, 113:19, 113:25, 114:5, 114:24, 115:8, 118:16, 149:6, 149:8, 149:10, 149:20, 150:1, 150:4, 151:10 documents 87:3, 91:4, 93:7, 208:5 doing 25:21, 30:25, 35:11, 60:8, 62:7, 69:13, 88:11, 93:13, 111:22, 135:22, 141:11, 147:21, 148:20, 150:8, 164:3, 175:9, 175:11, 188:20 done 19:14, 20:12, 39:18, 45:14, 90:2, 90:19, 91:15, 96:4, 96:9, 137:20, 138:21, 140:21, 141:16, 141:21, 142:12, 146:8, 152:6, 164:2, 176:15, 176:25, 208:16 doubt 145:9 down 74:8, 95:10, 97:17, 99:13, 99:16, 114:23, 116:2, 121:25, 133:23, 135:10,</p> |
|--|---|--|--|

Transcript of Ray DiRossi
Conducted on October 19, 2021

225

| | | | |
|---|---|--|--|
| <p>144:6, 181:4, 196:24, 201:12, 211:12 dr 202:8 draft 28:19 drafted 202:19 drafting 170:13, 202:12 draw 26:7, 62:19, 193:8, 195:24 drawer 193:21, 193:25, 194:7 drawing 14:2, 15:7, 18:7, 25:13, 26:12, 26:22, 27:3, 27:7, 28:12, 29:4, 29:11, 30:7, 30:21, 33:12, 77:9, 81:13, 107:4, 155:23, 156:11, 159:24, 167:22, 168:8, 171:4, 171:12, 171:13, 172:20, 173:12, 183:16, 183:23, 184:9, 186:15, 189:18, 189:22, 191:8, 191:10, 192:2 drawings 29:4 drawn 14:10, 15:13, 15:23, 32:10, 33:10, 110:15, 122:2, 160:23, 161:15, 161:16, 174:14, 178:20 drew 14:14, 169:16 drive 206:6, 206:13,</p> | <p>206:24, 207:11, 207:12 drives 206:3, 206:4, 206:15 drove 98:8 dublin 4:37 duly 10:10, 211:7 dumb 139:9 during 59:14, 66:16, 72:13, 77:3, 81:12, 101:5, 107:19, 108:6, 123:24, 126:3, 135:5, 164:18, 165:22, 166:6, 171:12, 172:19, 182:15, 199:2, 206:14 duties 25:12, 26:17, 29:17 duty 86:15</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>each 45:1, 45:9, 105:10, 135:6, 154:3, 173:9, 198:10 earlier 70:23, 83:16, 135:24, 137:11, 145:25, 148:25, 150:4, 155:13, 160:2, 173:13, 198:24 early 27:19, 33:20, 41:8, 43:25, 44:4, 44:20, 58:24, 59:18,</p> | <p>59:23, 60:10, 61:8, 61:14, 61:15, 61:19, 62:9, 65:13, 77:22, 146:5, 149:2, 149:19, 153:6, 153:12, 153:18, 153:20, 154:9, 154:10, 155:7, 155:13, 155:14, 156:3, 171:15, 190:18 earnest 63:12, 147:18 easier 114:6, 129:25 east 164:25, 165:16 eastern 190:23 easy 75:15 economic 22:11 edges 94:2 edward 10:21 effect 167:20, 167:24 effort 43:3, 49:10, 84:8, 124:6, 153:15, 173:24 efforts 46:10, 138:21 either 23:9, 23:15, 29:18, 53:1, 74:1, 108:13, 131:5, 180:7, 182:8, 205:19 ejclark@organleg- al 4:40 elaborate 42:8, 178:7 elected 187:5</p> | <p>election 35:22, 36:20, 37:15, 37:25, 40:5, 40:13, 40:17, 40:24, 41:13, 42:5, 42:7, 42:10, 43:17, 43:21, 44:1, 44:5, 44:11, 44:20, 45:2, 45:9, 47:12, 47:15, 48:5, 48:9, 48:12, 48:17, 48:18, 48:19, 48:23, 48:25, 49:2, 50:23, 51:2, 51:3, 51:11, 51:17, 52:9, 52:10, 53:23, 54:6, 54:14, 55:10, 55:23, 55:24, 58:18, 74:20, 75:19, 78:3, 85:22, 86:2, 86:4, 86:8, 86:9, 92:14, 92:17, 93:9, 103:14, 108:12, 108:19, 109:4, 109:10, 110:7, 110:18, 110:23, 123:17, 135:5, 136:1, 138:15, 141:13, 143:2, 143:17, 144:2, 144:10, 144:15, 145:5, 145:14, 145:18, 145:23, 146:16, 146:23 elections 35:16, 38:20, 42:15, 44:24, 49:7, 76:25, 84:19, 84:23, 85:7, 85:17, 85:25, 86:4,</p> |
|---|---|--|--|

Transcript of Ray DiRossi
Conducted on October 19, 2021

226

| | | | |
|---|--|---|---|
| <p>86:18, 88:17, 89:20, 90:6, 92:11, 92:16, 93:1, 93:2, 96:17, 101:15, 101:22, 102:6, 102:7, 102:22, 103:8, 103:14, 108:9, 110:19, 111:8, 116:24, 144:12, 144:17, 145:19 electronic 207:4 elias 4:17, 9:21, 148:8 eliminating 178:2 else 10:4, 17:23, 18:1, 30:20, 37:16, 48:11, 59:13, 79:19, 79:23, 79:25, 87:22, 102:12, 105:24, 106:1, 110:17, 116:21, 119:23, 175:4 elsewhere 58:16 email 13:18, 20:5, 28:19, 28:24, 206:24 emailed 206:13 emails 12:2, 78:13 employed 21:11, 21:18 employees 46:3 enacted 118:22, 118:25, 180:6, 181:2, 191:1 encountered 199:1</p> | <p>encouraging 79:11 end 31:10, 37:4, 43:20, 66:19, 67:24, 79:24, 111:19, 135:14, 135:17, 143:11, 143:14, 156:20, 188:21, 190:23 endeavoring 174:18 ended 151:22 engaged 36:7, 60:13, 72:20, 72:21, 101:5, 185:4 enough 17:7, 49:4, 51:9, 75:9, 116:22 ensuring 171:3 entire 35:2, 71:5, 71:15, 140:15, 195:17, 196:5 equality 152:13, 169:22 equipment 13:16 eric 9:23 erik 4:36, 208:17, 208:19 errata 210:7 errors 56:10, 156:6, 156:14, 157:8, 157:13, 200:25 especially 58:15, 187:20, 198:2 esq 3:5, 3:15,</p> | <p>3:16, 3:17, 3:18, 3:26, 3:34, 4:4, 4:10, 4:18, 4:19, 4:28, 4:36, 5:6, 5:7, 5:8, 5:17, 5:28, 5:29, 5:30 essence 168:6 et 1:3, 1:10, 3:2, 3:11, 4:16, 4:25, 9:5, 9:6, 9:19, 178:3, 205:16 even 36:6, 63:20, 65:5, 78:15, 88:5, 102:14, 102:18, 145:15, 153:7, 154:10, 158:25, 176:14, 189:25, 203:11, 207:13 eventually 16:19, 49:23 ever 17:12, 28:24, 29:3, 29:12, 58:8, 58:17, 58:20, 68:7, 74:9, 74:13, 74:18, 75:6, 75:7, 77:7, 78:24, 83:6, 86:17, 86:21, 86:24, 87:4, 87:7, 87:12, 87:16, 87:19, 87:21, 87:24, 90:23, 95:8, 95:22, 95:24, 96:15, 99:7, 100:13, 100:14, 100:20, 100:24, 101:2, 101:10, 102:4, 102:11, 102:20, 104:15,</p> | <p>119:10, 119:18, 120:3, 120:15, 125:18, 125:25, 127:17, 137:9, 137:17, 137:21, 138:24, 139:21, 139:25, 158:7, 163:1, 171:15, 171:19, 185:17, 192:25, 201:23, 203:8, 203:16, 204:8 every 13:20, 124:20, 152:6 everybody 36:16, 37:7, 37:11, 77:6, 80:9, 106:1, 110:9, 111:2, 153:12, 208:18 everyone 76:24, 138:2 everything 12:4, 12:18, 17:23, 18:1, 76:7, 112:5, 147:13, 158:23 evolved 147:22 evolving 136:15, 136:16, 137:16, 138:16, 140:4 exacerbating 112:5 exact 199:21 exactly 168:1 examination 6:1, 6:7, 10:13, 148:17, 167:6, 201:21 examined 211:6 example 69:7, 141:22,</p> |
|---|--|---|---|

Transcript of Ray DiRossi
Conducted on October 19, 2021

227

| | | | |
|--|---|---|--|
| <p>182:23, 183:11, 186:24, 188:16, 201:4 examples 164:15, 192:23 exceeded 196:13 excel 54:25, 55:3, 89:25, 90:2 except 110:10 excerpt 197:6, 197:18 exchange 78:15 exchanges 206:19 exchanging 147:17, 186:10 excuse 164:20 executives 188:15 exercise 27:7 exhibit 7:7, 7:8, 7:10, 7:12, 7:14, 7:15, 7:17, 7:19, 82:21, 82:23, 83:1, 83:4, 86:22, 95:4, 95:5, 97:5, 97:9, 97:15, 97:17, 98:21, 98:22, 99:14, 99:15, 101:16, 112:12, 112:14, 114:10, 114:11, 114:12, 117:2, 122:14, 122:15, 122:16, 122:20, 133:16, 133:19, 133:21, 134:5, 148:22, 151:3, 151:6, 195:4, 195:5,</p> | <p>195:7, 195:8 exhibits 7:1 existed 110:18 exists 151:16 experiencing 145:2 expert 18:22, 42:24 expertise 39:14 experts 46:24 explain 50:10, 56:11 explained 137:8 explanation 88:3 export 152:18 exported 19:2, 118:21 exports 18:23 expressing 143:4, 143:7 extent 185:21, 203:13 extra 141:1 extremely 29:16, 136:4</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>faber 5:25, 77:8, 77:11, 78:6, 78:9, 177:19, 181:24 face 201:12 fact 68:5, 69:19, 72:17, 82:6, 102:5, 111:7,</p> | <p>113:12, 125:20, 126:12, 128:9, 142:15, 147:10, 165:19, 172:12, 187:9 factual 47:9 fair 17:7, 20:14, 49:4, 51:9, 54:3, 70:16, 92:15, 116:22, 155:19, 158:15 falcons 20:18 fall 30:15 familiar 113:11, 151:9, 151:13, 163:21 fan 126:10 far 106:20, 188:22, 192:17 farther 203:11 fast 36:11, 137:16, 170:2 favor 105:13, 115:2, 135:6 favored 105:10 favoring 97:6, 99:20, 100:2, 100:4, 100:15, 101:3, 104:6, 104:18, 107:12, 107:17, 108:5 february 27:19 federal 135:4 feed 47:24</p> | <p>feedback 31:12, 31:14, 160:3, 160:10, 160:13, 161:7, 162:3, 162:13, 163:9, 163:17, 164:15, 166:2, 166:3 feel 19:24, 148:25, 157:18 felt 29:17, 59:19, 61:22, 75:1, 162:23, 170:21 few 21:17, 42:1, 50:3, 50:5, 64:14, 112:21, 125:21, 148:10, 162:7, 162:8, 166:9, 167:13 fifth 3:27, 133:24, 134:17, 134:19, 134:20 figure 154:23, 201:11 figured 72:8 figures 96:12 file 18:25, 42:25, 68:12, 106:3, 119:4, 198:17, 206:13, 207:4, 207:8 files 12:10, 12:11, 12:15, 12:21, 13:6, 18:14, 18:23, 19:5, 54:13, 54:20, 54:25, 55:3, 55:7, 106:10, 117:12, 118:14, 118:18, 118:21,</p> |
|--|---|---|--|

Transcript of Ray DiRossi
Conducted on October 19, 2021

228

| | | | |
|---|--|---|---|
| 138:6, 152:17, 152:18, 197:14, 198:5, 204:19, 205:2, 205:15, 205:20, 206:1, 207:23 fill 86:10 filled 85:16, 86:7, 86:8 final 12:12, 12:16, 12:21, 13:7, 65:7, 65:22, 66:6, 66:19, 67:5, 67:11, 73:2, 75:3, 99:19, 100:1, 100:16, 104:4, 104:10, 104:16, 106:2, 108:7, 112:8, 113:12, 150:22, 152:22, 165:8, 171:14, 190:7, 190:16, 190:25, 192:17 finally 110:5 finance 20:25, 22:13, 22:17, 22:19, 24:16, 24:17 find 49:11, 69:2, 79:12, 82:3, 82:11, 155:7, 198:13, 200:19, 200:21 finding 60:2, 136:17 fine 93:23, 93:25 finish 11:5 firestone 20:15 first 21:9, 21:15, | 21:16, 39:6, 41:22, 49:25, 51:22, 54:2, 81:8, 90:24, 91:14, 91:15, 91:25, 95:17, 97:14, 98:17, 112:18, 112:21, 112:23, 113:2, 132:6, 151:8, 167:18, 190:19, 193:22, 205:7 firsthand 204:12 fits 64:2 five 50:15, 70:22, 72:3, 76:3, 113:2, 147:14, 150:22, 152:4, 166:19 five-and-a-half 138:9 five-minute 93:22, 94:1, 94:13 fix 197:13, 200:22 flash 206:3, 206:4, 206:5, 206:13, 206:15, 206:24, 207:11, 207:12 flevenson@acluoh- io 3:37 flex 132:20 flexibility 94:7 flexible 94:10 flr 5:32 flurry 206:19 focal 145:1 | focus 18:5, 26:17, 26:19, 51:25, 52:2, 52:13, 52:21, 53:20, 58:25, 62:15, 67:17, 70:8, 73:14, 102:17, 108:16, 138:8, 142:9, 147:23, 150:22, 152:21, 152:22, 154:10, 157:22, 158:2, 158:13, 158:14, 164:10 focused 16:10, 33:5, 52:14, 56:12, 68:21, 69:9, 70:25, 71:21, 75:20, 122:5, 122:8, 139:5, 140:3, 140:15, 148:2, 150:19, 153:19, 153:20, 155:3, 155:6, 155:9, 155:14, 164:11, 170:20, 173:17, 173:18, 177:3 focusing 134:13, 177:16 folder 194:25 folk 169:17 folks 190:10 follow 60:2, 61:23, 62:6, 65:18, 81:24, 82:16, 126:18, 167:15, 169:12, 170:9, 174:18, 174:22, 188:3, 191:9, 191:11 followed 52:1, 59:1, | 59:20, 62:16, 139:6 following 58:25, 59:24, 134:11, 158:14, 159:15, 169:2, 169:6, 169:16 follows 10:11, 135:16 footprint 61:22 foregoing 210:4, 211:7, 211:17 forget 93:12 forgetting 208:17 form 121:17, 141:14, 146:4, 162:17, 206:2 formal 28:23, 40:7 formation 169:22 formats 54:15 formatted 144:22 former 24:1, 178:16, 190:12 forms 54:24, 55:3 forth 12:2, 15:10, 52:23, 67:2, 100:18, 151:18, 157:10, 165:9, 170:15, 172:22, 177:11, 184:2, 202:19, 203:16, 211:11 forward 36:17, 53:14, 67:4, 67:6, 88:5, 156:3, |
|---|--|---|---|

Transcript of Ray DiRossi
Conducted on October 19, 2021

229

| | | | |
|--|--|---|--|
| <p>179:24 found 40:18, 49:13, 56:10, 156:7, 190:7, 198:16 foundation 3:33, 4:3, 47:1 four 123:2, 130:9, 189:24, 191:5 four-year 177:5 fourth 133:23 fram 3:16, 6:8, 9:16, 10:14, 10:17, 19:21, 19:23, 38:19, 47:1, 47:25, 49:4, 66:8, 77:14, 80:25, 82:19, 82:24, 83:2, 93:11, 93:25, 94:5, 94:12, 94:21, 95:1, 95:3, 95:7, 97:16, 98:21, 99:13, 108:24, 109:23, 112:6, 112:13, 113:2, 113:18, 115:13, 115:17, 115:22, 115:24, 116:2, 116:4, 118:13, 118:24, 119:5, 119:15, 120:23, 122:9, 122:22, 122:25, 133:1, 133:8, 133:13, 133:20, 133:22, 134:2, 136:22, 137:2, 137:6, 138:10, 139:19, 139:23, 144:20, 148:4, 167:19, 190:6, 198:2, 198:25,</p> | <p>208:16, 209:3 frame 206:14 francisco 3:20 franklin 73:8, 73:10, 200:2 freda 3:34 free 19:24, 148:25 front 57:17, 151:19, 168:4 fruitful 37:5, 38:5, 103:18, 146:2 frustrating 136:5, 140:17 frustration 143:4, 143:7, 146:13, 146:21 frustrations 42:23, 143:16, 143:24, 143:25, 145:2, 198:3 fu 3:18 full 10:20, 10:23, 18:25 fully 136:9, 144:12, 144:17, 146:14 funari 3:26, 6:10, 9:18, 148:14, 167:4, 167:7, 167:11, 168:2, 168:21, 171:10, 172:6, 172:18, 180:15, 185:8, 187:18, 188:10, 193:19, 193:22, 194:24, 195:9, 196:13, 196:23, 197:3, 201:5,</p> | <p>201:9, 201:17 functional 136:9, 136:17, 153:17 functionality 145:3, 153:24 fund 46:9 fundraising 24:5 further 35:21, 99:13, 99:16, 111:3, 111:4, 135:10, 148:5, 208:6, 211:19 future 76:9</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>garbled 159:8, 193:23 garden 60:10 gave 12:17, 48:4, 48:24, 49:5, 131:12, 167:16, 175:16, 179:17, 208:3 gears 160:1 general 4:32, 23:6, 23:11, 25:14, 25:22, 27:4, 27:8, 30:11, 99:19, 100:1, 104:4, 104:10, 112:8, 113:13, 119:7, 135:5, 164:10 general's 5:27 generally 63:9, 125:2, 149:10, 158:11, 162:12, 169:18,</p> | <p>170:8, 181:10, 181:13, 198:15 generating 147:4 gentleman 30:24 geographic 103:7, 103:13, 103:19 geographies 110:25 geography 35:6, 37:10, 39:25, 40:2, 40:3, 44:12, 48:10, 51:1, 51:4, 54:12, 54:13, 56:10, 64:21, 65:20, 73:11, 79:15, 103:1, 105:7, 106:10, 108:14, 108:18, 108:19, 109:3, 109:5, 110:17, 110:18, 115:11, 116:17, 132:2, 136:1, 138:18, 140:18, 143:1, 144:3, 144:11, 144:16, 145:23, 146:11, 146:16, 154:3, 154:4, 155:5, 164:20, 165:14, 166:5, 178:18, 179:6, 179:11, 180:21, 181:21, 190:14, 198:5, 198:10, 198:17, 200:3 geography-related 178:4 get-go 33:17 getting 16:17, 17:1, 17:5, 21:9, 31:12, 31:14,</p> |
|--|--|---|--|

Transcript of Ray DiRossi
 Conducted on October 19, 2021

| | | | |
|--|--|---|--|
| <p>38:12, 41:21, 43:20, 45:12, 77:3, 135:25, 136:1, 136:16, 136:17, 143:2, 143:17, 147:17, 153:16, 153:17, 164:15, 185:25, 200:10, 208:18 give 10:23, 28:19, 29:19, 35:15, 35:16, 50:2, 69:11, 87:4, 115:20, 136:23, 157:7, 178:22, 179:17, 181:13, 191:17, 196:5, 196:24, 201:6, 208:1 given 46:23, 109:7, 146:3, 175:16 giving 43:6, 175:21 glad 151:21 glassburn 204:20 go 11:15, 20:11, 20:19, 22:25, 34:16, 34:20, 73:21, 89:14, 89:16, 95:10, 95:11, 97:17, 98:21, 113:3, 113:5, 113:8, 113:18, 113:24, 115:13, 116:5, 116:25, 117:3, 117:4, 122:24, 131:12, 132:4, 134:3, 137:24, 139:4, 148:14, 150:20, 156:1, 156:23, 157:16, 165:5, 168:16,</p> | <p>171:7, 173:9, 187:25, 200:13, 201:12 goal 156:2, 157:7, 177:4 goes 123:11, 134:20, 199:13 going 11:4, 11:6, 28:14, 29:14, 31:11, 31:13, 36:17, 46:20, 46:21, 47:7, 53:14, 59:6, 60:2, 60:6, 61:15, 62:18, 64:14, 73:21, 75:18, 80:16, 82:10, 85:11, 93:11, 94:16, 99:13, 100:17, 103:18, 103:19, 103:25, 109:21, 111:1, 111:16, 111:24, 114:8, 115:24, 123:14, 128:21, 131:23, 131:24, 132:10, 133:3, 133:14, 142:8, 149:2, 149:18, 149:25, 152:24, 153:16, 155:11, 161:15, 165:9, 166:23, 167:13, 170:2, 171:9, 172:2, 172:13, 173:8, 173:9, 174:2, 174:23, 176:25, 184:19, 185:4, 186:1, 192:6, 195:2, 195:16, 195:24, 196:4, 196:23, 197:4, 201:14, 208:9, 208:10, 208:25,</p> | <p>209:2, 209:3 goldrosen 3:15 gone 134:2 good 10:15, 10:16, 143:17, 163:1, 163:2, 166:20, 167:10, 174:2, 174:5, 174:6, 175:3, 176:7, 176:10, 200:21 gotten 154:17 gov 5:35 governor 5:24, 26:15, 81:11, 81:15, 82:1, 173:11, 173:16, 173:17, 173:22, 174:12, 175:19, 175:24, 176:12, 177:9, 177:10 graduated 21:3, 21:15 graduating 21:6 grant 118:7 graphic 57:9, 57:17 graphical 57:9 graphics 57:15, 57:21, 142:16 great 11:12, 11:20, 148:20, 173:24, 194:17 green 91:14 ground 167:14 group 4:17, 9:21,</p> | <p>137:1, 148:8 groups 186:24, 188:14 guess 23:8, 38:14, 46:11, 48:14, 64:6, 67:7, 67:12, 75:10, 94:3, 94:6, 95:3, 114:10, 117:2, 117:8, 117:10, 117:24, 122:14, 123:4, 133:9, 138:14, 139:17, 139:18, 139:20, 140:2, 140:22, 162:20, 165:8, 165:18, 179:8, 182:17, 183:8, 183:11, 185:21, 191:23, 192:15, 193:4, 193:6, 199:7, 199:10, 208:22 guessed 77:16 guessing 108:23, 162:21, 179:14 guidelines 59:1 gut 179:19 guys 73:19, 73:20, 165:4 <hr/> <p style="text-align: center;">H</p> <hr/> half 130:9, 132:23, 147:14, 150:23 hallway 185:13 hamilton 7:12, 114:9, 114:13, 114:15, 116:8, 119:9, 119:11, 120:4,</p> |
|--|--|---|--|

Transcript of Ray DiRossi
Conducted on October 19, 2021

231

| | | | |
|---|--|--|--|
| <p>120:17, 120:22, 121:1, 121:4, 121:7, 121:8 hand 140:4 hand-calculation 90:20, 98:18 handed 206:12 handful 67:15, 70:10, 70:11, 200:21, 200:24 handy 170:18 hang 185:25 happen 76:22, 161:17, 197:12 happened 28:1, 35:7, 36:23, 39:15, 41:6, 110:19, 127:22, 127:23, 169:7, 176:16, 184:21, 185:2, 192:19, 198:14, 206:20 happening 28:22, 36:1, 36:11, 50:17, 53:16, 63:6, 75:3, 75:24, 79:23, 81:5, 105:1, 105:3, 111:19, 137:16, 141:5, 146:5, 153:18, 154:9, 182:4, 203:21 happens 39:15 happy 132:13, 160:16, 162:20, 162:22, 196:24 har 24:8</p> | <p>hard 94:5 harris 24:9, 24:11 head 26:5, 45:24, 121:14, 166:6, 201:4 hear 54:1, 102:11, 167:8 heard 73:25, 161:3, 161:20, 163:3, 168:12, 168:22, 168:24, 189:21, 191:17, 192:1 hearing 7:16, 7:20, 60:24, 68:2, 68:3, 71:19, 81:1, 102:8, 102:9, 133:14, 134:8, 182:21, 185:12, 190:4, 190:11, 190:19, 195:13, 196:2, 197:24 hearings 64:16, 102:10, 124:25, 165:6, 170:5, 189:1, 192:6, 192:11, 192:18, 192:19, 194:19, 194:20 heavily 179:16 heights 190:23 held 192:11 hello 148:19, 185:23 help 48:18, 101:24, 115:9, 137:20, 168:20 helpful 109:13, 115:3,</p> | <p>132:19, 207:9 helping 38:22 helps 161:23 henry 181:20 here 9:3, 13:8, 19:19, 29:2, 35:18, 36:24, 37:20, 41:7, 43:15, 50:4, 69:8, 69:19, 72:15, 76:6, 79:6, 84:18, 85:15, 87:23, 118:3, 119:18, 122:11, 127:14, 127:24, 134:23, 138:15, 145:9, 145:13, 149:1, 150:5, 162:25, 163:22, 166:14, 176:14, 187:9, 190:10, 192:24, 195:24, 196:24, 198:15, 200:20 here's 188:22 hereby 210:3, 211:5 herein 210:9 hereto 210:8 hereunto 211:22 hesitate 55:1, 159:4 hey 153:13, 188:20 hi 10:17 high 20:15 highlighted 196:2, 197:6,</p> | <p>197:19 highlighting 91:13, 196:3 highlights 88:21 hinting 178:6 hired 193:20, 193:24, 194:7 historic 180:22 historical 179:13 history 15:13, 15:15 hm 187:3 hold 85:11, 89:7, 108:24 holder 127:3, 128:15 hope 200:10 hopefully 11:13, 90:3, 150:21 horn 22:5, 22:6 host 67:15, 152:6 hotel 30:8, 30:11 hour 132:23, 140:5 hours 73:2, 93:12, 189:25, 191:7 house 5:3, 22:14, 22:24, 23:13, 23:15, 23:21, 23:22, 28:7, 30:10, 30:24, 31:6, 31:15, 31:17, 31:20, 32:22, 56:20,</p> |
|---|--|--|--|

Transcript of Ray DiRossi
Conducted on October 19, 2021

232

| | | | |
|--|---|---|---|
| <p>56:23, 59:25, 64:16, 66:21, 67:16, 69:8, 70:10, 71:18, 72:11, 73:9, 75:1, 76:3, 79:23, 81:20, 114:1, 114:9, 114:16, 119:14, 119:17, 120:18, 120:21, 121:1, 121:13, 121:15, 121:16, 121:18, 121:23, 122:4, 122:19, 123:2, 123:6, 123:7, 123:8, 124:7, 125:9, 125:21, 127:14, 127:18, 128:20, 129:17, 130:8, 131:8, 131:18, 132:6, 139:8, 152:14, 162:18, 164:13, 164:19, 164:21, 165:15, 169:20, 169:23, 174:1, 175:8, 178:21, 181:18, 183:6, 184:7, 190:14, 194:3, 204:4</p> <p>house's 203:12</p> <p>houses 23:10</p> <p>houston 173:17, 177:10</p> <p>however 14:13, 39:17</p> <p>howse 164:19, 190:13</p> <p>huffman 5:2, 10:1, 25:10, 29:12, 50:12, 56:16, 56:19, 56:21, 59:13, 61:3, 68:3, 68:7,</p> | <p>69:12, 72:10, 72:21, 74:1, 74:9, 74:17, 79:18, 82:15, 87:5, 100:23, 100:25, 101:2, 102:9, 102:12, 108:2, 108:4, 120:3, 120:8, 120:14, 121:3, 129:15, 130:23, 138:22, 139:11, 140:8, 141:19, 142:11, 142:15, 142:21, 148:2, 150:19, 152:19, 157:21, 158:3, 158:12, 159:21, 161:9, 162:1, 162:15, 167:21, 168:7, 172:21, 176:24, 177:15, 182:6, 182:25, 183:7, 186:25, 195:25, 202:6, 202:15, 204:15</p> <p>huffman's 197:7</p> <p>hyperlink 195:16</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>ice 5:16</p> <p>idea 119:4, 170:18</p> <p>ideal 17:25</p> <p>ideas 159:22, 183:8</p> <p>identification 83:1, 95:5, 112:14, 114:11, 122:15, 133:21, 151:6, 195:8</p> <p>identified 61:16, 129:21, 129:24, 130:11</p> | <p>identify 9:14, 46:17, 46:21</p> <p>image 122:19</p> <p>imagine 41:11, 119:21, 189:14</p> <p>immediately 187:22, 191:6</p> <p>impact 122:7, 197:16, 199:14, 199:18</p> <p>impacted 160:7, 161:5</p> <p>impacts 60:3, 199:24</p> <p>implement 61:22, 65:19, 82:10</p> <p>implications 72:1</p> <p>import 152:17</p> <p>important 53:20, 150:2</p> <p>impossibilities 173:19</p> <p>impression 183:6</p> <p>in-person 81:14</p> <p>inc 3:33, 4:3</p> <p>include 12:6, 15:12, 32:8, 69:4, 71:14, 85:20, 85:21, 85:24, 86:18, 119:1, 130:4</p> <p>included 18:24, 41:18, 48:9, 52:9, 53:18, 110:8, 188:8</p> <p>includes 116:12</p> | <p>including 110:24</p> <p>incorporate 190:16, 191:18</p> <p>incorporated 39:13, 40:23, 67:5, 71:9, 71:20, 163:9, 163:19, 166:3, 192:14</p> <p>incorrect 198:18</p> <p>incumbent 70:6, 72:1, 160:3, 160:4, 161:10, 161:19, 162:4, 163:18, 166:2, 186:14, 186:18</p> <p>incumbents 70:2, 73:11</p> <p>independent 193:21, 193:25, 194:7</p> <p>index 6:1, 7:1</p> <p>indirect 182:18, 183:19, 183:24, 184:18</p> <p>indirectly 182:9, 182:16, 182:24, 183:11, 188:16</p> <p>individual 110:10, 193:16, 194:16, 194:23</p> <p>individuals 173:9, 188:13, 188:14</p> <p>inequalities 174:20</p> <p>information 14:9, 14:16, 14:21, 15:1, 15:12, 15:16, 15:21, 15:25, 16:2, 16:4, 16:11, 16:13,</p> |
|--|---|---|---|

Transcript of Ray DiRossi
Conducted on October 19, 2021

233

| | | | |
|--|---|--|---|
| <p>16:15, 16:19, 17:9, 18:3, 18:13, 19:6, 20:5, 20:8, 26:11, 26:21, 32:11, 33:4, 33:19, 35:5, 35:9, 35:16, 39:9, 40:12, 40:13, 41:13, 41:14, 41:17, 47:10, 48:25, 49:6, 52:2, 54:9, 54:19, 54:22, 56:1, 58:9, 68:15, 74:20, 101:6, 101:10, 102:24, 102:25, 104:23, 105:3, 105:10, 105:21, 105:22, 105:24, 108:18, 109:3, 109:15, 119:1, 139:10, 139:14, 140:8, 141:12, 144:25, 148:3, 150:20, 175:20, 205:2, 205:3, 205:13, 205:16, 205:19, 206:20, 207:15 inherent 139:13, 174:16, 175:18 initial 50:5, 65:1, 149:17, 199:2, 206:21 initially 197:9 input 173:11, 174:13, 175:25, 176:20, 177:20, 178:22, 182:10, 182:11, 183:15, 184:8, 188:12, 203:10, 203:18, 204:2,</p> | <p>204:3, 204:9 inquired 63:17 inside 124:9, 130:3, 169:24 instance 77:17, 101:8, 199:25 instances 75:25, 163:8, 163:17, 166:2, 174:22, 188:19, 198:7 instead 108:22 instruct 46:22 instructed 8:1, 128:22 instructions 175:15 instructs 11:16 integrate 55:10 integrated 55:6, 146:4 interact 29:18 interaction 77:10, 77:21, 78:9, 161:3, 161:6, 183:14, 183:21 interactions 26:24, 77:13, 77:15, 78:24, 79:2, 81:12, 182:19, 184:5, 188:24 interest 181:12, 186:24, 188:14 interested 181:24, 211:21 internally 45:18, 153:14</p> | <p>internet 35:4, 108:20 interpret 151:21, 151:25 interpreting 88:11, 150:8 interrogatory 118:19 interrupt 11:7, 47:21 interrupted 108:20 introduced 185:14, 185:17, 191:21, 192:3, 192:12, 197:23, 198:12, 199:8 introducing 10:5, 192:2 introduction 185:19, 189:1 involve 24:4 involved 37:17, 88:10, 107:4, 183:7, 208:18 ironic 76:20 irony 76:21 issue 33:15, 45:25, 57:5, 79:16, 121:8, 121:9, 122:5, 135:12, 159:10, 170:4, 174:20, 178:5, 178:15, 198:3 issued 24:25 issues 79:15, 80:22, 112:2, 147:24, 155:14, 170:21, 190:17 items 142:22, 192:16</p> | <p>itself 123:1, 150:16, 172:4, 172:17, 182:21, 192:25, 194:7</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>job 21:9, 21:15, 21:16, 24:7, 24:8, 24:15, 24:18, 25:12, 26:17, 96:3, 146:8, 197:11 jobs 21:8 john 5:8, 25:7, 47:6, 80:10 joined 122:4 joint 33:23 joke 76:15 juliana 3:15 julie 5:29 jumbled 165:22 jump 191:6 jumping 29:10 jumps 166:6 june 26:16, 26:18, 83:25 jurisdictions 60:9, 178:3 justice 4:24, 4:27</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>keenan 3:5</p> |
|--|---|--|---|

Transcript of Ray DiRossi
Conducted on October 19, 2021

234

| | | | |
|---|---|--|---|
| <p>keep 56:4, 91:2, 92:13, 120:13, 128:17, 130:23, 159:23, 167:22, 168:8, 168:25, 169:2, 169:6, 169:11, 169:16, 174:5, 187:23</p> <p>keeps 118:14</p> <p>kept 167:21, 168:7</p> <p>kettering 22:5</p> <p>kicked 63:12, 81:3</p> <p>kind 33:23, 34:17, 42:5, 42:17, 45:2, 62:25, 65:12, 81:2, 81:3, 92:8, 128:21, 147:22, 156:19, 159:8, 198:1, 200:2</p> <p>kinds 14:9</p> <p>klein 4:18, 6:9, 9:21, 148:8, 148:16, 148:18, 148:21, 149:12, 149:15, 150:24, 151:4, 151:7, 151:14, 153:21, 156:9, 156:21, 156:24, 157:1, 157:4, 157:23, 161:22, 166:16, 166:19, 166:21, 167:2, 167:14, 167:20, 179:18, 190:6</p> <p>knew 66:10</p> <p>knowing 74:5, 94:6</p> | <p>knowledge 39:14, 105:25, 193:11, 205:22</p> <p>known 19:4, 160:8, 161:1, 185:16</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>lack 53:17</p> <p>land 126:7</p> <p>language 193:10, 196:10</p> <p>laptop 13:12</p> <p>largely 67:20</p> <p>larose 5:25, 78:23, 79:1, 79:2, 80:3, 80:15, 176:19</p> <p>last 14:7, 75:21, 99:2, 102:6, 138:9, 207:3</p> <p>late 26:5, 27:1, 41:7, 49:23, 51:12, 51:13, 72:14, 72:17, 78:15, 79:21, 80:4, 112:4, 121:21, 145:15, 207:3</p> <p>later 16:16, 21:24, 22:12, 32:15, 33:13, 38:11, 41:20, 49:24, 60:12, 61:7, 63:3, 63:5, 123:21, 129:4, 159:5, 178:11</p> <p>latest 204:22</p> <p>laugh 111:15</p> | <p>law 4:17, 4:23, 4:35, 9:21, 148:8</p> <p>lawyer 188:3, 188:4</p> <p>lawyers 13:4, 201:15, 208:18</p> <p>layer 154:3</p> <p>layers 146:19</p> <p>layouts 14:13</p> <p>leader 5:13, 10:3, 184:7, 184:13, 185:13, 186:8, 201:19, 202:7, 203:9, 203:22, 203:23, 204:1, 204:3, 204:5, 205:25</p> <p>leaders 185:5</p> <p>leadership 182:6</p> <p>leading 154:24</p> <p>league 1:2, 3:2, 3:11, 3:32, 4:2, 4:8, 9:5, 9:17, 10:18</p> <p>lean 117:22, 118:4, 124:13</p> <p>leaning 58:21, 58:22, 59:8, 59:10, 61:17, 62:1, 64:11, 65:8, 65:24, 65:25, 66:3, 66:6, 66:18, 66:19, 66:24, 67:11, 67:24, 67:25, 107:22, 117:5,</p> | <p>119:8, 126:2, 126:24, 126:25, 127:1, 128:5, 128:6, 128:17, 128:23, 129:4, 129:6, 130:16, 131:17, 139:15, 142:24, 147:1</p> <p>leanings 16:20, 16:22, 17:17, 17:18, 62:11, 66:11, 66:14, 119:10</p> <p>leans 117:16</p> <p>least 32:17, 45:19, 118:22, 144:11, 166:14, 186:14, 189:15, 190:1</p> <p>leave 116:20</p> <p>led 32:12, 35:24, 36:2, 164:6</p> <p>left 23:22, 53:19, 69:5, 140:6, 196:10</p> <p>legal 36:4, 156:15, 157:14, 169:17, 170:23, 171:20, 172:4, 172:8, 193:13</p> <p>legisla 160:4</p> <p>legislative 29:16</p> <p>legislator 164:19, 186:15, 186:18</p> <p>legislators 160:4, 160:9, 160:13, 161:8, 162:4, 162:12, 163:18, 164:16, 166:3, 187:4</p> |
|---|---|--|---|

Transcript of Ray DiRossi
Conducted on October 19, 2021

235

| | | | |
|--|---|--|--|
| <p>legislature 46:2, 46:5 length 138:3, 173:13 less 62:24, 65:16, 67:23, 68:9, 68:19, 69:4, 69:24, 70:19, 145:10, 152:22, 181:11, 190:22, 192:20, 205:5, 205:8 lesser 203:13 let's 21:7, 35:12, 37:13, 47:1, 51:15, 61:15, 63:2, 94:13, 95:10, 113:3, 116:22, 122:11, 128:17, 129:1, 132:24, 133:23, 134:2, 149:16, 162:11, 165:12, 166:19, 177:18, 185:7 level 36:1 levels 146:11 levenson 3:34 liberties 4:9 licenses 106:13, 106:21, 106:24 lieutenant 81:15, 82:1, 173:16, 177:10 life 187:12, 188:12 light 143:5 likely 82:10, 108:7,</p> | <p>174:21 limit 174:11 limited 69:9, 70:8, 77:10, 77:16, 103:14, 148:1 limits 93:15 line 8:2, 97:1, 99:2, 202:7 lines 18:8, 41:2, 42:23, 45:1, 111:17, 117:18, 165:11, 179:6, 179:13, 180:9 lining 146:10 list 71:2, 71:14, 72:22, 155:23, 207:5 listed 85:21, 101:23, 207:11 listen 165:5, 189:7, 189:11, 189:13 listened 189:14 listing 207:14 literally 193:7 little 14:18, 20:12, 21:24, 22:12, 33:4, 33:13, 33:19, 34:16, 43:19, 54:2, 88:2, 94:2, 94:7, 94:8, 99:13, 108:21, 116:2, 121:7, 123:15, 132:20, 144:7, 157:6,</p> | <p>159:17, 168:11, 184:11, 192:20, 205:5, 205:8 live 62:22 lived 191:11 llc 5:16 llp 3:4, 3:14, 3:25, 4:35, 5:5 loaded 39:8, 50:8, 51:11 located 13:24 logistical 153:20, 153:22, 154:15 logistics 19:11 long 16:17, 143:8, 166:18 look 7:7, 19:18, 26:11, 29:3, 29:13, 29:21, 35:15, 56:17, 57:2, 57:21, 57:24, 64:19, 84:11, 88:5, 97:9, 97:16, 103:3, 103:4, 111:1, 113:4, 113:18, 115:24, 117:1, 120:15, 124:2, 131:20, 144:8, 148:22, 179:18, 183:1, 190:25 looked 12:8, 13:15, 13:20, 30:6, 52:7, 57:21, 71:16, 72:6, 110:23, 110:25,</p> | <p>147:2, 179:14 looking 13:14, 19:15, 76:24, 84:18, 88:25, 96:19, 98:19, 104:3, 104:8, 111:9, 113:16, 118:2, 120:4, 120:5, 120:21, 120:25, 121:6, 123:15, 123:21, 123:25, 125:10, 132:15, 149:3, 149:6, 149:20, 149:25, 196:17 looks 42:4, 42:13, 42:14, 43:14, 90:1, 113:11, 136:25, 196:11, 196:16 loosely 39:12 losers 93:2 lot 16:18, 32:11, 32:14, 34:9, 43:5, 46:8, 50:16, 59:23, 59:25, 60:14, 64:15, 75:23, 81:22, 82:8, 101:6, 102:18, 108:16, 121:6, 124:6, 124:22, 124:24, 129:25, 138:4, 141:16, 175:13, 176:23, 177:8, 186:20, 190:3, 191:7, 197:11 loud 168:16 louder 168:14, 168:15 lunch 93:21, 94:8,</p> |
|--|---|--|--|

Transcript of Ray DiRossi
Conducted on October 19, 2021

236

| | | | |
|---|--|--|--|
| <p>94:9, 133:5</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>machines 40:23</p> <p>made 35:1, 48:20, 60:23, 64:3, 65:16, 66:24, 67:23, 67:25, 68:8, 68:18, 70:19, 77:4, 99:4, 123:22, 126:10, 130:12, 134:8, 146:3, 160:7, 160:17, 160:19, 160:25, 165:6, 169:8, 180:7, 180:11, 180:13, 180:19, 181:5, 185:18, 187:14, 189:22, 192:2, 197:10, 197:22, 199:9, 204:23, 206:23, 210:6</p> <p>main 26:17, 26:19, 152:22</p> <p>major 112:2, 141:2</p> <p>majority 46:10, 138:7, 189:15, 202:25</p> <p>make 43:4, 59:9, 62:16, 68:8, 69:3, 69:23, 71:8, 89:12, 105:5, 112:24, 122:22, 124:8, 124:15, 125:10, 128:23, 129:15, 130:17, 138:19, 139:9, 140:23, 152:17, 159:11, 165:11, 165:14, 165:15, 168:14,</p> | <p>170:8, 170:9, 183:20, 189:17, 190:20, 191:11, 194:12, 198:19, 198:21, 198:22, 199:5, 200:14, 200:15, 200:16, 200:22</p> <p>making 63:25, 64:19, 64:21, 65:23, 69:11, 120:13, 125:13, 126:21, 129:6, 136:16, 136:18, 139:8, 140:18, 141:7, 152:10, 153:24, 154:1, 154:3, 154:7, 155:15, 164:11, 164:16, 169:11, 198:19</p> <p>mandatory 155:17</p> <p>manner 144:22</p> <p>many 11:14, 15:16, 15:17, 15:22, 15:24, 16:5, 16:6, 16:23, 16:24, 17:2, 42:20, 67:1, 75:11, 77:20, 131:20, 169:23, 189:8, 189:10, 194:21, 206:15, 208:18</p> <p>map-drawing 199:2</p> <p>map-making 152:25, 177:22</p> <p>maps 12:12, 12:16, 12:22, 14:2, 14:14, 26:7, 26:12, 26:22, 27:3, 28:12, 29:3, 29:12,</p> | <p>30:7, 30:21, 31:6, 53:15, 57:3, 67:2, 67:5, 68:24, 69:8, 77:3, 77:4, 77:8, 77:24, 81:21, 107:4, 107:23, 138:6, 147:18, 147:19, 149:2, 151:18, 153:14, 156:11, 159:24, 160:3, 160:14, 162:3, 167:22, 168:8, 169:9, 169:16, 170:13, 170:14, 171:4, 174:1, 174:14, 176:1, 176:21, 181:22, 182:11, 187:10, 190:8, 190:25, 191:18, 203:5, 207:21</p> <p>maptitude 12:6, 12:7, 12:10, 12:15, 12:21, 13:6, 13:22, 14:3, 14:5, 14:7, 14:8, 14:19, 16:3, 16:4, 18:22, 39:8, 39:13, 39:20, 40:19, 40:25, 41:18, 45:21, 48:8, 48:21, 50:8, 50:22, 51:11, 51:17, 52:7, 53:25, 54:13, 55:6, 55:10, 55:25, 104:24, 105:4, 105:21, 105:22, 106:6, 106:8, 106:12, 106:14, 106:21, 106:24, 106:25, 107:2, 108:17, 117:12,</p> | <p>118:10, 118:14, 118:21, 119:4, 141:22, 144:23, 145:5, 147:2, 152:17</p> <p>maptitudes 47:18</p> <p>marginal 124:12, 160:20, 163:14, 163:25</p> <p>marginally 65:25</p> <p>mark 82:20, 82:23, 95:3, 112:12, 122:13, 133:16, 133:19, 151:3, 195:3</p> <p>marked 7:6, 83:1, 95:5, 112:14, 114:11, 122:15, 122:23, 133:21, 151:6, 195:8</p> <p>marketing 21:1</p> <p>marriott 30:13</p> <p>marry 109:3, 109:9</p> <p>marrying 108:16, 108:19</p> <p>matches 68:5</p> <p>matching 146:20</p> <p>material 97:18</p> <p>materials 18:19</p> <p>math 98:10, 102:3</p> <p>mathematical 155:7, 173:19</p> <p>matt 5:2</p> <p>matter 9:4, 155:20,</p> |
|---|--|--|--|

Transcript of Ray DiRossi
Conducted on October 19, 2021

237

| | | | |
|---|---|--|---|
| <p>167:12 matters 154:15 maybe 32:22, 42:1, 43:20, 68:10, 78:15, 88:2, 118:22, 136:9, 136:23, 137:18, 146:8, 168:13, 176:24, 180:22, 186:22, 189:25, 190:3, 190:18, 207:12, 207:13 mayfield 190:22 mean 14:17, 14:24, 15:14, 16:7, 16:25, 26:9, 26:23, 28:21, 34:17, 38:18, 40:10, 42:9, 43:1, 43:10, 50:9, 53:13, 56:6, 67:13, 73:18, 75:17, 85:9, 86:23, 101:18, 106:8, 110:1, 117:8, 118:9, 120:8, 127:2, 127:11, 131:20, 138:2, 141:16, 146:7, 147:5, 149:21, 151:20, 152:3, 153:22, 154:1, 157:17, 161:9, 164:9, 164:10, 168:25, 176:2, 182:17, 182:23, 187:21, 188:20, 191:6, 202:24, 207:23, 208:16 meaning 51:13 meaningful 136:2</p> | <p>meant 16:23, 193:6 mechanics 152:16 meet 78:22, 167:10, 187:9, 201:25 meeting 67:9, 78:11, 79:4, 79:5, 79:6, 79:10, 79:17, 79:24, 81:14, 81:16, 152:5, 173:15, 174:9, 174:17, 176:4, 177:2, 177:24, 178:6, 178:8, 195:19, 195:22, 196:1 meetings 30:10, 189:6, 189:21 meets 69:19, 165:19, 183:10 megan 3:5 member 82:2, 87:12, 87:16, 162:17, 179:3, 186:17, 203:9, 204:1 members 32:16, 44:13, 60:6, 60:17, 62:18, 69:15, 70:6, 70:15, 82:13, 107:21, 125:23, 140:10, 142:6, 152:7, 159:23, 163:3, 172:25, 173:6, 174:23, 174:25, 176:18, 177:12, 179:1, 185:16, 187:13, 193:17, 194:9, 194:16, 194:23, 204:24,</p> | <p>205:23 memory 79:5 menashe 5:17, 6:11, 10:2, 201:18, 201:22, 202:18, 203:1, 203:7, 204:25, 208:6 menashe@icemiller 5:22 mention 80:22, 134:25 mentioned 62:10, 72:9, 80:25, 103:24, 128:7, 135:24, 137:11, 143:20, 165:4, 167:18, 173:15, 173:23, 175:6, 176:8, 186:13 mentioning 146:9, 173:22 mere 172:12 mess 165:22 message 78:14, 187:11, 187:19, 188:2 messages 78:13, 136:20, 136:23, 137:1, 187:24, 188:7 messy 112:1 met 11:1, 56:22, 77:18, 183:1, 186:24, 186:25 methodology 76:15 mic 159:10, 168:20 michael 5:30, 5:38 microsoft 54:25</p> | <p>mid-august 110:5 middle 114:23, 136:23 middleton 121:17 might 35:9, 37:15, 40:8, 41:25, 43:9, 55:11, 58:21, 72:18, 94:2, 112:20, 166:16, 168:20, 174:24, 175:19, 175:20, 177:12, 187:9, 196:16, 200:9, 201:15, 204:2, 207:2, 207:11 mike 208:12 miller 5:16 mimic 45:15, 45:18 mind 84:25, 155:2, 164:9, 166:8, 192:10 mindset 153:13 mine 32:3, 203:14 minor 201:3 minority 46:10, 49:9, 60:16, 184:7, 184:13, 185:5, 185:13, 186:7, 204:5 minute 13:10, 98:20, 117:1, 140:4, 140:5 minutes 94:9, 166:19, 196:1</p> |
|---|---|--|---|

Transcript of Ray DiRossi
Conducted on October 19, 2021

238

| | | | |
|---|--|---|--|
| mis-assigning 198:18 | 38:22, 47:3, 50:3, 50:4, | 150:1, 155:3, 163:21, 178:11, | 104:21, 125:10, 129:15, 140:9, |
| misassigned 197:13 | 59:10, 63:20, 65:5, 65:8, | 189:13, 191:2, 205:24 | 140:21, 150:20, 152:6, 204:16 |
| mission 3:19 | 65:16, 65:21, 65:25, 71:13, | mullins 5:5, 9:25 | negative 60:3, 70:5, |
| mistake 120:13 | 77:25, 107:21, 107:22, 112:21, | multiple 130:12 | 71:25, 160:10, 162:23 |
| mistakes 139:9 | 130:25, 138:17, 142:5, 150:1, | municipal 40:2 | negatively 160:7, 161:4 |
| mkeenan@cov 3:9 | 155:3, 156:22, 159:17, 163:21, | must 37:5 | negativity 163:1 |
| mode 171:14 | 165:16, 165:21, 169:25, 177:3, | myself 80:3, 136:4, 141:18, 184:20 | negotiate 130:23 |
| moment 32:12, 115:20, 158:6 | 179:13, 179:15, 180:22, 180:24, 184:11, 186:21, | N | negotiating 59:8, 72:24, 73:15, 80:20, |
| money 46:8, 46:13 | 187:15, 189:25, 190:22, 190:23, 191:2, 193:6, | name 10:20, 25:6, 71:2, 107:6, | 125:17, 125:18, 129:12, 159:22 |
| monitor 9:10, 57:25 | 205:24, 207:4 | 167:11, 202:20, 203:5, 211:23 | negotiation 65:23, 68:2, 70:17, 147:24 |
| monitors 57:14 | morgan 47:6, 47:8, 49:20 | names 80:7 | negotiations 50:16, 52:1, 53:15, 59:7, |
| montgomery 7:14, 64:1, 64:17, 122:11, 122:17, 122:20, 123:1, 123:3, 123:10, 124:10, 124:22, 125:12, 125:15, 127:7, 127:8, 127:13, 128:1, 128:20, 129:9, 130:6, 130:10, 131:9, 131:21, 132:16, 140:19, 190:5 | morning 10:15, 10:16, 171:15, 173:14, 195:15 | naturally 197:12 | 60:14, 63:6, 65:5, 66:23, 67:18, 67:21, 70:13, 72:22, 73:25, 77:3, 77:5, 80:16, 80:21, 80:23, 100:17, 101:5, 107:20, 108:6, 123:22, 123:25, 124:23, 125:4, 126:4, 127:22, 129:5, 129:8, 129:14, 130:24, 137:14, 137:20, 138:4, 138:23, 139:12, 140:4, 140:9, 140:14, 141:25, 142:21, 147:17, 148:3, 149:2, 149:18, 149:25, 150:20, 152:19, 161:18, |
| month 37:3, 154:22 | most 82:9, 197:15, 199:14, 199:22, 200:3 | nd 61:8, 61:9, 61:11, 61:12, 62:14, 163:15 | |
| months 25:18 | mostly 124:7, 124:8, 204:21 | near 37:4 | |
| monumental 152:20 | mouth 175:25 | necessarily 42:20, 43:10, 54:17, 128:15, 144:1, 144:2, 146:20, 200:8 | |
| moon 1:28, 2:3, 6:4, 7:4, 10:6, 211:4, 211:26 | move 177:18, 185:7, 196:9 | necessitate 82:12 | |
| more 18:3, 35:22, | moved 137:18 | need 60:22, 150:14, 168:23, 171:2, 196:8 | |
| | moving 132:7, 157:6, 165:24, 179:24 | needed 11:24, 29:17, 31:9, 31:19, 61:22, 73:2, 96:2, 96:9, | |
| | much 41:20, 65:8, 65:16, 83:16, | | |

Transcript of Ray DiRossi
Conducted on October 19, 2021

239

| | | | |
|---|--|--|---|
| <p>176:25, 177:4, 182:2, 182:4, 185:6, 205:11 neighboring 123:4 neither 131:16, 211:19 nelson 5:5, 9:25 nested 198:10 neutral 158:15 never 19:13, 19:14, 30:11, 99:7, 138:12, 141:8, 146:14, 178:12, 183:5, 185:3 new 4:12, 4:30, 121:20, 135:1, 136:17, 137:19 next 14:10, 14:22, 15:6, 75:19, 103:6, 104:1, 113:5, 151:3, 186:1, 192:7, 195:3, 199:11 nice 11:8 nine 165:7 nobody 82:3, 163:1 non-office 188:13 noncontinuous 200:17 none 29:1, 127:24, 164:9, 166:8, 172:24, 173:4 nonpublic 41:13, 48:25, 49:5, 49:12 noon 94:3</p> | <p>normal 20:2 north 5:10 northeast 58:15, 61:23, 62:14, 65:19, 79:16, 81:22, 82:4, 82:7, 140:20, 155:4, 173:18, 174:20 northern 121:16, 211:3 northwest 178:5, 178:20, 178:24, 181:9, 181:19, 181:23 note 46:24 noted 101:23, 209:5, 210:7 notes 201:7, 211:18 nothing 88:8, 92:8, 110:14, 185:22, 208:6, 211:8 notice 71:24, 85:16 noticed 110:6 notified 11:22 number 9:20, 13:15, 17:3, 17:4, 17:8, 17:9, 17:10, 17:11, 26:5, 30:10, 45:6, 45:7, 45:8, 45:11, 45:17, 70:21, 70:23, 75:16, 75:20, 76:6, 82:12, 89:1, 90:13, 90:15, 102:11, 105:13,</p> | <p>107:17, 108:5, 112:18, 115:13, 115:16, 115:17, 115:18, 115:19, 132:3, 140:21, 143:25, 155:6, 173:25, 174:11, 189:15, 197:10, 197:13, 198:16, 199:8, 205:21 numbering 170:3 numbers 9:7, 15:9, 16:8, 17:24, 32:4, 52:23, 71:3, 73:5, 73:6, 84:12, 88:14, 89:1, 92:2, 97:14, 99:23, 105:14, 122:6, 147:4, 147:6 numerous 87:1 nw 3:6, 4:20</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>o'clock 94:11, 132:19 object 46:20 objection 11:14, 38:17, 49:2, 109:20, 137:24, 139:3, 139:22, 144:19, 147:25, 149:11, 150:15, 151:11, 153:5, 155:25, 156:15, 156:18, 157:14, 167:25, 171:7, 172:6, 193:13, 202:13, 202:22, 203:4, 204:13 objections 11:12</p> | <p>obtained 103:7, 111:20 obvious 112:3, 152:12, 205:10 obviously 26:13, 31:10, 42:20, 117:25, 121:21, 126:9, 127:21, 130:8, 154:18, 163:22, 165:9, 165:13, 190:24 occasion 56:24, 72:14 occupied 76:17, 76:19 occur 159:14 occurred 158:19, 189:1, 189:2 occurring 182:2 october 1:18, 2:3, 6:3, 7:3, 9:1, 9:9, 210:6, 211:24 offer 204:8 offered 50:6, 50:11, 50:13, 50:14, 51:21, 51:22, 51:23, 175:11, 192:13 office 5:27, 13:13, 13:25, 24:23, 25:1, 30:6, 30:8, 30:9, 30:19, 56:20, 56:22, 57:1, 108:14, 127:2, 128:15, 142:2, 208:10, 208:13 officers 187:6</p> |
|---|--|--|---|

Transcript of Ray DiRossi
Conducted on October 19, 2021

240

| | | | |
|--|---|--|--|
| <p>offices 5:31, 28:3, 56:23 often 58:13 oh 89:5, 90:10, 91:12, 122:24, 164:16, 170:2, 201:1 ohio 1:1, 1:3, 1:9, 3:2, 3:11, 3:24, 3:32, 3:33, 3:36, 4:2, 4:3, 4:6, 4:8, 4:24, 4:32, 4:38, 5:20, 5:24, 5:25, 5:33, 7:15, 7:19, 9:5, 9:7, 9:19, 9:24, 20:22, 21:6, 21:10, 21:11, 21:12, 21:17, 21:18, 24:3, 24:16, 25:4, 26:20, 34:21, 35:14, 37:10, 39:6, 39:19, 46:2, 46:5, 58:15, 61:23, 61:24, 62:15, 62:21, 65:19, 78:21, 79:16, 81:22, 82:4, 82:7, 84:22, 110:16, 112:9, 122:1, 135:7, 140:20, 153:9, 155:4, 167:12, 168:9, 169:5, 170:11, 170:16, 171:1, 171:16, 171:21, 172:22, 173:2, 173:18, 174:20, 178:5, 178:20, 178:24, 181:9, 181:19,</p> | <p>181:23, 187:12, 188:11, 195:14 once 35:6, 43:13, 48:6, 55:6, 60:1, 60:13, 88:7, 90:25, 109:5, 119:1, 146:2, 207:25 one 10:4, 12:7, 14:2, 14:4, 18:4, 19:18, 19:19, 25:12, 31:10, 31:13, 34:6, 37:15, 38:23, 40:18, 42:17, 42:21, 42:23, 43:17, 45:6, 45:7, 45:17, 57:14, 57:15, 62:19, 63:21, 64:18, 65:11, 65:12, 72:14, 72:16, 77:17, 78:14, 79:4, 79:5, 79:6, 81:14, 84:24, 85:18, 88:20, 88:23, 88:25, 89:1, 89:3, 89:7, 89:17, 91:1, 91:15, 95:9, 97:11, 97:24, 98:6, 98:7, 98:12, 102:10, 106:16, 106:18, 108:7, 113:5, 115:20, 121:14, 122:7, 123:3, 124:8, 127:12, 130:15, 132:6, 132:7, 140:16, 141:7, 142:1, 143:20, 143:24, 148:11, 155:12, 158:11, 159:22,</p> | <p>162:24, 164:17, 165:6, 165:19, 169:25, 170:5, 175:15, 177:2, 177:14, 178:4, 179:10, 185:15, 186:3, 186:14, 200:1, 200:10, 201:6, 206:11, 206:25, 207:1, 207:2, 207:3 one-page 54:18 ones 66:22, 66:24, 67:13, 67:17, 67:20, 68:22, 70:16, 70:25, 111:2, 122:3, 128:12, 129:12, 130:12, 132:14, 160:6, 161:2, 161:5, 162:13, 163:5, 163:6, 169:18, 169:19, 169:21, 170:7, 192:17, 192:23, 201:2, 207:21 ongoing 49:10, 80:18, 135:18, 135:19, 135:23, 136:12, 137:7, 139:24, 141:14, 145:3, 146:19, 147:8, 147:10, 147:11, 198:3 only 32:21, 35:5, 35:16, 35:19, 38:2, 38:4, 51:23, 78:8, 78:11, 82:11, 96:1, 110:25, 127:11, 130:1, 130:6, 131:20, 148:5, 158:11, 159:20, 173:21,</p> | <p>175:6, 175:10, 187:8, 187:17, 200:11 opening 197:7 operating 26:15, 84:7 operational 34:1, 43:1, 43:10, 43:13, 145:11, 153:8, 153:17 operations 46:9, 47:18 opined 174:8 opinion 137:15, 164:24, 207:24 opportunity 196:5, 196:25 opposites 164:3 order 60:8, 65:18, 65:25, 131:25, 174:22 org 3:37, 4:7, 4:14 organ 4:35 organization 24:23 organizing 3:24, 4:24, 9:19, 167:12 originate 104:21 originating 204:23 others 129:22, 130:18, 157:21, 161:3, 162:8, 165:20, 191:5 otherwise 99:9 ou 36:13</p> |
|--|---|--|--|

Transcript of Ray DiRossi
Conducted on October 19, 2021

241

| | | | |
|---|--|---|--|
| <p>out 21:9, 29:18, 34:18, 34:19, 36:12, 45:16, 47:24, 56:1, 62:19, 62:20, 69:2, 71:7, 72:8, 75:4, 75:15, 77:19, 81:1, 81:9, 82:10, 95:14, 100:4, 100:9, 101:21, 102:5, 148:3, 153:1, 154:17, 154:21, 154:23, 159:7, 161:13, 161:15, 166:7, 179:7, 187:10, 191:6, 201:11, 201:24, 202:5, 203:9, 203:17, 203:25, 204:7, 204:8, 205:6 outcome 75:18, 211:21 outlined 141:4 outside 46:3, 69:14, 111:19, 187:3, 187:5, 188:13, 193:17, 194:4 over 12:4, 12:11, 12:18, 12:19, 13:5, 25:12, 25:16, 29:12, 30:5, 30:12, 45:24, 56:17, 56:25, 65:13, 75:19, 84:19, 84:24, 85:8, 93:9, 95:11, 101:4, 102:22, 120:15, 120:20, 120:24, 123:11, 130:16, 134:20,</p> | <p>148:6, 149:2, 167:3, 182:6, 188:3, 196:11, 201:14, 208:4 overall 93:14, 105:17 overlaps 123:4 overwhelmingly 65:24 owe 186:3 own 23:25, 70:6, 84:9, 141:7, 148:7, 159:21, 194:10, 194:13, 194:15 <hr/><p style="text-align: center;">P</p><hr/>pacific 2:2, 9:10, 133:8 page 6:7, 7:6, 8:2, 90:15, 95:9, 95:12, 112:17, 112:18, 112:19, 113:20, 113:21, 113:25, 114:7, 115:15, 133:23, 133:24, 134:18, 134:19, 134:20, 134:21, 210:7 pages 7:10, 54:20, 112:22, 112:24, 113:2 paginating 104:13 paid 46:7, 46:12 pair 62:18, 174:23 paired 60:7, 70:2, 72:4, 78:21, 177:13</p> | <p>pairing 72:2, 82:12, 121:24 paper 85:2 paragraph 196:6 paraphrasing 168:3 park 4:5 parklake 5:9 part 15:11, 29:22, 32:15, 33:8, 54:2, 55:24, 56:18, 60:25, 63:8, 63:16, 66:23, 68:1, 74:4, 85:5, 85:6, 85:13, 116:8, 116:9, 129:8, 135:22, 177:22, 189:15, 193:22, 196:3, 197:15, 199:14, 199:22 participate 32:23 particular 24:22, 61:2, 86:4, 110:25, 140:13 particularly 26:21 partisan 66:11, 103:8, 103:14, 117:5, 119:8, 119:10, 131:17, 135:4, 142:23, 147:1 party 81:6, 135:6, 211:20 passing 103:24 past 25:13, 25:17,</p> | <p>84:24, 85:8, 93:9, 94:3, 102:22, 132:19, 134:3, 135:5 pattern 68:5, 69:19, 128:9, 165:19, 187:9 patton 162:18 paulding 181:21 pause 89:8, 94:25, 99:12, 113:6, 115:23, 116:3, 133:17, 134:1, 148:13, 151:5, 158:10, 196:20, 197:1, 201:8 pays 24:20 pc 13:23 penalty 210:1, 210:4 pennsylvania 3:28 people 16:14, 16:23, 17:2, 17:3, 76:10, 106:5, 106:21, 106:24, 107:1, 107:3, 131:21, 136:20, 136:22, 166:9, 186:21, 191:10, 204:21 people's 40:23 percent 90:7, 93:1, 96:22, 97:12, 97:19, 97:25, 98:16, 98:25, 99:8, 99:20, 100:2, 100:4, 101:16, 101:19,</p> |
|---|--|---|--|

Transcript of Ray DiRossi
Conducted on October 19, 2021

242

| | | | |
|---|--|---|---|
| <p>102:2, 102:6, 102:22, 104:6, 104:17, 107:9, 107:11, 121:23 percentage 17:13, 17:14, 18:5, 18:6, 31:24, 32:9, 33:9, 49:7, 49:21, 89:23, 89:24, 92:25, 96:16, 97:10, 98:12, 98:13, 98:14, 98:15, 100:15, 100:25, 101:15 percentages 17:17, 18:9, 18:19, 34:11, 34:13, 42:16, 50:24, 51:19, 89:2, 90:6, 90:18, 98:13, 98:14 perfectly 200:12 perjury 210:1, 210:4 person 27:25, 29:19, 36:3, 45:22, 169:17, 202:17, 206:6 person's 25:5 personal 13:16, 141:18 personally 68:11, 183:21, 188:25, 204:1 pfeiffer 5:29 phase 199:2 phil 9:25, 46:19, 93:11, 132:20, 132:22, 172:6,</p> | <p>187:18 phillip 5:6 phone 27:25, 28:18, 182:2 phraseology 169:1 physically 42:13, 77:18, 206:12 pick 98:22 picked 71:7 picture 43:15, 121:12 pieces 51:1, 52:25, 145:8, 145:24, 198:17 pietanza 5:38 pittsburgh 3:28 pl 34:20 place 9:13, 26:16, 27:13, 34:3, 39:18, 64:18, 83:25, 211:11 plagued 155:5 plan 99:19, 100:1, 100:16, 104:5, 104:11, 104:16, 112:9, 118:22, 118:23, 118:25, 138:6, 163:19, 165:8, 171:14, 199:12 planet 9:12, 10:6, 195:1, 195:3 plans 50:18, 165:9</p> | <p>pleasantries 186:11 please 9:14, 10:7, 10:19, 11:5, 20:7, 22:4, 25:6, 25:8, 44:7, 46:17, 50:10, 82:20, 82:24, 94:15, 97:17, 98:23, 99:14, 104:12, 110:13, 112:7, 112:13, 113:4, 113:20, 113:21, 114:9, 115:14, 115:21, 133:10, 133:20, 133:22, 134:3, 136:22, 166:22, 208:24 plenty 81:4, 107:1 point 21:24, 22:24, 23:14, 36:19, 38:20, 39:3, 40:25, 41:3, 41:4, 41:12, 41:16, 41:19, 41:20, 48:24, 49:5, 49:12, 50:11, 52:14, 53:13, 55:11, 55:17, 55:19, 55:21, 55:23, 56:1, 56:8, 56:11, 61:4, 61:6, 74:6, 80:25, 91:1, 108:15, 119:22, 121:3, 124:23, 124:24, 125:4, 125:16, 125:17, 125:22, 126:14, 136:6, 136:13, 143:21, 145:1, 146:22, 146:25, 154:14, 159:2,</p> | <p>172:19, 201:23, 203:17 points 73:24 policy 22:11, 24:17 politely 160:25 political 54:12, 135:6, 141:3, 154:6, 198:9 poor 146:8 pop-up 14:10, 14:15, 14:17, 14:21, 14:24, 15:3 popping 136:21 population 16:8, 16:9, 17:25, 39:25, 40:1, 52:21, 54:10, 58:11, 58:14, 59:22, 78:19, 121:10, 140:24, 152:13, 154:2, 169:21, 169:25, 174:20, 197:17, 199:15, 199:18, 201:2, 201:3 populations 17:24, 32:4, 32:5, 78:19, 154:8, 155:16 portion 165:1, 173:17 portions 114:5, 200:17 position 24:2, 172:10, 207:25 positive 160:10 possession 12:3</p> |
|---|--|---|---|

Transcript of Ray DiRossi
Conducted on October 19, 2021

243

| | | | |
|--|---|---|---|
| <p>possible 55:13, 104:20, 125:22, 126:8, 126:12, 127:20, 128:8, 129:22, 130:14, 196:9</p> <p>possibly 104:25</p> <p>post 65:14</p> <p>post-budget 149:22</p> <p>poster 200:2</p> <p>potential 186:20</p> <p>potentially 36:6, 60:7</p> <p>practice 187:23</p> <p>pre 29:5</p> <p>pre-september 65:13, 191:21, 199:2</p> <p>preble 122:3, 123:5, 123:11</p> <p>preceding 84:19</p> <p>precinct 198:8, 200:7, 200:8, 200:9, 200:10</p> <p>precincts 154:4, 154:5</p> <p>precise 38:22</p> <p>precisely 152:3</p> <p>preconversations 65:15</p> <p>predicting 76:9</p> <p>prefer 15:2</p> <p>preferences 135:7</p> | <p>premise 164:6</p> <p>preoccupied 26:14</p> <p>preoccupy 92:9</p> <p>prepare 11:21, 192:25, 193:9, 193:12, 193:25, 194:4</p> <p>prepared 19:4</p> <p>preparing 26:7, 26:25, 154:19, 154:24</p> <p>present 5:37, 9:14, 80:6, 195:18</p> <p>presentation 134:8, 134:15, 134:24, 135:1, 154:25</p> <p>presented 137:13, 153:2, 155:23, 166:1</p> <p>presenting 156:5</p> <p>president 5:2, 24:1, 24:9, 25:9, 27:10, 28:15, 29:12, 29:16, 31:13, 50:12, 56:19, 56:21, 59:13, 61:3, 63:17, 64:19, 68:3, 68:7, 68:22, 69:12, 71:11, 71:18, 72:10, 72:21, 74:1, 74:9, 74:17, 79:12, 79:18, 80:2, 80:17, 82:15, 87:5, 102:9, 102:12, 108:2, 108:4, 120:13, 121:3, 125:7,</p> | <p>129:15, 130:22, 138:22, 139:11, 140:8, 141:19, 142:1, 142:11, 148:2, 150:19, 152:19, 156:4, 157:7, 157:21, 158:3, 159:21, 161:9, 162:1, 162:15, 167:21, 168:7, 172:21, 176:24, 177:15, 182:5, 182:25, 183:7, 186:25, 195:25, 197:7, 202:6, 202:10, 203:22, 204:6, 204:11, 204:15, 205:10, 205:17, 205:20, 206:9</p> <p>presidential 85:18</p> <p>pretty 28:3, 64:3, 64:21, 91:7, 121:5, 125:1, 130:10, 130:20, 205:9</p> <p>preview 77:24</p> <p>previous 82:2, 101:4, 101:18, 112:3, 113:24, 113:25, 121:13, 173:20, 190:9</p> <p>previously 101:16, 145:21</p> <p>primarily 16:7, 16:12, 164:25</p> <p>principal 108:1, 130:22</p> <p>principals 130:22, 131:12</p> <p>printed 95:14</p> <p>prior 144:8, 158:21,</p> | <p>161:8, 162:4, 162:6, 165:25, 189:1, 192:1, 211:6</p> <p>priority 155:23</p> <p>private 13:19</p> <p>privileged 109:21</p> <p>proactive 175:1</p> <p>proactively 203:9</p> <p>probable 126:13, 128:8</p> <p>probably 38:12, 50:2, 50:4, 70:7, 79:5, 83:15, 90:2, 91:15, 95:19, 100:17, 107:1, 111:15, 126:12, 132:10, 191:7</p> <p>problem 19:23, 57:5, 100:11, 120:11, 155:5, 159:13, 181:17</p> <p>problems 56:9, 58:12, 58:14, 136:17, 146:9, 156:7, 199:1</p> <p>proceeded 28:11</p> <p>proceedings 211:7, 211:10, 211:20</p> <p>process 16:16, 38:11, 49:23, 49:24, 56:23, 72:13, 72:15, 78:15, 81:13, 88:7, 88:13, 136:16, 142:14, 144:1,</p> |
|--|---|---|---|

Transcript of Ray DiRossi
Conducted on October 19, 2021

244

| | | | |
|--|--|---|--|
| <p>145:3, 146:1, 146:13, 147:21, 152:25, 171:12, 171:13, 172:20, 173:12, 177:3, 177:22, 178:11, 182:15, 186:9, 186:15, 188:21, 189:18, 189:22, 192:3, 207:16, 208:1 processing 175:20 produce 78:1, 140:1 produced 65:7, 78:2, 86:25, 88:19, 91:7, 91:9, 102:19, 118:15, 118:18, 118:20, 187:19 producing 34:23, 59:1, 158:15 progress 33:16, 137:20 progressing 161:18 project 27:9 projects 119:21, 144:4 proper 71:11 properly 16:18 proportion 98:25, 101:3, 135:3 proposal 68:8, 68:24, 69:1, 69:3, 69:5, 71:6, 71:12, 71:15, 71:16, 71:21, 74:21, 131:2, 141:7, 204:22</p> | <p>proposals 69:23, 107:23, 147:18 propose 147:19, 193:2 proposed 70:18, 134:9, 181:2, 181:6, 182:7, 206:22 protected 141:3, 172:5, 172:17 proven 37:5 provide 11:15, 12:10, 18:25, 37:9, 47:11, 47:14, 48:8, 48:12, 48:17, 87:12, 87:16, 87:21, 92:16, 96:12, 96:15, 99:8, 100:13, 107:11, 107:13, 108:3, 140:7, 176:20, 177:20, 182:10, 184:8 provided 12:14, 12:21, 18:14, 18:20, 34:25, 41:14, 47:10, 48:16, 48:20, 49:14, 49:20, 68:11, 68:12, 74:20, 75:13, 92:11, 101:12, 103:2, 103:19, 109:2, 109:5, 109:14, 141:8, 163:18, 174:13, 175:24, 204:18, 205:1, 207:15, 207:17, 207:22 provides 20:4, 193:8 providing 11:7, 13:6,</p> | <p>54:24, 87:19, 96:11, 101:10, 101:13, 107:8, 107:16, 139:5, 139:10, 148:2, 150:19 provision 84:22, 151:9, 151:19, 173:2 provisions 81:24, 124:5, 141:4, 151:25, 152:12, 157:19, 159:25, 169:2, 169:12, 169:14, 169:15 pst 9:1 public 35:2, 51:4, 86:25, 87:20, 124:24, 188:25, 189:17, 189:20, 191:17, 192:1, 192:6, 195:16 publicly 32:19, 33:23, 35:9, 36:8, 36:15, 38:7, 38:10, 40:21, 48:10, 49:11, 56:9, 103:7, 103:13, 106:3, 106:9, 109:9, 111:21, 138:18, 169:9, 193:3 pull 82:20, 148:21, 150:14, 150:24 purchased 13:17 purpose 87:25 purposes 114:6 pursuant 62:20 purview 102:16</p> | <p>put 26:16, 40:16, 43:4, 45:16, 50:22, 67:4, 67:6, 83:25, 84:4, 84:25, 94:22, 98:23, 102:15, 105:18, 112:7, 114:8, 122:13, 133:10, 136:1, 161:10, 181:9, 192:9, 201:11, 202:19, 203:16, 205:6 putting 69:20, 69:21, 85:2, 105:2, 128:1, 134:16, 156:3</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>qualities 52:22 question 11:4, 11:5, 17:6, 19:11, 20:6, 27:6, 32:13, 33:14, 34:12, 39:4, 44:18, 44:23, 47:13, 47:20, 48:2, 51:5, 51:6, 54:3, 55:5, 58:24, 64:6, 66:16, 67:7, 67:13, 76:9, 85:15, 92:15, 98:5, 100:8, 100:13, 104:2, 104:15, 110:22, 116:23, 122:10, 122:11, 127:3, 134:12, 134:14, 134:15, 134:19, 135:11, 137:4, 137:8, 138:11, 139:2, 139:20, 144:14,</p> |
|--|--|---|--|

Transcript of Ray DiRossi
Conducted on October 19, 2021

245

| | | | |
|---|--|--|--|
| <p>145:4, 149:14, 149:17, 161:23, 165:20, 168:12, 168:22, 168:24, 171:9, 171:22, 173:8, 175:23, 176:2, 176:7, 176:10, 176:17, 180:16, 182:8, 184:24, 186:1, 186:3, 186:6, 188:23, 191:25, 193:22, 194:5, 194:17, 198:1, 203:24, 206:18</p> <p>questions 8:1, 11:8, 12:23, 12:24, 19:23, 19:25, 46:22, 78:3, 79:13, 111:9, 140:13, 148:5, 148:7, 148:10, 148:12, 167:3, 167:13, 167:17, 167:19, 171:20, 176:23, 182:22, 201:6, 201:10, 201:15, 201:20, 208:9, 208:11, 208:14, 208:15, 208:19, 208:20</p> <p>quick 100:10, 166:17, 185:12</p> <p>quickly 20:11, 138:8</p> <p>quite 167:25</p> <p>quoting 85:12, 150:5</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>races 92:14, 101:23</p> <p>raisa 4:19</p> <p>raise 168:17, 176:5</p> | <p>raised 20:21</p> <p>raleigh 5:10</p> <p>randall 204:21</p> <p>range 189:23</p> <p>rather 15:3, 140:12, 177:5</p> <p>ratio 121:23, 170:1</p> <p>ratios 121:10, 121:21, 169:22</p> <p>raw 89:1</p> <p>ray 1:17, 2:1, 6:2, 6:5, 7:2, 9:4, 10:9, 46:21, 73:20, 118:23, 156:23, 157:16, 210:3, 210:17</p> <p>raymond 10:21</p> <p>rd 4:37</p> <p>reach 80:13, 169:15, 178:9, 201:23, 202:5, 203:9, 203:17, 204:7, 204:8</p> <p>reached 75:7, 203:25</p> <p>reaction 179:19</p> <p>read 105:5, 157:2, 157:3, 187:21, 195:16, 195:21, 196:5, 196:25, 197:18, 210:4</p> <p>read-to 33:23</p> <p>reading 84:8, 92:19,</p> | <p>191:14</p> <p>ready 92:8, 154:13</p> <p>realistic 159:17</p> <p>really 16:10, 62:25, 63:12, 81:2, 81:3, 88:8, 88:13, 119:4, 143:18, 146:14, 178:7, 183:5, 197:15, 199:13</p> <p>reason 10:23, 43:17</p> <p>reasons 183:2</p> <p>receive 147:19, 152:17, 160:13, 161:7, 162:3, 162:13, 187:11, 189:5</p> <p>received 11:23, 25:25, 26:2, 27:18, 42:25, 43:9, 88:6, 102:24, 103:1, 143:21, 143:22, 146:11, 152:7, 153:9, 160:3</p> <p>receiving 11:22, 143:1, 205:15</p> <p>recipients 111:20</p> <p>recollec 205:22</p> <p>recollection 35:19, 36:14, 37:19, 37:21, 37:24, 38:1, 50:3, 69:21, 72:19, 78:12, 78:18, 91:18, 107:8, 116:11, 116:14, 117:5, 205:14, 207:7</p> | <p>record 10:20, 11:8, 20:1, 40:8, 46:25, 55:16, 94:17, 94:20, 133:3, 133:4, 133:7, 133:13, 134:16, 150:15, 157:3, 166:23, 167:1, 183:13, 183:18, 183:20, 188:1, 191:19, 209:1</p> <p>records 87:1, 87:20</p> <p>recreated 106:4</p> <p>redistricting 1:9, 4:33, 7:15, 7:19, 9:6, 9:24, 12:13, 13:18, 13:25, 19:7, 30:11, 34:24, 35:20, 37:9, 38:2, 38:3, 40:14, 50:13, 51:21, 54:10, 56:25, 59:5, 60:18, 63:9, 69:16, 70:14, 84:7, 87:13, 87:17, 109:6, 110:16, 112:9, 124:25, 125:24, 138:7, 142:7, 152:8, 156:5, 170:5, 173:3, 182:21, 185:11, 185:22, 186:9, 191:2, 194:18, 194:20, 195:14, 204:24, 205:24, 206:22</p> <p>reduce 60:8, 173:25, 174:3</p> <p>reduced 62:1</p> |
|---|--|--|--|

Transcript of Ray DiRossi
Conducted on October 19, 2021

246

| | | | |
|---|---|---|--|
| <p>reducing 175:7, 178:2 reduction 176:3, 176:5 reed 3:25, 9:19 refer 34:5, 155:3, 171:2, 171:15 reference 96:20 referenced 85:10, 202:2 referred 157:20, 199:17 referring 19:9, 33:1, 34:6, 43:8, 44:16, 96:24, 118:15, 138:14, 138:15, 142:5, 150:13, 170:11, 171:18, 171:19, 191:20, 193:16, 198:4, 198:15, 200:20 reflect 156:12, 157:10 reflected 53:23, 155:1, 177:21 refresh 11:3, 116:11, 116:14 regard 177:21 regarding 49:21, 134:8, 141:9, 142:21, 144:16, 172:8 regardless 48:15 regards 120:16 region 73:7 regional 124:24, 192:11,</p> | <p>192:18, 194:19 rehash 102:25, 198:1 relate 85:6 related 26:7, 167:15, 186:8, 211:20 relates 85:6 relative 141:12 relators 1:5, 3:3, 3:12, 3:24, 3:32, 4:2, 4:8, 4:16, 9:17, 9:22, 10:18, 148:6, 148:7, 148:9, 167:11 relayed 65:4, 129:9, 129:14 relaying 204:15 release 159:15 released 33:18 relevant 84:15 remain 55:7, 126:17, 126:25, 127:1 remained 125:14, 126:16, 147:10 remaining 127:18 remember 13:5, 35:25, 37:8, 61:3, 61:5, 61:8, 61:11, 61:20, 62:13, 70:1, 72:5, 72:19, 73:8, 73:12, 74:7, 74:23, 75:22, 76:19,</p> | <p>79:11, 80:2, 80:6, 80:9, 80:17, 81:14, 81:17, 82:14, 96:1, 96:9, 102:8, 103:2, 103:16, 111:25, 118:18, 123:21, 123:25, 125:7, 127:11, 134:10, 153:6, 159:5, 159:20, 161:19, 162:18, 167:24, 173:22, 174:4, 187:7, 187:17, 189:12, 206:20 reminder 137:10 remote 3:1, 4:1, 5:1, 5:38, 19:25, 82:22, 82:25, 94:24, 112:11, 115:15, 115:20, 116:1, 133:12, 133:15, 133:18, 151:2, 195:6 remotely 9:13 renewed 147:16 rent 30:12 repeat 43:24, 47:13, 48:2, 108:22, 156:25, 168:23, 177:23, 180:15 rephrase 101:1, 149:15 report 25:3, 25:8, 28:13, 28:15, 28:17, 28:18, 28:23, 140:1, 141:9, 141:15, 189:5 reported 1:27</p> | <p>reporter 2:4, 10:5, 10:7, 18:16, 21:20, 25:2, 30:4, 44:3, 50:21, 55:20, 61:10, 64:5, 74:3, 107:10, 117:23, 132:17, 156:17, 162:16, 163:16, 195:5, 211:5 reporting 28:20, 28:21, 31:1 reportings 189:21 reports 200:14 represent 9:15, 178:17, 195:12 representation 169:23, 170:1 representative 188:11, 190:13 representatives 22:14, 186:23 represented 179:14, 180:23, 180:25 representing 9:12, 10:6 represents 127:12 republican 15:17, 15:24, 16:6, 16:14, 16:23, 17:10, 17:14, 17:17, 18:6, 18:18, 22:6, 22:10, 22:14, 22:25, 24:11, 31:24, 32:8, 33:9, 33:22, 34:10, 34:13, 49:6, 49:21, 50:23,</p> |
|---|---|---|--|

Transcript of Ray DiRossi
Conducted on October 19, 2021

247

| | | | |
|--|--|---|---|
| 51:18, 58:21, 59:8, 60:3, 60:6, 61:17, 62:1, 62:11, 62:18, 65:25, 66:3, 66:6, 66:18, 66:19, 67:9, 67:11, 67:24, 67:25, 68:9, 68:19, 69:4, 69:6, 69:24, 70:2, 70:20, 72:2, 72:3, 78:4, 82:13, 93:8, 96:21, 97:6, 98:24, 99:20, 100:3, 100:15, 101:4, 101:15, 102:21, 104:6, 107:3, 109:7, 117:22, 118:4, 126:2, 126:7, 126:16, 126:17, 126:24, 126:25, 127:1, 127:19, 128:4, 128:6, 128:17, 129:4, 139:15, 160:24, 174:23, 174:24, 177:12, 179:16, 187:13 republican-leani- ng 60:22, 62:24, 63:18, 63:24, 64:3, 64:22, 65:17, 67:23, 68:9, 68:19, 69:23, 70:11, 70:19, 76:11, 76:16, 105:15, 123:23, 124:4, 124:12, 124:16, 124:18, 125:2, 126:11, 126:20, 128:4, 132:1, 132:4, 160:20, | 160:21, 163:14, 163:25, 164:11, 179:20, 179:23, 180:24 republicans 23:12, 24:5, 75:13, 76:19, 90:16, 92:22, 93:1, 96:17, 101:22, 101:24, 102:5, 104:18, 105:11, 107:12, 107:17, 108:5 request 73:9, 73:13, 87:1, 118:16, 125:23 requested 60:16, 60:17, 65:23, 72:23, 207:5, 207:14, 211:16 requests 87:21 required 18:1, 121:18, 132:2 requirement 135:2 requirements 59:2, 62:17, 78:22, 139:6, 140:24, 140:25, 152:14, 155:18, 158:17, 167:23, 168:9, 169:4, 170:15, 171:5, 172:22, 174:19, 191:15 resolved 146:14 respect 171:20, 173:3, 176:12, 178:23, 183:15, 183:22 respond 11:25, 20:6, 187:16 | respondent 4:32 respondents 1:12, 5:2, 5:13, 5:24, 10:1, 10:3, 201:18 responding 140:12, 147:23, 174:10 response 87:2, 87:20, 118:16, 167:16, 167:19, 173:23, 175:18, 176:8, 198:25 responsi 158:13 responsibilities 24:14 responsibility 158:2, 158:5 responsible 24:23, 31:11, 31:13, 150:7 responsive 12:5, 12:24, 13:1, 188:7 rest 72:6, 113:8 restate 92:15, 137:4, 144:14, 145:20, 163:23 restated 109:11 restating 56:4 results 40:5, 42:5, 42:7, 44:12, 51:2, 51:3, 51:11, 51:18, 52:9, 52:10, 54:6, 54:14, 55:23, 55:24, 74:20, 78:3, 86:2, 86:4, | 86:8, 86:9, 92:14, 92:17, 93:8, 105:7, 108:12, 108:19, 109:4, 109:10, 110:7, 110:18, 110:23, 135:5, 136:1, 141:13, 143:2, 144:2, 144:11, 144:15, 145:23, 146:16, 146:23 retract 46:11 retread 167:13 review 140:11, 201:7, 211:15 reviewing 141:6 revising 170:13 revision 72:13 rfram@cov 3:22 rid 187:22 riggins 5:7 riley 5:5 ringing 182:3 rmr 1:28, 2:4 rob 38:17, 46:19, 109:21, 118:17, 119:4, 119:13, 175:15, 208:16, 209:2 robert 3:16, 9:16, 10:17 roegner 160:18 |
|--|--|---|---|

Transcript of Ray DiRossi
Conducted on October 19, 2021

248

| | | | |
|--|---|--|---|
| <p>roegner's 163:13, 163:24</p> <p>role 156:3, 202:5, 202:9, 202:11, 202:14, 203:11, 203:12, 203:13, 203:20, 204:7</p> <p>roll 82:10</p> <p>rolled 42:16, 42:21, 77:19, 81:1, 81:9, 179:7, 187:10</p> <p>romanchuk 160:22</p> <p>room 30:8, 30:11, 30:12, 59:13, 79:19, 80:1</p> <p>roughly 121:17, 121:22</p> <p>round 67:18, 131:10, 132:13</p> <p>rounds 132:13, 132:14</p> <p>rouse 204:21</p> <p>row 88:25, 89:3, 89:17, 89:18, 89:19</p> <p>rows 92:1</p> <p>rpr 6:4, 7:4</p> <p>ruled 161:13</p> <p>rules 59:24, 61:23, 62:6, 62:16, 65:18, 158:14, 174:22</p> <p>run 67:21, 154:11, 200:14</p> | <p>running 75:4, 153:16, 154:15</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>saga 16:17</p> <p>said 19:14, 30:5, 30:6, 32:3, 33:8, 34:8, 34:9, 37:15, 38:19, 41:3, 41:12, 42:10, 43:25, 47:16, 48:16, 48:24, 50:7, 51:10, 51:20, 55:17, 55:22, 56:4, 56:5, 56:16, 59:16, 60:13, 62:5, 71:16, 71:24, 77:15, 79:9, 80:4, 80:15, 90:11, 94:9, 96:8, 98:6, 107:19, 108:9, 108:10, 108:23, 110:20, 120:7, 121:21, 125:3, 125:13, 126:19, 128:18, 130:9, 131:4, 132:20, 137:7, 138:2, 141:13, 147:7, 147:10, 147:12, 150:9, 150:18, 152:4, 157:6, 159:9, 159:21, 166:11, 168:25, 169:11, 170:8, 176:9, 176:22, 177:23, 198:1, 199:3, 202:8, 205:1, 211:10, 211:20</p> <p>salary 24:20</p> | <p>same 30:25, 39:22, 45:16, 48:14, 69:13, 114:5, 115:8, 117:15, 124:5, 124:14, 124:20, 156:18, 173:8, 176:17, 177:8, 179:6, 179:17, 179:22, 191:12, 199:21, 203:24, 209:3</p> <p>sampling 154:12</p> <p>san 3:20</p> <p>satisfy 135:1</p> <p>saved 55:4, 118:19, 186:3</p> <p>saw 52:9, 95:17, 95:22, 97:4, 187:21</p> <p>say 11:3, 14:1, 16:22, 20:12, 20:14, 23:8, 26:20, 27:20, 28:21, 37:18, 41:23, 44:7, 44:10, 46:6, 51:7, 53:3, 53:22, 55:21, 56:5, 58:24, 59:11, 62:4, 63:9, 66:4, 66:6, 66:8, 66:15, 70:16, 75:5, 75:15, 76:7, 76:12, 77:13, 80:12, 90:10, 99:23, 100:7, 101:18, 101:19, 110:8, 116:16, 117:9, 117:17, 118:4,</p> | <p>118:9, 118:25, 120:23, 122:20, 126:3, 129:10, 131:11, 135:17, 137:12, 140:17, 141:8, 142:6, 144:24, 145:1, 145:16, 151:12, 152:1, 152:21, 155:20, 159:4, 160:6, 162:8, 163:1, 166:19, 171:9, 181:10, 181:16, 183:17, 187:6, 191:16, 197:9, 198:4, 199:13, 204:10, 207:17</p> <p>saying 19:3, 53:5, 64:10, 71:3, 74:13, 74:18, 75:22, 80:18, 82:14, 85:4, 92:13, 118:1, 125:7, 128:16, 130:23, 146:12, 149:5, 158:12, 163:22, 163:23, 170:19, 175:1, 175:2, 182:25, 199:7</p> <p>says 43:17, 88:17, 89:4, 99:17, 99:25, 102:3, 103:6, 104:3, 104:4, 113:25, 116:9, 133:25, 134:25, 197:9, 209:3</p> <p>scarborough 5:5</p> <p>school 20:15, 191:9</p> <p>score 76:16, 116:18, 117:18, 131:23</p> |
|--|---|--|---|

Transcript of Ray DiRossi
Conducted on October 19, 2021

249

| | | | |
|--|---|---|--|
| <p>scores 116:23</p> <p>scoring 77:6, 117:7, 117:16, 131:24</p> <p>screen 29:22, 56:17, 57:3, 57:6, 57:7, 75:20, 83:4, 94:22, 96:25, 98:23, 99:2, 112:7, 112:16, 120:5, 120:16, 120:22, 120:25, 122:16, 133:11, 134:5, 136:21, 141:22, 141:25, 142:11, 142:16, 195:2, 195:11, 196:10, 196:18, 196:22</p> <p>screens 31:25</p> <p>scroll 91:2, 91:3, 112:23, 115:8, 196:8</p> <p>se 125:19</p> <p>search 188:1</p> <p>searched 12:1, 188:6</p> <p>seats 76:2, 76:3, 76:15, 76:17, 76:19, 113:22</p> <p>second 47:24, 58:24, 71:4, 78:25, 89:7, 91:1, 91:6, 91:10, 91:12, 91:13, 91:16, 91:20, 91:22, 91:24, 95:11, 97:21, 100:10, 106:18, 108:25, 113:19,</p> | <p>163:23, 201:7</p> <p>secretary 5:24, 78:23, 79:1, 79:11, 79:17, 80:3, 80:5, 80:15, 86:3, 86:6, 108:14, 176:19</p> <p>section 5:31, 7:8, 7:17, 70:4, 84:16, 84:17, 88:9, 135:2, 137:22, 139:1, 141:9, 150:6, 150:12, 150:13, 150:25, 152:14, 153:4, 155:1, 155:21, 156:13, 157:11, 157:20, 158:3, 158:8, 170:3, 170:6, 170:19</p> <p>sections 169:5</p> <p>secured 49:9</p> <p>seeing 28:23, 29:20, 42:15, 68:17, 77:2, 81:19, 81:21, 85:3, 89:11, 113:9, 177:11, 178:1</p> <p>seek 29:18</p> <p>seem 35:25, 37:8, 108:6</p> <p>seemed 63:11, 70:3, 73:13, 77:5, 111:2, 111:4, 137:15, 147:13</p> <p>seemingly 122:6, 178:5, 206:18</p> <p>seen 83:6, 95:8,</p> | <p>95:16, 112:24, 177:21</p> <p>senator 5:13, 10:3, 21:22, 22:1, 22:5, 100:23, 100:25, 101:2, 126:9, 126:20, 127:12, 128:9, 133:25, 134:12, 139:2, 142:15, 142:20, 147:8, 158:12, 160:15, 160:18, 160:22, 160:24, 161:10, 162:17, 163:11, 163:13, 163:24, 167:21, 168:6, 178:16, 182:9, 182:15, 182:19, 183:1, 183:5, 183:14, 183:22, 184:5, 186:25, 201:19, 201:24, 202:8, 202:15, 202:16, 203:17, 203:23, 204:4, 205:24, 206:22</p> <p>senatorial 179:15, 180:8</p> <p>senators 60:4, 72:1, 72:2, 72:3, 152:15, 161:13, 161:19</p> <p>send 28:24, 68:24, 68:25, 69:11, 69:15, 69:17, 70:13, 86:24, 147:20, 152:18</p> <p>sense 118:3</p> <p>sensor 202:16</p> <p>sent 54:23, 70:17, 71:10, 131:10,</p> | <p>131:11</p> <p>sentence 103:6, 104:2, 104:3</p> <p>sentences 156:20</p> <p>separate 45:1, 53:22, 53:24, 90:3, 192:9</p> <p>sequence 35:13</p> <p>set 18:1, 30:16, 30:23, 32:2, 32:3, 44:11, 45:4, 45:10, 45:16, 45:20, 57:13, 61:16, 62:9, 76:24, 110:9, 138:17, 143:24, 145:14, 145:18, 151:18, 153:7, 157:10, 170:15, 172:22, 211:11</p> <p>sets 110:21, 111:8, 145:12, 146:15</p> <p>seven 70:22, 114:15, 114:20, 193:16, 194:8</p> <p>several 32:17, 57:5, 170:22</p> <p>shaded 97:11, 97:18, 97:21</p> <p>shading 93:6</p> <p>shadings 91:25</p> <p>shall 135:6, 193:8, 193:9</p> <p>share 56:21, 86:21,</p> |
|--|---|---|--|

Transcript of Ray DiRossi
Conducted on October 19, 2021

250

| | | | |
|---|--|---|--|
| <p>86:23, 87:5, 87:7, 91:16, 96:21, 102:21, 195:2 shared 87:1, 101:7, 198:2 shares 78:4 sharing 182:20 sheet 90:2 shift 130:16 short 93:22, 140:5 shorthand 2:4, 211:5, 211:12, 211:18 shortly 83:24, 88:4, 91:15 should 11:15, 46:11, 64:12, 67:23, 86:18, 89:22, 125:20, 126:2, 126:6, 126:17, 126:25, 128:5, 148:22, 150:25, 158:13, 165:4, 175:16, 197:9 shouldn't 131:11, 152:21 show 57:6, 114:4, 114:8 showed 15:9, 17:17, 54:6, 79:24, 141:25, 142:14, 142:15 showing 34:14, 50:23, 51:18, 54:18, 142:4 shown 121:3</p> | <p>shows 92:21, 122:17 sic 76:25 side 23:1, 28:6, 28:7, 30:23, 72:11, 107:3, 119:20, 130:8, 164:25, 165:1, 165:16, 190:21, 191:3, 204:21, 205:4, 206:17 signature-5tmlq 211:25 signed 26:15, 210:8 significant 58:12, 60:3, 64:3, 73:13, 73:14, 82:7, 169:10, 173:17 significantly 61:21, 61:25, 64:20 similar 82:14, 117:8, 117:10, 130:17, 177:24 simple 45:8, 152:16, 155:12, 206:18 simplistic 68:15 simply 100:8 simultaneous 28:5, 29:8, 39:23, 88:24, 101:20, 113:1, 117:21, 120:9, 120:12, 127:4, 137:5, 184:25, 196:12, 206:8 simultaneously 141:6 since 21:6, 37:17,</p> | <p>112:4, 124:6, 185:18 single 76:5 singular 152:21 sir 12:17, 41:4, 44:17 sit 30:2, 57:16, 145:13 sits 13:13 sitting 13:8, 29:2, 33:6, 35:18, 36:24, 37:19, 41:7, 50:4, 58:2, 69:8, 69:19, 72:15, 76:6, 79:6, 87:23, 166:14, 176:14, 187:9, 192:24 six 50:15, 70:22, 72:3, 75:21, 138:9, 150:23, 152:4, 158:22 sixth 134:18, 134:21 size 131:2 sklein@elias 4:23 sleep 30:14 slight 65:3 sloppy 139:9 small 67:15, 114:7, 122:6 smith 3:25, 9:20 softer 168:11, 168:12</p> | <p>software 12:7, 13:22, 14:5, 43:4, 144:23, 152:18, 153:25 solely 57:15 solid 64:22 solution 65:19, 82:4, 82:11, 105:18, 155:8 solutions 60:1, 156:7 somebody 48:24, 49:5, 86:24, 116:21, 187:11 somehow 39:19 someone 165:4, 183:8 something 13:13, 33:12, 37:8, 45:12, 48:10, 56:5, 69:15, 79:23, 83:23, 88:10, 89:25, 96:2, 96:9, 102:16, 107:20, 108:25, 111:17, 125:16, 130:13, 130:21, 150:7, 151:22, 152:2, 153:3, 154:19, 165:3, 165:7, 167:18, 173:23, 195:11, 207:13 sometime 25:24, 26:1, 38:25, 41:23, 43:25, 44:4, 154:17, 159:4, 180:5 sometimes 53:4, 53:9,</p> |
|---|--|---|--|

PLANET DEPOS

888.433.3767 | WWW.PLANETDEPOS.COM

DEPO_00702

Transcript of Ray DiRossi
Conducted on October 19, 2021

251

| | | | |
|---|--|--|--|
| <p>53:10, 53:11, 56:17 somewhat 110:12 somewhere 77:23, 79:8 sorry 15:20, 22:23, 29:9, 39:24, 43:24, 44:8, 47:13, 47:23, 47:25, 51:7, 51:8, 52:17, 56:19, 78:25, 81:7, 87:14, 89:16, 90:11, 91:2, 91:12, 91:21, 99:15, 99:23, 100:7, 100:9, 108:23, 126:3, 136:19, 139:1, 156:21, 156:24, 157:25, 159:8, 159:10, 160:11, 170:2, 180:15, 185:9, 186:6, 193:23, 208:17 sort 114:4, 114:23, 123:10 sos 112:19, 115:14, 115:19 sos_ 7:11 sought 108:15, 172:7, 172:11, 172:12, 172:16 sounds 26:4, 68:14, 83:20, 114:17, 159:17, 166:20 source 32:20, 33:3, 36:16, 37:14, 38:10, 38:15</p> | <p>sources 33:24, 38:7, 51:4, 138:18, 205:21 southwest 122:1 speak 18:21, 32:2, 40:15, 45:14, 58:6, 84:2, 106:1, 136:4, 138:1, 150:16, 156:22, 162:11, 194:1, 194:8 speaker 5:3, 31:1, 31:11, 56:16, 69:14, 71:12, 71:20, 72:13, 74:2, 79:12, 79:18, 79:20, 79:21, 80:3, 120:3, 120:8, 129:19, 184:19, 203:12, 204:6, 204:11, 205:17, 206:11 speaking 19:16, 99:24, 147:5, 163:20, 204:14 special 186:24, 188:14 specific 26:23, 27:5, 27:22, 31:8, 36:24, 37:1, 41:5, 46:23, 51:6, 63:23, 68:5, 69:7, 69:18, 69:22, 75:8, 75:25, 84:17, 96:8, 101:7, 102:13, 104:19, 104:25, 107:14, 108:8, 128:24, 129:10, 140:13, 155:4,</p> | <p>172:21, 178:22, 186:21, 187:7, 187:8, 191:15, 200:1 specifically 13:17, 29:1, 32:15, 55:14, 58:11, 80:2, 83:19, 84:2, 88:22, 97:15, 100:22, 119:25, 122:1, 127:6, 142:3, 142:16, 145:7, 159:16, 166:11, 176:9, 178:18, 181:8, 189:20 specifics 28:2, 28:9, 36:13 specify 34:6, 169:4, 169:13 speculate 175:17, 175:22, 177:8, 185:4 speculation 175:18, 184:22 spencer 4:18, 9:21, 148:8, 148:14, 148:20, 156:19, 167:5 spend 173:5, 174:2 spending 174:2 spent 121:6, 124:22 spills 65:12 spits 75:15 split 72:8, 141:1, 173:25, 174:11, 178:2 splits 174:3, 175:7,</p> | <p>176:3, 176:5, 178:2 splitting 60:8, 72:7, 141:1, 141:3 spoke 70:9, 126:9, 147:22, 155:12, 177:9 spreadsheet 54:18, 90:20, 90:24 spreadsheets 52:13, 53:23, 54:4, 54:5, 54:8, 54:16, 54:17, 54:19, 55:1, 93:7 spring 83:22 springhetti 31:2, 87:8, 87:9, 87:10, 120:21 springhetti's 203:13 st 3:6, 3:19, 4:11, 4:20, 5:19, 5:32 staff 22:10, 25:4, 27:11, 32:17, 36:5, 80:5, 80:10, 103:23, 109:7, 179:1, 179:3, 179:11, 182:9, 185:15, 185:16, 194:14, 194:15, 194:16, 194:20, 194:22, 202:17, 206:12 staffer 179:25, 180:1 staffers 194:11, 194:13 stage 61:7, 61:16,</p> |
|---|--|--|--|

Transcript of Ray DiRossi
Conducted on October 19, 2021

252

| | | | |
|---|--|---|--|
| <p>61:19 stages 42:18, 61:8, 61:14, 152:25 stand 82:25, 94:15, 94:24, 133:12, 166:22, 208:24 standard 2:2 standards 7:18, 155:1, 156:12, 157:10 standpoint 69:12 stanton 3:17 start 24:18, 25:20, 25:21, 33:11, 34:13, 39:6, 68:19, 137:15, 160:15, 176:18 started 23:25, 26:6, 33:12, 66:25, 109:24, 110:2, 147:18 starting 35:8, 88:5, 114:21, 145:9 starts 190:21 state 5:25, 9:15, 10:19, 13:16, 13:18, 15:19, 20:23, 21:7, 21:10, 21:13, 21:22, 25:1, 26:14, 30:10, 35:3, 40:2, 40:8, 56:20, 56:23, 58:16, 59:19, 60:4, 67:25, 73:7, 78:23, 79:1, 79:2, 80:6,</p> | <p>84:7, 86:6, 110:16, 133:25, 155:5, 155:10, 160:24, 162:17, 176:19, 177:19, 178:16, 190:12, 200:4 state's 86:3, 108:14 stated 145:21 statement 7:9, 94:23, 192:16, 195:25, 199:16 states 211:1 statewide 84:18, 84:23, 85:7, 85:17, 88:16, 93:9, 96:16, 96:21, 97:6, 98:24, 101:3, 102:7, 102:21, 103:4, 103:8, 103:13, 110:7, 110:23, 128:2, 135:3, 135:4, 135:7 statewides 208:13 status 142:25 stay 126:2, 126:6, 128:5 stayed 52:16, 52:17, 66:19, 67:10, 124:9, 144:11, 163:13, 163:24 ste 3:19, 4:5, 4:29, 5:9, 5:19 stephanie 164:19 steps 124:15</p> | <p>stick 192:15 sticking 73:24, 74:6 still 23:12, 29:5, 29:6, 47:22, 49:10, 72:20, 72:21, 72:23, 78:22, 80:19, 88:12, 136:7, 136:11, 143:16 stop 93:24, 94:5, 113:3 stopped 56:12, 149:3, 149:5, 149:7, 149:9, 149:19 strach 5:6, 9:25, 19:18, 19:20, 38:17, 46:19, 49:2, 93:20, 94:4, 94:10, 109:20, 118:17, 119:3, 119:13, 132:24, 137:24, 139:3, 139:22, 144:19, 147:25, 149:11, 149:13, 150:15, 151:11, 153:5, 155:25, 156:15, 156:18, 156:23, 157:14, 166:18, 166:20, 167:25, 168:19, 171:7, 172:2, 172:15, 188:5, 193:13, 202:13, 202:22, 203:4, 204:13, 208:8, 208:15, 208:22, 209:2 straightforward 121:5 strike 146:24, 149:8,</p> | <p>157:25 strong 124:16, 132:1 struck 160:11 struggles 78:1 struggling 68:4, 162:6, 164:14 stuck 26:5 stuff 89:1, 188:21 stumbling 112:2 subdivision 54:11, 54:12, 198:9 subdivisions 141:3, 154:6, 154:7 subject 172:4 subpoena 11:23, 87:2, 208:5 subscribed 211:23 subsequent 93:6 subsequently 179:3 substance 172:1, 172:16, 179:4, 186:2, 186:8 substantive 197:5 succeed 131:5 succeeded 130:20, 131:4, 131:7, 131:8, 131:15 success 131:17 successful 132:7, 132:12,</p> |
|---|--|---|--|

Transcript of Ray DiRossi
Conducted on October 19, 2021

253

| | | | |
|---|---|--|--|
| <p>175:9 sufficient 169:25 suggest 142:9 suggested 109:18 suggesting 20:3, 146:15 suggestion 67:22, 129:6 suggestions 60:24, 190:7 supervision 211:14 supplement 35:10 support 138:8, 138:22 supposed 19:15 supreme 1:1, 9:6 sure 15:4, 15:21, 19:1, 19:12, 22:3, 26:24, 33:2, 34:7, 36:19, 39:16, 40:10, 41:2, 41:7, 41:12, 41:23, 42:10, 43:12, 44:9, 44:15, 46:1, 46:14, 47:1, 48:3, 55:21, 62:16, 63:4, 66:9, 68:21, 71:14, 81:4, 85:11, 91:7, 101:6, 102:19, 105:5, 107:22, 111:12, 112:24, 115:10, 115:17, 115:22, 117:9, 117:11, 117:17, 122:22, 125:13, 126:8, 128:7,</p> | <p>128:11, 130:10, 130:12, 130:20, 139:8, 140:23, 142:14, 145:13, 152:10, 153:25, 154:1, 154:3, 154:7, 155:15, 157:1, 157:17, 159:11, 161:25, 162:9, 163:11, 166:18, 167:25, 168:2, 168:13, 169:11, 170:9, 173:7, 175:2, 176:14, 180:2, 183:13, 183:18, 186:23, 191:11, 191:13, 192:22, 194:12, 194:24, 198:19, 198:21, 200:14, 200:15, 200:16, 207:9 surrounding 132:9 swear 10:7 switch 73:12, 143:6 switched 183:24 sworn 10:11, 211:7 sykes 5:13, 5:14, 10:3, 133:25, 134:12, 139:2, 147:8, 182:10, 182:15, 182:19, 183:1, 183:5, 183:9, 183:14, 183:22, 184:5, 184:8, 184:13, 185:5, 185:13, 186:8, 201:19, 201:25, 202:8, 202:16, 203:10, 203:17, 203:23, 204:1, 204:3,</p> | <p>204:4, 205:24, 205:25, 206:22 system 143:3, 154:2 <hr/>T<hr/>tab 82:20, 94:22, 112:7, 114:8, 115:16, 117:1, 122:13, 133:10, 150:25 table 125:18, 130:24 tables 93:8 take 27:15, 29:3, 29:13, 29:21, 47:2, 50:2, 51:15, 69:22, 80:13, 93:17, 93:18, 93:20, 93:22, 94:1, 94:7, 94:13, 97:9, 97:16, 105:18, 113:4, 117:1, 122:21, 123:1, 124:2, 124:3, 131:3, 132:22, 138:12, 142:12, 144:10, 145:17, 161:21, 166:17, 170:14 takeaway 72:20, 73:19, 74:23, 177:2 taken 94:18, 133:5, 166:24, 210:5, 211:10, 211:12, 211:18 takes 35:15, 121:16, 143:6 taking 9:13, 63:24, 96:10, 126:20,</p> | <p>143:8, 143:10, 173:24, 177:7 talk 28:12, 33:3, 34:7, 36:9, 37:13, 58:8, 58:14, 58:17, 58:20, 63:2, 75:23, 102:20, 119:18, 119:23, 145:8, 186:2, 186:5, 186:7 talked 11:23, 14:7, 17:23, 32:6, 32:7, 40:7, 63:23, 81:22, 111:12, 128:8, 128:18, 128:19, 138:3, 139:14, 140:19, 165:13, 177:24, 190:6, 190:11 talking 13:11, 13:12, 13:14, 27:4, 27:5, 43:7, 59:18, 60:5, 60:21, 61:18, 64:9, 68:22, 71:18, 84:14, 84:23, 85:13, 103:3, 103:12, 119:15, 119:17, 119:18, 128:14, 130:11, 150:11, 161:9, 165:12, 173:5, 178:18, 183:19 talks 85:7 tammy 1:28, 2:3, 6:4, 7:4, 10:6, 211:4, 211:26 target 32:5 targets 17:25</p> |
|---|---|--|--|

Transcript of Ray DiRossi
Conducted on October 19, 2021

254

| | | | |
|--|--|--|---|
| <p>task 13:18, 152:20</p> <p>tasked 132:15, 151:22, 152:2, 153:3, 171:3</p> <p>tasks 46:23</p> <p>tax 22:11, 24:17</p> <p>taxpayers 24:21</p> <p>team 175:25</p> <p>technical 39:14, 45:22, 45:24, 46:1, 47:6, 47:17, 55:5, 197:10, 197:13, 197:21, 199:1, 199:9, 199:17, 201:2</p> <p>technician 5:38, 82:19, 82:22, 82:25, 94:24, 112:6, 112:11, 115:15, 115:20, 116:1, 133:10, 133:12, 133:15, 133:18, 151:2, 195:6</p> <p>technological 196:14</p> <p>teleconference 9:13</p> <p>tell 13:3, 20:7, 28:19, 47:22, 68:7, 71:13, 74:9, 86:17, 179:4, 181:8</p> <p>telling 74:15, 82:9, 111:25, 167:21, 168:7, 175:13</p> <p>ten 75:19, 76:2, 84:24, 85:8,</p> | <p>93:9, 101:4, 102:22, 135:5, 189:13, 190:1</p> <p>ten-year 7:7, 60:15, 73:23, 79:13, 80:14, 80:17, 102:6, 138:6, 138:23, 139:12, 147:17, 148:22, 150:21, 150:22, 152:23, 176:23, 177:5, 177:16, 204:17</p> <p>tends 115:1</p> <p>tenth 3:6</p> <p>term 53:17</p> <p>terms 87:25, 106:5, 106:12, 108:9, 116:23, 175:18, 176:1, 176:20, 178:23, 182:10, 207:10</p> <p>testified 10:11, 14:8, 142:10, 142:11, 142:22, 160:2, 164:20, 168:6</p> <p>testify 211:8</p> <p>testifying 134:10, 136:6, 167:24, 182:20</p> <p>testimony 10:24, 64:15, 124:24, 136:24, 148:25, 150:3, 164:18, 165:5, 167:16, 167:20, 176:13, 182:5, 184:6, 185:20, 189:23, 190:3, 190:11, 190:18, 190:19, 191:7,</p> | <p>191:8, 191:17, 191:20, 192:13, 195:17, 198:25, 210:8</p> <p>text 20:5, 20:7, 20:8, 54:20, 78:13, 78:14, 135:9, 187:11, 187:18, 187:23, 188:2, 188:6</p> <p>th 4:20, 5:32, 26:16, 26:18, 29:15, 61:5, 61:6, 61:9, 61:12, 61:21, 61:25, 62:13, 64:25, 65:1, 65:10, 65:24, 65:25, 67:14, 69:10, 72:18, 78:16, 83:25, 95:19, 117:10, 129:17, 130:19, 131:25, 141:24, 143:15, 145:16, 159:5, 163:10, 163:15, 164:2, 164:4, 164:7, 164:11, 171:15, 178:17, 178:19, 179:11, 179:15, 179:19, 180:8, 180:21, 181:7, 190:20, 191:1, 194:25, 195:13, 195:15, 197:24, 198:23, 199:4, 199:6, 199:10, 207:3, 211:24</p> <p>thank 10:22, 19:22, 20:10, 32:24, 33:2, 38:22, 56:14, 69:20, 71:23, 89:13, 90:21, 91:4,</p> | <p>95:13, 95:15, 104:13, 116:7, 116:24, 119:16, 122:24, 122:25, 127:9, 137:10, 142:19, 148:4, 148:20, 158:6, 162:2, 164:17, 167:4, 176:10, 177:18, 183:3, 183:12, 184:3, 188:10, 196:7, 197:2, 201:15, 201:17, 208:6, 208:7</p> <p>thanked 134:23</p> <p>thanks 148:16, 166:21, 208:8, 208:21</p> <p>theme 162:25</p> <p>themselves 9:15, 10:5</p> <p>thereafter 91:15, 211:12</p> <p>therefore 92:25</p> <p>therein 211:11</p> <p>thereof 211:21</p> <p>thing 18:4, 30:25, 33:17, 39:22, 69:13, 84:13, 112:1, 117:15, 136:21, 157:1, 159:20, 162:23, 165:19, 173:21, 174:6, 175:6, 175:10, 177:14, 187:8, 187:17</p> <p>things 12:25, 16:9, 34:5, 64:14, 70:1, 72:5, 72:23, 77:22,</p> |
|--|--|--|---|

Transcript of Ray DiRossi
Conducted on October 19, 2021

255

| | | | |
|---|---|--|--|
| 81:2, 84:11, 111:21, 122:8, 124:20, 129:10, 137:15, 140:16, 140:21, 142:6, 150:2, 152:6, 153:20, 153:23, 154:12, 154:20, 163:2, 166:10, 174:8, 175:2, 175:3, 175:10, 175:14, 177:9, 178:1, 187:2, 187:8, 191:8, 191:16, 197:12, 204:16, 207:10 thinking 47:21, 47:22, 158:9, 166:5, 175:19 thomas 4:10 thorough 163:4 thought 35:10, 47:23, 47:24, 55:17, 57:4, 71:25, 75:22, 76:20, 90:10, 128:5, 130:14, 155:10, 164:17, 169:9, 175:12, 176:2, 204:16 thoughts 73:1 three 32:18, 35:8, 40:22, 44:19, 44:24, 45:10, 92:20, 112:23, 125:9, 189:24, 191:5, 192:5, 196:1, 208:13 through 20:11, 21:7, 26:17, 34:17, 49:14, 56:22, | 59:7, 61:15, 71:11, 71:17, 84:10, 108:13, 111:20, 112:1, 112:23, 113:8, 114:18, 123:14, 129:18, 143:14, 145:3, 145:24, 147:11, 150:20, 152:19, 154:21, 158:9, 166:5, 167:13, 173:9, 173:13, 177:8, 182:9, 184:19, 198:6, 204:6, 204:10, 205:17, 207:15, 207:25 throughout 58:16, 142:14, 144:1, 146:13 ths 93:4 ticking 80:19 time 2:3, 9:10, 11:13, 14:7, 16:18, 27:5, 33:25, 41:2, 41:11, 42:18, 42:23, 43:2, 43:3, 43:5, 43:19, 50:22, 51:6, 51:8, 51:10, 62:15, 67:10, 68:14, 69:9, 70:8, 75:2, 75:4, 80:18, 80:19, 92:9, 93:14, 93:15, 93:18, 94:3, 94:16, 94:19, 107:13, 107:18, 110:19, 112:1, 112:3, 119:12, 119:19, 121:6, 123:15, 124:6, 124:22, | 126:5, 128:3, 132:19, 133:2, 133:6, 133:8, 134:9, 136:5, 140:5, 142:1, 143:6, 143:22, 148:1, 148:5, 149:18, 151:17, 152:6, 153:15, 158:25, 161:21, 166:22, 166:25, 173:5, 173:18, 173:24, 174:3, 181:12, 189:9, 197:22, 199:11, 201:16, 203:17, 206:14, 208:21, 208:25, 209:5, 211:11 timeline 27:22, 29:6 timely 139:10 times 87:1, 112:3, 147:13 timetable 165:24 titled 112:8 to-do 102:17 today 10:5, 10:24, 13:8, 24:15, 29:2, 36:25, 50:4, 93:24, 127:25, 135:19, 145:9, 147:9, 192:24 today's 9:9, 209:1 together 32:18, 60:7, 62:19, 70:3, 78:21, 82:13, 84:5, 84:25, 102:15, 136:1, | 174:5, 174:24, 177:13, 192:9, 193:17 told 12:19, 32:15, 74:21, 75:6, 75:7, 82:6, 96:10, 103:16, 103:22, 125:16, 161:14, 173:24, 174:17, 174:21, 204:19, 205:3, 208:4 tom 162:18 took 16:18, 23:6, 23:21, 27:13, 33:25, 34:2, 39:18, 43:1, 43:4, 43:5, 52:15, 53:19, 56:1, 68:14, 71:17, 124:6, 124:15, 143:22, 199:11 top 91:3, 95:11, 113:19, 113:20, 155:21, 155:22, 201:4 total 88:17, 89:4, 89:17, 100:5, 107:17, 108:4 totals 89:20 touch 26:20 touched 26:24 towards 65:21, 143:11 townships 40:3 trade 188:14 traded 67:2 |
|---|---|--|--|

Transcript of Ray DiRossi
Conducted on October 19, 2021

256

| | | | |
|--|---|--|--|
| <p>traditional 164:24, 165:16, 191:3 trailing 156:19 training 138:5 transcribed 211:13 transcript 7:20, 133:14, 150:6, 168:4, 189:6, 194:25, 195:2, 195:13, 195:21, 199:21, 210:5, 211:15, 211:18 transfers 207:8 transportation 24:3, 24:7 treasurer's 25:1 tremendous 153:15 trending 65:20 trial 11:2 tried 130:16, 130:19, 130:20, 131:4, 131:7, 131:8, 146:7, 146:21, 189:7, 189:13, 190:15, 191:17 trouble 89:11 true 106:15, 199:23, 210:9, 211:17 truth 211:8, 211:9 truthful 10:23 try 32:18, 45:15, 47:19, 49:10,</p> | <p>68:23, 73:20, 108:24, 108:25, 125:21, 131:5, 138:23, 152:23, 156:21, 165:12, 165:15, 177:1, 192:8, 192:9, 198:13, 200:9 trying 26:25, 29:5, 36:7, 42:12, 43:13, 43:15, 45:18, 47:16, 47:19, 59:9, 62:16, 69:2, 73:10, 73:22, 84:9, 85:5, 91:2, 92:9, 127:11, 136:7, 136:10, 138:6, 139:24, 140:2, 140:7, 145:20, 146:18, 152:16, 153:10, 154:12, 154:23, 161:12, 161:18, 163:4, 163:23, 164:5, 174:3, 174:5, 174:11, 178:10, 187:3, 187:7, 190:20, 192:8, 192:10, 198:8, 200:6, 206:19, 206:20 tuesday 6:3, 7:3, 9:1, 9:9 turn 12:4, 12:19, 68:23, 131:25, 133:22, 144:4, 148:6, 167:3, 168:10, 173:10, 188:3, 201:14, 208:4 turned 12:18, 52:6 turning 63:18, 70:10,</p> | <p>84:6 two 30:22, 33:22, 51:1, 53:15, 57:14, 62:18, 73:9, 73:11, 77:22, 80:5, 88:20, 88:21, 97:23, 98:3, 106:13, 106:20, 106:21, 106:23, 108:16, 110:20, 110:21, 111:7, 111:8, 111:9, 121:16, 124:7, 130:1, 131:14, 132:12, 181:18, 189:24, 191:5 type 32:19, 37:9, 42:25, 103:18, 140:1, 142:4, 188:21, 189:5 types 205:2 typewriting 211:13 typo 197:16</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>uh-huh 164:8 ultimately 49:15, 78:2, 152:8, 154:20, 163:9, 163:18, 163:19, 178:20, 180:6, 181:2, 184:19, 205:21 unchanged 67:20 under 86:25, 89:23, 116:23, 117:6, 117:16, 123:16, 210:1, 210:3, 211:13</p> | <p>underlying 55:7 understand 11:10, 11:18, 14:6, 15:14, 17:2, 26:25, 29:6, 42:3, 42:12, 43:14, 43:22, 48:18, 49:19, 55:9, 56:14, 57:23, 66:13, 67:13, 115:11, 129:1, 129:20, 130:17, 139:24, 140:14, 141:20, 170:22, 172:7, 175:13, 180:11, 182:1, 192:5, 198:21, 199:3 understanding 40:20, 75:11, 76:8, 93:23, 119:8, 157:24, 158:1, 170:25, 171:1, 178:10, 178:12, 178:14, 180:13, 180:17, 180:18, 180:20, 181:13, 181:25, 194:3, 198:24, 203:20, 205:12 understood 53:21, 127:16, 129:11, 168:2, 168:3, 170:8, 183:4, 192:21, 194:12 unfold 177:4 unhappy 160:18, 160:22, 174:25 unified 34:24, 35:20, 54:10 unify 124:6, 124:7</p> |
|--|---|--|--|

Transcript of Ray DiRossi
Conducted on October 19, 2021

257

| | | | |
|--|--|---|--|
| <p>unintentional 70:7, 71:25</p> <p>union 4:9</p> <p>unit 24:23</p> <p>united 211:1</p> <p>units 40:1, 40:3, 54:11, 198:10</p> <p>university 21:13, 26:21, 34:21, 35:15, 39:6, 39:19, 153:9</p> <p>unless 11:16</p> <p>unlike 112:3</p> <p>unnecessarily 141:2</p> <p>unrelated 168:10</p> <p>unreliable 111:4</p> <p>until 25:18, 26:15, 33:20, 93:21, 161:17</p> <p>update 90:23</p> <p>updated 121:11</p> <p>updates 28:22, 29:19, 29:22</p> <p>updating 56:18</p> <p>ups 167:15</p> <p>upset 128:11, 161:4</p> <p>usable 143:23, 144:22, 145:14, 145:18, 146:4, 146:12, 146:16, 146:17,</p> | <p>146:18, 146:22, 146:25</p> <p>use 14:1, 36:16, 37:7, 40:14, 87:24, 88:13, 145:5, 168:18, 200:1</p> <p>useful 26:12, 26:21, 136:2, 136:3, 145:11, 149:24</p> <p>users 53:6</p> <p>using 14:8, 39:12, 53:16, 56:12, 76:15, 77:6, 89:24, 105:6, 106:25, 107:1, 141:22, 145:1, 171:17</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>value 88:7, 187:22</p> <p>variation 103:5</p> <p>variations 105:13</p> <p>variety 60:10</p> <p>various 36:4, 36:5, 36:7, 42:18, 54:24, 67:2, 145:8, 154:20</p> <p>verbal 28:22, 205:20</p> <p>verbally 141:16</p> <p>verbatim 150:5</p> <p>verify 117:25, 123:18, 124:21, 179:18</p> <p>vernon 5:13, 133:25,</p> | <p>182:10, 201:24</p> <p>version 91:6, 91:11, 91:13, 93:6</p> <p>versus 15:17, 16:6, 16:24, 192:11</p> <p>via 9:13</p> <p>video 9:3, 9:12, 9:13, 19:15, 20:1, 20:8</p> <p>videographer 5:37, 9:3, 9:11, 10:4, 94:15, 94:19, 133:2, 133:6, 166:22, 166:25, 208:24</p> <p>videotaped 1:17, 2:1</p> <p>view 57:25, 156:11, 161:5</p> <p>viewed 156:2</p> <p>viewing 114:6</p> <p>village 190:21</p> <p>virtually 1:20, 2:2</p> <p>visual 141:21</p> <p>voice 156:19</p> <p>volume 168:10</p> <p>vote 17:8, 32:9, 34:10, 34:13, 49:6, 49:21, 50:24, 51:18, 95:19, 95:20, 95:21, 95:23, 95:25, 98:15, 102:21, 131:21,</p> | <p>131:22, 199:12, 202:25</p> <p>voted 15:17, 15:18, 15:23, 15:24, 16:5, 16:6, 16:14, 16:23, 16:24, 193:2</p> <p>voters 1:2, 3:2, 3:11, 3:32, 4:2, 4:8, 9:5, 9:17, 10:18, 15:16, 15:22, 16:5, 17:4, 97:6, 98:25, 101:3, 132:4, 135:4, 135:7</p> <p>votes 17:9, 17:10, 17:11, 17:12, 17:13, 17:14, 17:15, 18:6, 31:24, 88:17, 89:4, 89:17, 98:12</p> <p>voting 15:13, 15:14</p> <p>vs 1:7, 9:5</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>wait 148:11</p> <p>waiting 36:14</p> <p>walk 21:7, 34:17, 154:11, 154:13</p> <p>wall 56:21</p> <p>walton 5:30, 208:12</p> <p>want 10:19, 14:22, 18:5, 32:25, 33:3, 46:24, 47:9, 47:21,</p> |
|--|--|---|--|

Transcript of Ray DiRossi
Conducted on October 19, 2021

258

| | | | |
|---|---|--|--|
| <p>55:15, 56:3, 56:4, 56:6, 85:12, 86:5, 92:12, 93:17, 93:18, 93:20, 93:22, 112:20, 113:7, 123:18, 124:5, 124:21, 132:21, 132:22, 137:12, 140:17, 171:25, 173:5, 175:17, 175:21, 175:23, 179:18, 180:12, 181:15, 183:19, 184:1, 188:22, 196:5 wanted 41:5, 52:21, 57:21, 57:23, 62:1, 65:5, 74:24, 163:12, 169:2, 169:5, 174:13, 176:1, 176:21, 176:22, 176:23, 178:1, 178:23, 180:11, 180:13, 180:18, 180:21, 183:22, 184:9, 185:24, 186:18, 188:17, 191:10, 200:22 wants 183:1, 209:3 wards 121:17, 141:2, 154:5 warren 121:8, 121:9, 121:12, 121:15, 121:22, 122:1, 155:12 washington 3:7, 4:21 watching 102:10 way 11:15, 27:2, 29:19, 40:6,</p> | <p>40:16, 40:18, 57:13, 70:3, 72:8, 88:14, 95:10, 108:16, 110:24, 111:24, 120:2, 122:2, 124:13, 126:22, 128:17, 128:22, 132:11, 136:3, 140:2, 141:21, 143:17, 143:23, 144:9, 152:10, 163:12, 171:11, 175:9, 180:1, 188:15, 189:18, 189:22, 190:7, 190:22, 192:2, 199:21, 206:23, 211:21 ways 30:1, 116:2, 191:10 we'll 11:2, 15:5, 95:3, 124:2, 176:18, 200:25 we're 19:25, 20:1, 40:7, 41:21, 43:19, 62:6, 73:21, 84:14, 94:10, 94:16, 115:24, 119:15, 119:17, 119:18, 132:19, 133:7, 167:1, 188:1, 208:9, 208:16, 208:22, 208:25 we've 19:14, 20:12, 32:5, 40:24, 42:19, 52:19, 70:9, 93:11, 98:22, 114:4, 127:14, 139:14, 162:13, 180:10, 197:9 website 40:11, 40:12,</p> | <p>86:3, 86:7 week 41:22, 49:25, 152:23, 189:3 weeks 91:9 weird 149:13 went 20:14, 20:17, 20:22, 28:20, 86:6, 111:3, 138:4, 163:11, 173:12, 177:8, 184:2 weren't 75:9, 141:1, 141:2, 146:16, 146:19, 198:10 west 5:19, 165:1, 190:21, 191:3 whatever 14:22, 31:9, 31:19, 34:18, 39:18, 84:22, 85:10, 119:3, 131:23, 188:8, 191:24, 209:2 when's 188:21 whenever 171:13, 171:14 wherein 174:12 whereof 211:22 whether 12:20, 19:1, 39:17, 41:6, 52:5, 52:8, 53:1, 53:19, 55:3, 64:12, 69:2, 73:1, 76:10, 78:20, 101:9, 105:10, 116:20, 138:25, 140:19, 153:4,</p> | <p>154:25, 157:9, 160:10, 171:24, 172:7, 172:10, 174:19, 175:24, 176:14, 177:15, 183:4, 185:2, 193:20, 193:24, 194:1, 194:6, 203:25 whirlwind 158:23, 165:22 whoever 59:7, 72:24, 73:14, 91:4, 91:5, 106:2, 106:3 whole 33:15, 102:14, 114:15, 140:12, 152:5, 169:22, 169:25, 211:8 wholly 121:14, 124:10, 125:15, 127:12, 130:3, 130:5 wide 189:23 wife 11:23, 160:23 williams 181:20 win 75:18 wind 39:20 window 14:10, 14:15, 14:17, 14:21, 14:24, 15:1, 15:3, 15:5, 15:6, 15:9, 15:11, 15:22, 16:1, 16:7, 17:20, 17:22, 18:4, 31:25, 33:7, 34:7, 34:8, 34:14, 39:10, 42:4,</p> |
|---|---|--|--|

Transcript of Ray DiRossi
 Conducted on October 19, 2021

| | | | |
|---|--|--|---|
| <p>42:7, 42:13, 44:25, 45:3, 51:16, 52:8, 52:12, 52:15, 52:21, 52:25, 53:4, 53:19, 55:12, 55:18, 55:25, 56:2, 57:11, 57:16, 57:17, 57:19, 58:1, 58:5, 58:10, 58:18, 120:6, 120:16, 147:2, 196:11 windows 18:18, 53:7, 119:2 winners 93:2 wished 177:21 within 49:24, 151:10, 189:8, 199:18 witness 6:5, 10:8, 10:10, 10:12, 19:19, 19:22, 93:19, 95:6, 108:21, 118:14, 122:24, 136:23, 136:25, 137:3, 138:1, 139:5, 148:1, 150:18, 151:12, 153:6, 156:2, 156:24, 157:17, 171:8, 172:13, 187:20, 193:15, 196:15, 196:21, 197:2, 201:17, 202:14, 202:24, 203:5, 204:14, 208:7, 211:6, 211:22 wizardry 39:18 women 1:2, 3:2, 3:11,</p> | <p>3:32, 4:2, 4:8, 9:5, 9:17, 10:18 won 92:20, 92:22, 93:1, 96:17, 101:15, 101:22, 101:24, 102:5 wondering 135:11, 166:16 word 39:12, 90:1, 93:7, 122:21 words 105:9, 151:20, 151:24, 168:1, 196:17 work 16:17, 22:9, 22:25, 26:7, 26:9, 27:2, 27:8, 28:11, 28:14, 31:5, 31:6, 31:9, 31:15, 31:19, 33:13, 33:16, 35:10, 43:5, 46:2, 46:5, 48:21, 71:8, 73:20, 109:18, 119:20, 136:18, 138:19, 143:23, 151:17, 152:18, 173:3 worked 31:20, 31:21, 45:22, 46:16, 124:22, 130:13, 153:25, 154:17, 154:21, 191:12, 200:12 working 23:15, 25:13, 25:22, 29:20, 30:5, 30:18, 30:20, 30:25, 32:18, 48:8, 68:23, 144:4, 154:2, 171:1</p> | <p>workroom 30:16 works 11:2, 11:15, 14:19, 73:21 workstations 30:22 world 137:12 worry 96:3 worth 94:6 wouldn't 23:8, 200:7, 200:8 wrapped 208:22 wraps 190:22 written 141:8, 141:14 wrong 149:1, 181:16 wrote 54:4</p> <hr/> <p style="text-align: center;">X</p> <hr/> <p>x 211:16 xi 7:8, 7:17, 84:15, 137:23, 139:1, 141:10, 150:13, 150:25, 153:4, 155:1, 155:21, 156:12, 157:11, 158:2, 158:8, 170:10, 170:12, 170:20</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>yale 3:18 yeah 14:4, 17:1, 19:20, 19:21, 29:15, 32:11,</p> | <p>33:14, 39:24, 40:16, 53:12, 56:3, 58:11, 64:14, 67:12, 75:14, 77:17, 78:14, 85:9, 88:2, 88:19, 89:5, 91:6, 98:12, 99:25, 102:13, 103:11, 104:12, 105:6, 105:14, 107:19, 112:18, 114:21, 115:7, 118:8, 118:17, 128:18, 132:24, 133:8, 137:10, 138:14, 143:14, 150:18, 159:20, 161:22, 162:19, 163:20, 164:9, 168:19, 168:24, 171:8, 172:2, 177:7, 179:2, 185:10, 188:5, 193:15, 194:8, 197:25 year 48:15 year's 27:7 years 21:17, 25:13, 25:17, 37:6, 37:10, 44:7, 44:10, 44:19, 45:5, 45:10, 53:24, 54:6, 75:19, 75:21, 84:24, 85:8, 93:9, 101:4, 102:22, 135:5 yellow 88:15, 89:1, 91:14, 97:11, 97:18 yesterday 153:14 yielded 33:22</p> |
|---|--|--|---|

Transcript of Ray DiRossi
 Conducted on October 19, 2021

| | | | |
|---|---|---|---|
| <p>york 4:12, 4:30 yourself 72:13, 202:12 yuko 183:5, 183:9, 202:8, 202:15, 203:22, 204:5</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p>zoom 9:13, 89:10, 159:11, 190:10, 196:10</p> <hr/> <p>.0908 4:39 .2021 7:20 .2872 5:34 .3124 3:29 .3887 5:11 .4509 4:22 .6000 3:8, 3:21 .6500 5:21 .7866 4:13</p> <hr/> <p style="text-align: center;">0</p> <hr/> <p>00 93:21, 94:3, 94:6, 94:10, 94:11, 132:19, 133:25, 135:17 001461 7:11, 112:19 001466 115:14, 115:19 05 1:19, 2:2, 9:1, 9:10</p> | <p style="text-align: center;">1</p> <hr/> <p>1 93:21, 94:3, 94:6, 94:10, 94:11, 132:19, 132:25 1.97 121:23 10 6:8, 133:2, 133:6, 133:8 100 200:10 10004 4:12 10271 4:30 109 8:3 11 166:23, 166:25, 189:13 1108 4:5 112 7:10 114 7:12 1193 1:5, 9:7 1198 1:7, 9:8 12 26:2, 26:8, 26:12, 27:16, 28:13, 29:7, 29:11, 29:15, 38:14, 49:11, 49:13, 50:25, 51:1, 53:17, 53:18, 82:20, 133:2, 178:17, 178:19, 179:11, 179:15, 179:19, 180:8, 180:21, 208:25, 209:5 120 4:29</p> | <p>1210 1:9, 9:8, 9:20 122 7:14 125 4:11 13 4:20, 9:7, 92:22, 101:21, 101:24, 102:1, 102:5 13184 1:28, 2:4, 6:4, 7:4, 211:4, 211:26 132 100:5 133 7:15 1330 4:37 134 26:5 14 38:14, 49:11, 49:13, 50:25, 51:2, 53:18, 54:7 148 6:9 15 66:15, 69:10, 72:18, 78:16, 133:11, 141:24, 143:15, 143:18, 145:15, 145:16, 145:17, 147:11, 163:10, 164:7, 164:11, 165:10, 181:9, 181:22, 194:25, 195:13, 195:15, 197:24, 198:23, 199:4, 199:6, 199:10, 207:3, 207:13 151 7:17 15222 3:28</p> | <p>1524 7:11 16 5:32, 37:23, 38:5, 40:21, 40:24, 49:8, 49:17, 50:18, 51:24, 52:2, 52:24, 54:7, 56:12, 77:5, 92:11, 92:16, 92:18, 93:4, 94:20, 94:22, 101:21, 101:23, 102:1, 102:5, 103:2, 103:20, 105:6, 105:7, 116:16, 143:21, 144:24, 145:22, 145:23, 146:15, 163:10, 171:15, 181:7, 207:21 167 6:10 17 95:19 171 8:4 1750 4:29 18 8:3, 37:23, 38:5, 40:21, 40:24, 49:8, 49:18, 50:19, 51:24, 52:3, 52:24, 54:7, 56:12, 61:12, 62:10, 62:13, 77:5, 103:2, 103:20, 105:6, 105:7, 110:10, 111:1, 116:16, 117:6, 143:21, 144:12, 144:24, 145:22, 145:24, 146:15, 163:15 19 1:18, 2:3, 6:3,</p> |
|---|---|---|---|

Transcript of Ray DiRossi
Conducted on October 19, 2021

261

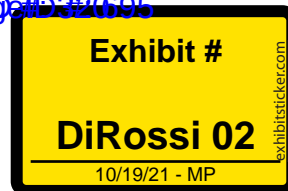
| | | | |
|--|---|---|--|
| <p>7:3, 8:4, 9:1, 9:7, 9:9, 133:25, 150:25, 210:6 195 7:19 1994 21:3 1st 179:12, 179:21, 180:8, 181:19</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2 54:20 2.03 121:23 20 40:25, 49:18, 50:19, 51:24, 52:3, 52:24, 54:7, 56:13, 77:5, 103:2, 103:20, 105:6, 105:7, 110:11, 111:1, 116:17, 117:7, 143:21, 144:25, 145:22, 145:23, 145:24, 146:15, 211:24 200 5:9 20001 3:7 20005 4:21 2008 23:5, 23:10, 23:11 2009 23:19, 23:20 201 6:11 2010 85:21, 85:25, 86:10 2012 38:6, 38:9,</p> | <p>38:20, 38:24, 41:15, 42:11, 48:13, 49:1, 49:7, 49:22, 50:23, 51:10, 52:10, 53:10, 54:7, 55:11, 55:18, 55:23, 85:19, 108:10, 110:8, 110:24 2014 38:6, 38:9, 38:20, 38:24, 41:15, 42:12, 48:13, 49:1, 49:7, 49:22, 50:23, 51:11, 52:10, 53:10, 55:12, 55:18, 55:23, 85:17, 108:10, 110:8, 110:24 2015 23:3, 24:19 2016 42:11, 43:21, 43:25, 44:1, 44:5, 44:9, 76:12, 76:25, 103:8, 103:15, 110:10, 111:1, 117:6, 123:16, 144:12, 144:17, 145:5, 145:19 2018 42:11, 43:21, 44:2, 44:5, 44:9, 76:12, 76:25, 85:17, 103:8, 103:15, 123:16, 144:17, 145:5, 145:19 202.662 3:8 202.968 4:22 2020 35:5, 35:6,</p> | <p>35:17, 35:19, 36:20, 40:5, 42:10, 43:17, 43:22, 44:5, 44:9, 76:12, 85:17, 103:9, 103:15, 123:17, 144:12, 144:17, 145:5, 145:19 2021 1:5, 1:7, 1:9, 1:18, 2:3, 6:3, 7:3, 7:7, 9:1, 9:7, 9:8, 9:9, 9:20, 27:20, 210:6, 210:12, 211:24 203 4:5 21 112:7, 135:17, 211:24 212.519 4:13 22 61:8, 61:11, 62:10 225 3:27 24 61:5, 63:2, 63:14, 64:25, 65:1, 65:24, 67:14, 114:18, 114:22, 115:1, 115:5, 115:9, 115:25, 116:6, 116:12, 116:15, 117:10, 164:4, 190:20, 191:1 25 114:8, 117:1, 117:4, 189:3 250 5:19 2533 3:20 26 61:9, 61:12,</p> | <p>62:10, 117:15, 122:13 27 61:6, 61:12, 61:21, 61:25, 63:2, 63:14, 65:10, 65:25, 67:14, 118:3, 118:4, 118:7, 164:2 27612 5:10 29 118:3, 118:4, 118:7</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p>30 5:32, 26:16, 26:18, 83:25, 93:24, 94:9, 114:18, 117:19, 118:3, 118:5, 118:7, 159:5, 191:7 300 54:20 31 207:12 32 61:9, 61:12, 62:10, 62:14, 163:15 33 66:21 35 123:9, 124:2, 124:3, 124:11, 131:18, 135:17 35.6 100:3 36 123:9, 123:22, 124:15, 129:17, 130:11, 130:19, 131:3, 131:7, 131:25 37 123:9, 124:13,</p> |
|--|---|---|--|

Transcript of Ray DiRossi
 Conducted on October 19, 2021

| | | | |
|---|--|---|--|
| <p>124:17, 131:18, 166:23 38 123:9, 123:15, 123:25, 131:18 39 123:10, 124:19, 131:18 3rd 77:23 <hr/> <p style="text-align: center;">4</p> <hr/> 40 208:25 41 209:5 412.288 3:29 4140 5:9 415 3:19 415.591 3:21 42 133:25, 166:25 43206 4:6 43215 4:38, 5:20, 5:33 44103 3:36 45 90:12, 132:25 45.08 97:22 45.9 90:7, 90:8, 90:10, 90:14, 98:17 4506 3:35 47 100:3, 133:6, 133:8 48 75:16</p> | <p>49 75:16 4956 3:7 4th 77:23 <hr/> <p style="text-align: center;">5</p> <hr/> 5 93:24 50 97:12 51 75:16 54 96:22, 97:24, 98:25, 99:8, 102:22, 102:23, 103:5 54.1 90:16, 97:12, 97:19, 98:7, 98:16, 98:17 54.9 98:7 54.92 90:11, 97:21 5400 3:19 55 97:25 56 94:16 5th 130:6 <hr/> <p style="text-align: center;">6</p> <hr/> 6 7:17, 158:3 6(b) 84:16, 85:10, 135:2, 137:22, 139:1, 141:9, 157:20 600 4:20 614.221 5:21</p> | <p>614.466 5:34 614.481 4:39 64.4 99:20, 100:2, 104:6, 104:17, 107:9, 107:11 6th 61:4, 64:1, 64:7, 64:9, 64:20, 67:14, 125:8, 129:16, 130:7, 131:8 <hr/> <p style="text-align: center;">7</p> <hr/> 7 1:19, 2:2, 9:1, 9:10 700 4:20, 5:19 7509 5:20 7th 79:8 <hr/> <p style="text-align: center;">8</p> <hr/> 8 94:16 8(c) (2) 7:8, 94:23 81 93:1, 101:16, 101:19, 102:2, 102:6 83 7:7 85 99:20, 99:24, 100:2, 104:5, 104:17 850 3:6 8th 79:8 <hr/> <p style="text-align: center;">9</p> <hr/> 9 94:20</p> | <p>9.15 7:20 9/9/2021 7:16 919.329 5:11 94105 3:20 95 7:8, 21:18 99 66:21, 200:11 9th 50:6, 50:12, 51:21, 53:14, 59:5, 63:11, 65:9, 65:14, 67:3, 69:10, 71:10, 72:4, 78:2, 118:22, 127:20, 127:21, 136:19, 137:14, 138:16, 141:23, 142:17, 142:18, 144:25, 147:13, 147:22, 152:5, 152:25, 154:19, 158:21, 162:5, 162:7, 162:10, 162:22, 164:7, 164:10, 165:25, 179:24, 180:5, 181:7, 182:7, 191:21, 192:6, 192:18, 192:19, 197:23, 198:13, 198:23, 199:3, 199:6, 199:8</p> |
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| 2021 10-year look back | Candidate | Democrat | Republican | Candidate | % | % |
|------------------------|---------------|------------|------------|-----------|--------|--------|
| 2020 Presidential | Biden | 2,679,165 | 3,154,834 | Trump | 45.9% | 54.1% |
| 2016 Presidential | Clinton | 2,394,164 | 2,841,005 | Trump | 45.7% | 54.3% |
| 2012 Presidential | Romney | 2,827,709 | 2,661,439 | Obama | 51.5% | 48.5% |
| 2018 US Senate | Brown | 2,355,923 | 2,053,963 | Renacci | 53.4% | 46.6% |
| 2016 US Senate | Strickland | 1,996,908 | 3,118,567 | Portman | 39.0% | 61.0% |
| 2012 US Senate | Brown | 2,762,766 | 2,435,744 | Mandel | 53.1% | 46.9% |
| 2010 US Senate | Fisher | | | Portman | | |
| 2018 Governor | Cordray | 2,067,847 | 2,231,917 | DeWine | 48.1% | 51.9% |
| 2018 Auditor | Space | 2,006,204 | 2,152,769 | Faber | 48.2% | 51.8% |
| 2018 SOS | Clyde | 2,049,944 | 2,210,356 | LaRose | 48.1% | 51.9% |
| 2018 Treasurer | Richardson | 2,022,016 | 2,304,444 | Sprague | 46.7% | 53.3% |
| 2018 Attorney General | Dettelbach | 2,084,593 | 2,272,440 | Yost | 47.8% | 52.2% |
| 2014 Governor | Fitzgerald | 1,009,359 | 1,944,848 | Kasich | 34.2% | 65.8% |
| 2014 Auditor | Carney | 1,149,305 | 1,711,927 | Yost | 40.2% | 59.8% |
| 2014 SOS | Turner | 1,074,475 | 1,811,020 | Husted | 37.2% | 62.8% |
| 2014 Treasurer | Pillich | 1,323,325 | 1,724,060 | Mandel | 43.4% | 56.6% |
| 2014 Attorney General | Pepper | 1,178,426 | 1,882,048 | DeWine | 38.5% | 61.5% |
| 2010 Governor | Strickland | | | Kasich | | |
| 2010 Auditor | Pepper | | | Yost | | |
| 2010 SOS | O'Shaughnessy | | | Husted | | |
| 2010 Treasurer | Boyce | | | Mandel | | |
| 2010 Attorney General | Cordray | | | Dewine | | |
| Total Votes | | 30,982,129 | 36,511,381 | | 721% | 879% |
| | | 45.90% | 54.10% | | 45.08% | 54.92% |





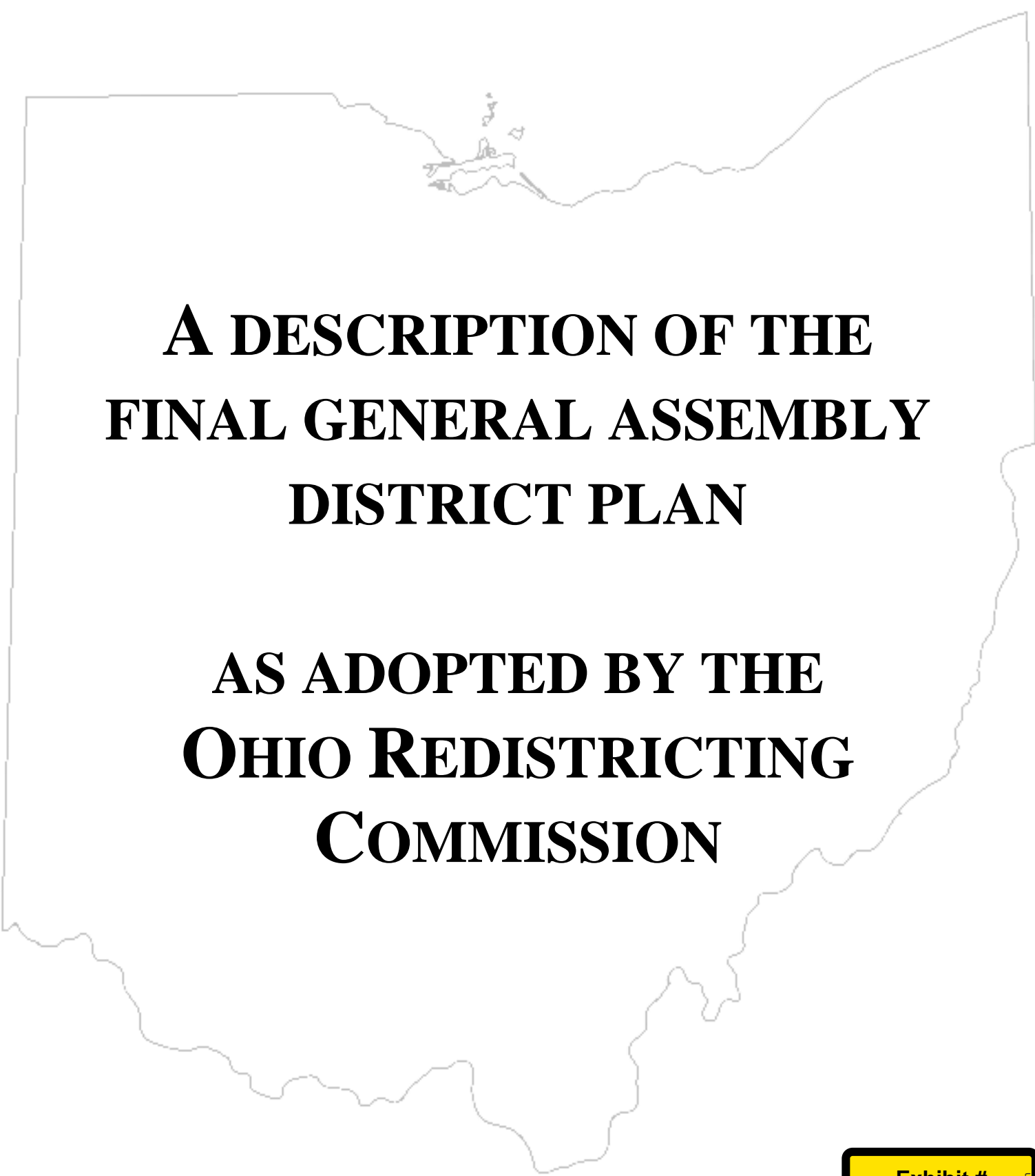
Article XI, Section 8(C)(2) Statement

Pursuant to Article XI, Section 8(C)(2) of the Ohio Constitution, the Ohio Redistricting Commission issues the following statement:

The Commission determined that the statewide preferences of the voters of Ohio predominately favor Republican candidates.

The Commission considered statewide state and federal partisan general election results during the last ten years. There were sixteen such contests. When considering the results of each of those elections, the Commission determined that Republican candidates won thirteen out of sixteen of those elections resulting in a statewide proportion of voters favoring statewide Republican candidates of 81% and a statewide proportion of voters favoring statewide Democratic candidates of 19%. When considering the number of votes cast in each of those elections for Republican and Democratic candidates, the statewide proportion of voters favoring statewide Republican candidates is 54% and the statewide proportion of voters favoring statewide Democratic candidates is 46%. Thus, the statewide proportion of voters favoring statewide Republican candidates is between 54% and 81% and the statewide proportion of voters favoring statewide Democratic candidates is between 19% and 46%. The Commission obtained publicly available geographic data for statewide partisan elections in 2016, 2018, and 2020. Publicly available geographic data for those elections was not available for elections in 2012 and 2014. Using this data, the Commission adopted the final general assembly district plan, which contains 85 districts (64.4%) favoring Republican candidates and 47 districts (35.6%) favoring Democratic candidates out of a total of 132 districts. Accordingly, the statewide proportion of districts whose voters favor each political party corresponds closely to the statewide preferences of the voters of Ohio.

The final general assembly district plan adopted by the Commission complies with all of the mandatory requirements of Article XI, Sections 2, 3, 4, 5, and 7 of the Ohio Constitution. The Commission's attempt to meet the aspirational standards of Article XI, Section 6 of the Ohio Constitution did not result in any violation of the mandatory requirements of Article XI, Sections 2, 3, 4, 5, and 7 of the Ohio Constitution.



**A DESCRIPTION OF THE
FINAL GENERAL ASSEMBLY
DISTRICT PLAN**

**AS ADOPTED BY THE
OHIO REDISTRICTING
COMMISSION**

Exhibit #

DiRossi 03

10/19/21 - MP

exhibitsticker.com

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

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**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHIO REDISTRICTING COMMISSION**

Table of Contents

- I. Ohio House Districts (Image)
- II. Ohio Senate Districts (Image)
- III. Descriptions of Ohio House Districts
- IV. Descriptions of Ohio Senate Districts
- V. Statistical Information for Ohio House Districts
- VI. Statistical Information for Ohio Senate Districts

A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION

Adopted Ohio House Districts



A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION

Adopted Ohio Senate Districts



**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHIO REDISTRICTING COMMISSION**

According to the 2020 U.S. Census, the population of Ohio was 11,799,448. Pursuant to Section 7, Article XI of the Ohio Constitution, all geographic references in this document (including counties, municipal corporations, and townships) are to Ohio's geography as it existed on the date of the 2020 census.

If any geographic area of the state is not specifically named herein, please consult the Block Assignment File (BAF) adopted by the Ohio Redistricting Commission.

DESCRIPTIONS OF OHIO HOUSE DISTRICTS

HOUSE DISTRICT 1

FRANKLIN COUNTY (part)

Bexley

Columbus (part)

Wards 1, 2, 3, 4, 5, 8, 9, 27, 28, 35, 47, 55

Ward 7 (part)

Precincts A, B, C, D

Ward 29 (part)

Precinct A

Ward 31 (part)

Precincts A, C, E

Ward 32 (part)

Precincts A, B, D

Ward 37 (part)

Precincts A, B

Ward 38 (part)

Precinct B

Franklin Township (part)

Precinct D (part)

Note: Includes the noncontiguous portion circumscribed by Columbus

Ward 37 Precinct B

HOUSE DISTRICT 2

FRANKLIN COUNTY (part)

Brice

Columbus (part)

Wards 34, 44, 48, 50, 51, 68, 84

Ward 45 (part)

Precincts A, B, C, D, F, H, K, M, N, O

Ward 46 (part)

Precincts A, B, C, D, H, I, J, K, L

Ward 85 (part)

Precinct A, B, E

Hamilton Township (part)

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

Note: Includes the noncontiguous portion circumscribed by Columbus Ward 50
 Jefferson Township (part)
 Precinct H (part)
 Note: Includes westernmost noncontiguous portion that borders Columbus
 Ward 46 Precinct B and Columbus Ward 46 Precinct C
 Note: Includes noncontiguous portion in southern part of Columbus Ward
 46 Precinct H but north of Reynoldsburg Ward 2 Precinct G that also
 touches Columbus Ward 84 Precinct D
 Madison Township (part)
 Precinct C (part)
 Note: Includes the noncontiguous portion circumscribed by Columbus
 Ward 85 Precinct A
 Note: Includes the northernmost noncontiguous portion that borders
 Columbus Ward 85 Precinct B
 Precinct D (part)
 Note: Includes the northernmost noncontiguous portion
 Truro Township (part)
 Precinct B
 Precinct A (part)
 Note: Includes westernmost noncontiguous portions circumscribed by
 Columbus Ward 84
 Whitehall

HOUSE DISTRICT 3

FRANKLIN COUNTY (part)

Columbus (part)
 Wards 6, 12, 13, 14, 17, 23, 24, 25, 26, 42, 56, 83
 Ward 7 (part)
 Precinct E
 Clinton Township (part)
 Precinct B
 Precinct A (part)
 Note: Excludes noncontiguous portion circumscribed by Columbus Ward
 22 Precinct D
 Note: Excludes noncontiguous portion that borders both Columbus Ward
 22 Precinct E and Columbus Ward 42 Precinct A
 Note: Excludes noncontiguous portion that border Columbus Ward 22
 Precinct D and Columbus Ward 43 Precinct A
 Note: Excludes noncontiguous portion that border Columbus Ward 22
 Precinct E and Columbus Ward 43 Precinct B
 Mifflin Township (part)
 Precincts A, B

HOUSE DISTRICT 4

FRANKLIN COUNTY (part)

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHIO REDISTRICTING COMMISSION**

Blendon Township (part)

Precincts A, E, F

Precinct B (part)

Note: Excludes noncontiguous portion circumscribed by Columbus Ward 82 Precinct L

Precinct C (part)

Note: Excludes all noncontiguous portions except for the portion that shares a border with Precinct F

Precinct D (part)

Note: Excludes the noncontiguous portions circumscribed by Columbus

Columbus (part)

Ward 46 (part)

Precincts E, F, G, M

Ward 82 (part)

Precincts E, F, I, J, N

Gahanna

Jefferson Township (part)

Precincts A, B, C, D, E, F, G, I, J

Precinct H (part)

Note: Excludes westernmost noncontiguous portion that borders Columbus Ward 46 Precinct B and Columbus Ward 46 Precinct C

Note: Excludes noncontiguous portion in southern part of Columbus Ward 46 Precinct H but north of Reynoldsburg Ward 2 Precinct G that also touches Columbus Ward 84 Precinct D

Note: Excludes the noncontiguous portions that border Reynoldsburg Ward 2 Precincts A and G

Note: Excludes the three noncontiguous portions that border Reynoldsburg Ward 2 Precinct G that are not otherwise noted above

New Albany (part)

Note: Excludes the noncontiguous portion circumscribed by Columbus Ward 82 Precinct H

Plain Township (part)

Precinct B

Precinct A (part)

Note: Excludes noncontiguous portions circumscribed by Columbus Ward 73

Note: Excludes noncontiguous portions circumscribed by Columbus Ward 82 notwithstanding the note below

Note: Includes the two noncontiguous portions circumscribed by or that border Columbus Ward 82 Precinct I

Sharon Township (part)

Precinct A (part)

Note: Excludes noncontiguous portions that border or are circumscribed by Columbus Ward 71 Precinct A or Columbus Ward 71 Precinct B or Columbus Ward 72 Precinct F

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

Note: Excludes the noncontiguous portions circumscribed by Columbus Ward 61

Note: Excludes the noncontiguous portion that borders Columbus Ward 54 Precinct C and Columbus Ward 30 Precinct A

Westerville

HOUSE DISTRICT 5

FRANKLIN COUNTY (part)

Canal Winchester

Columbus (part)

Ward 49, 86

Ward 29 (part)

Precincts B, C, D

Ward 37 (part)

Precinct C (part)

Note: Excludes census blocks: 390490083802063

390490083802064

390490083802065

390490083802072

390490083802073

390490083802074

390490083802075

Ward 45 (part)

Precincts E, G, I, J, L

Ward 85 (part)

Precincts C, D

Franklin Township (part)

Precinct D (part)

Note: Includes the noncontiguous portions circumscribed by Columbus Ward 37 Precinct C

Note: Includes the noncontiguous portions that border Columbus Ward 37 Precinct C and Columbus Ward 37 Precinct B

Groveport

Hamilton Township (part)

Note: Excludes the noncontiguous portion circumscribed by Columbus Ward 50

Jackson Township (part)

Precinct A (part)

Note: Includes the noncontiguous portion circumscribed by Columbus Ward 37 Precinct C

Jefferson Township (part)

Precinct H (part)

Note: Includes the noncontiguous portions that border Reynoldsburg Ward 2 Precincts A and G

Note: Includes the three noncontiguous portions that border Reynoldsburg Ward 2 Precinct G but do not border Columbus Ward 84 Precinct D

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

Lithopolis

Lockbourne

Madison Township (part)

Precinct A, B, E, F, G, H

Precinct C (part)

Note: Excludes the noncontiguous portion circumscribed by Columbus Ward 85 Precinct A

Note: Excludes the northernmost noncontiguous portion that borders Columbus Ward 85 Precinct B

Precinct D (part)

Note: Excludes the northernmost noncontiguous portion

Obetz

Reynoldsburg

Truro Township (part)

Precinct A (part)

Note: Excludes westernmost noncontiguous portions circumscribed by Columbus Ward 84

HOUSE DISTRICT 6

FRANKLIN COUNTY (part)

Columbus (part)

Wards 11, 36, 57, 58, 67

Ward 31 (part)

Precincts B, D

Ward 32 (part)

Precinct C

Ward 37 (part)

Precincts D, E

Ward 38 (part)

Precincts A, C

Ward 78 (part)

Precincts B, C, D, E, F, G, H, I

Franklin Township (part)

Precincts A, B, E, F

Precinct C (part)

Note: Excludes noncontiguous portion circumscribed by Columbus Ward 10 Precinct B

Note: Excludes noncontiguous portion circumscribed by Columbus Ward 10 Precinct D

Note: Excludes noncontiguous portions circumscribed by Columbus Ward 77 Precinct A

Precinct D (part)

Note: Excludes the noncontiguous portions circumscribed by Columbus Ward 37 Precinct C

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

Note: Excludes the noncontiguous portions that border Columbus Ward 37 Precinct B and Columbus Ward 37 Precinct C

Note: Excludes the noncontiguous portion circumscribed by Columbus Ward 37 Precinct B

Jackson Township (part)

Precinct A (part)

Note: Includes noncontiguous portions circumscribed by Columbus Ward 58 Precinct J

Note: Includes noncontiguous portions that borders both Columbus Ward 37 Precinct E and Columbus Ward 58 Precinct H

Note: Includes noncontiguous portion that borders both Columbus Ward 58 Precinct J and Franklin Township Precinct A but does not border Columbus Ward 79 Precinct B

Prarie Township (part)

Precincts D, F, G, H, I, J

Precinct C (part)

Note: Includes the noncontiguous portions circumscribed by all Precincts of Columbus Ward 78 except Precinct A.

Note: Includes the noncontiguous portion that shares a border with Columbus Ward 78 Precinct A and Columbus Ward 78 Precinct F

Note: Includes the noncontiguous portion that shares a border with Precinct F and Precinct G

Note: Includes the noncontiguous portion that borders Columbus Ward 78 Precinct A and Columbus Ward 78 Precinct G

Precinct E (part)

Note: Includes the noncontiguous portion circumscribed by Columbus Ward 78 Precinct H

Precinct K (part)

Note: Includes the noncontiguous portion bordering Columbus Ward 67 Precinct B

Valleyview

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

HOUSE DISTRICT 7

FRANKLIN COUNTY (part)

Clinton Township (part)

Precinct C

Precinct A (part)

Note: Includes noncontiguous portion that borders Columbus Ward 22

Precinct D and Columbus Ward 43 Precinct A

Note: Includes noncontiguous portion that borders Columbus Ward 22

Precinct E and Columbus Ward 43 Precinct B

Columbus (part)

Wards 10, 15, 16, 18, 19, 20, 33, 39, 40, 41, 43, 70

Ward 77 (part)

Precincts A, B, C

Franklin Township (part)

Precinct C (part)

Note: Includes noncontiguous portion circumscribed by Columbus Ward

10 Precinct B

Note: Includes noncontiguous portion circumscribed by Columbus Ward

10 Precinct D

Note: Includes noncontiguous portions circumscribed by Columbus Ward

77 Precinct A

Grandview Heights

Marble Cliff

Norwich Township (part)

Precinct A (part)

Note: Includes noncontiguous portion circumscribed by Columbus Ward

77 Precinct A

Note: Includes noncontiguous portions that border both Columbus Ward

77 Precinct A and Franklin Township Precinct C

Note: Includes noncontiguous portion that borders both Columbus Ward

77 Precinct B and Columbus Ward 10 Precinct D

Perry Township (part)

Precinct C (part)

Note: Includes the southernmost noncontiguous portion that borders

Columbus Ward 77 Precinct C

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

HOUSE DISTRICT 8

FRANKLIN COUNTY (part)

Clinton Township (part)

Precinct A (part)

Note: Includes noncontiguous portion circumscribed by Columbus Ward 22 Precinct D

Note: Includes noncontiguous portion that borders both Columbus Ward 22 Precinct E and Columbus Ward 42 Precinct A

Columbus (part)

Wards 21, 22, 59, 63, 65, 71, 72, 74, 80

Ward 60 (part)

Precincts A, C

Perry Township (part)

Precinct A, D

Precinct B (part)

Note: Excludes noncontiguous portions circumscribed by Columbus Ward 60 Precinct E

Note: Excludes noncontiguous portions circumscribed by Columbus Ward 60 Precinct G

Note: Excludes southernmost noncontiguous portion that borders both Columbus Ward 60 Precinct A and Columbus Ward 60 Precinct C

Note: Excludes noncontiguous portion that borders Columbus Ward 60 Precinct F

Note: Excludes the noncontiguous portion that borders both Columbus Ward 60 Precinct G and Worthington Ward 1 Precinct C

Precinct C (part)

Note: Excludes the noncontiguous portions circumscribed by Columbus Ward 60

Note: Excludes the noncontiguous portion that borders Columbus Ward 64 Precinct B and Columbus Ward 64 Precinct E and Columbus Ward 64 Precinct F

Note: Excludes the noncontiguous portion that borders Columbus Ward 64 Precinct A and Columbus Ward 64 Precinct B

Note: Excludes the southernmost noncontiguous portion that borders Columbus Ward 77 Precinct C

Riverlea

Sharon Township (part)

Precinct B

Precinct A (part)

Note: Includes noncontiguous portions that border or are circumscribed by Columbus Ward 71 Precinct A or Columbus Ward 71 Precinct B or Columbus Ward 72 Precinct F

Worthington

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

HOUSE DISTRICT 9

FRANKLIN COUNTY (part)

Blendon Township (part)

Precinct B (part)

Note: Includes noncontiguous portion circumscribed by Columbus Ward 82 Precinct L

Precinct C (part)

Note: Includes all noncontiguous portions except for the portion that shares a border with Precinct F

Precinct D (part)

Note: Includes the noncontiguous portions circumscribed by Columbus

Columbus (part)

Wards 30, 52, 53, 54, 61, 62, 66, 73, 81

Ward 82 (part)

Precincts A, B, C, D, G, H, K, L, M, O

Minerva Park

New Albany (part)

Note: Includes the noncontiguous portion circumscribed by Columbus Ward 82 Precinct H

Plain Township (part)

Precinct A (part)

Note: Includes the noncontiguous portions circumscribed by Columbus Ward 73

Note: Includes the noncontiguous portions circumscribed by Columbus Ward 82

Note: the above note does not apply to noncontiguous portions that are circumscribed by or border Columbus Ward 82 Precinct I

Sharon Township (part)

Precinct A (part)

Note: Includes the noncontiguous portions circumscribed by Columbus Ward 61

Note: Includes the noncontiguous portion that borders Columbus Ward 54 Precinct C and Columbus Ward 30 Precinct A

HOUSE DISTRICT 10

FRANKLIN COUNTY (part)

Brown Township

Columbus (part)

Wards 75, 76, 79, 87

Ward 37 (part)

Precinct C (part)

Note: Includes census blocks: 390490083802063
390490083802064
390490083802065
390490083802072

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

390490083802073
390490083802074
390490083802075

Ward 77 (part)
Precincts D, E
Ward 78 (part)
Precinct A

Grove City
Harrisburg

Jackson Township (part)
Precincts B, C, D
Precinct A (part)

Note: Excludes noncontiguous portions circumscribed by Columbus Ward 58 Precinct J

Note: Excludes noncontiguous portions that share a border with both Columbus Ward 58 Precinct H and Columbus Ward 37 Precinct E

Note: Excludes noncontiguous portion that shares a border with both Columbus Ward 58 Precinct J and Franklin Township Precinct A but does not border Columbus Ward 79 Precinct B

Norwich Township (part)
Precinct D
Precinct A (part)

Note: Excludes noncontiguous portion circumscribed by Columbus Ward 77 Precinct A

Note: Excludes noncontiguous portions that border both Columbus Ward 77 Precinct A and Franklin Township Precinct C

Note: Excludes noncontiguous portion that borders both Columbus Ward 77 Precinct B and Columbus Ward 10 Precinct D

Note: Excludes noncontiguous portion circumscribed by Hilliard

Note: Excludes noncontiguous portion that borders both Brown Township Precinct B and Hilliard Ward 4 Precinct B

Note: Excludes 2 noncontiguous portions North of Hilliard Ward 1 Precinct G

Pleasant Township

Prarie Township (part)
Precincts A, B, L, M
Precinct C (part)

Note: Excludes the noncontiguous portions circumscribed by all Precincts of Columbus Ward 78 except Precinct A.

Note: Excludes the noncontiguous portion that shares a border with Columbus Ward 78 Precinct A and Columbus Ward 78 Precinct F

Note: Excludes the noncontiguous portion that shares a border with Precinct F and Precinct G

Note: Excludes the noncontiguous portion that borders Columbus Ward 78 Precinct A and Columbus Ward 78 Precinct G

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

Precinct E (part)

Note: Excludes the noncontiguous portion circumscribed by Columbus Ward 78 Precinct H

Precinct K (part)

Note: Excludes the noncontiguous portion bordering Columbus Ward 67 Precinct B

Urbancrest

HOUSE DISTRICT 11

FRANKLIN COUNTY (part)

Brown Township (part)

Note: Includes noncontiguous portion circumscribed by Hilliard

Columbus (part)

Ward 64

Ward 60 (part)

Precincts B, D, E, F, G

Ward 69 (part)

Precincts B, C, D, E, F, G, H, J, N

Ward 77 (part)

Precinct F

Hilliard

Norwich Township (part)

Precincts B, C

Precinct A (part)

Note: Includes noncontiguous portions circumscribed by Hilliard

Note: Includes noncontiguous portion that borders both Brown Township Precinct B and Hilliard Ward 4 Precinct B

Note: Includes 2 noncontiguous portions North of Hilliard Ward 1

Precinct G

Perry Township (part)

Precinct B (part)

Note: Includes noncontiguous portions circumscribed by Columbus Ward 60 Precinct E

Note: Includes noncontiguous portions circumscribed by Columbus Ward 60 Precinct G

Note: Includes the southernmost noncontiguous portion that borders both Columbus Ward 60 Precinct A and Columbus Ward 60 Precinct C

Note: Includes noncontiguous portion that borders Columbus Ward 60 Precinct F

Note: Includes the noncontiguous portion that borders both Columbus Ward 60 Precinct G and Worthington Ward 1 Precinct C

Precinct C (part)

Note: Includes the noncontiguous portions circumscribed by Columbus Ward 60

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHIO REDISTRICTING COMMISSION**

Note: Includes the noncontiguous portion that borders Columbus Ward 64 Precinct B and Columbus Ward 64 Precinct E and Columbus Ward 64 Precinct F

Note: Includes the noncontiguous portion that borders Columbus Ward 64 Precinct A and Columbus Ward 64 Precinct B

Upper Arlington

Washington Township (part)

Note: Includes noncontiguous portion circumscribed by Columbus Ward 69 Precinct J

Note: Includes noncontiguous portion that borders Hilliard Ward 2 Precinct E and Columbus Ward 69 Precinct N

HOUSE DISTRICT 12
UNION COUNTY

FRANKLIN COUNTY (part)

Columbus (part)

Ward 69 (part)

Precincts A, I, K, L, M

Dublin

Washington Township (part)

Note: Excludes noncontiguous portion circumscribed by Columbus Ward 69 Precinct J

Note: Excludes noncontiguous portion that borders Hilliard Ward 2 Precinct E and Columbus Ward 69 Precinct N

HOUSE DISTRICT 13

CUYAHOGA COUNTY (part)

Cleveland (part)

Wards 13, 14

Ward 11 (part)

Precincts B, C, D, E, F, G, H, I, J, K, L, M, N, O, P

Precinct A (part)

Note: Includes census blocks: 390351964002022
390351964002023
390351964002024
390351964002025
390351964003002
390351964003003
390351964003005
390351964003008

Ward 12 (part)

Precinct A

Lakewood

Linndale

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHIO REDISTRICTING COMMISSION**

HOUSE DISTRICT 14

CUYAHOGA COUNTY (part)

Berea

Brook Park

Cleveland (part)

Wards 16, 17

Ward 11 (part)

Precinct A (part)

Note: Includes census blocks: 390351964002026

390351964002027

390351964003001

390351964003004

390351964003006

390351964003007

Middleburg Heights

Olmsted Falls

Olmsted Township

HOUSE DISTRICT 15

CUYAHOGA COUNTY (part)

Brooklyn

Parma

Parma Heights

Seven Hills

HOUSE DISTRICT 16

CUYAHOGA COUNTY (part)

Bay Village

Fairview Park

North Olmsted

Rocky River

Westlake

HOUSE DISTRICT 17

CUYAHOGA COUNTY (part)

Brecksville

Broadview Heights

Brooklyn Heights

Cuyahoga Heights

Independence

Newburgh Heights

North Royalton

Strongsville

Valley View

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

HOUSE DISTRICT 18

CUYAHOGA COUNTY (part)

Cleveland (part)

Wards 2, 4, 5, 6

Ward 1 (part)

Precincts A, B, C, D, E, F, G, H, I, J, K, L, M, O, R, S, T

Ward 9 (part)

Precincts L, P, R

Precinct H (part)

Note: Includes census block 390351183012007

Precinct I (part)

Note: Includes census blocks: 390351183013012
390351183013014
390351183013015
390351183013016
390351183013017
390351183013018

Precinct K (part)

Note: Includes census blocks: 390351991001005
390351991001007
390351991001008
390351991001009
390351991001011
390351991001012
390351991001013
390351991001014
390351991002009
390351991002010
390351991002012
390351991002013
390351991002014
390351991002015
390351991002016
390351991002017
390351991002018
390351991002019

Ward 12 (part)

Note: Excludes Precinct A

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

HOUSE DISTRICT 21

CUYAHOGA COUNTY (part)

Beachwood
Cleveland (part)
 Ward 1 (part)
 Precincts N, P, Q
Cleveland Heights
East Cleveland
Highland Hills
North Randall
Shaker Heights
Warrensville Heights
Woodmere

HOUSE DISTRICT 22

CUYAHOGA COUNTY (part)

Bedford
Bedford Heights
Garfield Heights
Hunting Valley
Maple Heights
Mayfield Heights
Moreland Hills
Orange
Pepper Pike
Solon (part)
 Precincts 2A, 2B, 5A, 5B, 7A, 7B
Walton Hills

HOUSE DISTRICT 23

CUYAHOGA COUNTY (part)

Bentleyville
Chagrin Falls
Chagrin Falls Township
Glenwillow
Oakwood
Solon (part)
 Precincts 1A, 1B, 3A, 3B, 4A, 4B, 4C, 6A, 6B

GEAUGA COUNTY (part)

Auburn Township
Bainbridge Township
Burton
Burton Township

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

Chester Township
Hunting Valley
Newbury Township
Russell Township
South Russell
Troy Township

SUMMIT COUNTY (part)

Boston Heights
Macedonia
Northfield Center Township
Reminderville
Twinsburg
Twinsburg Township

HOUSE DISTRICT 24

HAMILTON COUNTY (part)

Cincinnati (part)
Wards 6, 8, 10, 11, 16, 17, 18, 19, 20, 21, 22, 25, 26

HOUSE DISTRICT 25

HAMILTON COUNTY (part)

Cincinnati (part)
Wards 7, 14, 15, 23, 24

Columbia Township (part)

Precinct C

Note: Includes noncontiguous portion that borders Norwood Precinct 4C

Elmwood Place

Golf Manor

Lincoln Heights

Mount Healthy

North College Hill

Springfield Township (part)

Precincts E, I, K, L

Wyoming

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

HOUSE DISTRICT 26

HAMILTON COUNTY (part)
Cincinnati (part)
 Wards 1, 2, 3, 4, 5, 9, 12, 13
Columbia Township (part)
 Precincts D, E
Norwood
St. Bernard

HOUSE DISTRICT 27

HAMILTON COUNTY (part)
Anderson Township
Columbia Township (part)
 Precincts A, B, F, G, H, L
Fairfax
Loveland
Madeira
Marimont
Milford
Newtown
Silverton
Sycamore Township (part)
 Precincts C, E, F, G, H, K, L, M, N
Symmes Township
Terrace Park
The Village of Indian Hill

HOUSE DISTRICT 28

HAMILTON COUNTY (part)
Amberly
Arlington Heights
Blue Ash
Deer Park
Evendale
Glendale
Lockland
Montgomery
Reading
Sharonville
Springdale
Springfield Township (part)
 Precincts A, B, C, F, G, H, J, M, N, O, P, Q, R, S, U, V, W, X, Y, Z, BB
Sycamore Township (part)
 Precincts A, B, D, I, J
Woodlawn

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

HOUSE DISTRICT 29

HAMILTON COUNTY (part)

Colerain Township
Crosby Township
Fairfield
Forest Park
Greenhills
Harrison
Harrison Township
Springfield Township (part)
 Precincts D, T, AA
Whitewater Township

HOUSE DISTRICT 30

HAMILTON COUNTY (part)

Addyston
Cheviot
Cleves
Delhi Township
Green Township
Miami Township
North Bend

HOUSE DISTRICT 31

SUMMIT COUNTY (part)

Barberton
Bath Township (part)
 Precincts A, B, C, E, F, G
 Precinct D (part)

Note: Excludes southernmost noncontiguous portion

Boston Township
Clinton
Copley Township
Coventry Township (part)

Note: Includes noncontiguous portion of Precinct E that borders Barberton
Ward 1 Precinct C

Hudson
New Franklin
Northfield
Norton
Peninsula
Richfield
Richfield Township
Sagamore Hills Township

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

HOUSE DISTRICT 32

SUMMIT COUNTY (part)

Akron (part)

Wards 3, 4, 9

Ward 6 (part)

Precincts A, E, F, G, H, J, K, L, M

Coventry Township (part)

Note: Excludes noncontiguous portions circumscribed by Akron

Note: Excludes noncontiguous portion of Precinct E that borders Barberton Ward

1 Precinct C

Green

Lakemore

Springfield Township

HOUSE DISTRICT 33

SUMMIT COUNTY (part)

Akron (part)

Wards 1, 2, 5, 7, 10

Ward 6 (part)

Precincts B, C, D, I

Coventry Township (part)

Note: Includes noncontiguous portions circumscribed by Akron

Mogadore

Tallmadge

HOUSE DISTRICT 34

SUMMIT COUNTY (part)

Akron (part)

Ward 8

Bath Township (part)

Precinct H

Precinct D (part)

Note: Includes southernmost noncontiguous portion

Cuyahoga Falls

Fairlawn

Munroe Falls

Silver Lake

Stow

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

HOUSE DISTRICT 35

MONTGOMERY COUNTY (part)

Butler Township

Clay Township

Clayton Township

Dayton (part)

Ward 3 (part)

Note: Includes the noncontiguous northernmost portion bordering Vandalia

Englewood

Harrison Township

Huber Heights

Phillipsburg

Riverside (part)

Note: Includes the northernmost portions bordering Huber Heights

Union

Vandalia

Verona

Wayne

HOUSE DISTRICT 36

MONTGOMERY COUNTY (part)

Dayton (part)

Wards 8, 9, 10, 14, 20

Ward 11 (part)

Precincts A, C, D

Ward 19 (part)

Precincts B, D

Jefferson Township (part)

Note: Includes the noncontiguous portions circumscribed by Dayton

Note: Includes the easternmost noncontiguous portions that border Moraine

Kettering

Moraine

Oakwood

HOUSE DISTRICT 37

MONTGOMERY COUNTY (part)

Carlisle

Centerville

Farmersville

German Township

Germantown

Jackson Township

Miami Township (part)

Precincts A, B, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

Precinct C (part)

Note: Includes the noncontiguous portions that border Precinct J

Miamisburg

Springboro

Washington Township

HOUSE DISTRICT 38

MONTGOMERY COUNTY (part)

Dayton (part)

Wards 1, 2, 4, 5, 6, 7, 12, 13, 15, 16, 17, 18, 21, 22, 23

Ward 3 (part)

Note: Excludes the noncontiguous northernmost portion bordering

Vandalia

Ward 11 (part)

Precinct B

Ward 19 (part)

Precincts A, C

Riverside (part)

Note: Excludes the northernmost portions bordering Huber Heights

Trotwood (part)

Note: Includes the noncontiguous portions circumscribed by Dayton

HOUSE DISTRICT 39

PREBLE COUNTY

BUTLER COUNTY (part)

Jacksonburg

Madison Township (part)

Note: Includes the noncontiguous portions circumscribed by Trenton

Milford Township

Seven Mile

St. Clair Township (part)

Note: Includes the noncontiguous portion circumscribed by Trenton

Trenton

Wayne Township

MONTGOMERY COUNTY (part)

Brookville

Jefferson Township (part)

Note: Excludes the noncontiguous portions circumscribed by Dayton

Note: Excludes the easternmost noncontiguous portions that border Moraine

Miami Township (part)

Precinct C (part)

Note: Excludes the noncontiguous portions that border Precinct J

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

New Lebanon
Perry Township
Trotwood (part)
Note: Excludes the noncontiguous portions circumscribed by Dayton
West Carrollton

HOUSE DISTRICT 40

LUCAS COUNTY (part)
Harbor View
Holland
Jerusalem Township
Maumee
Oregon
Springfield Township
Toledo (part)
Ward 3
Ward 1 (part)
Precincts A, C, D, F, G, H, I, J
Ward 16 (part)
Precincts E, G, H
Ward 18 (part)
Precincts B, D, E
Ward 23 (part)
Precincts B, C, D, F, G, I, J, L
Washington Township

HOUSE DISTRICT 41

LUCAS COUNTY (part)
Toledo (part)
Wards 2, 4, 8, 9, 10, 11, 12, 13, 17, 19, 20
Ward 1 (part)
Precincts B, E
Ward 18 (part)
Precincts A, C, F

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

HOUSE DISTRICT 42

LUCAS COUNTY (part)

Ottawa Hills

Sylvania Township (part)

Note: Includes noncontiguous portion circumscribed by Toledo Ward 23

Toledo (part)

Wards 5, 6, 7, 14, 15, 21, 22, 24

Ward 16 (part)

Precincts A, B, C, D, F, I, J

Ward 23 (part)

Precincts A, E, H, K

HOUSE DISTRICT 43

HANCOCK COUNTY (part)

Allen Township (part)

Note: Excludes the noncontiguous portion north of Liberty North and south of the northern border of Findlay Ward 7 Precinct A

Arcadia

Cass Township

Fostoria

McComb

Pleasant Township

Portage Township

Van Buren

Washington Township

LUCAS COUNTY (part)

Berkey

Harding Township

Monclova

Providence Township

Richfield Township

Spencer Township

Swanton

Swanton Township

Sylvania

Sylvania Township (part)

Note: Excludes noncontiguous portion circumscribed by Toledo Ward 23

Waterville

Waterville Township

Whitehouse

WOOD COUNTY (part)

Custar

Grand Rapids

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

Grand Rapids Township
Haskins
Hoytville
Jackson Township
Liberty Township
Middleton Township (part)
 Note: Excludes noncontiguous portions circumscribed by Perrysburg
Milton Center
Milton Township
Plain Township (part)
 Note: Excludes the noncontiguous portions surrounded by Bowling Green
 Note: Excludes the noncontiguous portions that border both Bowling Green and
 Center Township
Tontogany
Washington Township
Weston
Weston Township

HOUSE DISTRICT 44

BUTLER COUNTY (part)
College Corner
Fairfield Township (part)
 Precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19
Hamilton
Hanover Township
Millville
Oxford
Oxford Township
Reily Township
Ross Township (part)
 Note: Includes the noncontiguous portion circumscribed by Hamilton
St. Clair Township (part)
 Note: Includes the southernmost noncontiguous portion that borders Ross
 Township Precinct 4
 Note: Includes the noncontiguous portion circumscribed by Hamilton

HOUSE DISTRICT 45

BUTLER COUNTY (part)
Fairfield
Fairfield Township (part)
 Precinct 14
Morgan Township
Ross Township (part)
 Note: Excludes the noncontiguous portion circumscribed by Hamilton
Sharonville
West Chester Township

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHIO REDISTRICTING COMMISSION**

HOUSE DISTRICT 46

BUTLER COUNTY (part)

Lemon Township

Liberty Township

Madison Township (part)

Note: Excludes the noncontiguous portions circumscribed by Trenton

Middletown

Monroe

New Miami

St. Clair Township (part)

Note: Excludes the southernmost noncontiguous portion that borders Ross
Township Precinct 4

Note: Excludes the noncontiguous portion circumscribed by Trenton

Note: Excludes the noncontiguous portion circumscribed by Hamilton

HOUSE DISTRICT 47

STARK COUNTY (part)

Canal Fulton

Canton Township (part)

Precincts 2, 4, 5, 7

Precinct 1 (part)

Note: Excludes noncontiguous portions circumscribed by Canton

Precinct 6 (part)

Note: Excludes noncontiguous portion circumscribed by Canton

Note: Excludes northernmost noncontiguous portion bordering Plain
Township Precinct 23

East Canton

Jackson Township (part)

Note: Includes the noncontiguous portions circumscribed by Massillon

Lawrence Township

Louisville

Magnolia

Massillon

Minerva

Nimishillen Township (part)

Precinct 5

Precinct 1 (part)

Note: Includes noncontiguous portions circumscribed by Louisville

Precinct 2 (part)

Note: Includes noncontiguous portions circumscribed by Louisville

Osnaburg Township (part)

Note: Excludes noncontiguous portion circumscribed by Canton

Paris Township

Perry Township (part)

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

Note: Excludes the two noncontiguous portions of Precinct 4 that border
Tuscarawas Township
Sandy Township
Tuscarawas Township (part)
Precinct 1
Precinct 2 (part)
Note: Includes noncontiguous portions circumscribed by Massillon
Washington Township (part)
Note: Excludes noncontiguous portion circumscribed by Alliance
Waynesburg

HOUSE DISTRICT 48

STARK COUNTY (part)

Alliance
Hartville
Lake Township
Lexington Township
Marlboro Township
Nimishillen Township (part)
Precincts 3, 4, 6, 7
Precinct 1 (part)
Note: Excludes noncontiguous portions circumscribed by Louisville
Precinct 2 (part)
Note: Excludes noncontiguous portions circumscribed by Louisville
North Canton
Plain Township (part)
Precincts 3, 5, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28
Precinct 2 (part)
Note: Includes the noncontiguous portions that border North Canton
Precinct 4B or 4C
Precinct 4 (part)
Note: Excludes the noncontiguous portions circumscribed by Canton
Precinct 6 (part)
Note: Excludes the noncontiguous portion circumscribed by Canton
Precinct 12 (part)
Note: Excludes the noncontiguous portion circumscribed by Canton
Precinct 23 (part)
Note: Excludes the noncontiguous portions circumscribed by Canton
Note: Excludes the noncontiguous portions that border Nimishillen
Precinct 1
Washington Township (part)
Note: Includes noncontiguous portion circumscribed by Alliance

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

HOUSE DISTRICT 49

STARK COUNTY (part)

Canton

Canton Township (part)

Precinct 1 (part)

Note: Includes noncontiguous portions circumscribed by Canton

Precinct 3

Precinct 6 (part)

Note: Includes noncontiguous portion circumscribed by Canton

Note: Includes northernmost noncontiguous portion bordering Plain

Township Precinct 23

Hills and Dales

Jackson Township (part)

Note: Excludes the noncontiguous portions circumscribed by Massillon

Meyers Lake

Osnaburg Township (part)

Note: Includes noncontiguous portion circumscribed by Canton

Plain Township (part)

Precincts 1, 7, 13, 21

Precinct 2 (part)

Note: Excludes the noncontiguous portions that border North Canton

Precinct 4B or 4C

Precinct 4 (part)

Note: Includes the noncontiguous portions circumscribed by Canton

Precinct 6 (part)

Note: Includes the noncontiguous portion circumscribed by Canton

Precinct 12 (part)

Note: Includes the noncontiguous portion circumscribed by Canton

Precinct 23 (part)

Note: Includes the noncontiguous portions circumscribed by Canton

Note: Includes the noncontiguous portions that border Nimishillen

Precinct 1

HOUSE DISTRICT 50

TUSCARAWAS COUNTY

STARK COUNTY (part)

Beach City

Bethlehem Township

Brewster

East Sparta

Navarre

Perry Township (part)

Note: Includes the two noncontiguous portions of Precinct 4 that border

Tuscarawas Township

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

Pike Township
Sugar Creek Township
Tuscarawas Township (part)
 Precincts 3, 4
 Precinct 2 (part)
 Note: Excludes noncontiguous portions circumscribed by Massillon
Wilmot

HOUSE DISTRICT 51

LORAIN COUNTY (part)
 Carlisle Township (part)
 Note: Includes noncontiguous portions circumscribed by Elyria
 Eaton Township (part)
 Note: Includes noncontiguous portion circumscribed by Elyria
 Elyria
 Elyria Township
 Lorain
 Sheffield Township

HOUSE DISTRICT 52

LORAIN COUNTY (part)
 Avon
 Avon Lake
 Carlisle Township (part)
 Note: Excludes noncontiguous portions circumscribed by Elyria
 Columbia Township
 Eaton Township (part)
 Note: Excludes noncontiguous portion circumscribed by Elyria
 Grafton (part)
 Note: Excludes noncontiguous portion circumscribed by Grafton Township
 Precinct 1
 North Ridgeville
 Sheffield
 Sheffield Lake

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

HOUSE DISTRICT 53

HURON COUNTY

LORAIN COUNTY (part)

Amherst

Amherst Township

Brighton Township

Brownhelm Township

Camden Township

Grafton (part)

Note: Includes the noncontiguous portion circumscribed by Grafton Township

Precinct 1

Grafton Township

Henrietta Township

Huntington Township

Kipton

LaGrange

LaGrange Township

New Russia Township

Oberlin

Penfield Township

Pittsfield Township

Rochester

Rochester Township

South Amherst

Vermillion

Wellington

Wellington Township

HOUSE DISTRICT 54

WARREN COUNTY (part)

Deerfield Township

Lebanon

Mason

Monroe

South Lebanon

Turtlecreek Township

Union Township

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

HOUSE DISTRICT 55

WARREN COUNTY (part)

Blanchester
Butler
Carlisle
Clear Creek Township
Corwin
Franklin
Franklin Township
Hamilton Township
Harlan Township
Harveysburg
Loveland
Maineville
Massie Township
Middletown
Morrow
Pleasant Plain
Salem Township
Springboro
Washington Township
Wayne Township
Waynesville

HOUSE DISTRICT 56

LAKE COUNTY (part)

Eastlake
Lakeline
Mentor
Mentor-on-the-Lake
Timberlake
Waite Hill
Wickliffe
Willoughby
Willowick

HOUSE DISTRICT 57

ASHTABULA COUNTY (part)

Austinburg Township
Geneva
Geneva-on-the-Lake
Geneva Township
Harpersfield Township
Morgan Township
Rock Creek

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

LAKE COUNTY (part)

Concord Township
Fairport Harbor
Grand River
Kirtland
Kirtland Hills
Leroy Township
Madison
Madison Township
North Perry
Painesville
Painesville Township
Perry
Perry Township
Willoughby Hills

HOUSE DISTRICT 58

MAHONING COUNTY (part)

Austintown Township
Campbell
Coitsville Township
Lowellville
Struthers
Youngstown

HOUSE DISTRICT 59

COLUMBIANA COUNTY (part)

Butler Township
Knox Township
Minerva
West Township

MAHONING COUNTY (part)

Alliance
Beaver Township
Beloit
Berlin Township
Boardman
Canfield
Canfield Township
Craig Beach
Ellsworth Township
Fairfield

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

Goshen Township
Green Township
Jackson Township
Milton Township
New Middletown
Perry
Poland
Poland Township
Sebring
Smith Township
Springfield Township
Washingtonville

HOUSE DISTRICT 60

DELAWARE COUNTY (part)

Ashley
Berlin Township
Brown Township
Concord Township
Delaware
Delaware Township
Dublin
Kingston Township
Liberty Township
Marlboro Township
Ostrander
Oxford Township
Powell
Radnor Township
Shawnee Hills
Scioto Township
Thompson Township
Troy Township

HOUSE DISTRICT 61

DELAWARE COUNTY (part)

Berkshire Township
Columbus
Galena
Genoa Township
Harlem Township
Orange Township
Porter Township
Sunbury
Trenton Township
Westerville

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

MORROW COUNTY (part)
Bennington Township
Cardington
Cardington Township
Fulton
Harmony Township
Lincoln Township
Marengo
Peru Township
Westfield Township

HOUSE DISTRICT 62

CLERMONT COUNTY (part)
Goshen Township
Loveland
Miami Township
Milford
Owensville
Stonelick Township
Union Township

HOUSE DISTRICT 63

BROWN COUNTY (part)
Clark Township
Fayetteville
Georgetown
Green Township
Hamersville
Higginsport
Lewis Township
Mount Orab
Perry Township
Pike Township
Pleasant Township
Scott Township
Sterling Township

CLERMONT COUNTY (part)
Batavia
Batavia Township
Bethel
Chilo
Felicity
Franklin Township

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

HOUSE DISTRICT 65

PORTAGE COUNTY (part)

Atwater Township
Charlestown Township
Deerfield Township
Edinburg Township
Freedom Township
Garrettsville
Hiram
Hiram Township
Mantua
Mantua Township
Nelson Township
Palmyra Township
Paris Township
Shalersville Township
Windham
Windham Township

TRUMBULL COUNTY (part)

Bazetta Township
Bloomfield Township
Braceville Township
Bristol Township
Brookfield Township
Champion Township
Courtland
Farmington Township
Fowler Township
Greene Township
Gustavus Township
Hartford Township
Johnston Township
Kinsman Township
Lordstown
Mecca Township
Mesopotamia Township
Newton Falls
Newton Township
Orangeville
Southington Township
Vernon Township
Warren Township (part)
 Note: Excludes noncontiguous portions circumscribed by the City of Warren
West Farmington
Yankee Lake

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

HOUSE DISTRICT 66

MEDINA COUNTY (part)

Canaan
Chippewa Lake
Gloria Glens Park
Granger Township
Guilford Township
Harrisville Township
Hinckley Township
Lafayette Township
Lodi
Medina
Medina Township
Montville Township
Rittman
Seville
Sharon Township
Wadsworth
Wadsworth Township
Westfield Center
Westfield Township
York Township (part)

Note: Includes the easternmost noncontiguous portion of Precinct A

Note: Includes the noncontiguous portion touching the northern boundary of Lafayette Township Precinct D

Note: Includes noncontiguous portions circumscribed by Medina

HOUSE DISTRICT 67

ASHLAND COUNTY

MEDINA COUNTY (part)

Brunswick
Brunswick Hills Township
Chatham Township
Homer Township
Litchfield Township
Liverpool Township
Spencer
Spencer Township
York Township (part)

Note: Excludes the easternmost noncontiguous portion of Precinct A

Note: Excludes the noncontiguous portion touching the northern boundary of Lafayette Township Precinct D

Note: Excludes noncontiguous portions circumscribed by Medina

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

HOUSE DISTRICT 68

LICKING COUNTY (part)

Alexandria

Bennington Township

Burlington Township

Granville

Granville Township

Harrison Township (part)

Note: Includes the noncontiguous portion circumscribed by Pataskala

Hartford (Croton)

Hartford Township

Heath

Jersey Township

Johnstown

Liberty Township

Madison Township (part)

Note: Includes noncontiguous portion circumscribed by Newark

McKean Township

Monroe Township

New Albany

Newark

Newark Township

Newton Township

Pataskala (part)

Note: Excludes the south-westernmost noncontiguous portion of Pataskala

Precinct 1B

St. Albans Township

St. Louisville

HOUSE DISTRICT 69

COSHOCTON COUNTY

HOLMES COUNTY (part)

Baltic

Clark Township

Glenmont

Killbuck

Killbuck Township

Mechanic Township

Richland Township

Walnut Creek Township

LICKING COUNTY (part)

Bowling Green Township

Buckeye Lake

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

Eden Township

Etna Township

Fallsbury

Franklin Township

Gratiot

Hanover

Hanover Township

Harrison Township (part)

Note: Excludes the noncontiguous portion circumscribed by Pataskala

Hebron

Hopewell Township

Kirkersville

Licking Township

Madison Township (part)

Note: Excludes noncontiguous portion circumscribed by Newark

Mary Ann Township

Pataskala (part)

Note: Includes the south-westernmost noncontiguous portion of Pataskala

Precinct 1B

Perry Township

Reynoldsburg

Union Township

Utica

Washington Township

HOUSE DISTRICT 70

GREENE COUNTY (part)

Bath Township

Beavercreek

Beavercreek Township

Bellbrook

Caesarscreek Township

Centerville

Dayton

Fairborn

Kettering

Spring Valley

Spring Valley Township

Sugarcreek Township

Wright Patterson AFB

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

HOUSE DISTRICT 71

MADISON COUNTY

CLARK COUNTY (part)

Clifton
Enon
Green Township
Harmony Township
Mad River Township
Madison Township
South Charleston
South Vienna

GREENE COUNTY (part)

Bowersville
Cedarville
Cedarville Township
Clifton
Jamestown
Jefferson Township
Miami Township
New Jasper Township
Ross Township
Silvercreek Township
Xenia
Xenia Township
Yellow Springs

HOUSE DISTRICT 72

PORTAGE COUNTY (part)

Aurora
Brimfield Township
Franklin Township
Kent
Mogadore
Randolph Township
Ravenna
Ravenna Township
Rootstown
Streetsboro
Suffield Township
Sugar Bush Knolls
Tallmadge

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

Note: Includes the southernmost noncontiguous portion of Precinct D that touches the Franklin County border
West Rushville

HOUSE DISTRICT 75

CLARK COUNTY (part)

Bethel Township
Catawba
Donnelsville
German Township
Moorefield Township
New Carlisle
North Hampton
Pike Township
Pleasant Township
Springfield
Springfield Township
Tremont City

HOUSE DISTRICT 76

WOOD COUNTY (part)

Bairdstown
Bloom Township
Bloomdale
Bowling Green
Bradner
Center Township
Cygnet
Fostoria
Freedom Township
Henry Township
Jerry City
Lake Township
Luckey
Middleton Township (part)
Note: Includes noncontiguous portions circumscribed by Perrysburg
Millbury
Montgomery Township
North Baltimore
Northwood
Pemberville
Perry Township
Perrysburg
Perrysburg Township

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

Plain Township (part)

Note: Includes the noncontiguous portions surrounded by Bowling Green

Note: Includes the noncontiguous portions that border both Bowling Green and
Center Township

Portage

Portage Township

Risingsun

Rossford

Troy Township

Walbridge

Wayne

Webster Township

West Millgrove

HOUSE DISTRICT 77

RICHLAND COUNTY

HOUSE DISTRICT 78

WAYNE COUNTY

HOUSE DISTRICT 79

CARROLL COUNTY

COLUMBIANA COUNTY (part)

Center Township

Columbiana

East Liverpool

East Palestine

Elkrun Township

Fairfield Township

Franklin Township

Hanover Township

Hanoverton

Leetonia

Lisbon

Liverpool Township

Madison Township

Middleton Township

New Waterford

Perry Township

Rogers

Salem

Salem Township

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

Salineville
St. Clair Township
Summitville
Unity Township
Washington Township
Washingtonville
Wayne Township
Wellsville
Yellow Creek Township

HOUSE DISTRICT 80

MIAMI COUNTY

DARKE COUNTY (part)

Arcanum
Butler Township
Castine
Franklin Township
Gordon
Harrison Township
Hollansburg
Ithaca
Liberty Township
Monroe Township
Neave Township
New Madison
Palestine
Pitsburg
Twin Township
Van Buren Township
Wayne Lakes

HOUSE DISTRICT 81

FULTON COUNTY

HENRY COUNTY

WILLIAMS COUNTY

DEFIANCE COUNTY (part)

Adams Township
Farmer Township
Milford Township
Ney
Tiffin Township
Washington Township

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

HOUSE DISTRICT 82

MERCER COUNTY
PAULDING COUNTY
VAN WERT COUNTY

DEFIANCE COUNTY (part)

Defiance
Defiance Township
Delaware Township
Hicksville
Hicksville Township
Highland Township
Mark Township
Noble Township
Richland Township
Sherwood

HOUSE DISTRICT 83

PUTNUM COUNTY

HANCOCK COUNTY (part)

Allen Township (part)

Note: Includes the noncontiguous portion north of Liberty North and south of the northern border of Findlay Ward 7 Precinct A

Amanda Township
Arlington
Benton Ridge
Big Lick Township
Blanchard Township
Bluffton
Delaware Township
Eagle Township
Findlay
Jackson Township
Jenera
Liberty Township
Madison Township
Marion Township
Mount Blanchard
Mount Cory
Orange Township
Rawson
Union Township
Van Buren Township
Vanlue

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

WYANDOT COUNTY (part)

Carey
Crane Township
Crawford Township
Jackson Township
Kirby
Mifflin Township
Richland Township
Ridge Township
Salem Township
Upper Sandusky
Wharton

HOUSE DISTRICT 84

SHELBY COUNTY

AUGLAIZE COUNTY (part)

Clay Township
Duchouquet Township (part)
 Note: Includes the noncontiguous portions circumscribed by Wapakoneta
 Note: Includes the noncontiguous portion of Precinct E that borders Wapakoneta
 Precinct 3A and Wapakoneta Precinct 3B
 Note: Includes the noncontiguous portion of Precinct W that borders both
 Wapakoneta Precinct 1A and Wapakoneta Precinct 4B
 Note: Includes the noncontiguous portion of Precinct W that borders both
 Wapakoneta Precinct 4B and Wapakoneta Precinct 3A
German Township
Jackson Township
Minster
New Bremen
New Knoxville
Noble Township (part)
 Note: Includes the two noncontiguous portions south of the northern border of St.
 Marys Precinct 4A
Pusheta Township
St. Marys
St. Marys Township
Wapakoneta (part)
 Note: Excludes the noncontiguous piece of Precinct 2B that is along the western
 border of Duchouquet Township Precinct E
Washington Township

DARKE COUNTY (part)

Adams Township

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

Allen Township
Ansonia
Bradford
Brown Township
Burkettsville
Gettysburg
Greenville
Greenville Township
Jackson Township
Mississinawa Township
New Weston
North Star
Osgood
Patterson Township
Richland Township
Rossburg
Union City
Versailles
Wabash Township
Washington Township
Wayne Township
York Township
Yorkshire

HOUSE DISTRICT 85
CHAMPAIGN COUNTY
HARDIN COUNTY
LOGAN COUNTY

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHIO REDISTRICTING COMMISSION**

HOUSE DISTRICT 86

ALLEN COUNTY

AUGLAIZE COUNTY (part)

Buckland

Cridersville

Duchouquet Township (part)

Note: Excludes the noncontiguous portions circumscribed by Wapakoneta

Note: Excludes the noncontiguous portion of Precinct E that borders Wapakoneta
Precinct 3A and Wapakoneta Precinct 3B

Note: Excludes the noncontiguous portion of Precinct W that borders both
Wapakoneta Precinct 1A and Wapakoneta Precinct 4B

Note: Excludes the noncontiguous portion of Precinct W that borders both
Wapakoneta Precinct 4B and Wapakoneta Precinct 3A

Goshen Township

Logan Township

Moulton Township

Noble Township (part)

Note: Excludes the two noncontiguous portions south of the northern border of St.

Marys Precinct 4A

Salem Township

Union Township

Wapakoneta (part)

Note: Only includes the noncontiguous piece of Precinct 2B that is along the
western border of Duchouquet Township Precinct E

Wayne Township

Waynesfield

HOUSE DISTRICT 87

CRAWFORD COUNTY

MARION COUNTY

WYANDOT COUNTY (part)

Antrim Township

Eden Township

Harpster

Marseilles

Marseilles Township

Nevada

Pitt Township

Sycamore

Sycamore Township

Tymochtee Township

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

HOUSE DISTRICT 88

SANDUSKY COUNTY
SENECA COUNTY

HOUSE DISTRICT 89

ERIE COUNTY
OTTAWA COUNTY

HOUSE DISTRICT 90

ADAMS COUNTY
SCIOTO COUNTY

BROWN COUNTY (part)

Aberdeen
Byrd Township
Eagle Township
Franklin Township
Huntington Township
Jackson Township
Jefferson Township
Ripley
Russellville
Sardinia
Union Township
Washington Township

HOUSE DISTRICT 91

CLINTON COUNTY
FAYETTE COUNTY
HIGHLAND COUNTY

HOUSE DISTRICT 92

GALLIA COUNTY
ROSS COUNTY
VINTON COUNTY

HOUSE DISTRICT 93

JACKSON COUNTY
LAWRENCE COUNTY
PIKE COUNTY

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

HOUSE DISTRICT 94

ATHENS COUNTY

MEIGS COUNTY

MORGAN COUNTY

WASHINGTON COUNTY (Part)

Barlow Township

Belpre

Belpre Township

Decatur Township

Dunham Township

Fairfield Township

Palmer Township

Warren Township

Wesley Township

HOUSE DISTRICT 95

GUERNSEY COUNTY

HARRISON COUNTY

NOBLE COUNTY

BELMONT COUNTY (part)

Fairview

Flushing

Flushing Township

Holloway

Kirkwood Township

Morristown

Richland Township

St. Clairsville

Union Township

Wheeling Township

WASHINGTON COUNTY (part)

Adams Township

Aurelius Township

Beverly

Fearing Township

Grandview Township

Independence Township

Lawrence Township

Liberty Township

Lowell

Lower Salem

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

Ludlow Township
Macksburg
Marietta
Marietta Township
Matamoras
Muskingum Township
Newport Township
Salem Township
Waterford Township
Watertown Township

HOUSE DISTRICT 96

JEFFERSON COUNTY

MONROE COUNTY

BELMONT COUNTY (part)

Barnesville
Bellaire
Belmont
Bethesda
Bridgeport
Brookside
Colerain Township
Goshen Township
Martins Ferry
Mead Township
Pease Township
Powhatan Point
Pultney Township
Shadyside
Smith Township
Somerset Township
Warren Township
Washington Township
Wayne Township
Wilson
York Township
Yorkville

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

HOUSE DISTRICT 97

MUSKINGUM COUNTY
PERRY COUNTY

HOUSE DISTRICT 98

KNOX COUNTY

HOLMES COUNTY (part)

Berlin Township
Hardy Township
Holmesville
Knox Township
Loudonville
Millersburg
Monroe Township
Nashville
Paint Township
Prairie Township
Ripley Township
Salt Creek Township
Washington Township

MORROW COUNTY (Part)

Canaan Township
Chester Township
Chesterville
Congress Township
Edison
Franklin Township
Galion
Gilead Township
Mount Gilead
North Bloomfield Township
Perry Township
South Bloomfield Township
Sparta
Troy Township
Washington Township

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

HOUSE DISTRICT 99

ASHTABULA COUNTY (part)

Andover
Andover Township
Ashtabula
Ashtabula Township
Cherry Valley Township
Colebrook Township
Conneaut
Denmark Township
Dorset Township
Hartsgrove
Jefferson
Jefferson Township
Kingsville Township
Lenox Township
Monroe Township
New Lyme Township
North Kingsville
Orwell
Orwell Township
Pierpont Township
Plymouth Township
Richmond Township
Roaming Shores
Rome Township
Saybrook Township
Sheffield Township
Trumbull Township
Wayne Township
Williamsfield Township
Windsor Township

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

GEAUGA COUNTY (part)

Aquilla
Chardon
Chardon Township
Claridon Township
Hambden Township
Huntsburg Township
Middlefield
Middlefield Township
Montville Township
Munson Township
Parkman Township
Thompson Township

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

Ohio's 33 Senate districts are comprised of the following Ohio House districts.

| | | |
|---------------------|----------------------------|-------------------------------|
| Senate District 1: | House Districts 81, 82, 83 | |
| Senate District 2: | House Districts 43, 76, 89 | |
| Senate District 3: | House Districts 4, 5, 6 | |
| Senate District 4: | House Districts 44, 45, 46 | |
| Senate District 5: | House Districts 35, 39, 80 | |
| Senate District 6: | House Districts 36, 37, 38 | |
| Senate District 7: | House Districts 27, 54, 55 | |
| Senate District 8: | House Districts 28, 29, 30 | |
| Senate District 9: | House Districts 24, 25, 26 | |
| Senate District 10: | House Districts 70, 71, 75 | |
| Senate District 11: | House Districts 40, 41, 42 | |
| Senate District 12: | House Districts 84, 85, 86 | |
| Senate District 13: | House Districts 51, 52, 53 | |
| Senate District 14: | House Districts 62, 63, 90 | |
| Senate District 15: | House Districts 1, 2, 3 | |
| Senate District 16: | House Districts 10, 11, 12 | |
| Senate District 17: | House Districts 91, 92, 93 | |
| Senate District 18: | House Districts 56, 57, 99 | Assigned to Senator Cirino |
| Senate District 19: | House Districts 60, 61, 98 | |
| Senate District 20: | House Districts 73, 74, 97 | |
| Senate District 21: | House Districts 19, 21, 22 | |
| Senate District 22: | House Districts 66, 67, 78 | Assigned to Senator Romanchuk |
| Senate District 23: | House Districts 13, 18, 20 | |
| Senate District 24: | House Districts 14, 15, 16 | Assigned to Senator Dolan |
| Senate District 25: | House Districts 7, 8, 9 | |
| Senate District 26: | House Districts 77, 87, 88 | Assigned to Senator Reineke |
| Senate District 27: | House Districts 17, 23, 31 | |
| Senate District 28: | House Districts 32, 33, 34 | |
| Senate District 29: | House Districts 47, 48, 49 | |
| Senate District 30: | House Districts 94, 95, 96 | |
| Senate District 31: | House Districts 50, 68, 69 | |
| Senate District 32: | House Districts 64, 65, 72 | Assigned to Senator O'Brien |
| Senate District 33: | House Districts 58, 59, 79 | |

All of the above assignments of Senators are made pursuant to Section 5, Article XI of the Ohio Constitution.

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHIO REDISTRICTING COMMISSION**

Statistical Information – Ohio House Districts

| House District | Population | Deviation |
|-----------------------|-------------------|------------------|
| 1 | 115,498 | -3.09% |
| 2 | 117,559 | -1.37% |
| 3 | 114,104 | -4.26% |
| 4 | 114,500 | -3.93% |
| 5 | 116,735 | -2.06% |
| 6 | 115,517 | -3.08% |
| 7 | 115,170 | -3.37% |
| 8 | 115,189 | -3.35% |
| 9 | 120,997 | 1.52% |
| 10 | 113,326 | -4.92% |
| 11 | 114,236 | -4.15% |
| 12 | 113,760 | -4.55% |
| 13 | 124,554 | 4.50% |
| 14 | 125,064 | 4.93% |
| 15 | 125,088 | 4.95% |
| 16 | 121,879 | 2.26% |
| 17 | 124,819 | 4.73% |
| 18 | 123,226 | 3.39% |
| 19 | 124,679 | 4.61% |
| 20 | 125,098 | 4.96% |
| 21 | 122,023 | 2.38% |
| 22 | 124,633 | 4.57% |
| 23 | 122,775 | 3.01% |
| 24 | 123,469 | 3.59% |
| 25 | 123,568 | 3.68% |
| 26 | 124,802 | 4.71% |
| 27 | 116,286 | -2.43% |
| 28 | 114,050 | -4.31% |
| 29 | 114,653 | -3.80% |
| 30 | 113,811 | -4.51% |
| 31 | 124,467 | 4.43% |
| 32 | 122,679 | 2.93% |
| 33 | 123,791 | 3.86% |
| 34 | 121,807 | 2.20% |
| 35 | 121,171 | 1.67% |

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

| | | |
|----|---------|--------|
| 36 | 114,991 | -3.52% |
| 37 | 125,125 | 4.98% |
| 38 | 122,075 | 2.42% |
| 39 | 116,366 | -2.37% |
| 40 | 113,280 | -4.96% |
| 41 | 113,996 | -4.35% |
| 42 | 115,350 | -3.22% |
| 43 | 115,804 | -2.84% |
| 44 | 123,473 | 3.60% |
| 45 | 123,472 | 3.60% |
| 46 | 121,992 | 2.35% |
| 47 | 115,745 | -2.89% |
| 48 | 113,975 | -4.37% |
| 49 | 124,555 | 4.50% |
| 50 | 113,841 | -4.48% |
| 51 | 125,115 | 4.97% |
| 52 | 124,642 | 4.58% |
| 53 | 121,772 | 2.17% |
| 54 | 121,704 | 2.11% |
| 55 | 120,633 | 1.21% |
| 56 | 124,454 | 4.42% |
| 57 | 124,671 | 4.60% |
| 58 | 116,292 | -2.43% |
| 59 | 123,105 | 3.29% |
| 60 | 113,964 | -4.38% |
| 61 | 113,860 | -4.47% |
| 62 | 124,425 | 4.40% |
| 63 | 113,544 | -4.73% |
| 64 | 124,731 | 4.65% |
| 65 | 117,025 | -1.81% |
| 66 | 116,342 | -2.39% |
| 67 | 118,575 | -0.51% |
| 68 | 115,385 | -3.19% |
| 69 | 114,369 | -4.04% |
| 70 | 116,643 | -2.13% |
| 71 | 115,026 | -3.49% |
| 72 | 122,012 | 2.37% |
| 73 | 123,971 | 4.01% |
| 74 | 121,539 | 1.97% |

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHO REDISTRICTING COMMISSION**

| | | |
|----|---------|--------|
| 75 | 116,122 | -2.57% |
| 76 | 116,323 | -2.40% |
| 77 | 124,936 | 4.82% |
| 78 | 116,894 | -1.92% |
| 79 | 117,815 | -1.15% |
| 80 | 124,211 | 4.22% |
| 81 | 113,487 | -4.78% |
| 82 | 122,541 | 2.81% |
| 83 | 113,996 | -4.35% |
| 84 | 118,816 | -0.31% |
| 85 | 115,560 | -3.04% |
| 86 | 114,486 | -3.94% |
| 87 | 113,433 | -4.83% |
| 88 | 113,965 | -4.38% |
| 89 | 115,986 | -2.68% |
| 90 | 115,793 | -2.85% |
| 91 | 114,286 | -4.11% |
| 92 | 119,113 | -0.06% |
| 93 | 117,981 | -1.01% |
| 94 | 122,131 | 2.47% |
| 95 | 124,027 | 4.06% |
| 96 | 124,223 | 4.23% |
| 97 | 121,818 | 2.21% |
| 98 | 113,571 | -4.71% |
| 99 | 125,112 | 4.97% |

**A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN
AS ADOPTED BY THE OHIO REDISTRICTING COMMISSION**

Statistical Information – Ohio Senate Districts

| Senate District | Population | Deviation |
|------------------------|-------------------|------------------|
| 1 | 350,024 | -2.11% |
| 2 | 348,113 | -2.64% |
| 3 | 346,752 | -3.02% |
| 4 | 368,937 | 3.18% |
| 5 | 361,748 | 1.17% |
| 6 | 362,191 | 1.30% |
| 7 | 358,623 | 0.30% |
| 8 | 342,514 | -4.21% |
| 9 | 371,839 | 3.99% |
| 10 | 347,791 | -2.73% |
| 11 | 342,626 | -4.18% |
| 12 | 348,862 | -2.43% |
| 13 | 371,529 | 3.91% |
| 14 | 353,762 | -1.06% |
| 15 | 347,161 | -2.91% |
| 16 | 341,322 | -4.54% |
| 17 | 351,380 | -1.73% |
| 18 | 374,237 | 4.66% |
| 19 | 341,395 | -4.52% |
| 20 | 367,328 | 2.73% |
| 21 | 371,335 | 3.85% |
| 22 | 351,811 | -1.61% |
| 23 | 372,878 | 4.28% |
| 24 | 372,031 | 4.05% |
| 25 | 351,356 | -1.73% |
| 26 | 352,334 | -1.46% |
| 27 | 372,061 | 4.06% |
| 28 | 368,277 | 3.00% |
| 29 | 354,275 | -0.92% |
| 30 | 370,381 | 3.59% |
| 31 | 343,595 | -3.91% |
| 32 | 363,768 | 1.74% |
| 33 | 357,212 | -0.10% |

Exhibit #
DiRossi 04
10/19/21 - MP

exhibitsticker.com

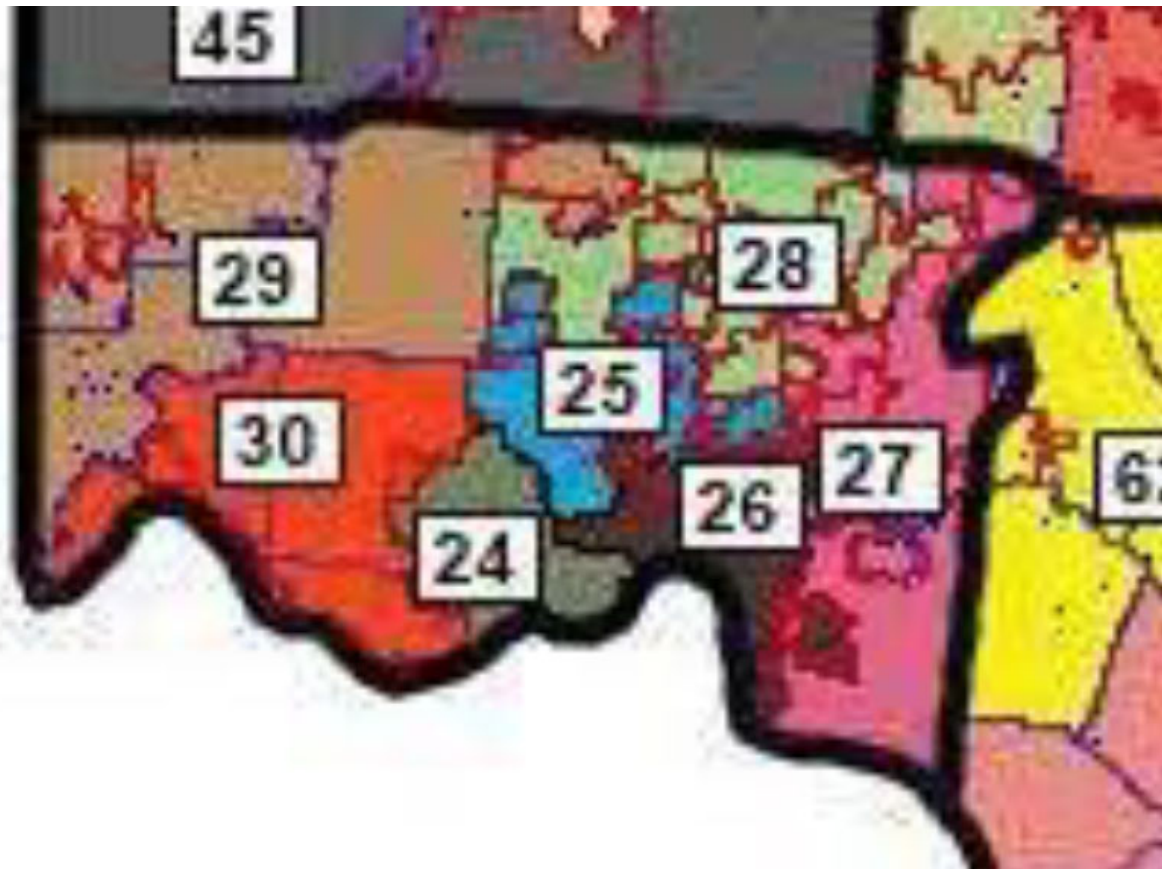
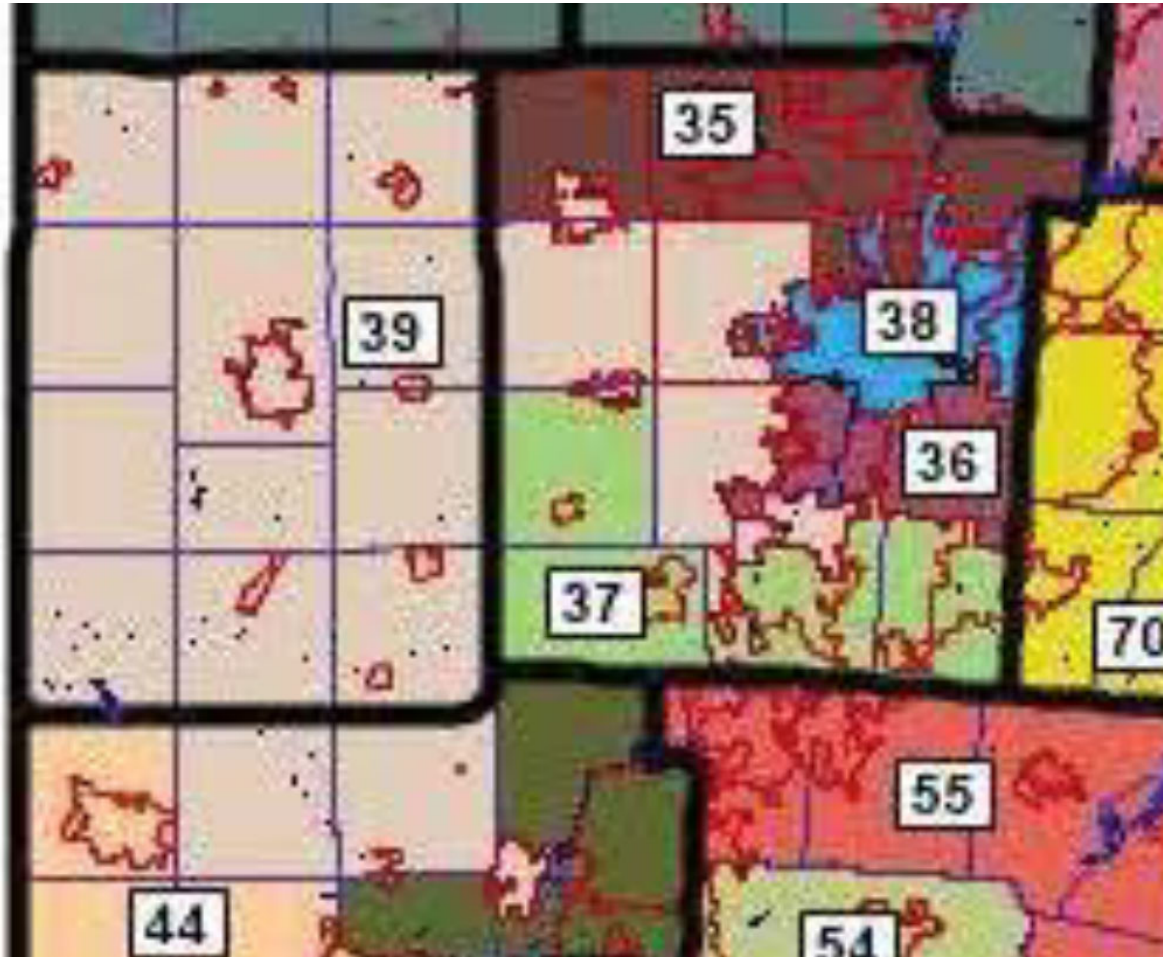


Exhibit #
DiRossi 05
10/19/21 - MP

exhibitsticker.com



Ohio Redistricting Commission - 9-9-2021 - part 1

<https://www.ohiochannel.org/video/ohio-redistricting-commission-9-9-2021-1000am>

State Senator Vernon Sykes [00:00:00] Ohio Redistricting Commission. Will the staff please call the roll.

Staff [00:00:06] Co-chair Speaker Cupp.

House Speaker Bob Cupp [00:00:08] Present.

Staff [00:00:10] Co-chair Senator Sykes.

State Senator Vernon Sykes [00:00:12] Present.

Staff [00:00:16] Governor DeWine.

Governor Mike DeWine [00:00:16] Here.

Staff [00:00:16] Auditor Faber.

Auditor Keith Faber [00:00:16] Present.

Staff [00:00:17] President Huffman.

Senate President Matt Huffman [00:00:18] Here.

Staff [00:00:19] Secretary LaRose.

Secretary of State Frank LaRose [00:00:20] Here.

Staff [00:00:22] Leader Sykes.

State Representative Emilia Sykes [00:00:22] Here.

State Senator Vernon Sykes [00:00:25] With the quorum present, we will meet as a full commission. At this time, the commission will hear public testimony from sponsors of submitted plans and from members of the public on those plans, in accordance with the commission rules in the - in Article 11 of the Ohio Constitution. Under the rules, the sponsor of a complete statewide General Assembly plan may present their plan to the redistricting commission for up to 10 minutes. We will not be taking testimony on incomplete plans or congressional maps. A member of the public may testify on a redistricting plan before the commission for up to five minutes. Should the commission itself vote to introduce a plan at the hearing or a subsequent hearing commission, the commission will hold three additional public hearings around the state on separate days on the introduced plan. We will now begin with our first witness here today. Please state and spell your name for the record.

Senate President Matt Huffman [00:01:32] I'm sorry, go ahead.

State Senator Vernon Sykes [00:01:32] And also, please indicate that if you're testifying as a sponsor of a plan or a member of the public on which you're talking about a particular plan.



overpopulated, will require modification simply because we do no longer comply with the population requirements of the Ohio Constitution. Population shifts are also demonstrated by the change in county populations, for example, under the 2010 census, the population of Cuyahoga County dropped by roughly 114,000 persons. Under the 2020 census, Cuyahoga's population only dropped by about 15,000 persons. Franklin County has continued its growth trend, as has Delaware and Warren counties. Also noteworthy is that Hamilton County grew by over 28,000 people this decade. Generally, the Appalachian region experienced population loss over the decade. An interesting fact for your consideration, if you start in the northeast corner of the state in Ashtabula County and listed each county along the eastern and southern border of the state that lost population, you would end up counting 15 counties in a row that lost population. And not until you reach Clermont County, one county shy of Hamilton County in Cincinnati, would you find a county with a positive growth rate, over the last 10 years. Blake and I want to share some observations with you about the geography of the state, while most of Ohio's 88 counties are relatively square or rectangular, the physical boundaries of Ohio cities, villages and townships are far from pristine. While some townships, mainly in the rural counties of the state, are still square-like, the boundaries of our cities and incorporated areas can take on very odd shapes. And we do have some examples to show and they are included in the packet that was provided to you. And so we'll have those on the screen and also in the packet. So the point I want to make here, and we'll go through these pretty quickly, is that the the geography and the irregular geography of political subdivisions or jurisdictions in the state can lead to districts that take on irregular shapes, especially if one of these jurisdictions with an odd shape is on the outer boundary of a district that is proposed. So the first example on this on the screen is in Stark County - we have three political subdivisions, three cities, Canton, Massillon and Canal Fulton. And you can see that they are far from regular shaped or square shaped like some of our townships and other cities that take on more general shapes. They also have, you could call them tails, but they're sewer, sewer systems and canal systems that are part of the political subdivisions themselves. And so when we're drawing districts, those boundaries have to be maintained or else you are splitting the jurisdiction, something that we are striving not to do. The next example is in Licking County. So what we have on the screen here is the collection of three cities put together. This is Granville, Heath and Newark. And we've just shown you the map of just the geography of the state. But now we're going to add the county subdivisions lines, the township lines and also the city lines. And you can see that that shape is actually the perfect outline of those three cities. So we do have one more example, but again, the point we're making here is that the geography of the state is challenging and the geography of the state takes on irregular shapes itself. Here in Franklin County, where the geography is the most challenging for anybody who has looked at a map. What we are showing in green are the political subdivisions that are not Columbus, Ohio. And there are a number of them, and you can see that they completely circumscribe or encircle, Columbus does, those jurisdictions. And then we have the city of Columbus, which is shown in pink, and you can see it protrudes north into Delaware County. It also protrudes east. And I don't believe it has penetrated the southern border yet, but due to annexation policies, that may not be far off. But you can see this geography presents us with significant challenges in drawing districts and trying to maintain the boundaries of political subdivisions and having them take on irregular shapes. This is a map of the townships of Franklin County, so now we've removed all of the cities and municipal corporations in Franklin County and now you're looking at the remnants of townships. And as you can see, a number of township, Franklin Township, Mifflin Township, Prairie Township, other townships are, somewhat appear shattered into a number of pieces. I think by last count, Franklin Township was in over twenty five pieces, noncontiguous distinct pieces. So this also presents significant challenges when drawing a

district down to the level of detail that the Constitution requires. Thank you, Blake, very helpful. County splits. So redistricting this year is occurring for the first time under the historic amendments to our state constitution approved by the voters in 2015. These amendments provide very prescriptive, detailed but neutral rules for drawing state House and Senate districts. The plan that we are presenting today fully complies with the requirements imposed by the state constitution. We want to highlight a few of those requirements for you. The Constitution requires us to start with the largest counties in the state and proceed to the smallest counties of the state, with population greater than 1.05% of one House district ratio of representation. The constitutional limits determine how counties can be divided depending on their population. I want to take a few minutes and discuss northeast Ohio and I will apologize in advance for the brief recap of history, but I feel this history is important for your consideration of plans before you. Northeast Ohio, this this area of the state has been very challenging to the apportionment boards of decades past. And the specific issue in northeast Ohio is the significantly high concentration of counties that contain enough population to be more than one house district. In fact, 10 counties that stretch from Lorain all the way to the Mahoning Valley create two rings of counties that have additional House district and Senate district requirements. These 10 counties surround Geauga and Ashtabula counties and pin them between Pennsylvania and Lake Erie. This collection of counties is also home to almost 33 percent of Ohio's residents. So we are not dealing with small populations in that quadrant of the state. This mathematical challenge has confronted apportionment boards of previous decades. The 1991 Apportionment Board had no geographic or mathematical solution that was possible to create House districts and Senate districts. There was no mathematical or geographic way to fully comply with the requirements of the Constitution. In 2001, this problem recurred, but a solution was found and implemented by splitting at least one township in northeast Ohio, I believe it was in Trumbull County. In the 2011 map, the current maps that we are operating under, this problem arose again. And like 1991, no constitutional solution was ever found or presented to the Apportionment Board. Which brings us to 2021, which brings us to today. With some additional constitutional requirements under the new constitutional provisions that were imposed on us for creation of House and Senate district, this makes northeast Ohio very difficult, but not impossible. There is a solution this decade. The solution that we are proposing following all of the rules of the Constitution is the pairing of Cuyahoga and Summit counties. Now, those words were pretty easy for me to say, but implementing those proved to be very difficult because combining the populations of Cuyahoga and Summit county, we ended up having to create 15 House districts. And all of those 15 House districts had to be roughly four percent heavy on their population targets. And anybody who is played around or worked on a map knows that coming up with a few districts that naturally, without splitting subdivisions, are that heavy, is difficult. Having 15 of them all together inside two counties is extremely difficult. In addition, the Constitution contains specific language addressing the splitting of counties. The current map, the 2011 House map, splits 39 counties, while the Senate map splits 19. So of those 39 and 19 splits, many are actually required because of various Ohio constitutional provisions, because various Ohio counties contain too much population to avoid being split. The same is true for counties being whole Senate districts. In fact, of the thirty nine current House splits, twenty one are required by the Constitution. On the Senate side, of the 19 split counties that I mentioned, eight are required by the Constitution. It's an important point for the commission to understand that half of the county divisions in the current maps are required by the Constitution. A similar dynamic occurs in the current decade with similar amounts of required splits. We are happy to report that the plan being proposed today significantly reduces the number of split counties. In the proposed House map, we have reduced the number of divided counties from 35- 39 to 35. Well, spoiler alert, I let the number out too early. It is very important to note that 22 of these 35 splits are

required by Article 11, Section 3(C)(1). The county splits not required by that section only number 13 compared to 18 such divisions in the previous House map. Thus, our proposed House map should contain a total of 5 less divided counties than the number divided in the current map. However, because Wood County grew and is now too large to be a single district as it was in the last decade, the net reduction is only 4. Similar reductions can be found in the proposed Senate map that we are displaying. The 2011 Senate map split 19 counties. The Senate map proposed today only splits 13, or 6 less than the 2011 Senate map, a significant reduction. Together the proposal before you reduces this county splits into two plans, the House and the Senate map, respectively, by 10. Splitting cities, villages and townships. The reforms adopted in the Constitution also address what constitutes a split of a city, a village or a township. The Constitution now clarifies that cities, villages or townships are considered split only when a contiguous portion is divided into separate districts. Additionally, a city is not considered split where portions of the city are located in different counties and are placed in different districts. I live in Dublin, Ohio, and Dublin, Ohio is in three different counties. And so that's very applicable there. And I think there are numerous examples of that all over the state of Ohio. Based upon these constitutional clarifications and looking at the 2011 house map, backwards or retrospectively, there are 14 cities or townships in this state that were split. Now, six of them should be obvious to all of us, Columbus, Cleveland, Cincinnati, Toledo, Dayton and Akron. These six cities were, and continue to be, too large to be contained in a single district and therefore must be split according to the Constitution. In addition to those six cities, a total of eight other cities or townships were divided in the 2011 house map. Those included Cuyahoga Falls in Summit County, Massillon and Plain Township in Stark County, North Ridgeville in Lorain, Austintown Township in the Mahoning Valley in Mahoning County, Middletown in Butler, and Mentor in Lake County, and also Brunswick in Medina. We are happy to report that none of these eight governmental units are split in the map that we are proposing. They are all whole and all of the splits have been washed away. In fact, aside from the largest six counties that I mentioned previously, our plan only splits one city and one township. And let me tell you why that is. As I previously mentioned, to implement our Northeast Ohio solution, the remainder of Cuyahoga County, the remainder of Summit County must be paired with the remainder of Geauga County. And if anybody here is familiar with that geography that I just described, all three of those counties meet at one noncontiguous or point contiguous point. The city of Solon was selected to be split in House District 23 to accomplish this constitutional footprint to make the districts contiguous. The only other split jurisdiction in the entire proposal, again noting the big six cities that I previously previously mentioned, is Jackson Township in Stark County. And that is done to ensure that the three House districts are contiguous and meet the population requirements of the Constitution. And again, if you recall, we showed a graphic of some of the challenging geography in Stark County. We had endeavored not to split any jurisdiction, but we felt that it was necessary to conform to the Constitution and follow those guidelines. I want to thank the co-chairs for your time. I know I probably went a little long, but Blake and I are happy to answer any questions that you might have. And thank you for your consideration.

State Senator Vernon Sykes [00:19:42] Thank you, Mr. DiRossi. I'd like to just notify the commission that we did allow him to go over the commission plan and so we did not interrupt the presentation. One question that I have is you mentioned the historic amendments of the Constitution that put in different new requirements. I'd like to know, and you didn't mention this in your presentation, how you satisfy the new requirement in Section 6(B) of the Constitution that deals with the statewide proportion of districts whose voters based on statewide and federal partisan general election results during the last 10 years favor each political party shall correspond closely to the statewide preferences of the voters of Ohio. That is really significant, of course a new provision that you might know

about, as well. It relates to the issue of fairness because within the guidelines you can satisfy compactness, you can satisfy contiguous districts or not splitting districts, and still gerrymander a district to favor a political party. [Applause] So the issue here is whether or not you comply with all of the provisions of the Constitution. This one is special. It has in a special section, compactness is not identified or how it is not enumerated, how you calculate that. But this concept of representational fairness is. And so I'm just wondering how you address that issue.

Ray DiRossi [00:21:35] Co-Chairs and distinguished members. I mean, our our maps, our proposal that we have before you, fully complies with the constitutional requirements. We are conducting an analysis of the election data contemplated by the Constitution. That analysis is ongoing, is not complete as of today, and it is ongoing.

State Senator Vernon Sykes [00:21:57] Incomplete analysis. OK, fair, fair. Any other questions? Yes, Leader Sykes.

State Representative Emilia Sykes [00:22:05] Thank you. To the co-chairs and to Mr. Springhetti and Mr. DiRossi, thank you for the work that you put together, so you could present to us to today. Excuse me. My question is specific to how this current map complies with any provisions of the Voting Rights Act and what provisions of the Voting Rights Act did you consider in constructing this map that you presented or these maps that you presented today?

Ray DiRossi [00:22:33] Co-chairs, Leader Sykes, thank you for the question. We did not use demographic data or racial data in the production of our maps.

State Representative Emilia Sykes [00:22:44] Follow up?

State Senator Vernon Sykes [00:22:44] Yes, please.

State Representative Emilia Sykes [00:22:45] Thank you for answering the question. So are there any provisions of the Voting Rights Act in which you considered while you drew the or why you drew these maps before us today?

Ray DiRossi [00:22:59] I guess I would, co-chairs, I guess I would stand on my previous statement, we did not use racial data or demographic data for the maps, but we feel that the map complies with all the provisions of the Ohio Constitution.

State Representative Emilia Sykes [00:23:14] Follow up?

State Senator Vernon Sykes [00:23:14] Yeah.

State Representative Emilia Sykes [00:23:14] Thank you, I appreciate your answer and I certainly appreciate the brevity of it. Can you explain why you didn't consider any parts of the Voting Rights Act in your consideration of these maps before us today?

Ray DiRossi [00:23:28] Well, I said we didn't consider racial data or demographic data in our maps, but we were directed not to use that data by the legislative leaders and so we did not use it.

State Senator Vernon Sykes [00:23:42] Yeah, go ahead.

State Representative Emilia Sykes [00:23:44] So I would count myself as a legislative leader, and I don't think that I shared that information with you and I - this is not an ambush. This is simply a question. The Voting Rights Act is certainly a part of our election and electoral fabric. And so really just trying to get a better idea of how we are, or not, in compliance with that with these maps. So hopefully we can have some deeper conversations about that. But again, thank you for your responses.

Ray DiRossi [00:24:13] Thank you.

State Senator Vernon Sykes [00:24:14] And just another note, follow up to the Leader Sykes, we just can't leave it to chance. It's prescribed in the Constitution that we comply with it. So you have to have some evidence, has to be intentional or deliberate, some evidence that you comply with the requirements of the Constitution. And by not having that, we just consider your presentation somewhat incomplete. But you said, you indicated is ongoing. Any other questions? Thank you for your presentation.

Ray DiRossi [00:24:50] Thank you.

State Senator Vernon Sykes [00:24:59] The next witness we have is Anastasia Birosh. The next witness will be Gerald Barna. Gerald Barna. The next person to testify would be Susan Jolli. Susan Jolli. Melissa Sull.

Sull [00:26:29] Good morning, Commission. My name is Melissa Sull from Gahanna, Ohio. I vote in Ohio.

State Senator Vernon Sykes [00:26:35] Can you spell your name, please?

Sull [00:26:37] Yep. M-E-L-I-S-S-A Sull S-U-L-L.

State Senator Vernon Sykes [00:26:42] Thank you.

Sull [00:26:45] So I vote in House District 19, Ohio Senate District 3 and Congressional District 12. I testified to this commission on August 27th in Mansfield about our Gahanna Jefferson School District, which is broken into three Ohio House districts. The public has just now only seen a map from this commission this morning. I suffer less than equal representation because of gerrymandering. Today's opportunity for public comment on the proposed map is limited, late and scheduled on short notice in the middle of a weekday. It's troubling that our elected officials are making it increasingly difficult for citizens to participate in the political process. It appears that this commission's majority members have decided to rush through a four year solution rather than work in good faith with the minority party. I suppose the cheating out in the open is a slight improvement over the secretive cheating used in 2011 to create our current district maps. Ohioans have voted repeatedly and in great majorities to have both a voice and fairness in the redistricting process. It appears we will get very little of either. Citizen action through petition is clearly the only way to gain the attention of Ohio's majority party. They have proven deaf to any call for fair, ethical and constitutional behavior on this topic from Ohio voters and the courts. I will be both surprised and appreciative if this commission grants me the equal of representation to which I'm entitled by law. Thank you for your time. [Applause]

State Senator Vernon Sykes [00:28:34] Are there any questions of Ms. Sull? We'd like to ask the audience to please not clap or we in a different form, it's being- This is being live

streamed and for courtesy of everyone, if you would refrain from that, please. Thank you. The next person to testify will be Tommie Radd.

Radd [00:29:23] Good morning, members of the commission. My name is Dr. Tommie Radd. I vote in Ohio Senate District 3, House District 19 and Congressional District 3. I testified on August the 27th in Mansfield and submitted that testimony. The reason I'm here is to voice my appreciation to the minority party for submitting a map before September 1. My disappointment is that the majority party commission members did not submit a map for review, at a minimum. The commission was responsible to work jointly to meet the September 1 timeline. That didn't happen despite hours of testimony and Ohio hearings requesting your diligence to create fair maps, followed the constitutionally required timeline and work fairly as a team. The commission had access to the basic data and could have done the basic groundwork and then plug in the census data to modify the maps per the constitutional requirements. The governor chose to do nothing until the last minute and now the majority members on the commission are just as unresponsive. When I contacted your offices to voice my concern that no hearings were set or a joint map submitted, I was informed to contact someone else on the commission. That is not acceptable. Each commission member is constitutionally responsible for the Ohio redistricting process, maps and end results. Everyone on this commission is accountable for the way they conduct themselves and work transparently with the process. That hasn't happened. The detrimental impact that partisan gerrymandering of our Ohio House, Senate and congressional districts has on our community and state was well documented in the statewide hearings from August that 23rd through August the 27th, 2021. Ohioans voted in record numbers to have Ohio Constitutional Amendments added in 2015 and 2018 to address these inequities. Ohioans expect representative fairness in the new districts and the calculation of those districts to be done fairly and transparently. Gerrymandering is cheating. Drawing maps without transparency is deception. A group of people who need to resort to those tactics must not believe they can win the vote by their ideas and policies to benefit the majority of Ohioans. To gerrymander to create and maintain a supermajority in the House, Senate and congressional representation is wrong. That is the reason the citizens of Ohio stepped up to fix this problem and hold you accountable. The Ohioans voted for you to fix this unfairness and stand for all people now. This redistricting commission has a responsibility to draw fair maps per the letter and the spirit of our Ohio constitutional amendments as demanded by the voters. We expect you to follow the constitutional requirements, hold public hearings to review the maps prior to approval, and to integrate public input into the maps prior to implementation. As a lifelong educator, I taught my students that cheating was not allowed and they needed to follow the rules to the letter and the spirit of the assignment, to be team players when working with the group. So far, you haven't passed that basic requirement we expect of elementary through doctoral students. It's overdue that you do your jobs and know you will be graded on the process and maps you create. The voters stand ready to give you a grade. Thank you for the opportunity to speak today. I appreciate your time and your attention. Have a wonderful day. Thank you for your help.

State Senator Vernon Sykes [00:33:40] Dr. Radd, if I may ask a question.

Radd [00:33:43] Yes.

State Senator Vernon Sykes [00:33:44] Please speak of a fairness. How do- you know this is something that we're trying to get to, this is something we've been charged to do?

Radd [00:33:50] Yes.

State Senator Vernon Sykes [00:33:51] And we'd like to fulfill that commitment. How do you see fairness, what do you mean when you say fair?

Radd [00:33:57] When I see fair, I know that the vote in the last decade has a proportional fairness of what portion of the population voted for Republicans and for Democrats. And that those factors need to be sent into the maps that we project and that we approve. And I'm disappointed that we saw a map this morning, they were obviously ready with AV equipment and printouts, that were not submitted online for us to even give feedback, as did the minority maps. But we're expecting that the voting rights, that minority rights, that the percentages of Democrats and Republicans voting across the state be represented fairly. And that means we have a 45 to 55 percent voting record as it stands right now, in spite of the gerrymandering, which I believe it could be different if it hadn't been gerrymandered. And that's what the voters are expecting and that's what we're watching for and waiting for. I hope that addresses your question.

State Senator Vernon Sykes [00:35:11] Yes it does, thank you. Any other questions?
Secretary LaRose.

Secretary of State Frank LaRose [00:35:16] Doctor, thank you for your testimony.

Radd [00:35:18] You bet.

Secretary of State Frank LaRose [00:35:19] I'm sure that you're aware that the census data was 134 days late.

Radd [00:35:23] Yes, I was. And that wasn't anybody's fault.

Secretary of State Frank LaRose [00:35:27] Well, I would argue that it was the Census Bureau's fault.

Radd [00:35:29] Well.

Secretary of State Frank LaRose [00:35:30] Let me finish my question. The Census Bureau put us at a great disadvantage by being nearly five months late. And we're not the only state that's operating at that disadvantage. Our friends in that state up north just announced yesterday that their redistricting commission is going to be months delayed before they are able to draw their maps or get their maps drawn and passed by the public. The process can't really begin until those census data are received by the various map drawers. My question for you is this, though. I heard a lot of testimony over the week of public testimony that we got that people want us to take our time to collaborate, to work on this. I've heard a lot of outrage over the last few days about missing a September 1st deadline. My argument would be that if we take the time to collaborate and work together, the deadlines are less important than getting the work done right. Would you agree with that?

Radd [00:36:26] It depends, Secretary. My concern is that the basic criteria established in our constitutional amendments has been well established. We had a minority map submitted that we could all discuss and debate on August the 31st. The maps that we saw this morning, if people had been diligent, could have also been made available then. So then the census data could be then established and plugged in to that. But to say we're

going to postpone and not have some kind of conversation within the timeline, we don't see is really acceptable.

Secretary of State Frank LaRose [00:37:13] OK, thank you, ma'am.

Radd [00:37:15] You're welcome. Thank you for the question.

State Senator Vernon Sykes [00:37:17] Are there any additional questions? Dr. Radd, thank you very much.

Radd [00:37:23] Thank you so much for your time and your questions and again for your hard work. We're having big expectations for something that will be acceptable to our Constitution. Thank you.

State Senator Vernon Sykes [00:37:38] The next witness is Debra Sanders, Debra Saunders.

Saunders [00:37:48] Good morning, I'm Debra Saunders. Debra D-E-B-R-A, Saunders S-A-U-N-D-E-R-S, and I am here speaking as a member of the public. I live here in the Columbus area in Dublin, and my Ohio legislative districts are 16 and 21. I provided personal testimony at the Dayton hearing on August 24th. And I also attended the commission meeting here in the state House last Tuesday on August 31st, I will have to say I came away from that meeting pretty disappointed, and it instilled in me a sense of uncertainty if you, the members of the commission, are listening to us. The 70 percent plus Ohioans who have stated clearly to you, our elected officials, that we want and expect fair redistricting by ending gerrymandering while being informed as to how this will be achieved by this commission. First, I commend the Ohio Senate Democratic Caucus in presenting mapping at last week's meeting to demonstrate that it could be accomplished, to be used at least as a working draft for discussion and debate. And it showed a real effort and willingness to present a substantive plan for discussion and debate, for further mapping submissions. And I think it provided a catalyst for next steps and it appears it did compel further mapping submissions, as we saw here today. I feel the September 2nd updated map additions by the Senate Democrats demonstrates a much greater representation of my district within the rogue carve out that position on the street that I live on. It's only a roadway, a Route 33 Riverside Drive. It has no, any, it has no residents on it. It is in a different district than I am in. And it obviously was a conduit to grab residences that are north of where I live. I see the maps. I was sitting in front of the the display this morning and I see the maps that were submitted today by the GOP retains that same carve out. And one might say, with a convenient argument, that it keeps the subdivisions together as required by the Constitution. But, you know, we, the voters of Ohio now expect to see the officially presented maps coming from this commission, not just the Democrat or Republican created maps. Redistricting maps that we, the public can review and then provide comment. Additionally, we want this entire process to be transparent. The short notice for hearings and commission meetings do not provide a confidence that transparency is happening. We expect the commission to provide us how you will get to fair redistricting in a constructive nonpartisan manner with a complete schedule for the introduction of official maps and dates for public hearings, for comment on those maps. Very soon, as the September 15th deadline is looming. Thank you.

State Senator Vernon Sykes [00:41:15] Thank you. Any questions of the witness? Thank you very much. The next witness is Paul Helbly. Paul Helbly. Anastasia Birosh.

Birosh [00:41:57] Sorry, I want to thank you, first of all, for hearing my testimony. I drove down from well, yeah, down, this is down, from Brunswick and I was just kind of like flying down the highway.

State Senator Vernon Sykes [00:42:18] Can you pronounce your name and spell it, please, for the record?

Birosh [00:42:20] Oh, yeah, I'm so sorry.

State Senator Vernon Sykes [00:42:21] Oh no.

Birosh [00:42:23] I'm Anastasia Birosh. And the last name is pronounced like the alcoholic drink beer and OshKosh B'gosh jeans. So it's not spelled that way, but it's pronounced that way. So to the Ohio Redistricting Commission members and co-chairs Senator Vernon Sykes and Ohio House Speaker Robert Cupp, I'm pleased to see members in attendance today. I'm thrilled beyond belief. Thank you for allowing me to submit written and verbal testimony to the Ohio Redistricting Commission. My name is Anastasia Birosh and I currently vote in Ohio House District 70, Ohio Senate District 22 and Ohio Congressional District 16. Brunswick is currently divided between two Ohio House districts, 69 and 70, and two congressional districts, 7 and 16. It's time that Brunswick being one Ohio House district and one congressional district. I testified before this commission on August twenty seventh in Akron and I'm back because I care greatly about having competitive, competitive, I can spell it out if it would assist you all, competitive Ohio Senate and Ohio House districts. I acknowledge that my white privilege affords me the opportunity to travel to and attend these hearings occurring in the late morning and announce at the last possible minute. I'm grateful that on its website, the Ohio Redistricting Commission has a public input tab that when clicked displays a list of all maps submitted to the commission. I'd like to draw the commission's attention to Ohio Senate and Ohio House maps proposed by Jeff Wise and I will hand these out to you. I printed up seven of them last night. Some appreciative of the. OK, so I like to draw your attention to those maps proposed by Jeff Wise. He's a Ph.D. engineer by day and a concerned citizen by night. He's come up with proposed maps that even I, an ordinary citizen with no technical expertise in analytical computations or anything else of that nature, can understand, very helpful to me. He was even responsive, though hurried, when I called him late last night with a few questions, just after this meeting was announced. It was easier to speak with him than it was to speak with my own representative. What he did with his proposal was no small feat, considering the gerrymandered districts drawn up behind closed doors in 2011. In his comments and explanation of the quantitative analysis methodology, he clearly explains how Senate incumbency complicates fixing these gerrymandered districts. He calls them creatively drawn. I'll call them what they are: gerrymandered. And due to this and other factors, tradeoffs and compromise will be necessary in drawing these final competitive maps. In the end, though, his concern, as mine, is more, is drawing more equitable and competitive maps than we were presented with in 2011. I appreciate your time. I thank you for hearing my testimony. If you have any questions, I believe he said he's going to be here at two o'clock. So if either of the technical nature, ask him. If there are of the ordinary citizen nature, go ahead. Do you have any questions?

State Senator Vernon Sykes [00:47:22] Do you have any citizen questions?

Birosh [00:47:26] Nada?

State Senator Vernon Sykes [00:47:27] Thank you very much.

Birosh [00:47:28] OK.

State Senator Vernon Sykes [00:47:32] Susan Cavanaugh. Bailey Kulp. Sierra Dobbs Brown.

Saunders [00:48:07] Hello, my name is Sierra Dobbs-Brown, that's spelled S-I-E-R-R-A my last name is D, as in dog, O-B, as in boy, B, as in boy, S hyphen Brown, like the color. Chair Cupp, Chair Sykes and members of the Ohio Redistricting Commission, as I mentioned, my name is Sarah Brown and I've lived in Columbus, Ohio, for nearly 26 years, my entire life. I am testifying today in support of the maps that were proposed by the Ohio Citizens Redistricting Commission. Currently, I live in Clintonville. I live near a Whit's Frozen Custard. I live near a Luckey's Market. I live near more antique shops than anyone needs. And I also live near the Wetstone Park of Roses. This is somewhere I go often, this is somewhere I can walk to, this is somewhere I see as a pillar of my community. Yet this is somewhere that is not in my district. I'm represented by Senator Andrew Brenner in a district that picks up a small chunk of my more progressive community and sprawls all the way up to Mansfield, Ohio, where there are folks with very different priorities and needs than in Clintonville. Aside from being someone who can't seem to leave this wonderful state, I'm also the Central Ohio Regional Field Manager at Planned Parenthood Advocates of Ohio. We have been in these halls countless times, year after year to speak to members of this legislative body, about the 30 attacks we have seen on reproductive freedom since 2011, only to see this body vote in opposition to the wants and needs of Ohioans time and time again. And I'm here again today on behalf of Planned Parenthood Advocates of Ohio and the hundreds of thousands of supporters that we represent. Ohioans overwhelmingly support access to abortion. But when our district lines were drawn to keep one party securely in power, Ohioans lost. We lost the fair and equitable representation from our elected officials that we are promised as the foundation of a successful democracy. And since 2011, Ohio has lost half of the abortion providers in our state. This loss is directly related to the onslaught of attacks abortion providers have been under at the whim of this legislature. All people, regardless of our **race**, gender, socioeconomic status or zip code, deserve to be able to make the best decisions for our health care. Yet when district maps were drawn that dilute our vote, anti-abortion extremism that is out of touch with what Ohioans want and need only went further. Young people, black folks, other communities of color and queer people are all disproportionately impacted by laws that chip away at our access to abortion. And when we look at the racial and partisan gerrymandering that happened in 2011, these are also the communities that were intentionally cracked apart or patched together to take away their power. I stand before this commission today to state clearly that Ohioans want and need access to abortion. But because Ohio politicians have been picking their voters for the last decade, these needs have not been reflected by this elected body. I hope that as you move forward in the process of redistricting, Ohioans will receive the fair representation we deserve, which is at least 44 Democratic seats in the House and 14 Democratic seats in the Senate. And in turn, we will have a legislature that is proudly fighting to ensure each person can access the health care they need, including and especially access to abortion and all reproductive health care. I thank you for your time and I welcome any questions you may have.

State Senator Vernon Sykes [00:52:13] Any questions? Thank you very much. Mark Erhardt.

Erhardt [00:52:31] Good morning, thank you for allowing me to speak today. My name is Mark Erhardt, that is spelled M-A-R-K, lastname Erhart E-R-H-A-R-D-T. I live in the

Columbia Tuscola neighborhood in Cincinnati. I drove up this morning. I am in the Ohio House 27th, the Ohio Senate 7th and the U.S. Congressional 2nd. I did provide written testimony to the Cincinnati hearing in August. I would want to thank first the Ohio Senate Democratic plan that was available for the public to review. It was very helpful for me to be able to see that and see many, I think, positive changes to the way the current districts are drawn. I would have to admit I was a little bit disappointed this morning in the presentation that I heard. It seemed to focus a lot on certain technical aspects of the changes, but other aspects of the changes, such as the proportional party representation we're not addressing and not yet been studied, and also seemed to miss a bit on the spirit of what the voters of this state have asked for. And so in that respect, I will have to obviously take a detailed look at those. From what I could see, it appears that some of the current issues in my own representation maybe have not been addressed. But again, I'll have to look at that in more detail. I do want to say one thing, and I do agree here with Secretary LaRose on this, I personally believe that, you know, missing a deadline by a day or two in order to allow for public review and input of the process, and particularly bipartisan work on this commission, would be greatly appreciated and wanted by the voters of this state. And if the deadline is missed by a day or two here and there, I think many of us would understand that because what we're really looking for here are the right outcomes and fair outcomes. And as I said, a better process maybe than we've had in the past. Thank you for your time. Any questions?

State Senator Vernon Sykes [00:54:55] Any questions? Seeing none, thank you very much.

Erhardt [00:55:00] Alright, thank you.

State Senator Vernon Sykes [00:55:01] Next witness is Jen Miller.

Miller [00:55:13] Good morning, co-chairs, morning, commission members. It's my honor to be here. I'm the Executive Director of the League of Women Voters of Ohio. I'm sorry to have not gotten you testimony in advance. 24 hours is hard on the general public. It's also hard on folks like us who have full schedules. I'm not here really to talk in great technical details, but I do have a lot of questions. The first thing I just want to mention is that the League of Women Voters of Ohio members love our state. They come from all corners of the state. In fact, we have members in all 16 congressional districts. They love our Democratic Republic. That's why they spend hours and hours and hours registering voters, doing candidate forums, doing everything they can to ensure that our system works. That's why we got out our clipboards in 2015 and 2018, and that is why we worked so hard on those negotiations. And to get those passed at the ballot, I hope that you are seeing the support for ending partisan gerrymandering. I do ask for forgiveness about the applause. I know we don't do that usually in Statehouse hearings. But for those of you that weren't at all of them, I just want to say a few things. The Toledo hearing room had to be moved to a larger space and it was still packed. Cleveland's main and overflow rooms were packed. The Akron hearing went- they had to double or triple the number of seats that came in. And it went over a lot of time, causing the Mansfield hearing to start late. If you were in the Mansfield hearing, you might not have realized that not only was it standing room only, but there were people sitting on the floor. Indeed, nine of the 10 rooms were packed, maybe even more than any of us expected, and overwhelmingly asking for transparency and fairness and a plan moving forward. I hope, I want to bring that up because they're here and they're going to continue to be here. And so I think the more time you can give them, you know for attending hearings, the more information you can give them on the process, I think the less frustrated they'll be. I think that you'll see not only higher quantity, which

maybe some don't want, but a higher quantity of participation, but also quality of participation where they can actually be better prepared. Again, I'm not here to talk about my own technical definitions right now, but I do have questions. And the first is, will we be hearing from political scientists, mapping experts, legal experts? Can we allow virtual testimony just for those experts? You know, there's a lot of questions that need to be defined. And I think part of the frustration, Secretary, is that some of these should have been defined. This commission should have been convened before the data came out so that we could talk about some of these technical questions. But representational fairness, how are we defining that and counting that as Ohio, not just the commission, but all of us? The Voting Rights Act absolutely needs to be considered in this case, in these maps. And in the congressional, I understand we're not talking about congressional, but I will just say that we argued in federal court and won in front of a bipartisan panel that the VRA was wrongfully interpreted last time in the congressional map and caused more vote dilution in minority communities in northeast Ohio than needed for Democratic Party voters. So are we going to be talking about the Voting Rights Act and how that should be applied? Section 5 was brought up by a commissioner last time. That's not a rule that is about how to draw a map, it's about what happens when maps are drawn. Inevitably, there's going to be some incumbents that have pieces of their district in more than one district, their former district, into more than one future district. It's not about a constitutional requirement for drawing maps. It's about how you assign those incumbents once the maps are drawn and agreed upon. Equal population. I'm hearing once again, just like ten years ago, there some argument about how that should really be defined. When are we going to grapple with these issues as a state in a thoughtful, deliberative manner? Will we be bringing in experts to discuss the different pieces so that you as a commission could maybe have the same common understanding of these legal questions? That's one of my questions. The next is and maybe it's on and maybe it's already happened so far, but when will we get the shape files of the proposed Republican maps? When will we get the rest of the analysis? Absolutely, we should have the analysis on what they think in terms of the Voting Rights Act. Absolutely. We should have the analysis on, you know, basically the predictive analysis of how we think the seats will go and if that will be representation the way fair. Those are mostly my questions. And I would say I would prefer not to have a 2:00 p.m. hearing today so that we have time to review the Republican map with some more details. But if that's how you're going to move forward, I understand it. So with that, I'm happy to take questions. And I thank you for your time.

State Senator Vernon Sykes [01:00:51] Any questions? Secretary LaRose.

Secretary of State Frank LaRose [01:00:56] Thank you Co-Chair. Thank you so much for your testimony, would you agree that the outcome is more important than the schedule? That taking the time to get it done right and continuing to strive toward a ten year map is more important than the deadlines? And I recognize the deadlines are important. But this is a judgment call between two different competing and both important things.

Miller [01:01:21] Thank you, Co-Chairs. Thank you, Secretary LaRose. I do. Here's the problem, though, is last week we were a day before a deadline and there wasn't even agreement among this commission. How many maps we're going to you know, how the commission would decide which map to present to the public. We didn't have any idea when these public hearings would be. Again, we hadn't decided what kinds of other issues the commission needed to discuss. So it is hard to just say, OK, we've missed deadlines and that's inevitable when, quite frankly, this commission should have been convened earlier. We should have been doing this work already. And if you were going to make the deadline as the commission, that at least the public understood what the process would be

and how we were really moving forward, those rules were thin. And I think there's still a lack of clarity, potentially even among all of you, but it's definitely among us in the public. And so it doesn't really pass the smell test a little bit. It would be one thing to say, yep, it's going to be late. But but if we started this in July or August, you know, early, well, I should say June or July at least. And we were trying to grapple with these things and we were trying to figure out how to move it forward. Or the day before, yep, we're going to miss it. But this is the process moving forward. It's hard, I think, from the outside to feel trust in this process because of the lack of clarity, because of the lack of preparation. And so I can't just, so I'm with you to an extent.

State Senator Vernon Sykes [01:03:09] Thank you. And also, you know, thank you for your questions, I'm sorry we're not in the position to answer. Let me assure you that the issues of virtual testimony of experts have been discussed between the co-chairs, and representational fairness, how you calculate that, that's been discussed. There has to be, this is a bipartisan process to a certain extent, and there has to be agreement. There has been no agreement on it thus far. Thank you for raising the issue. We'll continue to grapple with those.

Miller [01:03:41] Thank you, Co-Chair. Both Co-Chairs. I'll just say, but we should be grappling with these together. That's what should be happening here, we should be having hearings where we are grappling with these definitions together and we are, you know, no one has actually- Secretary, I'm sorry, Senator Sykes, you have asked for some input on representational fairness, but we should be having experts come in together to talk to all of us.

State Senator Vernon Sykes [01:04:13] Right. Yes?

Auditor Keith Faber [01:04:14] Senator Sykes, Co-Chair, to the witness, you've used the term representational fairness a number of times. I recall very distinctly when this constitutional provision was drafted that that term was never included in the Constitution. So what section of the Constitution are you defining with regard to legislative redistricting that uses the term representational fairness? Are you implying the representational fairness means the number of congressional or looking back over the elections of the last 10 years? Is that what you're substituting the term representational fairness for? Or can you give me a better definition?

Miller [01:04:48] Thank you, Co-Chairs. Thank you, Auditor Faber. Actually, what I'm saying is we need to be having a conversation about how we're defining it. And it is in the Constitution. I'm sorry, I don't have it in front of me, but representational fairness is in the Constitution. I think we need to decide how we measure that. So I could excuse myself and get the or maybe Colin could get it for me. But it is in the Constitution. Yes. Article six.

Auditor Keith Faber [01:05:15] I believe the term representational fairness is not in there with regard to legislative redistricting.

Miller [01:05:22] OK, well, again, Article six, that's what it's capturing, this idea of as we use predictive analysis, past vote in electoral information, that partisan indexing, how the seats we think will go versus how versus the general voting results. And so, again, this is my point exactly is-

Auditor Keith Faber [01:05:53] Which is, Mr. Chairman, which is why I ask the question.

Miller [01:05:54] Yeah.

Auditor Keith Faber [01:05:55] Because we keep hearing these terms bandered about. I think people put different meanings to different things. And that's why I ask the question, because you use a term that I think specifically to legislative redistricting is not in there. Maybe I'm wrong. I'm pretty sure it's not, but-

Miller [01:06:09] Thank you.

State Senator Vernon Sykes [01:06:12] Additional clarification, I was involved also in the negotiation for the inclusion of this concept, and it was clear that we did not want to leave it undefined, the concept or deal with the terms. As I have indicated before, compactness is not defined or how you calculate it. So instead of just using the term phrase representational fairness, we actually spelled it out how it is calculated. So it would be clear for everyone from now on, for what we're talking about.

Miller [01:06:48] Thank you, Co-Chair, and actually thank you, Auditor Faber. I think you're actually making my point. The point actually is that Section 6 A and B are defined, but there's still a lot to be decided in terms of how we really implement that language. Right? There's decisions along the way. So, for example, federal, you know, statewide and federal parties in general election results during the last 10 years. I'm not actually sure, I would argue that what you provided is not exactly that. We should have been having conversations about that piece alone, how the data is used, how the data is cleaned, what data we use to look at these past results over the ten years. That matters. What the term shall correspond closely to the statewide preferences, what do we mean by correspond closely?

Auditor Keith Faber [01:07:45] I agree.

Miller [01:07:46] So this is, that was my first point, was that I wish that we had been talking about this in months ago. And this is my point now is when are we going to have experts, not Jen Miller, but political scientists and legal experts coming and helping us decide together how this is upheld?

Auditor Keith Faber [01:08:07] So, Mr. Chairman, which was exactly my point. And so you, I think we're making the same point. The term has not been defined. It is somewhat nebulous because you can read this differently ways. But it very clearly says you can't draw a district primarily to favor or disfavor a political party, and that in many cases is at odds with trying to draw a certain number of Democrat or a certain number of Republican districts. And so that's where the next provision and this is why when we debate what these things mean, the next provision, provision C, says the district shall be compact. That's not a discretionary term. Compact is, I agree, not specifically defined, but at least those are things that are, in concept, if done, will be drawing districts based on geography and communities of interest and not splitting political subdivisions, which the rules require, which aren't discretionary. When you get to this aspirational section here, I think that's where we need to have a lot more discussion as of how it applies across the maps. And so specifically, now that we're at the point of discussing various maps, because we do have maps and I appreciate it would be nice if this had been done six months ago, four months ago, three months ago, where some of us started having conversations. But at the end, my question is this. To get to the landing field that we're talking about on the 15th and I'd like to see us hit the 15th, we got a lot of things to do between now and then. I'd really like to see bipartisan discussions going on because I want a 10 year map. And so as we go down

that route and we plan to have more hearings, it's helpful if we have specific discussions about maps and where we're going to land, if we're going to land this plane by the 15th. And land it in a way that leads us to a better bipartisan map. So that's my point on some of these things as to what we're talking about. We heard a lot of discussions during our tour around Ohio, and I'm curious to see how those all fit in. And I've done an analysis of all the maps. And so when we go through those, those are going to be things that we want to see and have input as people provide input. But I would just ask future testimony from everybody, and I know your organization has helped deliver and present a lot of testimony. I mean, you certainly have been very active about getting people to share their thoughts and views. I would just encourage us to have specific thoughts and views about whether it's map A, map B, map C, as to how those maps can better meet the concept of making sure that people are represented by somebody - to some extent because you really can't do it 100 percent, you're always going to have somebody that's represented by somebody who doesn't share their extent unless you have 100 percent of people ever agreeing in a district. But that's, I think, our overall goal that all of us have said that's where we want to land the plane. So thank you.

Miller [01:11:05] Thank you, Auditor Faber and Co-Chairs. I'll just say even that Section C. like how we measure compactness, there's different measurements for that, too. So I think it's worth the conversation. 24 hours in advance is not enough time to get experts in to help think about this. Which is why I'm saying could we even have a hearing specifically where we are inviting some technical folks? Can I work with you to help think about some technical folks who might even disagree on how some of these things should be applied or defined, but 24 hours in advance isn't enough time to do that. So that is part of my request.

State Senator Vernon Sykes [01:11:45] Thank you very much, any additional questions or comments? Thank you so much.

Miller [01:11:49] Thank you.

State Senator Vernon Sykes [01:11:52] Ryan Goodman. Mindy Hedges.

Hedges [01:12:27] My name is Mindy Hedges, and it's sort of Mindy M-I-N-D-Y and Hedges like a bush or shrub, H-E-D-G-E-S. Co-chairs, Senator Sykes and House Speaker Cupp, and members of the Ohio Redistricting Commission, my name is Mindy Hedges from Radnor, Ohio. I'm in House District 67, Senate District 19 and Congressional District 12. Thank you for hearing my previous testimony last week when I told you about how our founding fathers and past presidents spoke vehemently against gerrymandering. And also about my rural area, and I'm sort of a fish out of water. But I also spoke about reminding you about my area. It's in a very wealthy county, but our rural area is still without much internet access, water or sewage, renewable energy resources, garbage, health care facilities or transportation, because our House, Senate and - our Ohio House and Senate Representatives know they don't have to care about any of their rural voters. They have their campaign signed, sealed and delivered by a gerrymandered vote. But about this process you've been going through to ensure a fair mapping procedure. I normally don't like to begin any discussion with the negative, but I'm disappointed with how this process has progressed to this point. I'm concerned, therefore, with the process in general, almost less than 24 hours to call this meeting with testimony? On what? There was no map. And then only four hours to ask us for testimony again? With no map? It has made me and many others wonder whether this will be a fair mapping assessment and completion or whether it will be reduced to backroom antics and more gerrymandered, unfair, embarrassing and undemocratic districts. But you see, the voters do have the upper hand.

Don't ever forget that over 70 percent of Ohioans voted to redistrict and we were close to bringing this to a ballot vote. We can and will do this again. Ohioans were sick of being laughed at by the entire country because their district quacked or slithered. They were sick of being ignored by their representative. They were sick of their needs not being met by someone who had no clue even where their Ohio town was on a map. In fact, when I had an initial look at what the map was shown to us today, when you took Westerville out of Delaware County and put it in Monroe County, that makes absolutely no sense. Westerville is a city, a vibrant city, and you took it and put it in a rural county. Makes absolutely no sense whatsoever. And of course, you took what was a vibrant Democratic part of Delaware County and put it totally in a Republican county. Of course, that was done, partisan. So it makes no sense. But I'm more than this negativity, I'm normally an optimistic, not a pest- an optimist, not a pessimist. I believe you will do the right thing for your state, your communities, your friends and your families. Your actions to date have not been driven by a democracy in action. This is not the kind of government you want to hand down to your children or grandchildren. This is not what we were handed down by our grandparents. Let's be real. This appears to be more fascist than it is democratic. Make the right choice and start by really discussing this with your neighbors on both sides of the aisle. And listen to the hundreds who testified over the past 10 sessions. We did this because we want our Ohio back. We want it to prosper, not shrink in wealth. We wanted it to grow, not diminish. We wanted it to prosper, not shrink in wealth. We wanted it to increase in resources for our children and grandchildren so they can prosper. Our younger generation is leaving Ohio because of the politics. Let's help it grow again. Thank you for your time and consideration of my request. Do you have any questions?

State Senator Vernon Sykes [01:17:23] Are there any questions? Thank you very much.

Hedges [01:17:28] Thank you.

Auditor Keith Faber [01:17:33] Chair? I do have a question. To the Chairs.

State Senator Vernon Sykes [01:17:33] Auditor Faber?

Auditor Keith Faber [01:17:35] My understanding is, is we've heard a lot of this is to the chairs.

Hedges [01:17:39] Okay, thank you.

Auditor Keith Faber [01:17:41] My understanding, based on the conversations that my staff have had, is that we do anticipate having other hearings between now on the 15th. Specifically, I think we're trying to do at least three public hearings after a maps introduced or adopted by this commission. So I know a lot of people apparently were confused that there was this was going to count as one of those three public hearings. My understanding from the leadership is that that is not the intent of the Chairs. And I think that might help alleviate some of the concerns, including the concerns I just heard from this nice lady who just testified, that other testimony is going to be available in other hearings to talk about the maps. If I'm mistaken, please correct me. But I think just to clarify that.

State Senator Vernon Sykes [01:18:22] Auditor, you are correct that we do have, and its schedule will be finalized this afternoon and distributed this afternoon.

Auditor Keith Faber [01:18:33] So we are anticipated, just to make sure I'm clear, the witnesses are clear, we are anticipating hearings at some point between tomorrow and

Tuesday or Wednesday that will include at least three other public hearings around Ohio and whatever maps we go forward on.

State Senator Vernon Sykes [01:18:51] Yes, And we understand that the time is still constrained because we have the September 15th deadline, but we do intend to comply with the rules with three additional hearings around the state to review a proposed map by the commission.

Auditor Keith Faber [01:19:11] Thank you.

State Senator Vernon Sykes [01:19:16] Diane Meeves. Carrie Coisman.

Coisman [01:19:43] I'm too tall for this podium. Okay. Hello, commissioners, my name is Carrie C-A-R-R-I-E, Coisman C-O-I-S-M-A-N, and I'm the Ohio Digital Organizer for All On The Line, a grassroots advocacy organization that's working to end gerrymandering. I'm here today testifying on behalf of myself, but also on behalf of all of our volunteers and activists who could not attend today due to the timing of today's hearings and the short notice of when today's hearing would be happening. I'm going to speak on three things today. Firstly, the process and how it has impacted Ohioans, the fact that representational fairness is, in fact listed as a requirement in the Constitution and how I define that representational fairness, and number three, why we deserve both a fair process that is upheld by the Constitution and a fair map that also follows the Constitution. Firstly, on the process, I'm grateful to be able to do this work full time. I'm not a parent, a family caregiver. I am fully vaccinated and I'm not immunocompromised, making it safe for me to be here in this body today. And I live only ten minutes away from Cap Square in Clintonville. All of these factors make my presence and testimony here today possible. But the way that these hearings have been conducted excludes the voices of thousands of Ohioans. Over the last six months I, my organization and numerous partner groups have trained thousands of Ohioans, myself alone, 4,000, about this new redistricting process and how they can engage with this body. I spent hours, and I truly mean hours, every week talking with Ohioans who feel like their government and elected officials do not serve them as constituents, but rather serve special interest groups and elected officials own self-interest. Every day I get calls, texts, emails and social media messages from people from around the state asking the following questions. Why is this process not fair and transparent, when Ohioans overwhelmingly supported the reform measures that promised that our process would be different? Those reform measures were voted on in 2015 and 2018. We voted for this process to be different, but where are the maps? Why is this commission keeping Ohioans in the dark? Why are all the meetings being scheduled at the 11th hour? Why does all of this feel similarly to a broken process like in 2011? Are members of this commission going to gerrymander my community again? Will my neighborhood be cracked apart? Will my urban neighborhood like mine be pulled into a sprawling, rural district? And lastly, and most devastatingly, will my vote count for the next decade? And All On The Line volunteer and proud union member, Erika White, said this at your hearing in Toledo, "Gerrymandering further distance representatives from accountability at the ballot box. But there is hope: gerrymandering is fixable. Citizens across Ohio are fired up about fair maps for redistricting. This could be the political moment to solve these problems and get Ohio back on track for fair representation. Let's fix this today and stop this train on democracy and together try to strengthen the pillars of our democracy." Erika could not be here today because of work obligations and because the commission, again, has failed to live up to the promise of a fair and transparent process by not allowing virtual testimony options in the midst of this pandemic. However, her, excuse me, her words ring true, and I thought it was important to bring them to you

today. Excuse me. Gerrymandering is political cheating, but it is solvable, and that is your duty as members of this commission. Hiding behind excuses of the census delay is no longer valid when this commission has received dozens of maps from Ohioans and organizations who are able to produce maps in a timely manner using the same data set which you all have access to, with staff, I may add. My second piece that I want to talk on is representational fairness, and to answer Auditor Faber's earlier question about representational fairness and how it is cited in the Constitution, Article 6. The Constitution says "No General Assembly district plan shall be drawn primarily to favor or disfavor a political party. The statewide proportion of districts where voters based on state and federal parties in general election results during the last 10 years favor each political party shall correspond closely to the preferences of the voters of Ohio." I grant the auditor that it does not say representational fairness, but as someone who did not go to law school, I even can understand that that is what this article is saying. Ohioans have voted across the decade in a split of 45 percent Democratic and 55 percent Republican. That is an average across the last decade. At first glance, it appears that the map that was just presented today by the majority party actually further reduces adequate representation of Ohioans. If we have any hope of maintaining the promise of our democracy, Ohioans deserve a map that reflects the true partisan makeup of this state, which means our future maps must include at least forty four Democratic House seats and at least 14 Democratic Senate seats. We deserve maps that keep our communities together as much as possible, and especially our major metropolitan communities and Ohio's communities of color, which I was devastated, was not taken into account when the GOP drew their map today or presented their map today. This will ensure that all Ohioans have a pathway to political representation. And I am again disappointed that this commission has failed to provide a map for Ohioans to review until days until our final deadline. And finally, why we deserve both a fair process and a fair map. Missing a deadline is, in fact, a big deal. It is important. These deadlines are constitutional requirements, not just soft suggestions. But keeping their map in the can as long as they did, the Ohio GOP has denied Ohioans a real opportunity to review the maps and to give public input. We are seeing this map just six days before our final deadline. That is not what Ohioans voted for in the reform measures. We are not picking between a fair process and a fair map. We voted for both, not one or the other. It is, frankly, a declaration of duty and an insult to the Constitution that we are being asked by the commission if we would prefer a fair process or a fair map. That answer was made clear in 2015 and in 2018. We are done with backroom deals, lack of preparation and excuses because the majority party is so secure in their power, due to the partisan gerrymandering of the last decade. We are seeing a troubling repeat of strategies that were deployed in 2011 to dilute the political power of Ohioans. This is a sham and an insult to democracy. This process did not have to be rushed. We are running up against the final deadline. This is made obvious again by the fact that maps have been submitted by Ohioans and good government groups in the Ohio Senate Democrats. I hope that when all the hearings are done and you're prepared to adopt a final plan, this commission will have done its due diligence in ensuring that Ohioans voices are heard and fairly not represented, not just the ones that this body picks for yourselves, your friends and your colleagues in the Ohio General Assembly. Thank you. Any questions?

State Senator Vernon Sykes [01:27:25] Are there any questions? Thank you very much. Ann Shroyer.

Shroyer [01:27:41] Excuse me. My name is Ann Shroyer, thank you, commission members, for the opportunity to speak today. My first name is Ann A-N-N, last name Shroyer S-H-R-O-Y-E-R, excellent pronunciation again. Just shout out to Governor DeWine's UT Rocket mask today, I appreciate that as a graduate from there. So as I said,

I live in, my name is Ann Shroyer, I live in Westerville, Ohio, in the 68th state legislative district and the 19th State Senate district. As I pointed out in Lima, my city of forty one thousand is cut into two state representative districts and two state Senate districts, even though we are only 12.7 miles. And the new maps are dividing us again or moving us completely out of the counties that we live in.

Audience [01:28:27] Mask off.

Shroyer [01:28:27] No, I'm leaving mine on, thank you, though. So these unfairly drawn lines leave voters with no real representation, and we demand a fair and transparent end to this, as many have said. The importance of fairly drawn districts cannot be overstated. When district lines are drawn to give extreme advantage to one party or the other, then the true constituents of that legislator are the large donors and lobbyists who can donate and bribe with enough money to bend the ear and get the attention of elected officials. For one example of how this lack of representation affects us, my county, Delaware County, has the highest covid vaccination rate in the state of Ohio. Yet we are represented by a state senator who has been railing against vaccines and masks the entire pandemic. And by the new map that was presented today, Delaware County will be included in the state Senate district with Holmes County, or part of Holmes County because they have such a huge population they have to be split, apparently. And Holmes County has the lowest vaccination rate in this state of Ohio. So just that's just one characteristic that would seemingly not put us in the same district. The state government is beset by a massive bribery scandal, and yet almost the entire state legislature was reelected because gerrymandered districts guarantee their seats are safe, thanks to the district lines that we currently have. And I'll finish with most of the remarks that I said in Lima two weeks ago when I had the opportunity to speak. The lack of true representation, thanks to unfairly drawn districts, can be seen thus. 90 percent of Ohioans, including 87 percent of gun owners in Ohio, approve of universal background checks, and yet this gerrymandered state legislature has made no movement on passing it because the majority have donors in the gun lobby. Columbus has over one hundred and forty two homicides so far this year, again on their way to setting a record, most of them by firearm, and many guns are purchased with no background check at the perpetual gun show on the east side. But the gerrymandered legislature continues to do nothing to pass background checks. Even after Dayton. The legislature did pass the Stand Your Ground, kill at will bill last Christmas at the height of covid death in states. The priority was to protect shooters. The only proponent testimony given at that hearing was from a gun lobbying group, not from an actual voter. The gun lobby groups pay a lot of money directly and through independent expenditures to our lawmakers and get their bills passed, while mothers mourn their dead children. Mothers are shot and killed with their infant children by domestic abusers. That happened less than three miles from my house. And Aisha's Law never made it out of committee in the Senate last year. A mother mourns her daughter, who died by fun suicide less than an hour after purchasing the gun, despite attempts by families to keep her safe, because an extreme risk protection order cannot get passed in this gerrymandered state. We have an entire family shot and killed in a murder suicide in Avon Lake two days ago, less than two miles from my son's grandparents house. An entire family gone by gunfire and maybe Aisha's law or a ERPO could have saved that mother, those children and even the shooter and gotten him help. But yet, because those bills, because ERPO and Aisha's Law do not have a well financed lobbying group to get lawmakers attention, they do not, excuse me, those bills die in committee. Maybe if more mothers had a huge budget for donating to campaigns, we would save, we could save lives with common sense legislation that the majority of Ohioans want. Or maybe fair districts would give mothers a voice in the Statehouse. Mothers will continue to show up and we demand that we have

fair districts to elect lawmakers motivated by their voters. We demand there is a transparent and fair process with well publicized hearings, so I don't have to repeat myself because I didn't have time to realign my testimony. Gerrymandering is killing Ohioans literally, and the new GOP map will continue this tradition. Thank you very much for the opportunity to speak.

State Senator Vernon Sykes [01:32:22] Thank you, are there any questions?

Shroyer [01:32:26] Thank you.

State Senator Vernon Sykes [01:32:29] Zahra Smith. Charles Spencer. Ralph Turek. Andrea Yagoda.

Yagoda [01:33:16] Co-Chairs, member of the commission, thank you for affording me the opportunity to speak today. I did address the members that were present in Mansfield about how gerrymandering directly affected me as an individual. I'm sure I'm not alone when I say this is not the map making process I envisioned when I worked so hard to pass the constitutional amendment and I voted for it. I envisioned a commission working together to review maps that were submitted, discuss them in earnest, and then work together to draft a proposed commission map. So far, what I'm seeing is reminiscent of 2011. No bipartisan discussion, but a back room map drawing process. So it appears to me that all the town halls and these hearings today are merely window dressing to give the impression that the map making process has changed. And Secretary LaRose, I'm not giving you legal advice here, but I understand that other states that ran against deadlines went to their Supreme Court, which ours I think has exclusive jurisdiction, and they asked for an extension. Although I can honestly say after seeing the map today where the Republicans pick and choose which parts of the Constitution they were going to follow in drafting their maps makes me believe that no matter how many more months you had or how many more weeks you had, there wouldn't be a bipartisan commission working together to draft maps. I envisioned a website with a portal whereby Ohioans could not only submit maps, but where other Ohioans could review them and have input. What I found was a hastily constructed website where maps submitted are not labeled. So you have to download, you can't just open the map, you have to download each and every map. And then I have to go look on my hard drive to see, I have to remember the name of the map, then I have to search for it and then I have to open it. Then there is no place for me to comment on that map. It would have been a lot easier if you just posted the maps on Facebook and everyone could have commented on them and this commission could have seen all the public input for all of those maps. Right now what you have to do is keep a list and then maybe put it in your testimony somewhere to comment on each map. That is not a transparent process with input from Ohioans everywhere that don't have to show up at a meeting to testify. They don't have to draft testimony. They could just comment on the map. Even the witness slip is not fillable, so you have to download the witness slip, you have to print to help the witness slip, and then you either have to scan the witness slip, take a photograph of the witness slip. If you're like me and you have a flip phone, you don't take a photograph of that. So if you don't have a scanner, you can't even get your witness slip to this commission. And rule 10 specifically says that in order for me to testify about a map, I must submit and notify you that I plan to testify, in order for me to be able to do so. Why a easy fillable witness list was not included on your website can only show me that you really don't want to hear from us. Why would you make it so difficult? Honestly, as one average person with average knowledge of computer, I really got tired of trying to open the maps and downloading them and I just gave up on the effort and I'm sure that I am not alone. Mr. Faber, you, someone from your office indicated that you had reviewed all of the

maps submitted and I commend you if in fact you did that. But my question is, is even if you did do it, what input did you have that went into either the Democratic submitted map or the Republican map that we saw today? I'm willing to bet that you didn't have any input in that map after reviewing the citizens maps that were submitted by Ohioans. I'm sorry, but I didn't have a chance to write my testimony, but this whole process has been really disheartening for someone who spent days at the Fair District's office reviewing petitions to make sure that they were accurate, scanning petitions, putting data in so we could keep track, for someone who went on street corners on the weekends, went to fairs, stood on street corners, went to farm markets. I got over 3000 signatures on petitions. And it's disheartening to see nothing's changed. I don't see anything that has changed. The failure to submit timely maps, the failure to request an extension from the Supreme Court. You could have moved the primaries and requested that. And I think some of the Democrats had even requested that you, that the Republicans request that, and they took no action. Governor, you failed us by failing to convene this committee back in March or April. [Applause] So a lot of this process could have been done. That was a complete failure. I'm sorry, everyone on this commission knew who was going to be appointed to sit here. You could have, you could have sped this process up. We could have spent this time, instead of doing town halls, talking to the League of Women Voters to define what you needed to do in these maps. I'm sorry. There are no excuses. We are tired. You are not going to silence me for the next 10 years. I have had enough. Ohioans have had enough. We did not vote for this. We all, we all worked hoping that you would act in good faith and do what the voters want you to do. This is not what we voted for. This is not the process. This is not acting in good faith. This is not a meaningful process. This is just a charade to make it look like something's changed. I hope, I hope and pray to God, that you prove me wrong in the next few days. But really, I don't go to bed tonight thinking that that's going to be the case. Thank you for giving me the opportunity to speak. I'd be glad to answer any questions. I will try to get something in writing to you, but I have a life too. And when you give me 24 hours notice, I have to decide whether I want to spend my time writing something or spend my time coming to a hearing. Does anyone have any questions?

State Senator Vernon Sykes [01:40:16] Any questions?

Yagoda [01:40:17] Thank you.

State Senator Vernon Sykes [01:40:18] Thank you. Oh, excuse me, there is a question. Leader Sykes?

State Representative Emilia Sykes [01:40:24] Thank you, to the Co-Chairs, and thank you for your testimony and I appreciate your passion and sharing exactly how you felt with us. It is deserved, for sure. Moving forward, what could this commission do to help satisfy your concerns about what has not happened and what should be happening, to make you feel like your work was not done in vain? And the voters in both 2015 and 2018 who requested a new way and new process would feel like they are being respected in their wishes are being granted?

Yagoda [01:41:05] Well, first, I don't think we get to pick and choose which constitutional amendments. I had hoped, I think it would have been great if we could have been on the Ohio Channel, even if we couldn't appear and we could see you folks discussing maps. Pull up, I don't know, a lady just brought a map in that was submitted. If I could see this committee say, oh, you know what? We've got a map from John Doe. Let's discuss what's in that map. Let's discuss the pros and cons. There should have never been a Democrat map and a Republican map. Because you know what I see when I see that? And I don't

mean to insult anybody on the commission, but what I see is, I see this majority saying, you know what, we don't really give a damn what the minority says. This is the map. We have the majority and this is what we're doing. I think what would have been, people would have had more faith if we didn't be talking Republican maps and Democrat maps. But really, this commission, I think you had indicated at one of the hearings, it's probably the last one, when are we going to work together on a map. And when a map is produced and it doesn't and the person comes in here today and says, we didn't even consider, you know, representational fairness or how Ohioans voted in the last ten years. That does not give me any faith whatsoever in this system. So I think what we need to see is we need to see this body that we, we, created through a constitutional amendment, we need to see you publicly speaking together on what your objections are to the maps, how you're going to change the maps, not just bring us something and say this is our map. We need to see the bipartisanship, we need to see the discussions of this commission. We need the transparency which we're not seeing now. We're just seeing, we're not seeing anything. We're just seeing this charade that you bring us here really so we can vent. That's what I see. You just bring in here so we can vent. No offense, I can make you listen, but I can yell out in this mic and get your attention and make you listen, but I can't make you hear anything that we're saying. And I think that we don't believe you are hearing anything. We called your office, Governor DeWine, and we begged you to convene this committee. If you had done so, we'd be a lot further along in this process. And now it just, it seems like you're just spinning wheels. So I think we need to see you. You want to say we're going to be bipartisan? Secretary LaRose, you say you want that? Why aren't we seeing it? Why aren't we seeing this commission work together in a bipartisan manner? I don't know if that answers your question, but thank you.

State Senator Vernon Sykes [01:43:59] Thank you. Any additional questions? Thank you. Sha'tisha Young.

Young [01:44:14] Hello. One second here. I apologize for my voice being shaky, public speaking makes me really nervous, but I'm here anyways because I think it's important that you all hear from me. So my name is Sha'tisha Young. That's spelled S-H-A apostrophe T-I-S-H-A, Young Y-O-U-N-G. I am from Xenia, Ohio, and I am here today because I was around 15 the last time the maps were drawn. And since then I have watched time and time again as my fellow Ohioans have suffered under a series of maps that were drawn behind closed doors and with a sense of secrecy that we should not be seeing in modern day politics. More often than not, it seems, my colleagues, friends, family and I find ourselves at the Statehouse protesting for our basic rights while a group of people who could never truly represent me, even if they wanted to, and they clearly don't, continue to legislate based on their own personal beliefs and the wants of those who line their pockets. In 2019 in Dayton, Ohio, I stood in a crowd of mourners and listened as Governor Mike DeWine and other elected officials promised to do something about the gun violence we had just seen tear apart a community and by extension, our entire state. Earlier this year, I watched in horror again as DeWine and his fellow Republicans signed a Stand Your Ground bill into law, despite the wishes of experts and advocates within our community, effectively endangering the black and brown people of this state. Our elected officials are meant to represent the people and are meant to advocate for the betterment of all Ohioans. Clearly, this is not what has been happening at the state in recent years. Since our maps were last drawn, the GOP have won around 55 percent of the statewide vote, as others have said today, but have managed to walk away with supermajorities in both state legislative chambers. They hold an alarming 75 percent of Ohio Senate seats. That's not fair or reasonable. At the start of this process, I had incredibly high hopes that you would honor your commitment to bringing fair maps to Ohioans. But after seeing you

all skip meeting after meeting and miss deadline after deadline only to present yet another set of hearings held during the work day, when the people you need to be hearing from the most are working to provide for their families. And it's become abundantly clear to me that this is not the case. Ohioans are not going to suffer through another 10 years of gerrymandered maps that value the votes of some over others. We are watching and we are awaiting. Thank you for your time today and I can answer any questions.

State Senator Vernon Sykes [01:46:51] Thank you. Are there any questions?

Young [01:46:52] Thank you for your time.

State Senator Vernon Sykes [01:46:55] Thank you very much. Is there anyone else that would like to testify this morning? Please come forward. We don't have a witness slip for you, but when you finish if you could complete one, that would be great.

Ahern [01:47:19] Sure, yeah, I appreciate that. I didn't want to walk in front of everyone to fill out the slip. My name is Mike Ahern. I live in Blacklick, Ohio. I'm in House District 20, in the Senate District 3. And I do have written testimony that I'll submit online.

State Senator Vernon Sykes [01:47:38] Thank you.

Ahern [01:47:40] I did submit testimony down in Rio Grande. There was representation of voters down there and I came prepared today to talk a little bit about the map that had been submitted by the Democrats at the previous hearing. I saw the presentation this morning, and I'm going to submit this hard copy and let you consider it. It is comments on the map and proportionality, compactness, all that. But I guess I'll just make two highlight points to try to shorten things up here a little bit today. The first is, and this is related to my prior testimony, I just want to highlight to the commission members that were not down in Rio Grande. And I really appreciate Co-Chair Sykes traveling from northwest Ohio to southeast Ohio. You are part of a larger process, as you all know. Ohio elections are run in a nonpartisan fashion, they're run by Democrats and they're run by Republicans. And during the time that people are doing that work, they set aside their party, they do their best to do their job in a nonpartisan fashion so that we have free and fair elections, in Ohio, okay? This past November, there were people that suited up because they knew that they were going to be exposed to people with COVID-19. People that felt so strongly about their ability to vote, that they came to the polling locations sick so that they could vote. And there were people like these folks in this picture, I'm going to give these to you so each of you can look at them, keep them in mind, that processed their vote at a risk to their health. So I'd like you to keep that in mind as you're considering these maps. Nonpartisanship should be a driver in this process because it's a driver in the entire rest of the process. Set aside your political parties. And create districts that are fair, that are competitive, that represent the will of the voters because the voters are the source of power, you're the representatives and I appreciate the service that you all provide. But please listen to all these people from all corners of the state. That are demanding representational fairness through districts that are drawn fairly. Win your elections based on the strength of your arguments, not based on cheating through gerrymandered districts. Second item that I'd like to highlight, I just want to make sure I heard this correctly, when the staff for the Republican Party presented the map this morning, there was a question about consideration of the Voting Rights Act, whether that was included as part of the analysis of drawing up their maps. Did I hear correctly that they were told or requested by some leadership, either in the Statehouse or even on this commission, to not consider that information? Wouldn't that be a bedrock item? To include as consideration in drawing

maps rather than focusing on geography and township lines. I hope I didn't hear that correctly. Thank you.

State Senator Vernon Sykes [01:51:46] Thank you. Any questions? Thank you very much.

Ahern [01:51:51] Thank you.

State Senator Vernon Sykes [01:51:52] Is there anyone else who wants to testify? Come forward, please.

Dyke [01:52:12] Hi, some of you, well probably only two or three of you, will recognize me from the Cleveland hearings because that's all that bothered to show up that was on this commission. My name is Susanne S-U-S-A-N-N-E, Dyke D-Y-K-E. I am from Cleveland Heights. I drove here from Cleveland and as I mentioned in my testimony in Cleveland, I gathered signatures for fair districts. I am an activist and advocate and I am going to hold all of your feet to the fire, especially the majority party to get these maps the way we thought that they would be created. I did not prepare testimony until I came here because of the lasy minute nature of this meeting. I am here, though, to represent teachers who need to be at their jobs today. People, doctors, nurses, because we are in the middle of a pandemic. Some of you seem to have forgotten that. People who are at work, people who can't drive, people who are in a high risk category and can't take the chance to be in this room because you who are not wearing masks, don't care enough about your constituents to protect them from disease. People who have appointments they can't cancel without penalty or charge, people who are waiting for the appliance repair person to show up because they've been waiting for two months for their dishwasher to be repaired during the pandemic. People who can't find last minute day care. And I'm here for all of those thousands of volunteers and Ohioans who wanted to see a change, which we are not seeing here today. And by the way, I wanted to just acknowledge Andrea Yagoda. Her testimony was so powerful. I don't think I could follow that up, but thank you. But anyway, like I said, I can't comment on the maps because I was driving from Cleveland when they were presented. But I will comment on the process and I have a number of questions. And in probably ninety nine percent of the case, I am addressing the majority party. And I would like you to listen. This commission, the majority party on this commission, is unprepared to do these maps. You are not doing what your voters who voted for you want you to do. You are not serving the public. You're not acting in good faith. I'm still still still livid that Speaker Cupp could only bother to be at two meetings, that's 20 percent. That's usually a failing grade, anything under five, which is almost all of you on this commission. That's a failing grade. Either you don't care about this process or you're definitely, I can't imagine why that you'd even be taking this process, that you are even taking this process seriously. Very frustrated by that. As Andrea mentioned, your website, your own offices can't find things that your people within your office have posted. I called yesterday to ask a question about Attorney Blessing. No one could find it on the website, but she had posted information on the website that led us to be confused about the purpose of this meeting today. Sloppy, rude and disrespectful to the public who you work for, I have to remind you that, and pay your salary. You all work for me, whether I am in your district or not. We got different answers yesterday from every single legislative office about what these meetings were about - your own offices didn't know. And Senator Huffman, your office seemed to have the best knowledge, but is that, why is that? Is that because you are running the show here, not the co-chairs? Well, it sure feels that way. You are being disrespectful to those who have fought for decades, years, months to stop you all from cheating. You act indignant about not being able to meet deadlines, but unpaid regular citizens are doing a

better job than you are, and there is no indication that the delays are resulting in a better map and it surely has not resulted in a better process. You have had the time, you have squandered. Every single majority member on this commission, you have squandered your opportunity. You are doing the bare minimum and not in the spirit of what voters voted for, and this meeting is a prime example. You're still cheating, it's just not in a hotel room, maybe it's in the Statehouse. How can you expect, people like, oh, why you are so angry, how can you expect us to trust this process? You or this process? Anyway, so here's my questions. Why did you wait so long to get started? There have been funds available since 2019 to start this process. That, the census wasn't even a problem back then, okay? You could have started, but you didn't. Why? My guess is because you intended to not actually follow, to follow the bare minimum of the rules. Why would the Dem Co-Chair or anyone else in this room be in the dark about the maps you showed this morning? Was it, why was it a secret, who is drawing your maps? You knew who it was, why couldn't you release that to the public? I don't understand. This is very confusing. Why wouldn't you, I am assuming that many of the, at least the minority party on the commission, had no idea who was drawing your maps. Why is that? Are you guys not working together? I'm confused. This is a commission. You guys are supposed to be working together. Why not? When will you take responsibility and work together instead of making excuses? I've been calling your offices since March along with some friends of mine, and every single time there was an excuse. Oh, the census data. Oh, the budget. You didn't have to say this, but yeah, you were also conspiring to to create anti voter legislation. All right. You focus on everything but what was the most important thing that you could do in the net for the next 10 years. You blew it off. And I'm disgusted as a citizen of the state. The recent hearings showed that the public demands fair maps. Are you all working across the aisle to make sure that that happens? Are you? Based on what we're seeing, you're not, and again, a failure on this commission. Why is anyone in charge who failed to attend the hearings, the 10 hearings that you had across Ohio? And sent their B team on a regular basis, their J.V. You have once again disrespected - why are you even on this commission? You're not fulfilling your duty to show up to a meeting with Ohioans unless it's in your own hometown. And then I'd like to know is why does it appear that Senator Hoffman is running the show when there are bipartisan Co-Chairs? And why do the bipartisan Co-Chairs not seem to be talking to each other? And I rest that on you, Speaker Cupp, to reach out and do more than sit next to your counterpart and your colleague. I say that if you didn't bother to show up to any meetings like you, Senator, Governor DeWine or anyone else on this committee who showed up to less, commission who showed up to less than five, you don't deserve to be, to keep your office, number one. And number two, I think you really need to step aside and let someone else do a better job than you can. Finally, my last statement is all of this just leads me to believe that the majority party is still cheating and just not in a hotel room, that's all. Any questions?

State Senator Vernon Sykes [02:01:43] Any questions of the members? Thank you very much. Is there anyone else that would like to testify? Is there anyone else who would like to testify? Come forward. State your name and spell it, please.

Reese [02:02:14] Good afternoon. My name is Deidra Reese, that spelled D-E-I-D-R-A, last name R-E-E-S-E, and I'm here representing the Ohio Unity Coalition regarding the Ohio redistricting process. It is our belief that democracy is a fundamental cornerstone of America, that we are still a nation seeking to be a more perfect union. We were built on solid ideals of freedom, liberty and the concept of true representation. Ohio voters spoke loudly when they passed not one but two constitutional amendments, changing the way district lines are drawn for legislative and congressional district maps. While no process is perfect, the new process offers a great improvement over past processes for drawing

district lines by two major elements: keeping communities together and requiring bipartisan support of maps. The Ohio Coalition on Black Civic Participation, or the Ohio Unity Coalition, engages in black civic participation in elections with the goal of electing candidates who will best represent their interests. However, if politicians are able to select their voters through gerrymandered districts based on partisan criteria, it undercuts the true purpose of our voting process. We are aware that we will lose one congressional seat due to the 2020 census, and we're particularly sensitive to the lack of representation of people of color in our legislative bodies. Currently, there is only one majority minority district in Ohio, and I guess we're using this term minority opportunity districts. And there are only two districts represented by people of color, though one of them is vacant right now, in the United States Congress. In the Ohio General Assembly there are 20 districts represented by minority members. That representation is twelve and a half percent and fifteen percent, respectively. According to the 2020 census, the Ohio minority population in total, including African-American, Hispanic, Asian, Pacific Islander and Native Americans, is 24 percent. While that current minority representation of the populist population is underrepresented in the General Assembly by six percent, and nine percent in the Congress, this is an opportunity to consider districts that reflect the true population of the people who live in the districts, as well as the issues and concerns that bind them together by their experiences. I was sitting at home watching this presentation on the phone and I was greatly disappointed. And that's a very weak word really, for what I was feeling when I heard the presentation by the Senate Republican caucus, that they did not even consider racial data when drawing the lines. I feel invisible, I feel as if I don't matter. I feel as if other people of color don't matter at all as they were presenting their map. And I just I raced down here, you probably saw me rushing in the room. That's why I'm out of breath, because I need to come here and stand before you and tell you that I feel invisible, that numbers say I'm underrepresented. But I feel very, very disgusted by the fact that someone was told not to use that data in drawing those lines. And I'm certain I'm expressing that for other people of color. When you're in this process right now, it's disgusting. It's absolutely disgusting and demeaning that someone would say, don't even consider me when you're drawing lines to represent me and other people who look like me. Race, ethnicity, economic status and educational attainment are often factors that are similar enough to require a voice that will represent a unique and needed view in the halls of government. The Voting Rights Act, and indeed several SCOTUS decisions, say that you can allow consideration of race as a criterion, along with other issues of common interests. In a season of significant racial and economic disconnect and division, it is imperative that there be voices to raise concern and voice concerns of a significant portion of the citizens of this state. It is my sincere hope that as this commission conducts its work, that there is consideration for at least one majority minority congressional district in our state and consideration of that representation for our legislative districts as well. There have been very spirited discussions of issues that have centered on sensitive historical and current racial dynamics that require a voice in policy debate and discussion, but more importantly, decision making. As this body deliberates the redistricting in our state, please do not adopt a colorblind approach that ignores the complex experiences that are at times are unique to the racial diversity in our state and should be represented in our halls of government. The new system affords you the structure to meet this request, and I hope that you will provide that fair opportunity. Because until we are colorblind in outcomes, some of some of which are still tied to class, race and geography, our diversity should be embraced so that we can all benefit from our differences and learn what we share in common. As we talk about representational fairness, partisan fairness cannot be the only person considered. Communities of color also deserve representational fairness that has been grossly lacking in our political discourse. While I'm keenly aware that the concept of minority opportunity districts and maps that I have seen thus far, opportunity does not

often translate from potential to reality. I ask that this body be deliberate in its action to assure the ability for communities of color to truly impact and influence the outcome of elections and more importantly, those who will ultimately represent them in the Congress and state legislature. Those current levels of underrepresentation of six percent in the General Assembly and nine percent in Congress are out of step with our diversifying population. I implore you to take this opportunity using the Supreme Court approved policy to use racial data as one of your criteria to consider as you draw the new maps. I hope this information is not new to you as this testimony was submitted to this body in written form for the Zanesville hearing. In closing, I would like to thank you for the opportunity to share this testimony and wish you much success in this tight time frame to create a fair and equitable districts that gain bipartisan support. Thank you very much for the opportunity to stand before you today, and I hope I can answer any questions.

State Senator Vernon Sykes [02:09:41] Are there any questions to the presenter? Seeing none, thank you very much.

Reese [02:09:46] Thank you.

State Senator Vernon Sykes [02:09:48] Is there, are there any others that- yes, come forward. Are there any others after this person speaks? Okay.

Halaiko [02:09:59] Co-Chairs and members of the commission, thank you for this opportunity to testify, I'm sorry I did not turn in written testimony. I will have some and I will fill out a slip. I just have a couple of questions.

State Senator Vernon Sykes [02:10:16] Can you state your name, please?

Halaiko [02:10:18] Yes, my name is Mike M-I-K-E. Last name is Halaiko, H-A-L-A-I-K-O. Officially, my first name is John. I did get to testify at Zanesville and I was quite honored to do that. I saw one member of this commission at every public hearing. And I want to thank you, Co-Chair Sykes for being there. I just have, I want to go back to the beginning of the meeting. And with all due respect, one of the statements that we hear is that the census data was late. And I would like to ask, Secretary LaRose, why was that census data late? Anybody? Co-Chairs, anyone?

State Senator Vernon Sykes [02:11:22] Secretary.

Secretary of State Frank LaRose [02:11:22] Co-chair, I get I accept that the Census Bureau's explanation for why it was late had something to do with the pandemic, but the fact remains that it was egregiously late, by orders of magnitude.

Halaiko [02:11:37] OK, thank you. You know, there was great excitement in the meetings, the public hearings. I came here on August 31st. And I have to tell you, quite frankly, it's a little depressing to see. That, you know, the people of Ohio have spoken. What is it going to take? This is a bipartisan commission. And I listen to Senators Emilia Sykes ask this question, what is the timeline? What, you know, asked a simple question, how are we moving forward? And I don't know if we have an answer to that yet. That was how many days ago, how many days we have left to the second constitutional date? I just want to ask one more question, okay? It's a bipartisan commission. Outside of August 6th, August 31st, and this date, how many bipartisan meetings have you had? Anyone? Well, thank you for this opportunity. No questions?

State Senator Vernon Sykes [02:13:10] Are there any questions? Seeing none, thank you very much.

Halaiko [02:13:16] Are there any answers to my questions?

State Senator Vernon Sykes [02:13:20] We'll continue to work on it.

Halaiko [02:13:21] Thank you.

State Senator Vernon Sykes [02:13:25] Are there any comments to be made by any of the members of the commission? Seeing no other witness to be present here today, no further business to be brought before the commission. The commission is adjourned.

Article XI, Section 6 | Additional district standards

Ohio Constitution / Article XI General Assembly Redistricting



Effective: 2021

The Ohio redistricting commission shall attempt to draw a general assembly district plan that meets all of the following standards:

(A) No general assembly district plan shall be drawn primarily to favor or disfavor a political party.

(B) The statewide proportion of districts whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party shall correspond closely to the statewide preferences of the voters of Ohio.

(C) General assembly districts shall be compact.

Nothing in this section permits the commission to violate the district standards described in Section 2, 3, 4, 5, or 7 of this article.



Ohio Redistricting Commission - 9-15-2021

<https://www.ohiochannel.org/video/ohio-redistricting-commission-9-15-2021>

Co-chair Speaker Robert Cupp [00:00:00] Call to order this meeting of the Ohio Redistricting Commission. I ask the staff to please call the roll.

Clerk [00:00:08] Co-chair, Speaker Cupp (present), co-chair Senator Sykes (present), Governor DeWine (here), Auditor Faber (here), President Huffman (here), Secretary LaRose (here) Leader Sykes (here).

Co-chair Speaker Robert Cupp [00:00:22] We have a quorum and we'll proceed as a full commission. I think let's... We have some minutes that we maybe have not approved yet. There's minutes from the meetings of August the 31st, September 9th at 10 a.m. and September 9th at 2:00 p.m. They are before you. Is there a motion to accept the minutes as presented?

Senate President Matt Huffman [00:00:46] So moved.

Co-chair Speaker Robert Cupp [00:00:46] Is there any objection? Seeing and hearing none, the minutes of the previous meetings stand as accepted. Senator Huffman, for a motion.

Senate President Matt Huffman [00:01:01] Thank you Mr. Co-chair Cupp. At this time, I move that the commission stand in recess.

Co-chair Speaker Robert Cupp [00:01:08] Until...?

Co-chair Speaker Robert Cupp [00:01:09] Pardon me?

Senate President Matt Huffman [00:01:10] Until 3:00 p.m., I believe.

Co-chair Speaker Robert Cupp [00:01:14] It's so moved. The commission will be in recess until 3:00 p.m.

House Minority Leader Emilia Sykes [00:01:20] Mr. Co-chair?

Co-chair Speaker Robert Cupp [00:01:22] Leader Sykes.

House Minority Leader Emilia Sykes [00:01:23] Thank you. Thank you. Mr. Chair, if we could just... Obviously we have people who are anxious to understand what is happening next. So for the benefit of those who are here and perhaps watching, could we have a bit of a discussion of what the recess will entail and for what purpose are we recessing?

Co-chair Speaker Robert Cupp [00:01:42] We will be recessing so that we can continue some consultations that are going on, some work that is being done on the map for the finalization that needs to be done, as well as any changes that might be considered in the interim. Is there any objection to the motion to recess? Hearing none, the commission is recess till three o'clock.

Co-chair Speaker Robert Cupp [00:02:17] Pursuant to the recess, the meeting of the Ohio Redistricting Commission will come back to order. A little leftover business from this morning. And at this time, I would entertain a motion to accept any remaining written

testimony from the regional hearings on the introduced plan to be part of the record of the September 14th hearing. Do I have a motion for that?

Co-chair Senator Vernon Sykes [00:02:41] So moved.

Co-chair Speaker Robert Cupp [00:02:43] Is there a second?

Senate President Matt Huffman [00:02:45] Second.

Co-chair Speaker Robert Cupp [00:02:45] Second, is there any objection? Seeing none, the written testimony is accepted as part of the record. At this time, I will ask what is the will of the commission with regard to the introduced state redistricting plan?

Senate President Matt Huffman [00:03:00] Mr. Co-chair?

Co-chair Speaker Robert Cupp [00:03:02] Chair recognizes Senator Huffman.

Senate President Matt Huffman [00:03:03] Thank you, Mr. Co-Chair. I'd like to present to the commission an amendment to the introduced proposed General Assembly district plan for its consideration. Thank you, Speaker. The commission, as we know, introduced a proposed General Assembly district plan last week. And since that time, we've been actively talking with all of the commissioners, all the... Folks serving up here, including, of course, our Democratic colleagues. In response to those conversations. We've made a number of changes based on, really, a variety of suggestions and feedback. And of course, that feedback includes the several public hearings that we've had, the submitted testimony and, you know, other, other public input that we have had. Additionally, this amendment itself was presented to the seven commissioners last evening, along with the appropriate computer files and other items that could be reviewed. I, this amendment, moves to the introduced plan much closer to what our Democratic colleagues had sought in their amendment, which was presented and explained by Mr. Glassburn in Cleveland last week. So I want to talk a little bit about the amendment itself. I should say initially that we've made a number of technical changes. This is, of course, a big job with a lot of of data so that naturally these things happen. But there are a number of technical changes, these fix misassigned census blocks, and the block assignment files. And really those changes, for the most part, had no impact on on population. These were simply bits and pieces that that had to be cleaned up. However, there were a number of substantive changes that were made that did reconfigure the geography of the introduced plan, the plan that was introduced by the commission last week in a way that did change demographics in other parts of various districts. The first part, I would say, is that this plan reduces the this amendment, reduces the number of Republican seats collectively in both houses by six. And of course, these are House, according to the the indexes that were developed, I think that both sides were using. So the... And again, takes this much closer to the Democratic plan that was presented where this amendment will have 62 Republican seats in the Democratic amendment, had 57 Republican seats. So, so fairly close really. And then in the Senate, the numbers are 23 and 20. So, again, this, this amendment is much closer to the Democratic amendment than the original proposed plan. A couple of other comments. And I do want to compliment Mr. Glassbern... burg... burn. I apologize, I keep getting that name wrong. He did an excellent job in Cleveland explaining their plan. And there were a variety of maps that were submitted in a variety of ways, either through the website or in...and many of those maps were not constitutional. As was pointed out the other night, the winning map and the Fair Districts competition had 10 to 15 constitutional violations and about 50 or so other local splits that that weren't necessary. And so those

are all things, I think, that that need to be taken into account. The... Many of the... And actually, I should say this, the last proposed Democratic map, although I think took care of many of the things that were originally issues when first submitted, including numbering and a number of of constitutional problems. There were still some constitutional problems, especially related to the contiguity of at least one of the districts that I know, know of. So I would say that, you know, I think it's important that this commission vote on a map that is constitutional. This is the only map.... So, you know, and with this amendment, will continue to be the only map that is, is constitutional that's been submitted to the plan. We have about 37 minutes, according to my watch, too, for this commission to act according to the Constitution. And these are things that, you know, I think many of us who've been here a while often act... In a... We have to act late at night, whether it's a budget on June 30th or other deadlines. So I'm sure we'd all rather be someplace else right now. But in this case, this is something, a task that we have to complete, according to the Ohio Constitution that all of us swore to uphold. That has to be done. So pursuant to the comments that I've made regarding the amendment and by the way, the amendment has been downloaded on the website for some time now. Of course, this is an amendment that has been circulating among all the commissioners since yesterday afternoon. So based on those comments, Mr. Co-chairs, and pursuant to Article 11 of the Ohio Constitution, I move for the commission to amend the introduced proposed General Assembly district plan with the amendment that I just explained.

Co-chair Speaker Robert Cupp [00:09:18] Is there a second to the motion on the amendment? I'll second the motion, it's been moved in second and that the motion to amend the commission plan be adopted. Is there discussion. Hearing no discussion...

Co-chair Senator Vernon Sykes [00:09:40] Mr. Speaker. At this point, in looking at the different proposals that have been introduced over the course of the last couple of weeks, we appreciate the offer, the amendment that make, the adjustment that the amendment makes, but far falls far below what's considered to be fair. And for that reason, I object to it and do not support the amendment.

Co-chair Speaker Robert Cupp [00:10:19] Is there further discussion. The staff will call the roll, please.

Clerk [00:10:29] Co-Chair Senator Sykes.

Co-chair Senator Vernon Sykes [00:10:30] No.

Clerk [00:10:30] Co-Chair, Speaker Cupp.

Clerk [00:10:35] Yes.

Clerk [00:10:35] Governor DeWine.

Governor Mike DeWine [00:10:39] Yes.

Clerk [00:10:39] Auditor Faber.

Auditor of State Keith Faber [00:10:39] Yes.

Clerk [00:10:40] President Huffman.

Senate President Matt Huffman [00:10:40] Yes.

Clerk [00:10:42] Secretary LaRose.

Secretary of State Frank LaRose [00:10:43] Yes.

Clerk [00:10:43] Leader Sykes.

House Minority Leader Emilia Sykes [00:10:43] No

Co-chair Speaker Robert Cupp [00:10:50] Five votes to two, if I was right. The motion to amend has been adopted. Is there further motions?

Senate President Matt Huffman [00:11:00] Mr. Chairman?

Co-chair Speaker Robert Cupp [00:11:02] Chair recognizes Senator Huffman.

Senate President Matt Huffman [00:11:03] Thank you very much, Mr. Chairman. Pursuant to Article 11 of the Ohio Constitution, I move for the commission to adopt the introduced proposed General Assembly district plan as amended as the final General Assembly district plan.

House Minority Leader Emilia Sykes [00:11:16] Objection.

Co-chair Speaker Robert Cupp [00:11:16] Is there a second to the motion? I'll second the motion. There's been an objection. Discussion? Any discussion? Chair recognizes Leader Sykes.

House Minority Leader Emilia Sykes [00:11:30] Thank you, Mr. Co-Chair and members of the committee. And I know it is late and we are on a time crunch, but if you could indulge me a bit so I can share my thoughts about this plan, this map and why I will be voting no this evening.

Co-chair Speaker Robert Cupp [00:11:57] Commissioner may proceed.

House Minority Leader Emilia Sykes [00:11:59] Thank you. Thank you, Mr. Chair. People ask me pretty regularly, why do I wear white all of the time. And and if you indulge, it'll all make sense and all come together. I often wear white, especially in moments of importance. To honor the women of the suffrage movement who fought so hard for the right to vote. Women who, through no fault of their own except to be born as a female did not receive equal access to speaking up and about the government, to the government on behalf of themselves and their families. As the only woman on this commission, I take my responsibility incredibly, incredibly seriously. And beyond just what this vote may mean for a 10 year map I bring with me those women who suffered for generations for the right to speak up so that someone like me could have the audacity to stand up and speak out on a commission that is made of six men and one woman. I recognize that the men in the majority, in the majority party on this commission have never had ancestors or the experience of having to fight for their access to basic human rights that others enjoyed just simply because they were born. And to have before us today a map that summarily and arrogantly eliminates the ability for women like me, the women of the past, to engage in a process and have their votes heard is not only offensive, it is plain wrong. I think of the women of the suffrage movement. And we just celebrated a hundred years of white

women having the right to vote and people like Mary Church Terrell or Ida B. Wells and Sojourner Truth, who fought so that women like me, who look like me, could have the nerve to say the things that I say in rooms just like this when people tell me I don't belong here. I call it offensive and plain wrong to move forward this map after we heard hundreds of people come before us. Hours of testimony in cities across this great state. And to put forth something that so arrogantly flies in the face of what people, our voters, asked us to do not once but twice, through a citizen-led initiative that forced the hand of the legislature to ensure that people had the right to vote to... And not only that, they have that right that they feel that it is counted and they can make a difference in their government. I have often talked about my faith and I continue to have the faith of a mustard seed. And that faith does not live within men and including the men on this commission. And I'm reminded, and I was continuously reminded through the many hearings that I sat through a Proverbs 29:2 that says, "when the righteous are in authority, the people rejoice. But when the wicked beareth rule, the people mourn." The people of Ohio have been mourning. They have been in mourning. And it is because they have not been able to access their government and the way in which they deserve. We may no longer be in the 1920s where women or some women or even just 1963 when black people didn't have their full enfranchisement, but every day I am faced with the opportunity, and really the privilege, to push back and to stand up and be proud of where I am and not to ever disrespect the people who got me here. There is in no way that I can, in good conscience vote for this map, and I urge every single member of this commission to join me in voting no. This is not simply a matter of Republican versus Democrat, male versus women, Younger versus older, millennial, boomers. This is about the human right to access and participate in our government. The Democrats on this commission made it very clear that the maps that we saw yesterday were a nonstarter, that we would not be supporting them. And any suggestion that we should be voting for them or that they are closer is a patently false statement. And to make the suggestion that perhaps we should vote for this because it may get us closer is just wrong. I am not going to be fooled and neither will the people of this state. They have invested too much time and energy in this process, and they deserve better than what this map is. It is very clear that in drawing this map, because it was stated that no one considered the Voting Rights Act. An act that allowed me, someone like me, to even be able to be in this position. To allow someone like Co-Chair Sykes to be a co-chair of a constitutionally mandated commission. But I know the people who have never had to fight for their rights cannot appreciate what it means when people who have not had rights, beg for them. Things that they should have already had. These people who came and spent hours of testimony did not deserve to beg us to do right. It is just wrong. This map, we can talk about constitutionality, but I think all of us, especially those who have graduated from law school, know we don't have the ability to determine anything to be constitutional or not. That will be left up to the courts. But I do know one thing that is very clear. That there is a section in the Constitution that requires us to draw maps that follow the proportional results of elections over the last 10 years, and this map falls short of that. And we can argue all day about the legislative intent, but I don't have to do that because I can talk to my co-chair who was a part of writing this, and he will share with you that the proportionality or representational fairness is what he meant and that is why it's in the Constitution. Period. And you can ask him yourself if anyone else has any questions. And so as I conclude, I just want to say, and make another appeal to my colleagues on this commission. This is a vote that should be an easy no. It's an easy vote for me. I will not lose not a second of sleep over voting no on this, because at some point when the government refuses to listen to the people who elected us and direct us, there are consequences. And I am always going to stand on the side of the people who brought me here, whether it's those suffragettes, those civil rights fighters, the people of House District 34, the birthplace of champions. They got me here. And I am proud to vote no on their

behalf, because I know they deserve better than this, and I would hope every member on this commission feels the same way about their constituencies, whether it is a district or it is this state. And you join me in voting no. Thank you, Mr. Chair.

Co-chair Speaker Robert Cupp [00:22:03] Further discussion? Chair recognizes co-chair Sykes.

Co-chair Senator Vernon Sykes [00:22:09] Co-Chair and members of the commission and people of The State of Ohio. I have very, very heavy heart tonight. I have been advocating for fair districts since the 80s, when I first came on as a member of the Ohio House of Representatives. And I've worked really hard to formulate the provisions of the Constitution that the citizens adopted. And I'm so disappointed at this particular time that we're at this juncture. That now it's almost 12:00 on September the 15th in 2021, and we come to this juncture, I was hopeful, hopeful that the people in place at that particular time when we were contemplating this would have the will to promote fairness. I was hopeful that we could take an adjustment, make an adjustment in the apportionment board, expand it, make sure we have minority representation on it, adequate. Was hopeful that they would have the courage and the insight to promote fairness. And we put guardrails in it. One of the very distinctive factors of the constitutional provision in 2015 was we added a provision that dealt with fairness. Before we were just looking at technical compliance. Issues like compactness or the number of splits. But it's been proven with the map that's been presented for you today. That you can comply with the technical compliance, but still gerrymander districts as much as you like. And so it was the wisdom of the constitutional provision to put in place a different concept of representational fairness, and that concept was considered to be somewhat vague at the time, and so we wanted to make sure it was understood. So instead of putting the words representational fairness in, we actually define the concept, described it so it would be clearly understood what the intentions were. And this was the guardrail, because in Section 6(A) it says you can't favor or disfavor a party. And then in (B), it describes how we make sure that that doesn't take place. Because we're going to look at the voting preferences expressed by the people and the vote, in elections over a 10 year period. And we take all of the partisan elections, we're not going to be selective, we're going to take all of them. We do it over a 10 year span so we don't have problems with outliers, so it's kind of an average. We asked scholars to come forward to analyze it, to read the Constitution and then say, how would you interpret this? And they came one at a time. And every one of them came up with the, basically, the same quotient. Basically the same percentages, proportions. And that's considered to be fairness. And I can't stand up here and support anything but fairness. You know, I'm just astounded by the arrogance of the super majority having such a callous disregard for the people of this state. You know, I went I went to every one of the hearings. I presided over most of them. And I listened to every testimony. The people came and they pleaded with us. Some of them scolded us and others cried. Because they wanted us, they were trying to appeal, make an appeal, to our sense of good judgment. And they waited in hearings that were four, five and six hours long to present their written testimony. And as they spoke and they went over the time limit, they kept speaking. And as I tried to even gavel them down, they kept speaking. I asked them not to applaud and they kept clapping anyway. They have spoken, we, hundreds of them from all over the state. 15 regional hearings in 15 different locations, and they all, they all, want fairness. And when we campaigned, Senator Huffman, we campaigned, we campaigned on the slogan for the, our campaign committee statewide, we raised money and campaigned. Fair districts was the name of the committee. Fair districts. Not technically complying districts, but fair districts. And I can't, as bad as I would...I would love for us to have a 10 year plan. A fair plan. There's no way that I would slap the people in the face that promote fair districts. And put them in a

smooth... Put them in the misfortune that we've been suffering for decades, for another 10 years. And I ask this committee, please listen to the constituents this time.

Co-chair Speaker Robert Cupp [00:30:04] Further discussion on the motion? Chair recognizes Secretary LaRose.

Secretary of State Frank LaRose [00:30:11] Thank you, co-chair. Though our votes are different, I share the deep disappointment that co-chair Sykes just expressed. I'm no stranger to trying valiantly for a worthwhile cause. But I don't like to fail. I'm no stranger to striving hard and spending myself for a mission that matters. My mission has been clear. Bipartisan compromise that yields a 10 year map. I believed all along that it was possible. I even told a couple of you that our state motto is, With God, all things are possible. That was my guiding north arrow over the last couple weeks. With God, all things are possible. We've fallen short. Not enough members of this commission wanted to come along with that effort. I'm casting my yes vote with great unease. I fear, I fear we're going to be back in this room very soon. This map has many shortcomings, but they pale in comparison to the shortcomings of this process. It didn't have to be this way. It didn't have to be this way. Some of us worked in good faith, in a bipartisan way, to try to get a compromise. There are members of this committee who I do not believe worked in good faith to try to reach that compromise, but here we are. When we are back here, whenever that is, I know for sure, I believe October 1st we'll be back to back here with a new mission, drawing congressional districts for the state of Ohio. And when we are, this process will be different. It is not going to work this way next time. I'm casting a yes vote today. But I wish it didn't have to be this way,

Co-chair Speaker Robert Cupp [00:32:17] Further discussion on the motion? Governor DeWine.

Governor Mike DeWine [00:32:22] Thank you, Mr. Chairman. I am deeply disappointed at where we are tonight. I'm very, very sorry that we are where we are. I know, I know, this committee could have produced a more clearly constitutional bill. That's not the bill that we have in front of us. I have felt throughout this process that there was a compromise to be had. That the bill could be improved, become much more clearly constitutional, that we could produce a bill that all seven members, a map that all seven members, of this committee could vote for and that we would have a 10 year map. I was wrong. I felt even today, as late as early this evening, that there was still a deal to be had. And the parties could get together. And I thought if that could not occur tonight, that it could occur tomorrow or the next day, and that it was possible. The parties are not that far apart. I won't go into the details, but they're not. They think they are, but they're not. Tonight, it has become clear to me that there is not going to be a compromise. There can't be a coming together. I talked to the Republican legislative leaders. I talked to the Democrat legislative leaders separately. And it's clear in talking to both sides that there's not going to be an agreement. And that we could go tomorrow or the next day or the next day, and it simply was not going to occur. I have respect, deep respect, for all members of this committee, but I'm saddened by the fact that it was clear in talking to them that there was not going to be any real ability and so that tomorrow we would be exactly where we are today and the next day and the next day. So along with the secretary of state, I will vote to send this matter forward. But it will not be the end of it. We know that this matter will be in court. I'm not judging the bill one way or another. That's up for, up to a court to do. What I do, what I am sure in my heart is that this committee could have come up with a bill that was much more clearly, clearly, constitutional. I'm sorry we did not do that.

Co-chair Speaker Robert Cupp [00:36:10] Further discussion? Chair recognizes Auditor Faber.

Auditor of State Keith Faber [00:36:14] Thank you, Mr. Chairman, and a question to the sponsors, do we have a statement pursuant to 8(C)(2) to prepared to explain the proportionality issues?

Co-chair Speaker Robert Cupp [00:36:26] Mr. Chairman?

Co-chair Speaker Robert Cupp [00:36:27] Go ahead.

Co-chair Speaker Robert Cupp [00:36:27] Yeah, yeah, yeah. In fact, there is. That's not appropriate to present that until after the vote is taken, which I could present it now, but it's only presented in the case of a four year map, which I think we're going to have, but formally we have to have the vote first.

Auditor of State Keith Faber [00:36:45] Mr. Chairman, the reason I ask is, is that I think that that discussion may help at least, certainly, have a discussion as to at least, some folks' belief as to whether this map complies, or how it complies with Section 6. And so I don't know if that's helpful or we can wait to have that discussion. But I'm just... I'm at your discretion.

Co-chair Speaker Robert Cupp [00:37:13] I'm not sure if it's to my discretion or the co-chairs discretion, but would you like me to distribute the statement now, Auditor Faber? Is that what you're asking?

Auditor of State Keith Faber [00:37:22] I guess my short answer is yes, you know, it's not required until after that, but it certainly would help the proportionality explanation.

Co-chair Speaker Robert Cupp [00:37:38] At the request of Auditor Faber, if we could distribute the statement, that conditionally would be offered. Anybody need a minute here or?

Auditor of State Keith Faber [00:38:30] While we're doing that, Mr. Chair?

Co-chair Speaker Robert Cupp [00:38:33] Do you need to you need a minute? OK.

Auditor of State Keith Faber [00:38:36] No I have a question... Or a statement.

Co-chair Speaker Robert Cupp [00:38:38] Chair recognizes Auditor Faber.

Auditor of State Keith Faber [00:38:40] Thank you. This has been an interesting process. To say it has gone like I anticipated is probably not just an overstatement, but but frankly, a great disappointment. This process has been an example of, from a management perspective, of what needs to be improved going forward for future redistricting commissions. And candidly, I anticipate offering some suggestions on rule changes and things to better involve the non-legislative members in the process earlier and to give resources equally so we can have the ability to draw other maps. Having said that, I think it's important that everybody understand some truisms that we heard some of the witnesses testify to in the redistricting process. First, that Ohioans tend to live around people that think and vote like them. And that's why the compactness provisions in the Constitution are very important. And the no splitting provisions are very important because

we heard a lot of people testify that they didn't want to necessarily be drawn into districts that put them in places that didn't think like them, or to be represented by somebody who doesn't share their values. Now, we're in a representative form of government, and that always means that you're always going to have somebody representing you that you don't agree with in some ways. Heck, most of us who are legislators will say we don't always agree with ourselves. So it's tough to have 100 percent agreement. So we don't expect perfect alignment, but that's why we elect people, and why majorities in the district get the say. The problem with looking at other factors, when you have such an organization in Ohio, as we do with urban and suburban and rural areas, means that it's very difficult to draw districts that have some divine competitiveness ratio. One of the versions of the maps and I'm going to talk about the maps before I get to the process, one of the versions of the maps submitted by one of the legislative caucuses at one point almost had no competitive districts. And so most all of the races would have been determined in primaries, we heard over and over and over just how many people had concerns with that as to its potential to lead to extremism. So I did a quick count on this map based on information that we got a little earlier off of... and because we don't have access to the high tech programs, we were stuck using Dave's Redistricting, which seems to be an OK tool. But the reality is, is I counted the competitive districts. And we've had different debates about what competitive means between all the participants here. And so I use two different metrics. The one Dave's uses is 10 points, 45 to 55. I think a better, tighter competitive number is 48-52. It's real tough for somebody to win a 55, or to lose a 55 district. And it's real tough for somebody to win a 45 district. But candidates matter. We have examples. Frankly, I think one of the members on this panel won a district that wasn't much above 45 and everybody said you could win. I remember being one of those people who said he could. He did. And I'm proud of him as my colleague. So you can win those districts, candidates, matters, campaigns matters and those issues matters. So in this map that's presented, if I've got the right set of numbers, we've got 23 districts that are competitive. 12 of which happened to fall in the Democrat side, an 11 fall on the Republican side. If you're striving for a competitive map, that's pretty darn good with the number of tight districts that you have to draw that are going to be the sure things in the Republican strong areas and the Democrats strong areas of the state. So that means, depending on what happens, elections and candidates and issues and districts, you've got 23 districts in this map that could flop one way or another. That's not bad. Going through the rest of the map, there are things in it that I don't like. My colleagues have heard me repeatedly talk about why I think you need to keep communities that have a long track record of being represented together, together. My home community isn't such a community in this map, it's not tied to the state senator, including the now speaker, I think you represented this district some 20 plus years ago, with the counties that it's with. The moral of the story is, we all don't get everything we want, despite our efforts. So when you draw a map, sometimes you have to allocate disappointment. I will tell you, there's some disappointment, in my view, as the way some of the counties are split in northwest Ohio. That's just the way the cookie crumbles, some would say. But the reality is, compared to some of the other maps we've had a choice to go with, this map isn't that bad. It's not that good either. There are things in this map that given a perfect world, I would change. We tried to make some of those suggested changes, but that brings me now to the process. I spent a lot of time trying to figure out how to get to a seven person, 10 year map. We did that in good faith. After 24, 25 years as a mediator, I always said, you never stop negotiating until it's clear you're done. I still believe today, that if we had more time, putting the parties in a room in a way they could candidly talk without fear of lawsuits and without fear of showing their hand, we'd have got a better map. But I do agree that as of where we sit today, in the time frame and everything else that we see, this is as good as it's going to get today. I don't like that. I'm disappointed profoundly that we do not have a 10 year map, that we do not have a

seven-person vote. I can tell you that the Governor and Secretary LaRose and I spent hours trying to find compromise. I wish we'd found it. With that, because I believe votes are binary things, I don't have another choice to vote yes or no on. I don't have the ability, because of the resource allocation, to make amendments here or there that would have made a difference without causing more problems one way or another and potentially violating the Constitution. Because there is this provision that you can't unnecessarily split cities or townships and we don't even have good census blocks in Dave's Redistricting to do that. And I have to give a shout out to the Democrat staffers that helped educate me on some of that. Frankly, I wasn't aware of that. And their time and their work with us in good faith. I think at times, I think they worked good with us, was helpful to me and helpful to me to understand this. With that, I'm going to vote yes on this map. I'm going to vote yes with some apprehension and I'm going to vote yes in reliance on the representation that I've gotten from various legal counsel that these provisions fully meet with the constitutional parameters and the people who have had the ability to make those assessments, that this map meets all those standards because we have not had the ability to look at those things. Having said that, what I do get to see from Dave's, it does appear to do that. I just would encourage us to look at the process. To continue to talk to each other and find opportunities for compromise and if we have to go about this again, whether it's in four years or four weeks. I urge us to remember that when we negotiate, we shouldn't be negotiating from positions, we should be negotiating on shared interests, and if we do that, I think we'll have a better product. Thank you, Mr. Chair.

Co-chair Speaker Robert Cupp [00:46:47] The question is, shall the motion be agreed to, the staff will call the roll.

Clerk [00:46:52] Co-chair, Senator Sykes.

Co-chair Senator Vernon Sykes [00:46:53] No.

Clerk [00:46:54] Co-chair. Speaker Cupp.

Co-chair Speaker Robert Cupp [00:46:55] Yes.

Clerk [00:46:56] Governor DeWine.

Governor Mike DeWine [00:47:00] Yes.

Clerk [00:47:00] Auditor Faber.

Auditor of State Keith Faber [00:47:00] Yes.

Clerk [00:47:02] President Huffman.

Senate President Matt Huffman [00:47:02] Yes.

Clerk [00:47:02] Secretary LaRose.

Secretary of State Frank LaRose [00:47:04] Yes.

Clerk [00:47:04] Leader Sykes

House Minority Leader Emilia Sykes [00:47:12] No.

Co-chair Speaker Robert Cupp [00:47:12] Five votes in favor, two votes opposed. According to the constitutional provision, the map has not been adopted as a seven year plan, but has been adopted as a four year plan. Chair recognizes Senator Huffman.

Senate President Matt Huffman [00:47:28] Thank you, Mr. Co-chairman. Pursuant to Article 11 of the Ohio Constitution, I move for the commission to adopt the statement that has been distributed to the members of the commission, that was the statement that was distributed by, at the request of Auditor Faber.

Co-chair Speaker Robert Cupp [00:47:47] I'll second the motion. It's been seconded. And the chair recognizes Secretary LaRose.

Secretary of State Frank LaRose [00:47:57] Having just been presented with this and none of us like to vote on something that we just got, but I understand the time crunch that we're under here, I'm going to ask for some explanations on some things. This Section 8(C)(2) statement explains the rationale that the people that drew this map used to reach what they considered the proportionality requirements. That's my understanding. It seems like they're sort of using two different factors. One is the raw number of races won of statewide, state and federal, and then the other is the number of votes and sort of mixing those two standards together instead of picking one. President Huffman, could you explain the rationale, since I assume it was your staff that drafted up this statement?

Senate President Matt Huffman [00:48:46] Yeah, I first thing I would say is, I don't I don't think that there's a requirement in the Constitution that there be one standard chosen over another. There is no formula in the Constitution, percentages of votes or percentages of of races won, etc. This is simply a statement, again, pursuant to the Constitution in only, and only to be submitted in where there is a four year map. And I think it might be helpful just to read, if I could, that portion of the Constitution. All right. So that's... Final General Assembly district plan adopted under, and this is the four year provision, shall include a statement explaining what the commission determined to be the statewide preferences of the voters of Ohio and the manner in which the statewide proportion of districts in the plan whose voters based on statewide, state and federal partisan general election results during the last ten years, favor each political party, corresponds closely to those preferences as described in Division B of Section 6 of this article. At the time the plan is adopted, a member of the commission who does not vote in favor of the plan may submit a declaration of members' opinion concerning the statement included with the plan. So Leader Sykes or Senator Sykes could do that, as those who voted no, if there's a separate plan. So this this is really nothing more than that. It's a statement of things that were considered and tried to include all of the relevant information that which, of course, includes many of the things that have been discussed here, including the percentages of votes. So we tried to, in this, in this case, to try to make it clear, just use basic factual information that I think's available to the public and everyone else.

Secretary of State Frank LaRose [00:50:59] Another question.

Co-chair Speaker Robert Cupp [00:51:01] Follow up?

Secretary of State Frank LaRose [00:51:02] Mr. President, I would guess that. This rationale was reached and guided the map making process, it would have to. I, for one, have been asking for the rationale for days. Is there a reason why that wasn't shared with us until now?

Co-chair Speaker Robert Cupp [00:51:25] Chair recognizes Senator Huffman.

Senate President Matt Huffman [00:51:27] Yeah, can you repeat the question, Secretary LaRose?

Secretary of State Frank LaRose [00:51:30] Yeah, Mr. President. So I've been trying to understand, as we've been talking to members of your staff and you yourself, how you believe that you're reaching the representational fairness or proportionality requirement in Section 6. And so I've been asking, how do you calculate those numbers? What do you consider that proportionality? I have not gotten an answer until tonight, but I would assume that this has been guiding the mapmaking process for a long time. Was there a reason for not, sort of, sharing this sooner to sort of guide the conversations as we've been having them?

Senate President Matt Huffman [00:52:06] Sure.

Co-chair Speaker Robert Cupp [00:52:06] Chair recognizes Senator Huffman.

Senate President Matt Huffman [00:52:08] Yeah, this this statement was prepared probably in the last five or six hours. I think it was sent over to your office probably about four or five hours ago. And the, so these are facts that are well known, that are discoverable on the public website. I think we've been talking about these percentages, all of it. And so this is just simply a recapitulation of all of those in a simple statement that the Constitution requires. So, some of these things are, you know, some folks discard some of those, or think some are more important. And, you know, the simple fact is that that, you know, there are a lot of opinions about what that portion of the Constitution means, for example, when the word results is used. Does that mean, a, adding together of all the votes and all those races over the last 10 years? Well, I suppose it could mean that. Does it mean the results of the elections that are described therein, 13 out of the last 16 of those races won by Republicans? And so we're simply listing all of that is those are things that are considered. Now, I can tell you, you know, if you if you ask my personal opinion, I can tell you that a lot of this doesn't have a lot to do with why people win races. We know that Stephanie Kunze just won in a district that was a 40 percent index. We know that, I think it's Representative Troy, Dan Troy in Lake County? He just won in a 53 percent Republican district. So this is a, is a big discussion point among a lot of folks about what is exactly these things may be. But the the best thing we can do is put out all of the facts for everyone and anyone can make whatever conclusions they want to make about that.

Secretary of State Frank LaRose [00:54:11] Thank you. I appreciate that. Yeah, there has been a lot of discussion about what is, what do the words in Section 6 mean? I've mulled over what does "shall attempt" mean for, for example. And I think that going forward in the future, it would be nice to have this conversation in advance and try to come to a commission agreement on what the, what these factors are going to be so it can guide the rest of our negotiations. That's all. Thank you, Mr. President.

Senate President Matt Huffman [00:54:38] Mr. Co-Chair.

Co-chair Speaker Robert Cupp [00:54:38] Yes.

Senate President Matt Huffman [00:54:38] And if I could just respond to that, one of the. One of the designs of this going back to 2014 was that the census data is received on April

1st. And the the map work that needs to be done usually takes, in this case, it took only 10 days, but typically takes a couple of months. And the map makers can begin in mid-June to make this determination. They would have about two and a half months to negotiate, OK? Because that would take them till September, until September 1st to have this negotiation. Well, as we know, we didn't get the information until mid-August and really in a usable form until about the last week in August. And that began the process on both sides. As we know, there's money allocated and consultants and mapmakers hired by both sides. And no map was produced at least until August 31st. Now, I will tell you that the Senate Democrats map, although a map, was had several constitutional problems in it and that was solved a week later, about the same time that the Republican map was presented. So folks have done an extraordinary amount of work on both sides. My staff, and I'm sure it's the same for the Senate Democrats staff. My staff's worked 16 to 18 hours a day for 25 straight days working on this. So it's been an extraordinary task just to get this part. And I've said this, I've said this a number of times. It bears repeating now, that last April when I came to many folks and said, let's get a 30 day extension so we'll have time to do the negotiation that we wanted to do, that the governor's talked about, that you have talked about. For whatever reason, folks said that was a bad idea. We don't want more time. And now here we sit with a process that many are criticizing because not enough time was taken or given. So I appreciate that. But I also hope that's also something we can take into account. There may be another pandemic the next time we do this, and perhaps we need to be more flexible on the ability or what we have in the Constitution and these timelines.

Co-chair Speaker Robert Cupp [00:57:06] Further discussion? Chair recognizes Co-chair Sykes.

Co-chair Senator Vernon Sykes [00:57:12] Mr. Co-chair. I just want to make it clear that this is just the opinion of the majority on this particular issue. So by no way am I agreeing to any of this, but I would accept it as your opinion.

Senate President Matt Huffman [00:57:31] I appreciate that. If I could co-chair Cupp.

Co-chair Speaker Robert Cupp [00:57:34] ok.

Senate President Matt Huffman [00:57:34] I appreciate that. And as mentioned in the Constitution provision, I just read, those members, those members who vote no may submit a declaration of the, of that member's opinion, senators, Senator Sykes and Leader Sykes. So certainly that's appropriate if there's an alternate opinion that you wish to submit.

Co-chair Senator Vernon Sykes [00:57:58] So we do have that.

Senate President Matt Huffman [00:58:01] Very good.

Co-chair Speaker Robert Cupp [00:58:03] Further discussion?

House Minority Leader Emilia Sykes [00:58:05] Yes, I do have a question. As such... Co-Chair Sykes did mention that we have a minority report to offer as well. Procedurally, as we had not discussed how this will move forward, at what point in this evening before we adjourn, would you like this minority report to be put forth?

Co-chair Speaker Robert Cupp [00:58:36] Committee will stand at ease for a moment while we consider that and consult with the parliamentarian.

Co-chair Speaker Robert Cupp [00:58:44] Statement is available now if you just want to distribute it, that will be included with the record.

House Minority Leader Emilia Sykes [00:58:50] Thank you very much, Mr. Chairman. I would like to speak of the minority report, if I may.

Co-chair Speaker Robert Cupp [00:58:56] Yes, the chair recognizes Leader Sykes.

House Minority Leader Emilia Sykes [00:58:58] Thank you, Mr. Chair. And I'm going to read it in its entirety because I do believe it is important. And pursuant to Article 11, Section 8 of the Ohio Constitution, the Ohio Redistricting Commission and I do put forth this minority report on behalf of Senator Vernon Sykes, co-chair and myself, House Minority Leader Emilia Strong Sykes, commissioner. It reads, "The state legislative district plan adopted by the Republican members of the Ohio Redistricting Commission egregiously violates the anti gerrymandering provisions of the Ohio Constitution. These anti-gerrymandering provisions were enshrined in the Ohio Constitution just six years ago for state legislative districts by the overwhelming majority of Ohio voters. Gerrymandering is defined by the Merriam-Webster Dictionary as the practice of dividing or arranging a territorial unit into election districts in a way that gives one political party an unfair advantage in elections. Simply put, gerrymandering is partisan unfairness. The Ohio Constitution requires partisan fairness. Article 11 of the Ohio Constitution is clear in its provisions that dictate the drawing of our state legislative maps. It requires that the maps respect the existing boundaries of counties, townships and municipal, municipalities. It also requires that the maps reflect a statewide political preferences of Ohio voters over the previous decade of partisan statewide elections. Unfortunately, the maps adopted by the commission's Republican majority today do neither. Voters never intended for Republicans to draw themselves another 10 years of gerrymandered districts and give themselves another decade of unchecked power. Article 11, Section 6 of the Ohio Constitution contains two new elements not met by the Republican drawn district maps. Part A and Part B of Section 6 are important guardrails, not aspirational goals, which ensure that the main purpose of the reform effort in 2015 is met by the commission's majority. Districts must be drawn to meet the requirements of the Constitution, taking into account compactness and contiguousness, including the fairness concept demanded by voters that is enshrined and enforced and subsections A and B of Section 6. Subsection A of Section 6 states that quote, "no General Assembly district plan shall be drawn primarily to favor or disfavor a political party." end quote. In contrast, the maps adopted today go to absurd lengths to create a Republican monopoly on legislative power that they have not earned at the ballot box. Subsection B of Section 6 also states that quote, "the statewide proportion of districts whose voters based on a state and federal partisan general election results during the last 10 years favor each political party shall correspond closely with the statewide preferences of voters of Ohio." end quote. The district maps adopted by Republicans today in no way reflect the statewide preferences of voters in Ohio and do not closely correspond to the statewide election results of the last 10 years. Subsections A and B cannot be read separately. Subsection B is important because it creates the litmus test for what constitutes primarily favoring or disfavoring a political party. No reasonable person would interpret the maps adopted by the commission today as reflecting the will of Ohioans and not primarily favoring one party over another as required in Section 6, subsection A and B. In Ohio, over the past decade, the Republican Party won 54 percent of the statewide partisan general election votes, while Democrats won 46 percent. And please see Appendix A that is attached to this statement. The calculations were presented to the commission. And extensive, extensive witness testimony, as well as by researchers

at Ohio University as part of the contract between the Legislative Task Force on Redistricting, Reapportionment and Demographic Research, of which I am the co-chair, and OU to produce the Ohio Common Unified Redistricting Database. The election results are not in dispute. They are publicly available on the Ohio Secretary of State's website. One does not need to be an expert to know that the statewide... Does not need to be an expert to know the statewide partisan election results. Hundreds of Ohioans were able to draw maps in the constitutionally appropriate time frame. Legislative maps would closely correspond with the statewide voter preferences if they yielded close to 45 House districts that would likely be won by Democratic candidates, 54 House districts that would likely be won by Republican candidates, 15 Senate districts that would likely be won by Democratic candidates and 18 Senate districts that would likely be won by Republican candidates. The Republicans on the commission, in a naked attempt to maintain a gerrymandered, unearned supermajority, drew and adopted districts that would likely yield 34 Democratic House districts, 65 Republican House districts, 8 Democratic Senate districts and 25 Republican Senate districts. The Senate district numbers and the maps approved today are even worse than under the current maps approved in 2011, which were so egregiously gerrymandered that they inspired voters to go to the polls twice to put fairness and equity in our redistricting process via constitutional amendments. In the interest of fairness, bipartisanship and the realities of geography, demography and politics, the Democratic members of the Ohio Redistricting Commission produced maps that followed the constitutional demands of proper district drawing, including Article 11, Section 6 and B, which were ignored by Republicans. These three maps, respectively, produce 14 likely Democratic Senate seats and 44 likely Democratic House seats, 13 likely Democratic Senate seats and 42 likely Democratic House seats, and 13 likely Democratic Senate seats and 42 likely Democratic House seats. These correspond closely to the ratio of proportionality that the Ohio Constitution prescribes in Article 11, Section 6. The Democratic members of the commission and their staff work tirelessly to incorporate Republican feedback into the mapmaking process, while also drawing maps that adhere to the requirements of the Ohio Constitution in Article 11, Section 6. The Democratic members of the commission produced three separate map plans that did not disproportionately favor either party, that did, that did represent the will of voters, demonstrated over the previous decade of statewide partisan elections and met the criteria of limiting splits of communities. Throughout the process, Republicans appear to follow a playbook of delay and deflection. They used as much time as possible for deadlines, skipped deadlines, and then offered unconstitutional map plans and unacceptable ultimatums to Democratic members of the legislature and the commission. Their actions included a last minute attempt this spring to change the Constitution, to give themselves control of the process, delaying the convening of the commission until early August, dragging their feet on approving the commission rules, blaming the census delay for not convening the commission before August 6, purposely missing the September 1st constitutional deadline for releasing a plan, holding hearings and adopting a plan and feigning interest in a compromise before the September 15th deadline by only offering gerrymandered maps. And please see Appendix B for a June 11th letter signed by myself and leader Kenny Yuko requesting that the Ohio Redistricting Commission be convened by the Governor in a most timely manner so that we could've avoided many of the things that we just heard in the Republican response and over several weeks of this testimony. Republicans did not demonstrate fully good faith participation in the process. Democratic solutions went unheeded while Republicans, made only token changes to their maps that appeared to be designed to protect their incumbents. This culminated again in heavily gerrymandered maps and their second offering sent to Democratic commission members and staff late on September 14th, the night before the constitutional deadline. Their latest maps have produced 9 likely Democratic Senate districts and a single additional 50/50

tossup Republican leaning Senate district. The remaining 23 Senate districts were clearly drawn to favor the Republican Party. It would produce 32 likely Democratic House districts and 5 tossup Democratic leaning House seats. This plan, like the first plan put forward by Republican map draws, does not reflect the statewide political preferences of Ohio voters because it creates a higher proportion of Republican districts than the proportion of votes they earn in Ohio. The GOP adopted map lays out an absurd description of how it allegedly meets the requirements of Section 6(B). The voters of Ohio do not favor Republicans in a range of 54 percent to 81 percent. We, the two members of the minority party, could not in good conscience violate the voter's real, but as expressed by the redistricting reforms approved in 2015 and 2018. Nor could we ignore the Ohio Constitution's clear language that legislative district maps must correspond closely to the statewide preferences of voters, as measured by the statewide partisan general election results over the past 10 years. The plan adopted by the majority violates that requirement. In fact, the Republican members did not demonstrate any attempt to meet the requirements. Until just a few moments ago, we had no idea how they decided to calculate or figure out proportional representation. For these reasons, we are voting against the maps of the majority of the commission is choosing to adopt. Thank you, Mr. Chairman.

Co-chair Speaker Robert Cupp [01:08:43] I need to back up for a moment. There was a motion to adopt the rationale offered by Senator Huffman and we didn't actually take a vote on that. So at this time is there further discussion, Senator Faber. I'm sorry Auditor Faber.

Auditor of State Keith Faber [01:09:07] I just made to make sure I heard Faber, that's all I need to hear. [laughter] Mr. Chairman, as I went through this and I know some of you will remember that a number of us were in the trenches at a similar hour working on the constitutional amendment that led to this. And I remember sitting there during the time actually going back and manually counting who won the last all the statewide and federal seats over the last decade. And putting that number together, I guess we didn't anticipate what exactly those words said and how they could be interpreted or we could have been clear. But I do recall having the conversation about whether it's percentage of vote or percentage of who won the races. And the great debate at the time was, do we go back in into the prior time period? Or do we go just into the time period of the decade? And so I think in that capacity, putting both of those terms in here is fair and certainly represents the intent of at least one side of the drafters at the time to talk about races won. And so with that, I can support this statement.

Co-chair Speaker Robert Cupp [01:10:16] Further discussion? OK. Staff will call the roll, please.

Co-chair Senator Vernon Sykes [01:10:28] If I may.

Co-chair Speaker Robert Cupp [01:10:32] Co-chair Sykes.

Co-chair Senator Vernon Sykes [01:10:33] Since, we're not voting to agree with this, just to allow it to officially go into the record, then I think it should go both statements without objection.

Senate President Matt Huffman [01:10:46] Yeah, Mr. Co-Chair, the first. I think the statement that leader Sykes read is does go into the record and that certainly would be without objection by me. So, yes.

Co-chair Speaker Robert Cupp [01:11:07] Let me consult the parliamentarian. Committee will be at ease.

Co-chair Speaker Robert Cupp [01:11:09] Which is the Constitution. It is an act of the commission and that would require a roll-call vote. So we will proceed with the roll-call vote on the statement to go with the four-year plan after which we can accept for filing, with the records, the Minority Report.

Co-chair Senator Vernon Sykes [01:11:38] Yes, Mr. Chairman, if I may?

Co-chair Speaker Robert Cupp [01:11:41] Yes.

Co-chair Senator Vernon Sykes [01:11:42] Just be clear that this is simply to accept the report.

Co-chair Speaker Robert Cupp [01:11:45] Alright. Staff will call the roll, please,

Clerk [01:11:51] Co-chair Senator Sykes.

Co-chair Senator Vernon Sykes [01:11:52] Yes.

Clerk [01:11:52] Co-chair, Speaker Cupp.

Co-chair Speaker Robert Cupp [01:11:54] Yes.

Clerk [01:11:54] Governor DeWine.

Governor Mike DeWine [01:11:56] Yes.

Clerk [01:11:58] Auditor Faber.

Auditor of State Keith Faber [01:11:58] Yes.

Clerk [01:11:58] President Huffman.

Senate President Matt Huffman [01:12:00] Yes.

Clerk [01:12:01] Secretary LaRose.

Secretary of State Frank LaRose [01:12:02] Yes.

Clerk [01:12:03] Speaker... Or, Leader Sykes, please excuse me.

House Minority Leader Emilia Sykes [01:12:07] I like the first one, but yes [laughter]

Co-chair Speaker Robert Cupp [01:12:13] The statement has been adopted unanimously and at this time, is there a motion to accept for filing the minority report?

Co-chair Senator Vernon Sykes [01:12:27] So moved.

Co-chair Speaker Robert Cupp [01:12:29] Is that without objection or?

Co-chair Senator Vernon Sykes [01:12:33] I think that would be done without objection.

Co-chair Speaker Robert Cupp [01:12:34] That one can?

Co-chair Senator Vernon Sykes [01:12:35] Yes sir.

Co-chair Speaker Robert Cupp [01:12:35] Is there any objection to the Minority Report? Hearing none, it will be admitted to the record of the proceedings. Was there any further business to come before the commission this evening? If not, the commission stands adjourned.

CERTIFICATE OF SERVICE

I, Freda J. Levenson, hereby certify that on October 22, 2021, I caused a true and correct copy of the following documents to be served by email upon the counsel listed below:

- 1. Stipulation of Evidence (Deposition Transcripts and Exhibits)**
- 2. Stipulation of Evidence (Deposition Transcripts and Exhibits) Volume 1 of 7 (pages 1 - 314)**
- 3. Stipulation of Evidence (Deposition Transcripts and Exhibits) Volume 2 of 7 (pages 315 - 451)**
- 4. Stipulation of Evidence (Deposition Transcripts and Exhibits) Volume 3 of 7 (pages 452 - 832)**
- 5. Stipulation of Evidence (Deposition Transcripts and Exhibits) Volume 4 of 7 (pages 833 - 983)**
- 6. Stipulation of Evidence (Deposition Transcripts and Exhibits) Volume 5 of 7 (pages 984 - 1250)**
- 7. Stipulation of Evidence (Deposition Transcripts and Exhibits) Volume 6 of 7 (pages 1251 - 1559)**
- 8. Stipulation of Evidence (Deposition Transcripts and Exhibits) Volume 7 of 7 (pages 1560- 1892)**

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/s/ Freda J. Levenson

U.S. Department of Commerce
U.S. Census Bureau

EXHIBIT

D

Table 1. APPORTIONMENT POPULATION AND NUMBER OF REPRESENTATIVES BY STATE: 2020 CENSUS

| STATE | APPORTIONMENT POPULATION (APRIL 1, 2020) | NUMBER OF APPORTIONED REPRESENTATIVES BASED ON 2020 CENSUS ² | CHANGE FROM 2010 CENSUS APPORTIONMENT |
|---|--|---|---|
| Alabama | 5,030,053 | 7 | 0 |
| Alaska | 736,081 | 1 | 0 |
| Arizona | 7,158,923 | 9 | 0 |
| Arkansas | 3,013,756 | 4 | 0 |
| California | 39,576,757 | 52 | -1 |
| Colorado | 5,782,171 | 8 | 1 |
| Connecticut | 3,608,298 | 5 | 0 |
| Delaware | 990,837 | 1 | 0 |
| Florida | 21,570,527 | 28 | 1 |
| Georgia | 10,725,274 | 14 | 0 |
| Hawaii | 1,460,137 | 2 | 0 |
| Idaho | 1,841,377 | 2 | 0 |
| Illinois | 12,822,739 | 17 | -1 |
| Indiana | 6,790,280 | 9 | 0 |
| Iowa | 3,192,406 | 4 | 0 |
| Kansas | 2,940,865 | 4 | 0 |
| Kentucky | 4,509,342 | 6 | 0 |
| Louisiana | 4,661,468 | 6 | 0 |
| Maine | 1,363,582 | 2 | 0 |
| Maryland | 6,185,278 | 8 | 0 |
| Massachusetts | 7,033,469 | 9 | 0 |
| Michigan | 10,084,442 | 13 | -1 |
| Minnesota | 5,709,752 | 8 | 0 |
| Mississippi | 2,963,914 | 4 | 0 |
| Missouri | 6,160,281 | 8 | 0 |
| Montana | 1,085,407 | 2 | 1 |
| Nebraska | 1,963,333 | 3 | 0 |
| Nevada | 3,108,462 | 4 | 0 |
| New Hampshire | 1,379,089 | 2 | 0 |
| New Jersey | 9,294,493 | 12 | 0 |
| New Mexico | 2,120,220 | 3 | 0 |
| New York | 20,215,751 | 26 | -1 |
| North Carolina | 10,453,948 | 14 | 1 |
| North Dakota | 779,702 | 1 | 0 |
| Ohio | 11,808,848 | 15 | -1 |
| Oklahoma | 3,963,516 | 5 | 0 |
| Oregon | 4,241,500 | 6 | 1 |
| Pennsylvania | 13,011,844 | 17 | -1 |
| Rhode Island | 1,098,163 | 2 | 0 |
| South Carolina | 5,124,712 | 7 | 0 |
| South Dakota | 887,770 | 1 | 0 |
| Tennessee | 6,916,897 | 9 | 0 |
| Texas | 29,183,290 | 38 | 2 |
| Utah | 3,275,252 | 4 | 0 |
| Vermont | 643,503 | 1 | 0 |
| Virginia | 8,654,542 | 11 | 0 |
| Washington | 7,715,946 | 10 | 0 |
| West Virginia | 1,795,045 | 2 | -1 |
| Wisconsin | 5,897,473 | 8 | 0 |
| Wyoming | 577,719 | 1 | 0 |
| TOTAL APPORTIONMENT POPULATION ¹ | 331,108,434 | 435 | |

¹ Includes the resident population for the 50 states, as ascertained by the Twenty-Fourth Decennial Census under Title 13, United States Code, and counts of U.S. military and federal civilian employees living overseas (and their dependents living with them overseas) allocated to their home state, as reported by the employing federal agencies. The apportionment population excludes the population of the District of Columbia. The counts of overseas personnel (and dependents) are used for apportionment purposes only.

² The U.S. Census Bureau prepared these calculations using the existing size of the U.S. House of Representatives (435 members) and the Method of Equal Proportions, as provided for in Title 2, United States Code, Sections 2a and 2b.



Percy Squire <percysquire@gmail.com>

County totals are included at the bottom of the table

Mark J Salling <m.salling@csuohio.edu>
 To: Percy Squire <percysquire@gmail.com>

Tue, Aug 31, 2021 at 12:05 PM

Hi Percy.

The map below connects Cleveland, Warrenville Heights, Warren and Youngstown (with a break in Geauga County that my software choked on...?).

The population exceeds the target a bit, but one could play with the geography to get closer to the target population.

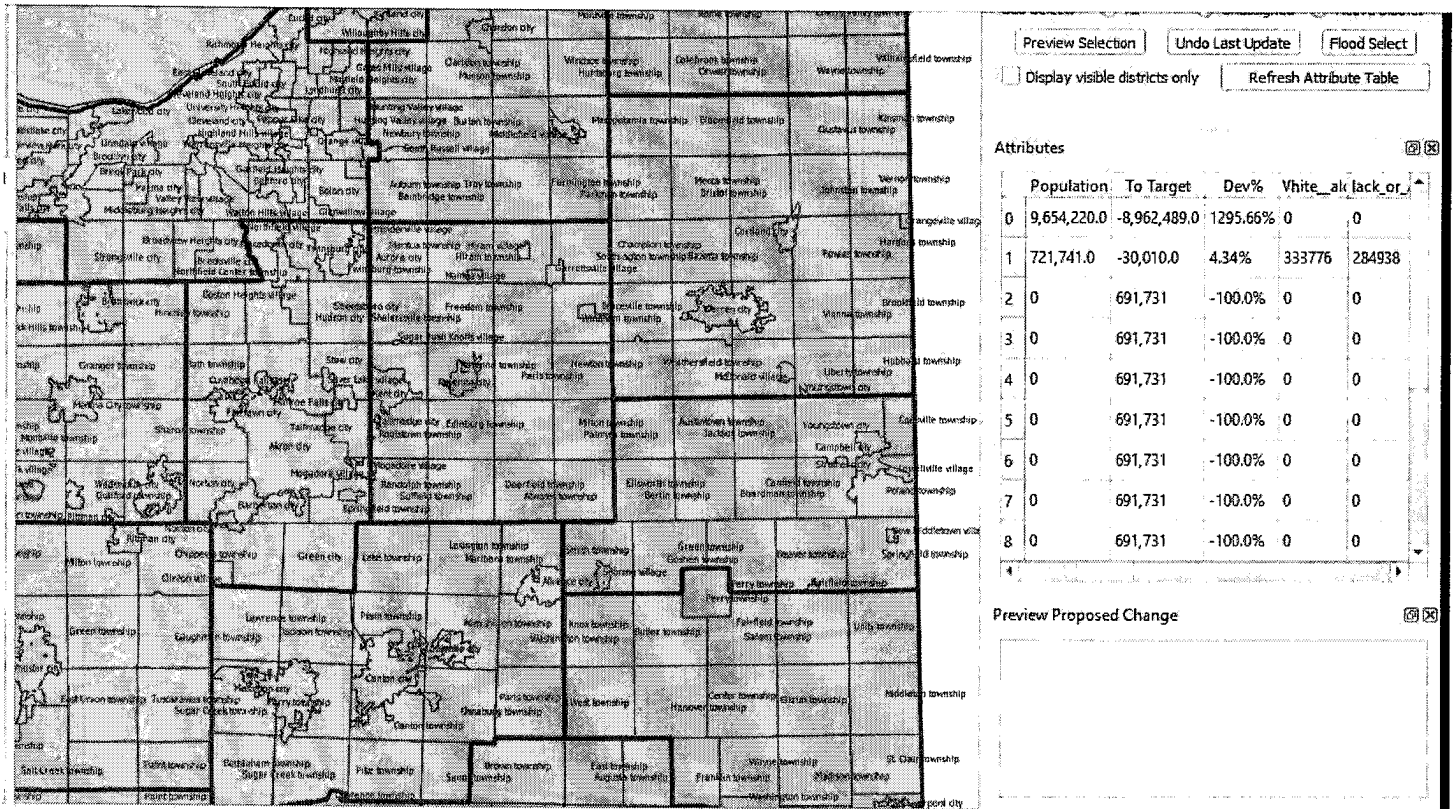
Assuming you are interested in a district with high proportion of AA, I tried to follow a path that generally picks up AA population between the county subdivisions.

The numbers of White, I race and AA, 1 race are 333,776 and 284,938, respectively.

I don't have time to pursue other scenarios...

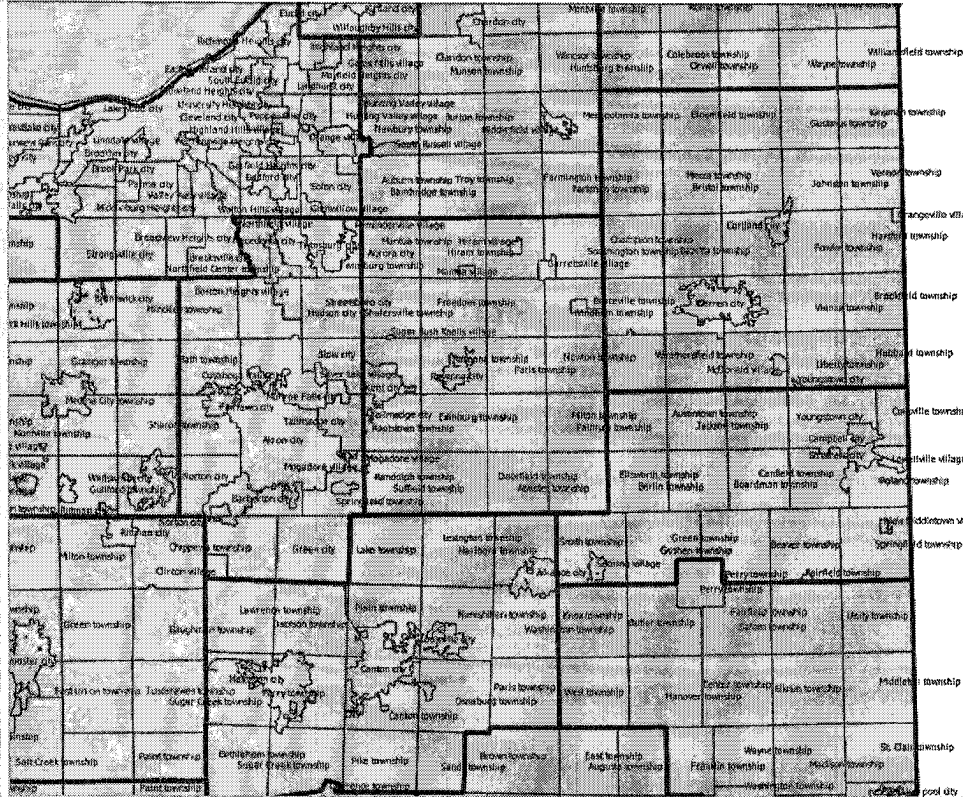
Best

mark



[Quoted text hidden]

Gmail - County totals are included at the bottom of the table



Preview Selection | Undo Last Update | Flood Select

Display visible districts only | Refresh Attribute Table

Attributes

| | Population | To Target | Dev% | White | blk | lack_or |
|---|-------------|--------------|----------|--------|--------|---------|
| 0 | 9,654,220.0 | -8,962,489.0 | 1295.66% | 0 | 0 | |
| 1 | 721,741.0 | -30,010.0 | 4.34% | 333776 | 284938 | |
| 2 | 0 | 691,731 | -100.0% | 0 | 0 | |
| 3 | 0 | 691,731 | -100.0% | 0 | 0 | |
| 4 | 0 | 691,731 | -100.0% | 0 | 0 | |
| 5 | 0 | 691,731 | -100.0% | 0 | 0 | |
| 6 | 0 | 691,731 | -100.0% | 0 | 0 | |
| 7 | 0 | 691,731 | -100.0% | 0 | 0 | |
| 8 | 0 | 691,731 | -100.0% | 0 | 0 | |

Preview Proposed Change

Mark J. Salling, PhD, GISP
 Maxine Goodman Levin College of Urban Affairs
 Cleveland State University
 (216) 687-3716



Levin.
 PUBLIC SERVICE. LEADERSHIP. CHANGE.

From: Percy Squire <percsquire@gmail.com>
 Sent: Monday, August 30, 2021 7:42 AM
 To: Mark J Salling <m.salling@csuohio.edu>
 Subject: Re: County totals are included at the bottom of the table

CAUTION: This email originated from outside of Cleveland State University! Do not click links, open attachments, or reply, unless you recognize the sender's email address and know the content is safe

Dear Mark : Its my understanding that under the new rules, Cleveland must be contained in a single Congressional district and not split. If Cleveland is its own district ,could a district be formed that includes Youngstown, Warren and Warrensville Heights?

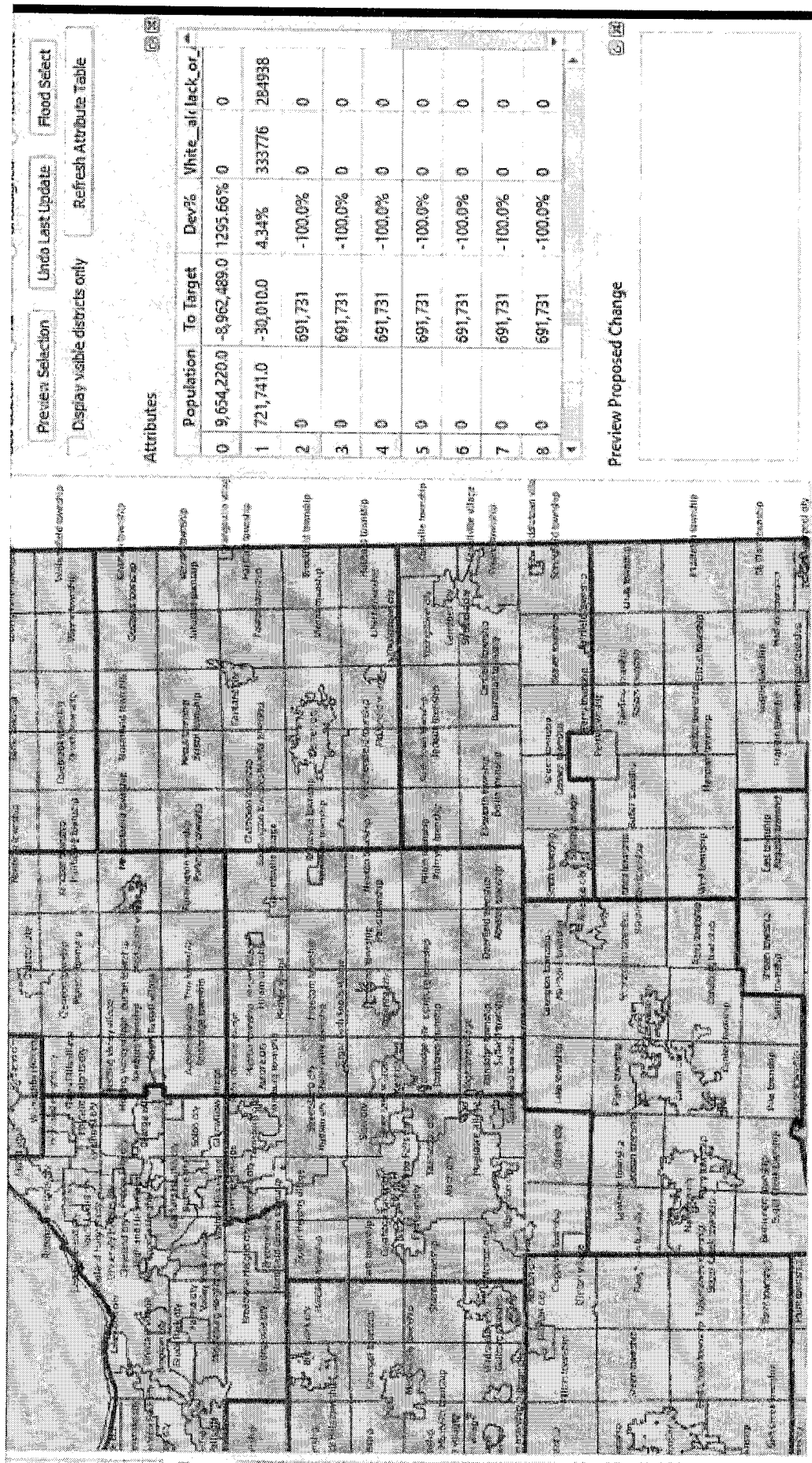
On Fri, Aug 20, 2021 at 5:17 PM Mark J Salling <m.salling@csuohio.edu> wrote:

You are welcome.

FYI, my recent publication is at <https://www.urisa.org/redistricting-guide>

mark

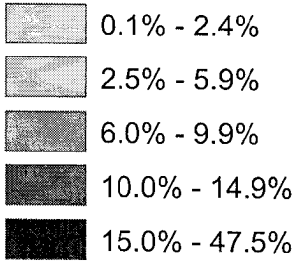
Mark J. Salling, PhD, GISP
 Maxine Goodman Levin College of Urban Affairs
 Cleveland State University



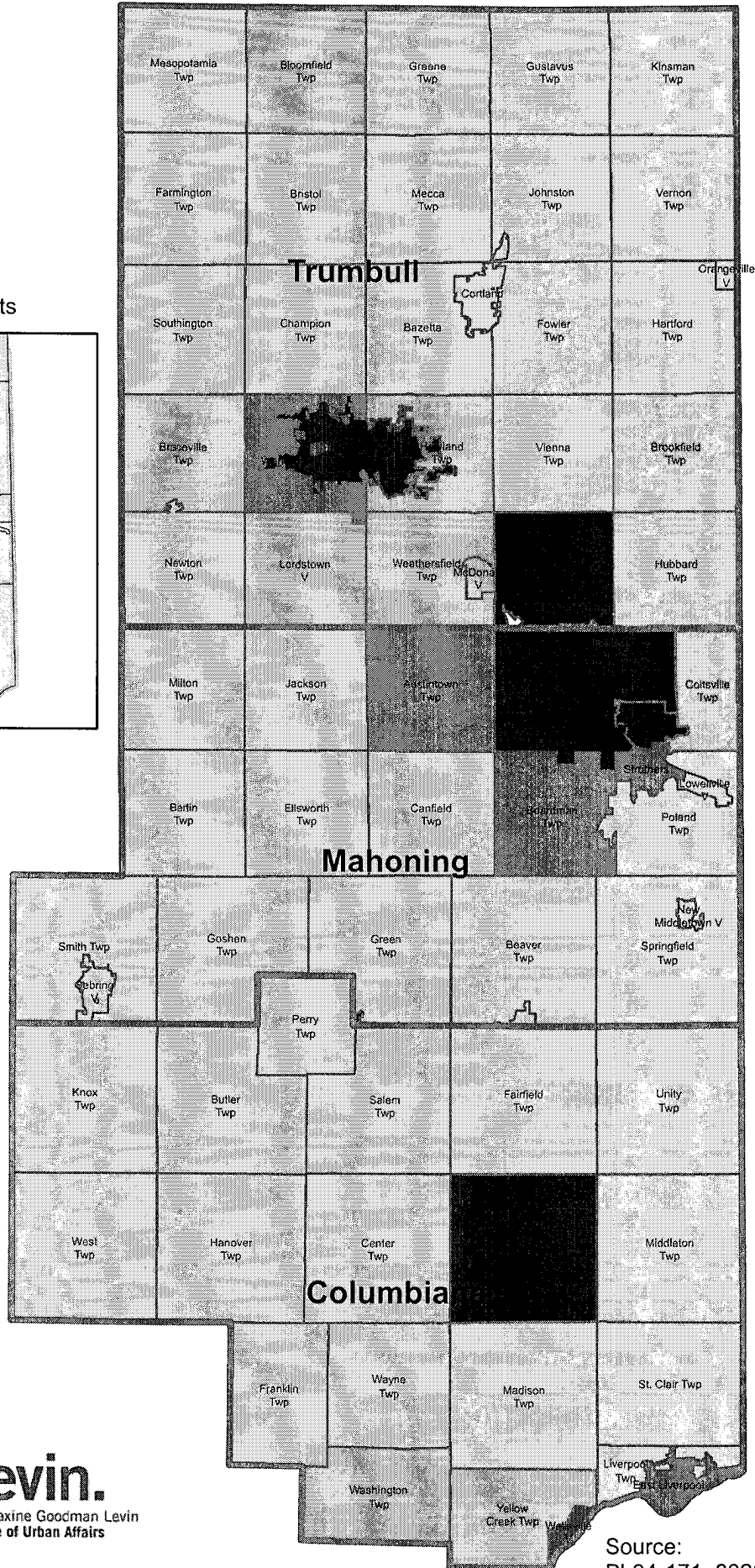
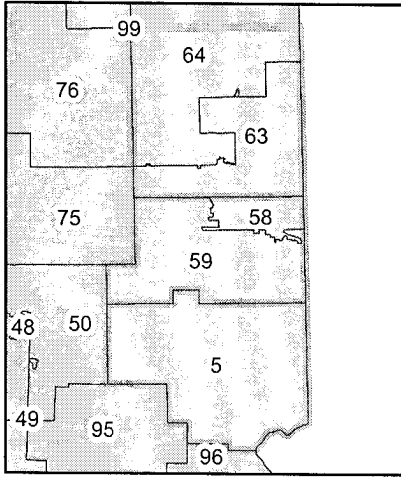
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 Display visible districts only Refresh Attribute Table

Preview Proposed Change

Percent African American (all race combinations)



Current House Districts



Prepared by

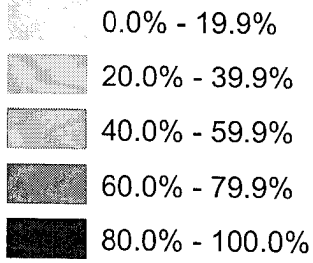


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August 20, 2021 mjs

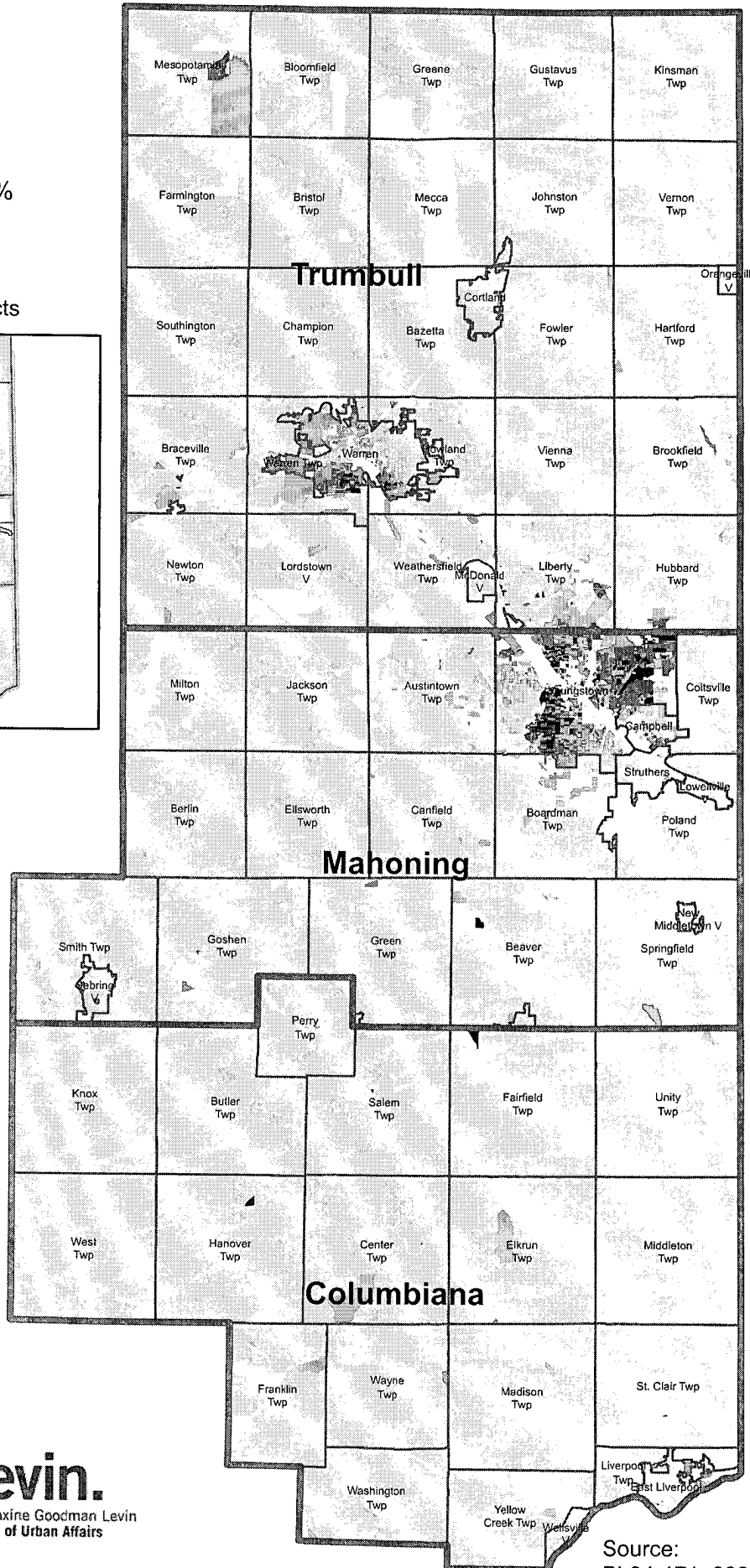
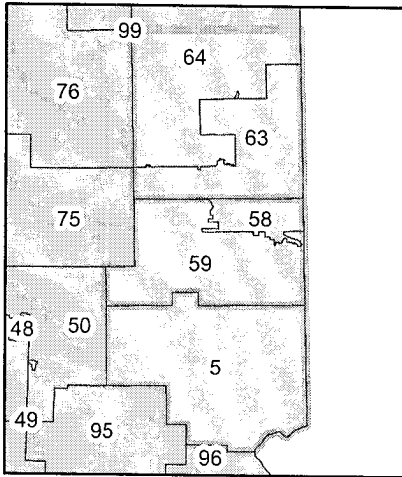
Source:
PL94-171, 2020 Census of Population,
U.S. Census Bureau

Percent African American (1 race)



By Census Block

Current House Districts



Prepared by

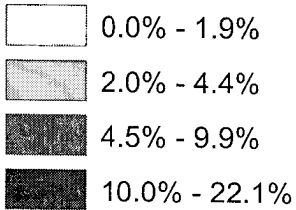


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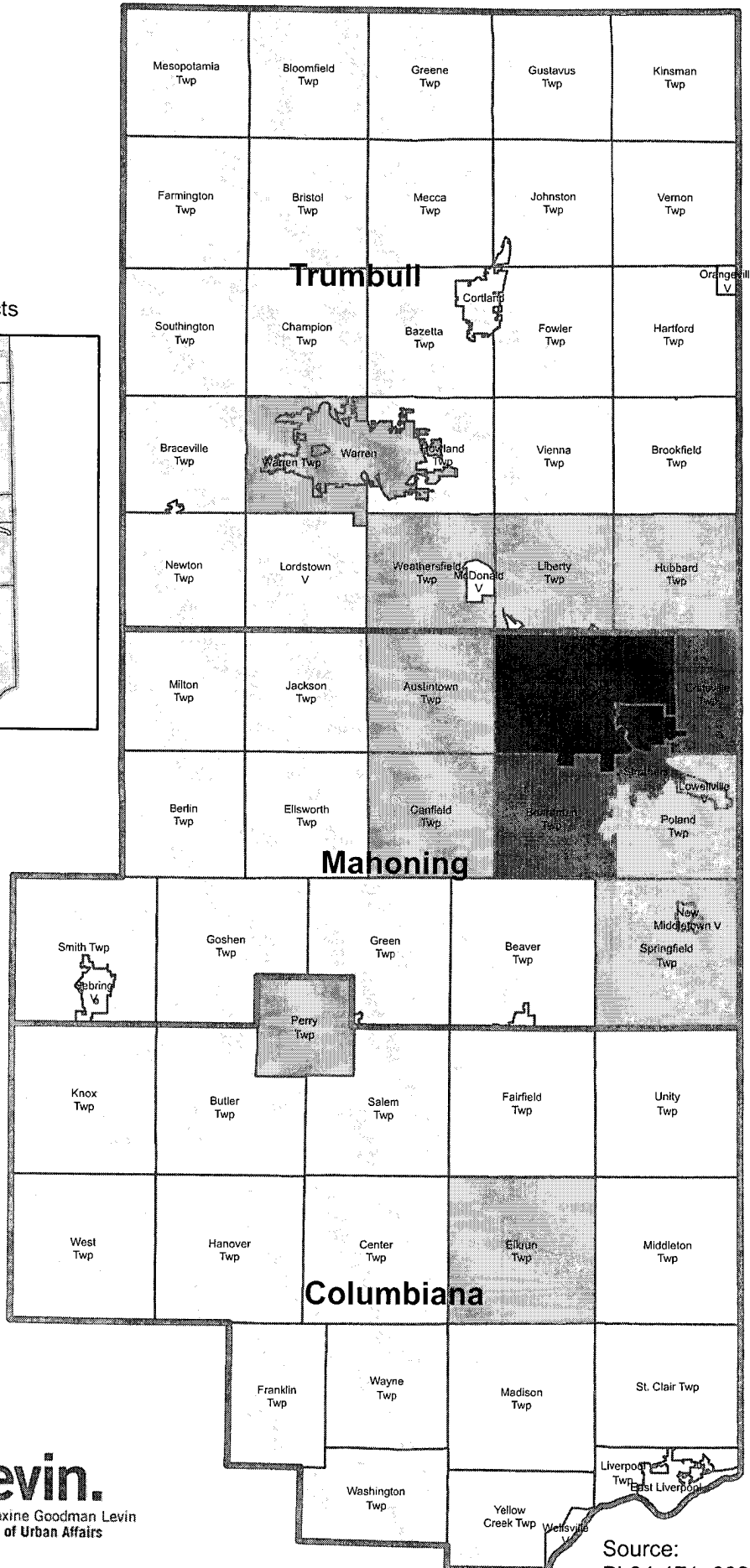
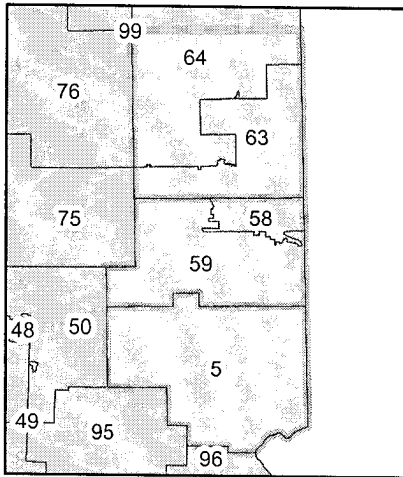
August 20, 2021 mjs

Source:
 PL94-171, 2020 Census of Population,
 U.S. Census Bureau

Percent Hispanic/Latino



Current House Districts



Prepared by



Levin.
The Maxine Goodman Levin
College of Urban Affairs

August 20, 2021 mjs

Source:
PL94-171, 2020 Census of Population,
U.S. Census Bureau

Source: PL94-171, 2020 Census of Population, Census Bureau

2020 Population of County Subdivisions in Columbiana, Mahoning, and Trumbull Counties

| COUNTY | NAME | Population | Population of one race | White alone | Black or African American alone | American Indian and Alaska Native alone | Asian alone | Native Hawaiian and Other Pacific Islander alone | Some Other Race alone | Population of two or more races | Black or African American, any combination | Hispanic / Latino | Proportion of 2020 CD | Proportion of 2020 HD | Proportion of SD |
|------------|---------------------|------------|------------------------|-------------|---------------------------------|---|-------------|--|-----------------------|---------------------------------|--|-------------------|-----------------------|-----------------------|------------------|
| Columbiana | Butler Twp. | 3,542 | 3,418 | 3,381 | 10 | 3 | 3 | 0 | 0 | 21 | 38 | 45 | 0.450% | 2.972% | 0.991% |
| Columbiana | Center Twp. | 5,793 | 5,569 | 5,474 | 59 | 5 | 10 | 0 | 0 | 21 | 91 | 60 | 0.736% | 4.860% | 1.620% |
| Columbiana | East Liverpool city | 9,958 | 9,287 | 8,730 | 461 | 30 | 26 | 1 | 39 | 671 | 803 | 124 | 1.266% | 8.355% | 2.785% |
| Columbiana | Elkrun Twp. | 4,367 | 4,305 | 3,359 | 908 | 19 | 13 | 0 | 6 | 6 | 918 | 182 | 0.555% | 3.664% | 1.211% |
| Columbiana | Fairfield Twp. | 9,769 | 9,415 | 9,304 | 27 | 7 | 40 | 1 | 36 | 354 | 73 | 149 | 1.242% | 8.196% | 2.732% |
| Columbiana | Franklin Twp. | 735 | 712 | 705 | 4 | 0 | 2 | 0 | 1 | 23 | 5 | 6 | 0.093% | 0.617% | 0.206% |
| Columbiana | Hanover Twp. | 3,459 | 3,372 | 3,341 | 11 | 5 | 5 | 0 | 10 | 87 | 27 | 24 | 0.440% | 2.902% | 0.967% |
| Columbiana | Knox Twp. | 4,068 | 3,917 | 3,885 | 11 | 2 | 7 | 2 | 10 | 151 | 40 | 38 | 0.517% | 3.413% | 1.138% |
| Columbiana | Liverpool Twp. | 3,862 | 3,720 | 3,638 | 34 | 14 | 13 | 2 | 19 | 142 | 65 | 64 | 0.491% | 3.240% | 1.080% |
| Columbiana | Madison Twp. | 2,922 | 2,833 | 2,808 | 13 | 5 | 5 | 0 | 2 | 89 | 29 | 26 | 0.371% | 2.452% | 0.817% |
| Columbiana | Middletown Twp. | 3,359 | 3,245 | 3,209 | 5 | 12 | 2 | 0 | 17 | 114 | 35 | 24 | 0.427% | 2.818% | 0.939% |
| Columbiana | Perry Twp. | 16,318 | 15,495 | 14,772 | 173 | 167 | 97 | 3 | 283 | 823 | 308 | 627 | 2.074% | 13.691% | 4.564% |
| Columbiana | St. Clair Twp. | 7,804 | 7,502 | 7,343 | 51 | 8 | 65 | 1 | 34 | 302 | 116 | 88 | 0.992% | 6.548% | 2.183% |
| Columbiana | Salem Twp. | 5,142 | 4,970 | 4,912 | 12 | 3 | 19 | 1 | 23 | 172 | 34 | 56 | 0.654% | 4.314% | 1.438% |
| Columbiana | Unity Twp. | 9,721 | 9,311 | 9,155 | 52 | 19 | 24 | 5 | 56 | 410 | 94 | 135 | 1.236% | 8.156% | 2.719% |
| Columbiana | Washington Twp. | 2,002 | 1,903 | 1,872 | 23 | 2 | 2 | 0 | 4 | 99 | 49 | 25 | 0.255% | 1.680% | 0.560% |
| Columbiana | Wayne Twp. | 797 | 773 | 761 | 7 | 4 | 0 | 0 | 1 | 24 | 17 | 2 | 0.101% | 0.669% | 0.223% |
| Columbiana | Wellsville V. | 3,113 | 2,887 | 2,647 | 221 | 6 | 3 | 0 | 10 | 226 | 338 | 22 | 0.396% | 2.612% | 0.871% |
| Columbiana | West Twp. | 3,173 | 3,069 | 3,034 | 4 | 5 | 8 | 0 | 18 | 104 | 23 | 36 | 0.403% | 2.662% | 0.887% |
| Columbiana | Yellow Creek Twp. | 1,973 | 1,870 | 1,825 | 36 | 3 | 2 | 0 | 4 | 103 | 54 | 19 | 0.251% | 1.655% | 0.552% |
| Mahoning | Austintown Twp. | 36,049 | 34,060 | 30,573 | 2,878 | 65 | 199 | 22 | 323 | 1,989 | 3,474 | 1,340 | 4.583% | 30.246% | 10.082% |
| Mahoning | Beaver Twp. | 6,756 | 6,507 | 6,375 | 78 | 7 | 26 | 0 | 21 | 249 | 132 | 83 | 0.859% | 5.668% | 1.889% |
| Mahoning | Berlin Twp. | 1,973 | 1,881 | 1,873 | 1 | 0 | 1 | 0 | 6 | 92 | 25 | 32 | 0.251% | 1.655% | 0.552% |
| Mahoning | Boardman Twp. | 40,213 | 37,912 | 33,582 | 3,021 | 66 | 735 | 12 | 496 | 2,301 | 3,737 | 1,915 | 5.112% | 33.740% | 11.247% |
| Mahoning | Campbell city | 7,852 | 6,929 | 4,334 | 1,857 | 24 | 17 | 4 | 693 | 923 | 2,163 | 1,735 | 0.998% | 6.588% | 2.196% |
| Mahoning | Canfield Twp. | 16,944 | 16,252 | 15,453 | 196 | 15 | 464 | 0 | 124 | 692 | 285 | 440 | 2.154% | 14.216% | 4.739% |
| Mahoning | Cottsville Twp. | 1,264 | 1,196 | 1,114 | 52 | 7 | 0 | 0 | 23 | 68 | 62 | 81 | 0.161% | 1.061% | 0.354% |
| Mahoning | Elisworth Twp. | 2,128 | 2,059 | 2,045 | 2 | 3 | 2 | 0 | 7 | 69 | 12 | 33 | 0.271% | 1.785% | 0.595% |
| Mahoning | Fairfield Twp. | 839 | 825 | 810 | 0 | 1 | 12 | 0 | 2 | 14 | 1 | 15 | 0.107% | 0.704% | 0.235% |
| Mahoning | Goshen Twp. | 3,101 | 2,977 | 2,917 | 7 | 13 | 15 | 1 | 24 | 124 | 29 | 47 | 0.394% | 2.602% | 0.867% |
| Mahoning | Green Twp. | 3,414 | 3,321 | 3,270 | 17 | 2 | 14 | 1 | 17 | 93 | 25 | 59 | 0.434% | 2.864% | 0.955% |
| Mahoning | Jackson Twp. | 2,124 | 2,054 | 2,030 | 7 | 2 | 5 | 0 | 10 | 70 | 22 | 32 | 0.270% | 1.782% | 0.594% |
| Mahoning | Lowellville V. | 996 | 938 | 924 | 4 | 4 | 0 | 0 | 6 | 58 | 18 | 31 | 0.127% | 0.836% | 0.279% |
| Mahoning | Milton Twp. | 3,565 | 3,376 | 3,339 | 15 | 5 | 16 | 0 | 1 | 189 | 48 | 47 | 0.453% | 2.991% | 0.997% |
| Mahoning | New Middletown V. | 1,507 | 1,451 | 1,440 | 3 | 2 | 4 | 0 | 2 | 56 | 12 | 30 | 0.192% | 1.264% | 0.421% |
| Mahoning | Perry Twp. | 6 | 6 | 4 | 1 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | 0.001% | 0.005% | 0.002% |
| Mahoning | Poland Twp. | 14,664 | 14,140 | 13,883 | 62 | 12 | 111 | 1 | 71 | 524 | 139 | 438 | 1.864% | 12.303% | 4.101% |
| Mahoning | Sabring V. | 4,191 | 4,064 | 4,028 | 12 | 5 | 9 | 1 | 9 | 127 | 46 | 37 | 0.533% | 3.516% | 1.172% |
| Mahoning | Smith Twp. | 4,097 | 3,898 | 3,839 | 29 | 5 | 7 | 1 | 17 | 199 | 73 | 59 | 0.521% | 3.437% | 1.146% |
| Mahoning | Springfield Twp. | 6,800 | 6,524 | 6,393 | 46 | 13 | 26 | 0 | 46 | 276 | 101 | 158 | 0.864% | 5.705% | 1.902% |
| Mahoning | Struthers city | 10,063 | 9,372 | 8,668 | 475 | 19 | 51 | 6 | 153 | 691 | 681 | 586 | 1.279% | 8.443% | 2.814% |
| Mahoning | Youngstown city | 60,068 | 55,439 | 25,827 | 26,072 | 258 | 266 | 28 | 2,988 | 4,629 | 28,521 | 6,895 | 7.636% | 50.398% | 16.799% |
| Trumbull | Bazetta Twp. | 5,912 | 5,648 | 5,509 | 65 | 4 | 45 | 0 | 25 | 264 | 119 | 80 | 0.752% | 4.960% | 1.653% |
| Trumbull | Bloomfield Twp. | 1,249 | 1,201 | 1,174 | 25 | 1 | 0 | 0 | 1 | 48 | 35 | 5 | 0.159% | 1.048% | 0.349% |
| Trumbull | Braceville Twp. | 2,467 | 2,345 | 2,241 | 64 | 3 | 10 | 0 | 27 | 122 | 76 | 45 | 0.314% | 2.070% | 0.690% |
| Trumbull | Bristol Twp. | 2,704 | 2,557 | 2,531 | 11 | 0 | 1 | 0 | 14 | 147 | 30 | 32 | 0.344% | 2.269% | 0.756% |



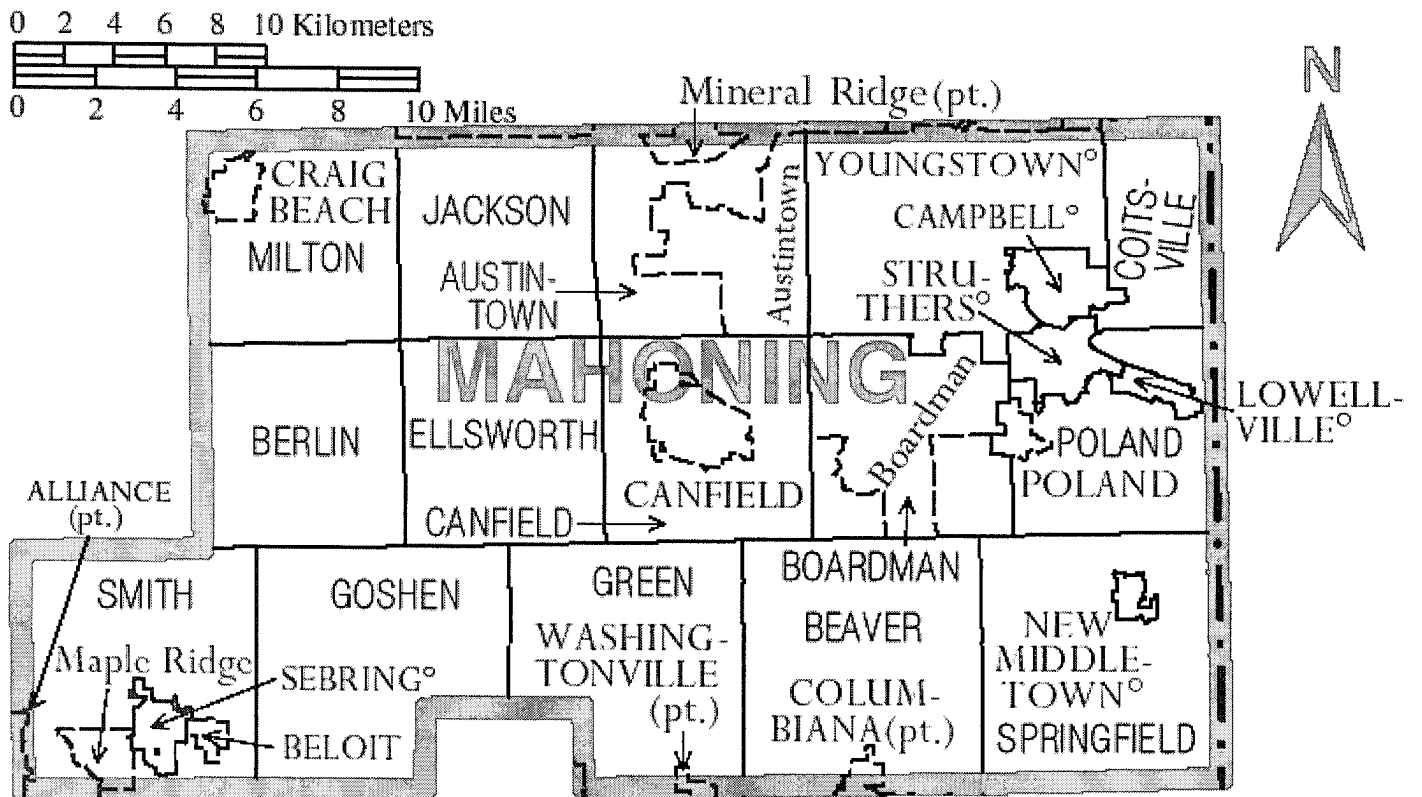
Prepared by:
The Northern Ohio Data Information Service (NODIS)
Maxine Goodman Levin College of Urban Affairs

Source: PL94-171, 2020 Census of Population, Census Bureau

2020 Population of County Subdivisions in Columbiana, Mahoning, and Trumbull Counties

| COUNTY | NAME | Population | Population of one race | White alone | Black or African American alone | American Indian and Alaska Native alone | Asian alone | Native Hawaiian and Other Pacific Islander alone | Some Other Race alone | Population of two or more races | Black or African American, any combination | Hispanic / Latino | Proportion of 2020 CD | Proportion of 2020 HD | Proportion of SD |
|--------------|--------------------|----------------|------------------------|----------------|---------------------------------|---|--------------|--|-----------------------|---------------------------------|--|-------------------|-----------------------|-----------------------|------------------|
| Trumbull | Brookfield Twp. | 8,447 | 8,022 | 7,699 | 261 | 8 | 17 | 3 | 34 | 425 | 396 | 106 | 1.074% | 7.087% | 2.362% |
| Trumbull | Champion Twp. | 9,381 | 8,954 | 8,797 | 80 | 11 | 30 | 0 | 36 | 427 | 147 | 125 | 1.193% | 7.871% | 2.624% |
| Trumbull | Cortland city | 7,105 | 6,837 | 6,639 | 101 | 11 | 52 | 0 | 34 | 268 | 165 | 128 | 0.903% | 5.961% | 1.987% |
| Trumbull | Farmington Twp. | 2,993 | 2,920 | 2,912 | 5 | 2 | 0 | 0 | 1 | 73 | 28 | 13 | 0.380% | 2.511% | 0.837% |
| Trumbull | Fowler Twp. | 2,360 | 2,264 | 2,231 | 9 | 2 | 1 | 2 | 19 | 96 | 15 | 26 | 0.300% | 1.980% | 0.660% |
| Trumbull | Greene Twp. | 950 | 920 | 911 | 6 | 0 | 1 | 0 | 2 | 30 | 13 | 8 | 0.121% | 0.797% | 0.266% |
| Trumbull | Gustavus Twp. | 834 | 783 | 772 | 4 | 0 | 4 | 0 | 3 | 51 | 11 | 8 | 0.106% | 0.700% | 0.233% |
| Trumbull | Hartford Twp. | 1,861 | 1,800 | 1,784 | 5 | 4 | 2 | 0 | 5 | 61 | 16 | 27 | 0.237% | 1.561% | 0.520% |
| Trumbull | Howland Twp. | 19,042 | 18,120 | 16,938 | 698 | 41 | 320 | 6 | 97 | 922 | 951 | 354 | 2.421% | 15.977% | 5.326% |
| Trumbull | Hubbard Twp. | 12,969 | 12,424 | 11,967 | 311 | 16 | 48 | 1 | 81 | 545 | 408 | 265 | 1.649% | 10.881% | 3.627% |
| Trumbull | Johnston Twp. | 1,739 | 1,652 | 1,623 | 5 | 1 | 11 | 0 | 12 | 87 | 9 | 24 | 0.221% | 1.459% | 0.486% |
| Trumbull | Kinsman Twp. | 1,751 | 1,677 | 1,647 | 8 | 8 | 10 | 0 | 4 | 74 | 29 | 23 | 0.223% | 1.469% | 0.490% |
| Trumbull | Liberty Twp. | 21,514 | 20,262 | 16,878 | 2,943 | 48 | 173 | 1 | 219 | 1,252 | 3,411 | 758 | 2.735% | 18.051% | 6.017% |
| Trumbull | Lordstown V. | 3,332 | 3,197 | 3,052 | 103 | 8 | 18 | 0 | 16 | 135 | 128 | 55 | 0.424% | 2.796% | 0.932% |
| Trumbull | McDonald V. | 3,172 | 3,020 | 2,939 | 57 | 3 | 10 | 0 | 11 | 152 | 78 | 58 | 0.403% | 2.661% | 0.887% |
| Trumbull | Mecca Twp. | 2,319 | 2,215 | 2,192 | 8 | 8 | 6 | 0 | 1 | 104 | 15 | 19 | 0.295% | 1.946% | 0.649% |
| Trumbull | Mesopotamia Twp. | 3,404 | 3,357 | 3,320 | 34 | 1 | 1 | 1 | 0 | 47 | 50 | 16 | 0.433% | 2.856% | 0.952% |
| Trumbull | Newton Twp. | 8,618 | 8,180 | 8,028 | 88 | 12 | 14 | 0 | 38 | 438 | 164 | 123 | 1.096% | 7.231% | 2.410% |
| Trumbull | Orangeville V. | 174 | 167 | 165 | 1 | 0 | 0 | 0 | 1 | 7 | 3 | 1 | 0.022% | 0.146% | 0.049% |
| Trumbull | Southington Twp. | 3,731 | 3,552 | 3,499 | 24 | 3 | 12 | 0 | 14 | 179 | 53 | 39 | 0.474% | 3.130% | 1.043% |
| Trumbull | Vernon Twp. | 1,337 | 1,282 | 1,271 | 2 | 0 | 2 | 0 | 7 | 55 | 10 | 11 | 0.170% | 1.122% | 0.374% |
| Trumbull | Vienna Twp. | 3,978 | 3,815 | 3,722 | 58 | 0 | 24 | 0 | 11 | 163 | 85 | 53 | 0.506% | 3.338% | 1.113% |
| Trumbull | Warren city | 39,201 | 36,217 | 24,595 | 10,944 | 66 | 153 | 10 | 449 | 2,984 | 12,468 | 1,104 | 4.983% | 32.891% | 10.964% |
| Trumbull | Warren Twp. | 4,744 | 4,411 | 3,990 | 367 | 14 | 14 | 1 | 25 | 333 | 453 | 92 | 0.603% | 3.980% | 1.327% |
| Trumbull | Weathersfield Twp. | 24,689 | 23,234 | 22,016 | 913 | 24 | 128 | 1 | 152 | 1,455 | 1,343 | 581 | 3.139% | 20.715% | 6.905% |
| Trumbull | Youngstown city | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.000% | 0.000% | 0.000% |
| Total | | 532,468 | 503,787 | 437,938 | 54,157 | 1,146 | 3,434 | 119 | 6,993 | 28,681 | 63,473 | 20,024 | 67.690% | 446.753% | 148.918% |
| Columbiana | | 101,877 | 97,573 | 94,155 | 2,122 | 319 | 346 | 16 | 615 | 4,304 | 3,157 | 1,752 | 12.951% | 85.477% | 28.492% |
| Mahoning | | 228,614 | 215,181 | 172,721 | 34,835 | 528 | 1,981 | 77 | 5,039 | 13,433 | 39,607 | 14,093 | 29.062% | 191.812% | 63.937% |
| Trumbull | | 201,977 | 191,033 | 171,062 | 17,200 | 299 | 1,107 | 26 | 1,339 | 10,944 | 20,709 | 4,179 | 25.676% | 169.463% | 56.488% |





Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

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