

**IN THE SUPREME COURT OF OHIO**

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

*Relators,*

v.

OHIO REDISTRICTING  
COMMISSION, *et al.*,

*Respondents.*

Case No. 2021-1193

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BRIA BENNETT, *et al.*,

*Relators,*

v.

OHIO REDISTRICTING  
COMMISSION, *et al.*,

*Respondents.*

Case No. 2021-1198

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THE OHIO ORGANIZING  
COLLABORATIVE, *et al.*,

*Relators,*

v.

OHIO REDISTRICTING  
COMMISSION, *et al.*,

*Respondents.*

Case No. 2021-1210

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**STIPULATION OF EVIDENCE – APPENDIX OF EXHIBITS**

**Volume 2 of 2 (pages 260–433)**

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**STIPULATION OF EVIDENCE – APPENDIX OF EXHIBITS**

**Volume 2 of 2 (pages 260–433)**

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**Index of Documents**

<b>Item</b>	<b>Description</b>	<b>Appendix Page Number</b>
<b>VOLUME 1</b>		
1	8/6/2021 Hearing Transcript, Ohio Statehouse, Senate Finance Hearing Room	STIP_0001 – 0002
2	8/23/2021 Hearing Transcript, Cleveland State University, Cleveland, OH	STIP_0003 – 0037
3	8/23/2021 Hearing Transcript, Youngstown State University, Youngstown, OH	STIP_0038 – 0055
4	8/24/2021 Hearing Transcript, Sinclair Community College, Dayton, OH	STIP_0056 – 0086
5	8/27/2021 Hearing Transcript, University of Akron, Akron, OH	STIP_0087 – 0127
6	8/27/2021 Hearing Transcript, Ohio State University – Mansfield, Mansfield, OH	STIP_0128 – 0159
7	8/31/2021 Hearing Transcript, Ohio Statehouse, Senate Finance Hearing Room	STIP_0160 – 0168
8	9/9/2021 Hearing Transcript, Ohio Statehouse, Senate Finance Hearing Room (part 1) (10:00 AM)	STIP_0169 – 0198
9	9/9/2021 Hearing Transcript, Ohio Statehouse, Senate Finance Hearing Room (part 2) (2:00 PM)	STIP_0199 – 0227
10	9/12/2021 Hearing Transcript, Washington Township RecPlex West, Dayton, OH (Part 1)	STIP_0228 – 0259
<b>VOLUME 2</b>		
11	9/13/2021 Hearing Transcript, Corporate College East, Cleveland, OH (part 1)	<a href="#"><u>STIP_0260 – 0294</u></a>
12	9/13/2021 Hearing Transcript, Corporate College East, Cleveland, OH (part 2)	<a href="#"><u>STIP_0295 – 0338</u></a>
13	9/14/2021 Hearing Transcript, Ohio Statehouse, OH House Finance Hearing Room (part 1)	<a href="#"><u>STIP_0339 – 0367</u></a>

<b>Item</b>	<b>Description</b>	<b>Appendix Page Number</b>
14	9/14/2021 Hearing Transcript, Ohio Statehouse, Ohio House Finance Hearing Room (part 2)	<a href="#"><u>STIP_0368 – 0391</u></a>
15	9/15/2021 Hearing Transcript, Ohio Statehouse, Ohio House Finance Hearing Room	<a href="#"><u>STIP_0392 – 0409</u></a>
16	8/6/2021 Redistricting Commission Minutes	<a href="#"><u>STIP_0410 – 0411</u></a>
17	8/31/2021 Redistricting Commission Minutes	<a href="#"><u>STIP_0412 – 0413</u></a>
18	9/9/2021 Redistricting Commission 10 AM Minutes	<a href="#"><u>STIP_0414 – 0415</u></a>
19	9/9/2021 Redistricting Commission 2 PM Minutes	<a href="#"><u>STIP_0416 – 0417</u></a>
20	Article XI, Section 8(C)(2) Statement	<a href="#"><u>STIP_0418 – 0419</u></a>
21	Article XI, Section 8(C)(2) Statement – 9/15/2021 Minority Report	<a href="#"><u>STIP_0420 – 0426</u></a>
22	Ohio Redistricting Commission Rules	<a href="#"><u>STIP_0427 – 0431</u></a>
23	House District map adopted by the Commission	<a href="#"><u>STIP_0432</u></a>
24	Senate District map adopted by the Commission	<a href="#"><u>STIP_0433</u></a>

## Ohio Redistricting Commission - 9-13-2021- Cleveland part 1

<https://www.ohiochannel.org/video/ohio-redistricting-commission-9-13-2021-cleveland-part-1>

**Co-Chair Speaker Robert Cupp** [00:00:00] I like to call this meeting of the Ohio Redistricting Commission to order, uh, and before we start, we'd like to begin our official business. We'd like to thank the Cuyahoga Community College, Tri-C, for hosting us today and introduce William Gary, executive vice president for Workforce Community and Economic Development, for a short welcome.

**William Gary** [00:00:25] And will be short. Thank you. Let me first of all, governor and members of the legislature and the commission and invite a guest. Let me welcome all of you on behalf of our president, Dr Alex Johnson, who could not be with us today due to a mild illness. But it's our pleasure to have you. And this meeting here at this institution, as most of you know, Tri-C as the oldest and the largest community college in the state. This facility was founded in nineteen, I'm sorry, 2003 and represents one of the premier aspects of the college's workforce development community and economic development division. We're very, very pleased to have all of you here. This facility provides training for over a thousand businesses, individuals and government entities. And we are so pleased that you saw fit to have this event here today. So I want to acknowledge also my colleague, Clarabelle Sotho, who worked with the commission to bring this event here today. So, again, thank you for coming. We hope that this meeting will achieve the outcomes that we desire. And if there's anything that we can do to assist you in this process, by all means, please call on my colleagues. Thank you and have a great meeting.

**Co-Chair Speaker Robert Cupp** [00:01:52] Thank you. Appreciate your hospitality. As the people arrive, who would like to testify, if you could please fill out a witness slip, we'd appreciate it and provide it to the staff at this time would the staff please call the roll.

**Staff** [00:02:13] Sorry.

**Co-Chair Speaker Robert Cupp** [00:02:13] Call the roll

**Staff** [00:02:16] Co-chair Senator Sykes,.

**Co-Chair Senator Vernon Sykes** [00:02:16] Present

**Staff** [00:02:18] Co-chair, Speaker Cupp.

**Co-Chair Speaker Robert Cupp** [00:02:19] Present.

**Staff** [00:02:20] Governor DeWine.

**Governor DeWine** [00:02:21] Here.

**Staff** [00:02:22] Auditor Faber.

**Auditor of State Keith Faber** [00:02:22] Here,.

**Staff** [00:02:23] President Huffman

**Senate President Matt Huffman** [00:02:24] Here.

**Staff** [00:02:25] Secretary LaRose.

**Secretary of State Frank LaRose** [00:02:25] Here.

**Staff** [00:02:26] Leader Sykes.

**House Minority Leader Emilia Sykes** [00:02:26] Here.

**Co-Chair Senator Vernon Sykes** [00:02:28] Our quorum being present. We will now continue the meeting. I understand the commission will hear testimony on the commission plan that was introduced on September 9th, 2021 in accordance with the commission rule, these proceedings will be recorded and broadcast by the Ohio Channel. So the board in its deliberation may consider everything that's said, we asked our audience today to refrain from clapping and other loud noise out of respect for witnesses and so persons can hear remotely. If you are here to testify again, please complete a witness slip uh we ask you. We have over 40 over 50 witnesses today. We were in session for five hours yesterday. We're hopeful to be able to get to everyone here today. If you could limit your comments to four minutes and the staff will raise up a card to indicate when you have one minute left and when your time has expired. At this time, we'd like to start with the first witness and the staff will read three witness at a time so the people can be geared up for the for their testimony.

**Staff** [00:03:57] Gerald Barna, Catherine Buechner, George Bohan, the third.

**Gerald Barna** [00:04:24] I have a witness form plus 10 copies of the written testimony. My name is Gerald Barna. I'm currently a member in House District 57, Ohio Senate District 13 and Congressional District seven. I've been a resident of Avon, Ohio, for 18 years and lived in Lorain County for over 50 years. I was employed at the NASA Glenn Research Center and retired after 40 years of service. I went, I'm an engineer, but most of my career spent in project management and large organization management and I was a senior executive service member and that I'm here at NASA headquarters. After retirement, I consulted for small businesses and nonprofit organizations. During my tenure at NASA, most of the time, we had stringent schedules. Strong requirements that have to be met, usually constraints and funding as well, and the need to interact with many organizations and bring them together to a successful conclusion. What I want to do today is give you my overall assessment of the commission introduced maps, and I'd like to start with the example of District fifty seven. I testified about districts fifty seven previously. It is a large district. It is not compact, but has a large group of counties and it works its way up, splits North Ridgeville and ends at eight on the. So it is not compact. Avon has no significant share interests with most of the communities in that district. But Avon has very strong shared interests with nearby communities such as Avon Lake, North Ridgeville, Sheffield, Lake Sheffield and Eden. What I reviewed the maps produced by the introduced by the commission, I believe that all the issues I raised have been addressed. And I thought this out because I wanted to demonstrate that it is possible to do this. After initially looking at District 57 and what was done to create the District 52, I looked at the remaining maps and looked for compactness, shared interests, and found that very few times. Could I find evidence of these things being in place further and looking at what was presented in terms of expected outcomes? There was a significant increase in the number of Republican dominated House and Senate districts, and I don't believe that is appropriate or in the best interests of the state. And I am a registered Republican. I urge the commission, the Democrats, the Republicans to work together in good faith, willing to make compromises

and come to the conclusion of a 10 year plan. Otherwise, it will be absolutely destructive to the state and harmful to its citizens. Thank you.

**Co-Chair Senator Vernon Sykes** [00:09:02] Are there any questions? Thank you very much.

**Staff** [00:09:11] Katherine Buettner, George Bohan, Daniel Bruce.

**Co-Chair Senator Vernon Sykes** [00:09:39] Please state and spell your name for our record, please.

**Daniel Bruce** [00:09:45] Hi, I'm Daniel Bruce, I assume I didn't cut the line and see anybody else get up. I am a resident of Lakewood, 13th House District and twenty third Senate District. I'm not going to get into a lot of the details of the maps. I was at an earlier meeting a couple weeks ago. I wanted to give you a little bit of my perspective. One little thing about this process, though, both of these times have been during work hours. I appreciate that this one later in the day, but I work part time. I work a bunch of part time jobs. So this is my second time trying to take part in this process. And it has now cost me two hundred and twenty five dollars. I want to briefly say I hope that you all have taken a look at the maps that were submitted to Fair Maps, the winners of their competition, and take a very serious look at those.

**Daniel Bruce** [00:10:50] OK, I'd like to talk to you about my own experience and that of many of my friends. Right now. We represent the younger generation that finished college and moved away from Ohio, something I hear about a lot to big cities or to the coasts. After getting a little older and having children moving back, began to look like a good idea. It's cheaper. We can be around our family. And I like it. Having grown up here discussing this plan with my wife and other friends, the one thing that kept coming up was the politics of Ohio is gaining a reputation as a state that is moving more and more to the extreme right. I don't believe this accurately reflects the political will of the voters. I think it has happened over the last 10 years, largely due to this issue of gerrymandering. So here we are with Stand Your Ground bills being passed in multiple bills being introduced to restrict women's reproductive rights. The legislature has taken away the governor's power to declare health emergencies. So now I'm sending my kids to school when the numbers are as bad as they were last winter and just hoping for the best, I guess. All this while failing, failing to properly fund public education, my wife and I want to live in a place that reflects our values to some degree. We've been here for five years. As we become more aware and involved in politics in this state, we've begun discussing where else we might want to live if things keep going this direction. Given that part of the proposed budget last year was allocating funds to market Ohio to young people from other states. I don't think this is a good sign that I'm having this talk with my wife and many of my friends who have moved back. You've lost our trust, you've forgotten that you're supposed to work for the people, we should not have to spend our lives getting signatures, missing work to come to meetings, et cetera, to beg you to do your job in an honest manner with decency and integrity. I do thank you for the chance to talk and have a good day. Are there any questions?

**Co-Chair Senator Vernon Sykes** [00:13:04] Again, I would ask youput to hold your applause so we could continue.

**Staff** [00:13:13] Glen Campbell Ann Caruso, Sylvia Chim Leevi.

**George Bohan** [00:13:19] I didn't know quite how that worked out. George.

**Co-Chair Senator Vernon Sykes** [00:13:24] Please state and spell your name, please.

**George Bohan** [00:13:26] George Patrick Bohan, the third B O H A N from Akron. Chairman Cupp., Chairman Sykes, thanks for bringing the committee here today and thanks for inviting me to speak. Governor DeWine, Welcome to Northeast Ohio. Welcome to Cleveland. Always happy to see you here. And thanks to the committee for giving me this chance to speak about this important issue. I want to bring up three things in my time. I'm from Akron. I used to live near Lorain. We all know that Akron is divided into four congressional districts. Lorain is divided into three congressional districts. What that means is we in Akron don't really have representation in the Congress. I live in Ryan's district. I'm a registered Democrat. Hey, I knock on doors for Democrats, so why wouldn't I be tickled to be in a pretty safe Democratic district? Mr. Ryan live. Seventy five miles away, Marcia Fudge lived 50 miles away. Dave Joyce lives almost seventy five miles away. So we don't have the representation. We need. All of those representatives, their core constituents are really elsewhere. Their communities are elsewhere in Akron. We don't really have the representation we need because of gerrymandering. And the same is true we know for Lorraine. Jim Jordan lives about 100 miles from Lorraine. We know Lorraine is not getting the representation it needs. So we need, of course, districts where the representatives represent those districts. We need competition. Thanks. I heard a little we need competitive districts. As I said, I'm a Democrat, a Democratic district. Why wouldn't I be happy with a fairly safe district? Because in safe districts, legislators don't have to listen to their constituents. Republican. Representatives, whether Democrat or Republican, when they are in safe districts and when they're in super safe districts, they don't have to listen to me. Even the Democrats don't have to listen to me. They're in a safe district. Competitive districts would help the state. We all know the last time we did this, the last time we went through this, Ohio ranked higher in education and economic. We've moved down the ladder. Noncompetitive districts are part of the reason for that. Primaries shouldn't be the general election. We need general elections, competitive, competitive general elections, competitive districts. We need representatives who are testing their ideas against each other and bringing their ideas to the electorate. Last thing I want to bring up until I get more and more nervous the farther I go, 75 percent of Ohio voted for this to ignore their. To ignore the will of the people you couldn't get, you know, we know you couldn't get seventy five percent of Ohio, you get 75 percent of Ohio to root for the Buckeyes and that's about it. To get 75 percent of Ohio to root to vote for anything is remarkable. Please don't let us down. Thanks for listening to me.

**Co-Chair Senator Vernon Sykes** [00:17:07] Are there any questions? Thank you. I like to remind the presenters that we are limiting our presentations to state legislative districts and in particular to maps and the map that's before the commission. So please leave your comments to the map of the commission map in state legislative districts.

**Staff** [00:17:36] Glen Campbell Ann Caruso, Sylvia Chim Levie.

**unidentified** [00:17:42] In what order are you picking these names?

**Staff** [00:17:52] Alphabetical by who submitted them electronically Deborah Dorcy, Melanie Immig, Rebecca Emsworth.

**Debbie Dalke** [00:18:13] I also have to have copies of this, I cite some of my material, so I'd like to have copies. So my name is Debbie Dalke, D E B B I E D A L K E and I live in

Bowling Green in Wood County now Wood County now has too many people for one state House district and so must be split, as I said in the Toledo hearing, in the community must be divided. The people who live there should have a voice in how this is done. So I am here today to raise my voice. The population issue with Wood County could be resolved by carving out a small segment and keeping Wood County largely intact. This is my preferred solution. The commission chose to consider the Huffman map, which divides Wood County in half. The western half of Wood County was lumped into a district with the piece of Lucas County and a slice of Hancock County. This district District 43 would be my new house district. It is not compact and it unnecessarily splits Hancock County. Hancock is small enough to be fully contained within a house, a state house district. The Huffman map also isolates me from my community. I live about a mile southwest of the city, on the other side of the boundary that divides Wood County. And two, I have a Bowling Green zip code live in a bowl. The Bowling Green School District. The vast majority of my business is conducted in Bowling Green and my husband pays Bowling Green City taxes. There is not a valid reason for putting me in a different house district. I am also concerned about the redistricting process. DeRossi, when introducing the Huffman maps, said he was instructed to draw maps without utilizing demographic or racial data. Mr DeRossi also stated that his maps fully complied with the requirements in the Ohio Constitution. I believe these two statements are contradictory, which I will explain. Article eleven Section 6 the Ohio Constitution states that a district Pan District plan should correspond closely to the statewide preferences. If, as Mr. DeRossi claims, voting patterns were not looked at when the maps were evaluated, then the map makers could not know if they adhere to this section of the Constitution. Article 11, Section three of the Ohio Constitution say states that district plan should comply with federal law. A relevant federal law is a 1965 Voting Rights Act. Section two of this act prohibits policies that deny or bridge the right to vote based on race. A Judiciary report that accompanies the 1982 extension of the act specifically mentions the creation of unusually large voting districts as potentially violating this act. And I have a reference for that. Map makers know they can minimize the voting power of a demographic group by packing the district with those individuals. At the Huffman, maps were drawn without evaluating the racial composition of the districts. Then we cannot know if some of the districts violate the Voting Rights Act Act. The League of Women Voters sponsored a mapmaking competition using publicly available districting software. It was evaluated by an emeritus professor on a number of issues. All of the issues that are in the Constitution, the official Huffman maps compared to the contest winners and the Huffman maps maps read noticeably lower on a number of criteria, including compactness and proportionality, fitting the voting patterns of a state. So hopefully you will take the superior lead superior maps into consideration. And I've included a link. In conclusion, this redistricting process is a slap in the face to the over 70 percent of Ohioans who voted for the redistricting reforms. The Republican engineered maps give even more power to the Republican candidates. They are even more politically biased than the ones we currently have. Private citizens were able to to produce maps that better fit the constitutional criteria than your maps, and they did so in a more timely manner and at no cost to the taxpayers. David Winston, a redistricting consultant in the 1990s, said the following. "As a map maker, I can have more of an impact on election than a campaign more of an impact than a candidate. When I, as a map maker have more of an impact to voters, the system is out of whack" and your system is out of whack. Please reject the proposed gerrymander.

**Co-Chair Senator Vernon Sykes** [00:23:22] Again, please please. I'm going to ask again, please hold the applause.

**Auditor of State Keith Faber** [00:23:35] Yes, if if the nice lady would answer a question, I'd be happy to. Yes, ma'am. Specifically looking at the maps, I appreciated your testimony

because you talk specifically about things in the maps that I could pull up and take a look at. Have you taken a look at the Democrat suggested maps or any of the other maps on Dave's redistricting?

**Co-Chair Senator Vernon Sykes** [00:23:55] Can you come back to the microphone, please? So it can be recorded?

**Debbie Dalke** [00:24:01] I've taken a look at a number of them specifically, I've taken a look at those that are relate to my own districts and the maps, most of the maps that I remember that they did take a little chunk out of Wood County and they left most of Wood County intact before. Go ahead. So for the maps. And I looked at then again, living a mile from the city of Bowling Green, that my address would still be included with Bowling Green.

**Auditor of State Keith Faber** [00:24:32] The problem and I appreciate that. And that's why I was looking, because I'm looking at the Democrats proposed maps and they split very similar to what the the Republican the legislative maps did because Bowling Green's Wood County's population is such that you can get a whole state rep district and it has to be part of another depending on where you do the splits. And so those are all about making decisions in the Constitution requires that we keep cities intact and townships intact. And that's why I was trying to figure out if you live outside the city and they're doing splits, depending on how they do those splits because of the population requirements, it makes it kind of tough. And I was just curious if you knew where the Democrats split was with regard to your House.

**Debbie Dalke** [00:25:12] That one I didn't consider I was more interested in in looking at the wood the the maps that were entered into the the contest for the win, the League of Women Voters. I looked at those maps. So the Democrat map. No, I'll be honest.

**Auditor of State Keith Faber** [00:25:29] And many of those that had to split another county somewhere to put that overflow. So it's a question of which we could all just pick, which, you know, one we're splitting next to our house when we live next to a city because I live in a township just outside the city as well. And I know that that gets sometimes tough. But I'm just curious, if you looked at that, it looks like you hadnt.

**Debbie Dalke** [00:25:48] Not the Democrat map. As I said, I looked at the other maps and the maps and I saw pulled out just a little section of Wood County and then added that to a county that was smaller

**Auditor of State Keith Faber** [00:25:57] Thank you so much and thanks for your specific testimony. That's very helpful.

**Debbie Dalke** [00:26:01] Thank you.

**Co-Chair Senator Vernon Sykes** [00:26:04] Thank you very much. At this time, we've been joined by some other state elected officials. We've been joined by State Representative UpChurch State Representative Smith, State Representative Brent and the minority leader of the Senate, Senator Yuko. Thanks for joining Appreciate it. I'm told we also have State Representative Sweeney.

**Staff** [00:26:35] The next witness we have up is Melanie Imake, and after her is Rebecca Emsworth.

**Co-Chair Senator Vernon Sykes** [00:26:50] OK.

**Staff** [00:26:53] OK. The next witness after Melanie was Rebecca, Endsworth and after Rebecca Ounsworth is Elliot Forhan. OK. OK. The next witness is Deborah France, followed by Barbara Friedman Yaksic.

**Staff** [00:27:30] OK. The next witness is Elizabeth Gersten Hober, followed by Brian Glassman,

**Co-Chair Senator Vernon Sykes** [00:27:43] would you please state and spell your name?

**Auditor of State Keith Faber** [00:27:45] Sure. Good afternoon. I am Barbara Friedman Yaksic. B A R B A R A F R I E D M A N and Yaksic is Y A K S I C and I'm so glad you went by the F and not the Y so I could be up here earlier. members of the redistricting commission. Thank you for hearing my testimony today. I retired from the practice of law four years ago. Since then, I've been involved in much volunteer work, primarily focusing on voter access and voter rights. As an attorney, I took an oath to honor and support federal and state laws and constitutions and statutes, as did most of you. Governor DeWine as former attorney general Speaker Cupp, former Supreme Court Justice Senator Huffman and Auditor Faber as attorneys. It is because of that oath and as an Ohio concerned Ohio's citizen, I am testifying today. Each of you, when elected to office, took an oath and this is a direct quote and the sites are in my written testimony, you each promise that you shall support the Constitution of the United States and the Constitution of this state. Similarly, when appointed to the redistricting commission, each of you and again, I quote, solemnly swore to support the Constitution of the United States and the constitution of the state of Ohio and to fully, faithfully discharge the duties of the office as a member of the Ohio Redistricting Commission on which I serve pursuant to Article eleven, Section one of the Ohio Constitution. This I shall do as I shall enter. Answer unto God respectfully, except for Senator Sykes and Representative Sykes, each of you has violated these oaths today. I ask each of the Republican members of this commission, have you upheld your oath, have you honored your constitutional obligation to create fair districts in state elections in Ohio for the next decade based on the hyper partisan maps produced at the 11th hours it appears that you have acted in violation of the Ohio Constitution for the sole purpose of gaining partisan advantage, thereby perpetuating for another decade the corrupt and corrosive practice of partisan gerrymandering in this state. As you are well aware and it has been testified to today, the Ohio Constitution was amended in 2015 and 2018 to prevent partisan gerrymandering of voting districts. Ohio voters of all parties demanded this, as demonstrated by the overwhelming support more than 70 percent of these issues. While I am not a voting rights lawyer or expert it is clear that at a minimum, the following requirements of the Ohio Constitution have not been met by the proposed maps. Representative proportionality. The fact that the maps should not disfavor or favor one party or incumbents. And again, I quote, No plan shall be drawn primarily to favor or disfavor a political party, given the supermajority in the proposed map. That doesn't seem to be met. And again, compliance with federal law. And as was pointed out earlier, this map violates the federal Voting Rights Act as testimony today and in prior hearings before this commission repeatedly established gerrymandered districts are corrosive to our democracy. It leads to unresponsive lawmakers who refuse to meet with or talk with their constituents or to hold town halls to find out their constituents views. It leads and indeed has led to corruption of public officials. It leads to extremist views, bad policies and policies not responsive to Ohio voters. I urge each of you to honor the oath you have given to the citizens of Ohio. Adapt a fair, proportionally representative map that complies with all Ohio

and federal statutes to do otherwise and adapt. The current map will only invite litigation and thus unnecessarily waste taxpayer dollars, which of course should be avoided. Adoption of the current map is an unconscionable betrayal of all Ohioans. And I ask that you honor the wishes of Ohioans. Thank you. [applause]

**Co-Chair Senator Vernon Sykes** [00:32:37] Are there any questions?

**Staff** [00:32:49] Ralph Turek, followed by Elizabeth Gersten Hober.

**Ralph Turek** [00:32:58] How many minutes do I actually have? I'm just curious. Four? Wow. OK, my name is Ralph Turek, I'm a 41 year Strongsville resident, and I've serious concerns about the maps that you proposed, drawing political maps to divide states into legislative districts, favoring one political party over the other. Run counter to the core of the Democratic principle that we are all entitled to equal representation. Gerrymandering is wrong, and it's in everybody's interest to stamp it out. However, the maps proposed by this commission suggest that perhaps you not prepared to do that more than one week after a constitutional deadline. As we expected at the latest possible moment, you're proposing maps that appear to adhere only marginally to the established criteria for redistricting. And we're drawn entirely, by the way, or entirely entirely without the input or support of the commission's minority members, who, by the way, submitted a timely manner in a timely manner, a map which you rejected on technicalities. Now, according to the reporting that I've read, and bear in mind the unreasonable short time that you've given us to study and understand the proposed maps, these maps not only failed to meet several of the important criteria and redistricting criteria established by federal law, but actually create more highly gerrymandered districts than we currently have. And this is not what we, your constituents had in mind. One criterion stipulates that the district's partisan makeup reflect the partisan makeup of the state as a whole. In other words, in Ohio, over the past 10 years, we've had state elections and have had 53 percent vote Republican and forty-seven percent vote Democrat, each of which each legislative district would ideally comprise 53 percent Republicans and 47 percent Democrats. Now, I recognize that that is an impossible thing to achieve. Still, a casual look at the proposed House map, for example, reveals very few districts that even remotely approach that ideal with partisan splits in the range of 80- 20, perhaps the most common. I understand that the currently proposed maps would likely award Republicans 67 of 99 House seats and 23 of 33 Senate seats. So I ask in a state where the popular support for the two parties is close to 50 50, how is it fair that we be represented by better than two Republicans for every one Democrat? How is that representative of our population and how is that Democratic? Another criterion that appears to have been overlooked involves racial makeup. Both the Ohio House and Senate map secure to inappropriately impact minorities. Into just two districts, House districts, 24 and 25 in the Cincinnati area, inconceivably, members promoting the map have actually stated on record that they failed to examine the racial composition of their map. This not only disregards an essential criteria for map drawing, it disrespects the Ohio Constitution, the federal Voting Rights Act, minority communities and all Ohio voters in our own northeast Ohio area. The odd sprawl and their regular borders House districts 13, 14, 18 to 22 all appear to disregard the criterion requiring compactness, and they raise questions about the motivation for the jagged boundaries. I wish that these maps had been proposed at least a month ago, as they should have been, to allow more time for study and input. And I suspect that the things I mentioned excuse me, are mere scratches on the surface, that there are other inequities built into these maps. People are generally fair minded. And oh yes, the view was that you'd be fair. Instead, we have to sit down and watch in dismay and disbelief as history continues to repeat itself, as this commission proceeds to cement another four years of electoral advantages that resulted

in total control of Ohio's government by the Republican Party for the better part of the last three decades. It's regrettable. It's shameful, it's an embarrassment, and it's a slap in the face of all Ohioans. Thank you.

**Co-Chair Senator Vernon Sykes** [00:38:19] Thank you very much,

**Staff** [00:38:23] Elizabeth Gersten Hober followed by Chris Glassburn.

**Co-Chair Senator Vernon Sykes** [00:38:38] All the. Mr. Co-chair and members of the commission, ladies and gentlemen, and on September the 9th, the commission submitted a map for consideration, and since then our staffs, all of our staffs have been working together over the weekend, Friday, Saturday, Sunday and and some of today on and out of those deliberations, the Leader Sykes and I are presenting an amendment to the commission's map. This is to amend, starting with the commission's map to amend it. To encompass some of the considerations and discussions taking place. This is done also for transparency's sake. Instead of waiting to the end and producing a map, we've produced the map already, one that we thought would be considered. But also we want to submit a map now to let you know for what's being considered at this particular time and the position that we're taking at this particular time. And Chris Glassburn is going to present the map, the amendment offered by Leader Sykes and myself.

**Chris Glassburn** [00:40:04] Thank you Co-Chair Sykes and Co-Chair Cupp and members of the Ohio Redistricting Commission for the opportunity to speak to you about changes that co-chair Sykes just referenced. My name is Chris Glassburn. I own a company called Project Govern and I serve as the consultant and map drawer for the Ohio Senate Democratic Caucus. What we're showing you today is a proposed amendment to the commission plan. The numbering scheme is not designed for the process outlined in the Constitution. It is designed to be an amendment to demonstrate new lines. The amendment first used the commission map as its base. If changes were not made and the map remains, as the commission map outlined. We use the same approach as the commission map, I'll move to northeast Ohio here. Side by side. These are Ohio House districts. We use the same approach as the commission map did to address the drawing of House and Senate districts in northeast Ohio. That is to say, we resolved the pairing issue of two House districts in Trumbull County. Those two districts now will be in the same Senate district as the commission proposed. However, in doing so, we now have been able to restore the city of Solon to be wholly in one district, unlike the commission map, which had split it. I'll go more detail into each of these regions as I go along. But I want to emphasize the overall changes first. Throughout the map, we have enhanced constitutional compliance by reducing splits of cities, counties and a township throughout the state, specifically on the township we eliminated the commission single split of a township in Stark County. So there are now no township splits in the entire state. We Decrease the number of competitive seats, and our map is now closer to the proportionality required by Article 11, Section 6 of the Ohio Constitution, and is closer now that the commission map to that ratio. This amendment should be interpreted as further evidence that Leader Sykes, co-chair Sykes and our respective Democratic caucuses are serious about enacting a ten year map. The map, initially presented by the Senate Democrats two weeks ago, was rated as having 44 likely Democratic House seats and 14 Democratic Senate seats. Our amendment today would result in 42 likely Democratic House seats and 13 Democratic Senate seats. As with our first proposal, the districts were drawn in compliance with the Voting Rights Act to ensure minority communities can select their candidate of choice. I would also like to make one note about the feedback we've received from outside individuals and groups to the commission. We have taken those

maps very seriously in our caucuses. We have listened very carefully to what you have said. Specifically want to underline a difference. Many of the maps have been presented to the commission have been dependent upon Dave's Redistricting App. I myself have been a user of the platform for over a decade, a contributor, and very fond of it. It's an incredibly useful tool. However, the platform is not specifically designed for compliance with the Ohio Constitution. For example, one of the maps that won the Fair Districts competition scores very well on competitiveness. However, it also has over 50 splits of cities throughout the state. Dave's Redistricting App was not intended to ensure compliance with the Ohio Constitution, it is a tool for the public to draw maps and to submit maps. I'll now proceed through the rest of the state. So as you can see on the two projectors, the Northeast Ohio region and our Ohio house maps, these maps are colored by the partisanship results in 19 Democratic House seats in northeast Ohio versus the commission's initial proposal of 14. Additionally, the commission had proposed splitting the city of Cleveland seven times with no House districts in the city entirely. The map that is before you today reduces that number from seven to five. And there are two House districts entirely within the city of Cleveland. City of Akron has been reduced from three, being in three House districts to two, with one wholly in the city of Akron. As I alluded to earlier, in Stark County, the township split has been removed. And in, throughout northeast Ohio, again, we have increased the proportionality. This is a little bit of a closer up view of Cuyahoga County. In Lorain County, in specific, we have two Democratic index seats. This slide says one and the commission proposed one. This is another key but minor difference between the Ohio data and Dave's Redistricting App. Dave's takes the elections from 2020, 2016 and some of the elections from 2018. There are three races down ticket races that were missing from that data set in this case. That difference is the difference between the Lorain County seat being determined to be Democratic versus Republican. It's a very competitive seat. In Summit and Portage County, you can see that we have unpacked Democrats as well as we did in Cuyahoga County and there is now a Democratic leaning seat in Portage County. For a difference of two on the proportionality. Again, Stark County, the difference is primarily the township split elimination. In Trumbull and Mahoning County, there are now two seats as opposed to one, and they are more compact. In Franklin County, neighbors, neighborhoods are better held together. We heard extensively about communities such as Clintonville communities between 315 and I-71 and various other areas of Columbus. The new map changes the pairing county from Union to Pickaway and now provides for a more again consolidated neighborhood base map, as well as in generally, a more compact map. In Hamilton County, the proposal creates five Democratic House seats versus four from the commission. But as important, the city of Cincinnati had been split additional times in the commission map, this map provides for two seats entirely within the city of Cincinnati and only one district being paired with suburbs as opposed to multiple. In Montgomery County, you'll see one of the more stark differences. In the center of Montgomery County, the commission map had centered most Democrats for the entire county. This proposal proposes they have two very competitive districts, one that is entirely, I'm sorry, there's a seat entirely in Dayton, a second seat, which has only the remnants of Dayton and a third seat that has the inner ring suburbs of Dayton. The latter two seats are very competitive. This also results in a Democratic Senate seat in the Dayton area. Lastly, in Lucas County, there are few changes, however, as was actually just referenced by someone talking about Wood County, Wood County district and the commission map had portions of three counties that has been reduced to two overall. Again, counties and cities splits have been reduced throughout the state. In the proposal we're offering here, the city of Toledo now has two districts entirely inside of it instead of just one. And so those are some of the highlights of the House version of the proposal. I can continue into the Senate, but I want to stop and allow the questions if Co-Chair Sykes sees fit.

**Co-Chair Senator Vernon Sykes** [00:49:08] Are there any questions at this time? Please continue. OK.

**Chris Glassburn** [00:49:22] Move down from this table. As I say, there was very little changes in northwest Ohio for the House districts, except for the elimination of a handful of splits. This has resulted in a different configuration of counties in northwest Ohio. However, they are now whole counties as opposed to some fragments in different areas. I do want to stress throughout the state there are actually a number of districts, both House and Senate, that are identical. Huron County paired with Lorain County, for example, is one of those. That's the pink district on the far right hand side of each map. Within northeast Ohio, again, we emphasize compactness, preserving communities and reducing splits in the major cities, as well as the proportionality. This proposal would result in five Democratic leaning Senate seats in Cuyahoga and Summit counties, as well as a small portion of Geauga. That foot into Geauga is the same concept as the commission map. And we preserve the two competitive seats identically in Lorain, Huron, as well as Portage, Trumbull. In central Ohio, the proportionality is enhanced by one seat towards the Democratic side, with the county adjoining Franklin now being Pickaway instead of the Northwest Union County. Additionally, with the districts being combined by neighborhood, we have in general much more compact districts with easier to interpret lines, boundaries such again, as Upper Arlington, Morse Road, the interstates, that are easier for residents there to determine. And finally, in southwest Ohio, again, it was a priority for us to reduce splits of cities and to keep communities whole. There is now a Dayton based seat entirely inside of Montgomery County as opposed to being shared with the surrounding exterior counties. And in Hamilton County, the most notable difference is the addition of a seat that is, I believe, fifty point one percent Democratic. So the most competitive seat in the state.

**Co-Chair Senator Vernon Sykes** [00:52:01] Are there any questions?

**unidentified** [00:52:12] I've got a question.

**Co-Chair Senator Vernon Sykes** [00:52:14] OK, you have a question? There's a question.

**unidentified** [00:52:24] (inaudible).

**Co-Chair Senator Vernon Sykes** [00:52:24] The availability of the maps?

**Chris Glassburn** [00:52:26] Are the maps available is the question? To the co-chairs. Yes, they are available. They are live currently on Dave's Redistricting App. One named Sykes, Sykes September 13th, House. And the other named Sykes, Sykes, September 13th Senate. And I believe our our public outreach team will be sharing those links very shortly as well. But you can search for them now.

**Co-Chair Senator Vernon Sykes** [00:52:52] Leader Sykes

**House Minority Leader Emilia Sykes** [00:53:00] Thank you. Thank you to the co-chairs, thank you to the co-chairs and thank you, Mr. Glassburn, for the presentation. One note was also just shared with me. These maps are also on the redistricting.Ohio.gov Web site, in case anyone wants to look at them. For the members of the commission, would like to reiterate my commitment to figuring out how we get to a 10 year map. While we know that we have two days to figure it out. Sometimes that feels like a lifetime and sometimes it feels like just a blip of a second. It is important for both the Senate and House Democratic

caucuses to put forth what we deem as something we can continue to negotiate on. And that is why you all are seeing these maps. And we hope that they can be taken seriously. And as we go through the next two days, I do encourage the members of the public, as you see fit to communicate with us where you would like to see edits, because, again, these are ultimately your maps as well. I do believe, and I'm going to continue to hold out hope. I do continue to keep mustard seeds of faith with me no matter where I go, that we can get to a 10 year map. And in doing this and providing this demonstrative activity, let's not only the members of this commission, but the individuals throughout this state who have told us not once but twice and hundreds of testimony, and hours of testimony to continue to be transparent and share how we can update this process. So this is that for our caucuses. So, again, as we continue through the next two days, please share that feedback from members of this commission. We would be well, I can just speak for myself would be open to all comments and criticism as long as they are constructively getting us towards a 10 year map that we can pass before the end of this week or by Wednesday specifically. Thank you, Mr. Chairman.

**Co-Chair Senator Vernon Sykes** [00:55:09] Any additional comments or questions? Thank you very much.

**Auditor of State Keith Faber** [00:55:16] Yes, we need to get a flag down for the endzone.

**Co-Chair Senator Vernon Sykes** [00:55:18] Auditor Faber.

**Co-Chair Senator Vernon Sykes** [00:55:18] Thank you, Mr. Chairman, and thank you for your testimony. And and I appreciate. I just want to appreciate working with Vern and I'm sorry, the chair and leader by showing us these earlier today and walking through some concerns. And one of the things that you mentioned, I think I just need to emphasize, because I was one of the people who was out there on Dave's Redistricting trying to figure out why, looking at the wise map and looking a bunch of the other maps. And it's your position that those maps would essentially be unconstitutional if we were to adopt them or work from them. Is that the framework? Is that what I heard you say?

**Chris Glassburn** [00:55:56] So, Mr. Auditor and the two co-chairs, I'm not an attorney. It's not my qualification to do that. But I have on my screen here the Wise map. And I'll just show you an example from Cuyahoga County where I live and I'm more familiar with. So please forgive me, slow Internet connection. OK. So Dave's redistricting utilizes the data from the census, as well as data aggregated by volunteers for 2016 and 2018, and that is, again, a very close and useful number. However, the layer that I have turned on is labeled as city lines. It is the, in terms of the census language, the minor civil division in Cuyahoga County that is cities, but in many other parts of the state, it does not perfectly coincide. But Cuyahoga County is a good example. So, for example. Again, we are currently in the city of Warrenville Heights. In this map, the city of Cleveland Heights, just north of us, is divided twice. The city of South Euclid is divided. The city of North Royalton is divided. The city of Strongsville is divided. The city of North Olmsted is divided. The township of Olmsted Township is divided. And this is a consistent theme throughout the state in this proposal. So just on its face, it is hard to see how this would be viewed as constitutional Mr. Auditor.

**Co-Chair Senator Vernon Sykes** [00:57:43] But, Mr. Chairman, I appreciate it, frankly, your staff pointing that out to me today in our discussions because I was laboring, using the Wise map and other maps to try and look to figure where you find compromise. So I appreciate you guys coming forward with these proposals and we'll be happy to study

them and go through. Look forward to working with you to see if we can't figure out how to make them work.

**Co-Chair Senator Vernon Sykes** [00:58:06] There is a question.

**audience member** [00:58:11] Yes I have a question so some the criteria are actually committing conflict, so you want them to be compact, but you also want to keep communities together, and you also want proportionality. So don't, can't you, did your maps did you evaluate your maps on all these criteria to see where they may be better than some criteria but worse on other criteria.

**Chris Glassburn** [00:58:40] So, Mr. Co-chairs, if I can restate the question for the whole audience to hear. The question was competitiveness and the proportionality as well as preservation of communities of interest, are, and compactness are criteria throughout. How how did we in our map evaluate those weighed different conflicts? The Constitution is again, I'm not a legal scholar or an attorney, but the Constitution is fairly straightforward, albeit it's complex. It outlines that House districts are drawn first through Section three and then Senate districts are drawn through Section four. And then you look to compliance with Section six, which includes the proportionality and the compactness. It is entirely possible in the map that we have presented today here on behalf of both the House and Senate Democratic caucuses. Does that it complies with Section three and Section four to the greatest extent possible? In Section six. Once you have reached that threshold of what is what are the most communities you can preserve? Once you're near that threshold, then you look at the continuum of what is the proportionality I can achieve, what is the compactness I can achieve and still maintain the compliance with three and four. Our proposal, we believe, comes very close to meeting those goals, as well as maintaining the compliance with three and four. these don't have to be entirely mutually exclusive goals. So for example, the proportionality called for in the Constitution would be 45 House Democratic seats. Our proposal is forty two, which is partially a spirit of compromise, but partially because it is the maximum compliance with Section three at the same time. I hope that answers your question.

**audience member** [01:00:34] (Inaudible)

**Chris Glassburn** [01:00:50] To the co-chairs, again, I want to emphasize, I don't represent as a legal scholar. The plain reading language of Section six is that you have, in order to comply with it, you must not abridge any of the other sections two, three, four or five and seven while you're complying with six. That does not mean ignore six. That does not mean do not attempt six. It says shall attempt, but you must comply with the other sections at the same time. And that is what we endeavor to do and we believe we have done so.

**Co-Chair Senator Vernon Sykes** [01:01:27] Thank you very much for your testimony. Appreciate it.

**Chris Glassburn** [01:01:29] Thank you. Thank you.

**Co-Chair Senator Vernon Sykes** [01:01:33] Yes, Senator. Senate President Huffman

**Senate President Matt Huffman** [01:01:36] Thank you. Co-Chair is did you consider competitiveness when preparing this amendment in this map? To the co-chairs and to the Senate president, competitiveness is not an explicit criteria in the Ohio Constitution. With that said, it's clearly a item that was considered in the spirit of the reform that was passed.

To the extent that competitiveness could coincide. And again, the other provisions, one through seven, were complied with. Yes, it was something that we looked at, but no, it was not superior to any of the other explicitly named criteria in the Constitution.

**Senate President Matt Huffman** [01:02:19] Thank you could have a follow up question, co-chair?

**Co-Chair Senator Vernon Sykes** [01:02:21] Yes.

**Senate President Matt Huffman** [01:02:21] Thank you. Is the the the concept of drawing is, as you did, to ensure I guess and maybe ensures not the right word, but to draw 57 Republican districts and 42 Democratic districts? I mean, I guess the result of that is that I mean, the intent or likely result of that is what you've drawn to have a 57, 42 Republican majority in the House. And how does that square with the concept of competitiveness, since if you have a Democrat district, a Democrat's going to, whoever wins the primary is going to win and and vice versa regarding the Republican districts?

**Chris Glassburn** [01:03:09] So, again, to the co-chairs and the Senate president, the map that we have proposed has, again, the index of the nine races that are provided in the Ohio dataset is slightly different from that within the Dave's Redistricting App. But within the Ohio dataset, averaging those nine races, we have 20 seats in the House that are between 55 and 45 for the respective parties in a two way analysis. The commission map has 18. So to that extent, yes, we were looking to see if, again, all other provisions were addressed. Look at competitiveness.

**Senate President Matt Huffman** [01:03:48] I'm sorry. One more follow up.

**Co-Chair Senator Vernon Sykes** [01:03:50] Yes.

**Senate President Matt Huffman** [01:03:51] And I appreciate it, this is fantastic work that you've done and your explanations are helpful. So if I have it. I'm gonna try to restate it. You tell me if I get this incorrectly. So 20 of, in the house, 20 of the 99 districts are between, have an index between for the Democrat, well for both, for all ninety nine seats.

**Chris Glassburn** [01:04:13] Yes.

**Senate President Matt Huffman** [01:04:13] Between 45 and 55.

**Chris Glassburn** [01:04:16] Yes.

**Senate President Matt Huffman** [01:04:16] And which would mean 79 districts are on either side of that and probably likely difficult for one, a Democrat to win and a 56 or above Republican district and vice versa. Is that right?

**Chris Glassburn** [01:04:31] Yes.

**Senate President Matt Huffman** [01:04:31] So we'll have about 20 competitive districts and under this proposal, about 79 noncompetitive districts. Is that fair?

**Chris Glassburn** [01:04:42] I believe so.

**Senate President Matt Huffman** [01:04:43] OK, that's all the questions I have Mr. Co-Chair.

**Co-Chair Senator Vernon Sykes** [01:04:45] Auditor Faber.

**Auditor of State Keith Faber** [01:04:48] Thank you. Just just as a follow up to that, I think it's important and I can't tell you how much I appreciate you being here. And again, you educated me earlier and you're continuing it. On this process. One of the reasons that you end up with only 20 competitive districts, and that's with a fairly broad definition of competitive, 10 points, is because Ohioans tend to live in clusters. They tend to live around people who think like them and vote like them generally. So it makes it more difficult if you're going to draw compact districts and not draw what we used to call spiderwebs out, to pick people up, to unpack those districts. Is that essentially what you explained or what has been explained to me as to why those so many districts seem to be noncompetitive?

**Chris Glassburn** [01:05:36] So through the co-chairs to the state auditor, the reality of the political geography of Ohio is that, yes, either party can win a majority, reasonably expect to win a majority in a House or Senate map that is drawn that follows all of the rules of the Ohio Constitution. But there is also the reality that if you follow those rules, you will draw in the Ohio House a very high number of Republican safe seats. And you do not have a choice but to do that. If you follow that to its logical conclusion to go very far in terms of just maximizing competitiveness, you will disproportionately go in one direction, which is towards the Democratic seats. So there is a limit to where within reason, if you are trying for proportionality, that when you start making more competitive seats beyond a certain point, you start actually undermining the entire map. I hope that answered your question.

**Auditor of State Keith Faber** [01:06:39] I think it did. But I just want to make sure I'm clear. That's in large part because certainly in areas of the state, it is very different to draw a competitive district because the people who generally live in that area, let me give you an example that's not too far from here. If I pick the city of Cleveland, it's going to be tough. I mean, I looked at some of your numbers and I looked at some of your districts. You've got a couple of districts that are drawn with over 80 percent Democrat voters. I assume that's not because you're gerrymandering, but my guess is that you would like to unpack that. You're the Democrat map drawer so you'd like to unpack that. But there are other reasons why you put that concentration in. Maybe one of them is really there was nowhere else to go because they're concentrated in a limited area.

**Chris Glassburn** [01:07:27] So through the chairs to the auditor, if there were no rules, could there be in excess of fifty five Democratic House seats? Yes. Did we attempt to do that? No, because that would not remotely follow with the preservation of communities and city boundaries, township boundaries, et cetera. Could you do more than 42?. Yes, we demonstrated that with our first map. This map that we are offering today, again, is in the spirit of demonstrating compliance with three and four in the Constitution, very literally, as well as to try to get proportionality and to demonstrate a good faith effort to be to present a ten year map for this board to consider.

**Auditor of State Keith Faber** [01:08:11] Thank yo,.

**Co-Chair Senator Vernon Sykes** [01:08:12] Secretary LaRose.

**Secretary of State Frank LaRose** [01:08:13] Thank you, Co-Chair. And Mr. Glassburn, I want to echo what my colleague Auditor Faber said that I appreciate the chance to learn from you and from your expertise, because I think one of the things that your testimony has made clear to everyone is truly how complex this process is. Right. And I really appreciate that you all have made what I consider a good faith proposal here, one that leaves some, some room to do some work together. I sincerely appreciate the passion that we've heard in testimony all over the state and that we've heard today. And I share that passion. That passion comes from a place of genuinely caring about trying to make this process work better, and I got to say, I was a redistricting reform warrior from the very beginning when I started in the state Senate in 2011, telling people about Elbridge Gerry from 1812 and all of this. And we worked together, many of us, to get this proposal in front of the voters that they overwhelmingly supported. So I share that passion. But what I don't share is some of the pessimism that we've heard, because what I've seen is that our teams are working collegially and trying to work in good faith. And so I just wanted to say I appreciate that. All right.

**Co-Chair Senator Vernon Sykes** [01:09:35] Please, please, please, we have to respect each other. Please. Are there any additional questions? Seeing none, thank you very much for your presentation.

**Chris Glassburn** [01:09:46] Thank you very much.

**Co-Chair Senator Vernon Sykes** [01:09:53] Yes.

**audience member** [01:09:57] (inaudible)

**Chris Glassburn** [01:10:17] So to the co-chairs.

**Co-Chair Senator Vernon Sykes** [01:10:18] Let me let me state this to this be the last one we can we have to move on. We've got a few hours left. Would you please answer this one? And this would be the last one, OK?

**Chris Glassburn** [01:10:30] Absolutely. And again, thank you to the co-chairs and the commission for the opportunity to speak. As I stated in my testimony, yes, the Voting Rights Act, as well as proportionality that is called for proportionality in Section 6 and the adherence to federal law elsewhere in the Ohio Constitution. Voting Rights Act is federal law. And so, yes, that was a factor. Our consideration, though, was in, again, the preservation of minority voters having the opportunity to choose their candidate of choice. If you look at the statistics and look at these communities, I think those communities would in fact be pleased with this map. I believe our House and Senate caucuses value very much the minority communities that are served in those districts, as well as I believe the other party seeks to do so as well.

**Co-Chair Senator Vernon Sykes** [01:11:28] Thank you very much.

**Chris Glassburn** [01:11:29] Thank you.

**Co-Chair Senator Vernon Sykes** [01:11:29] Thank you. Appreciate it.

**Staff** [01:11:32] The next witness.

**audience member** [01:11:38] Vote on amendments. Vote on amendments.

**Staff** [01:11:44] Next witness is Brian Glassman, followed by Mark Griffeth.

**Co-Chair Speaker Robert Cupp** [01:12:47] Well, while we're waiting for the disconnecting of the computer, if you would, go ahead and state and spell your name for the record, please,

**Brian Glassman** [01:12:57] Representative Cupp, Senator Sykes, as co-chairs and to all members of the commission, my name is Brian Glassman, G L A S S M A N. I'm a professor emeritus at the Cleveland Marshall College of Law. I'm here today to comment on the proposed General Assembly district plan, not as a Republican or as a Democrat, but as an advocate for voter participation. Such participation is essential to the health of our representative democracy. Simply put, gerrymandering stifles participation. Many will conclude that there is no point in participating since their voice is not being heard in our representative democracy, our voice is our vote again. Many will conclude that there is no point in voting if their votes don't count. That is effectively the case where voting districts are gerrymandered. When I testified on August twenty third, and even when I provided supplemental testimony on August 27, there was no map to analyze or discuss. Finally, on September nine, the Senate president proposed a General Assembly district plan. I was disheartened to see that compared to the current maps, the proposed maps offered little or no improvement on the key criteria of proportionality and competitiveness and even worse, scores than before on the criterion of minority representation based on scoring by Dave's Redistricting App. The nonpartisan Princeton Gerrymandering Project reached similar conclusions, including an overall grade of F. advantage to the Republicans and also a grade of F on the criterion of partisan fairness for the proposed Ohio State House map. However, I'm encouraged that others have proposed maps that produce significant improvements on the Keys key criteria previously mentioned, while still satisfying other requirements such as contiguity, compliance with state and federal law and equal population. My comments focus on proportionality and competitiveness because those are tools available to improve representational fairness by fixing gerrymandering and are either explicitly or implicitly made part of this commission's toolkit in Ohio Constitution Article 11, Section six with a map that better reflects partisan voting patterns in our state, roughly 54 percent Republican and 46 percent Democratic participation is more likely to rise. Similarly, with a map that contains more competitive districts, participation is again more likely to rise as voters see political races in which their votes will count. That will produce better candidates and better ideas, critical elements of a robust representative democracy. One duty of legislators is to be responsive to the will of the people. When well over two million Ohioans voted for the 2015 ballot initiative, over 71 percent of all votes cast, we sent you the strongest possible message that the current system was broken and that a transparent, bipartisan process through a transparent, bipartisan process. We wanted you to create maps for the state, House and Senate that better reflect who we are. Adoption of maps by purely partisan vote was not what Ohioans wanted and was a procedure only to be used as a last resort in the interest of voter participation so essential to our representative democracy at its best. I urge you to reject a partisan result and instead agree on one that is responsive to the will of over 71 percent of Ohio's voters. Thank you for the opportunity to address the commission today. [applause].

**Co-Chair Speaker Robert Cupp** [01:17:15] Thank you, Professor Glassman are there any questions for the witness? Seeing none Thank you. Next witness.

**Staff** [01:17:25] Mark Griffiths, followed by Jennifer Hagga.

**Mark Griffiths** [01:17:31] Good afternoon. My name is Mark Griffiths. That's spelled G R I F F I T H S I live in a House District 57 and Senate District 13, and I thank the members of the commission for the opportunity to submit testimony at this hearing. I'd like to amend briefly my testimony that I prepared in reaction to the information that we just received. First of all, it's difficult for me to evaluate the maps because as was pointed out last Thursday, when you presented maps and there was no city information listed, I didn't realize apparently if you go to Dave's redistricting dot org, you can put get city information to show up. But I didn't realize that that was the place that we should look for that. I've been looking at the at the commission's website, so I'll have to work on evaluating that. I also have to say that while I appreciate the the presentation today and I appreciate Leader Sykes, your expression of hopefulness or optimism that the you expressed, I'm stuck with some of the things you said last Thursday when the Republicans presented their map, and that is, have we kind of seen this before? Where a really egregious map is presented and then compromises are made. And that is not quite so bad. But in reality, it's still a pretty bad map. So I, I have that skepticism still. I must state that I think you've failed the voters of the state of Ohio with this Republican backed map that's been proposed by the commission. The map is more gerrymandered than the current map. The sponsors of the map admitted that they did not consider either proportional representation or the Voting Rights Act when constructing this map. Such considerations are required by the Constitution. Why would this commission adopt, albeit as a starting point, a map that fails to comply with the Constitution? A volunteer group of Ohioans formed the Ohio Citizens Redistricting Commission, they created proposed maps along with a report detailing the methodology prior to September 1st. None of the members of this citizen's commission are state office holders. What they have done is produced fair maps that comply with the legal requirements through an open and transparent process. This group has no vested interest in maintaining the status quo and therefore have produced maps that comply with the constitutional requirements. The OCRC has shown that the goal of proportional representation is not aspirational, but attainable. This commission should immediately adopt the maps proposed by the Ohio Citizens Redistricting Commission. There's certainly more in compliance with the Constitution's requirements and would provide a more balanced starting point than the maps being proposed by the Republican majority of this commission. My wife and I collected hundreds of signatures on the Fair Districts Fair election petition effort a couple of years ago, this effort allowed us to speak to hundreds of voters on this topic. Voters told us over and over again that voters need to pick their representatives and not the other way around. As citizens of this state, we demand better. Supreme Court Justice Kagan said, and I quote, If there's a single idea that made our nation, it's this one. The people are sovereign. The people get to choose their representatives and then they get to decide whether to keep them. Election Day is what links the people to the representatives and gives the people their sovereign power. That day is the foundation of democratic governance, and partisan gerrymandering can make it meaningless. Thank you.

**Co-Chair Speaker Robert Cupp** [01:22:22] Thank you for being here to testify. Any questions for the witness? Go on to The next witness name is Jennifer Jennifer Haaga.

**Staff** [01:22:46] The next witness is Mark Hennessey, followed by Robert Howard.

**Co-Chair Speaker Robert Cupp** [01:23:03] Please come and state and spell your name for the record, please.

**Co-Chair Speaker Robert Cupp** [01:23:07] Yeah. Thank you.

**Robert Howard** [01:23:17] My name is Robert Howard, H O W A R D and I appreciate the opportunity to contribute to this effort and I was very interested in that lesson in mapmaking. It is. It's good to see. It's good to be part of this. I live and vote in the 75th House and 18th Senate District in Franklin Township near Kent. I would like to comment on the issue of redistricting specifically to oppose the first draft maps recently released by the commission and to call for maps that do a much better job of representing the voters of Ohio. I've spoken with several of my friends and neighbors about both the process and the need to respect Ohio's voters, the newly issued maps are designed to promote the interests of the existing legislators and their sponsors, rather than to allow Ohio's voters to have their votes counted with equal weight. That is one person, one vote. Specifically, the House and Senate districts should respect Ohio's constitutionally required characteristics as previously defined. And I won't go into the rest of that. The maps, as proposed by the Republican members of the commission, do not represent Ohio's voters fairly or reasonably, nor are they likely to produce representative legislative bodies to help shape both the government and the economy of Ohio to benefit all of us. Instead, these maps are designed to shape the environment, to favor some voters and ignore others. I believe these proposed maps embody gerrymandering. This effectively means that the legislators will continue to choose their voters rather than be chosen by the voters, all the voters, not just those they expect to support them, as you might deduce from these remarks. I don't think Ohio and its citizens are well served by a system based on distorting districts in order to distort outcomes. I believe in fair elections even, or especially those that result in the elections of a group of legislators who fairly represent the values and interests of the whole of Ohio, not just select interest groups. The future of Ohio is in the balance and these are difficult, demanding and trying times. We will all benefit from a legislative process that draws from the entire population, where representatives of the great variety of interests, knowledge bases and potential solutions can be fairly debated, and where legislators are incentivized to fashion workable compromises rather than narrowly defined benefits targeted to meet the specific interests of individual companies, groups or individuals. Ohio's legislative districts at all levels should strive for a balanced and competitive districts which can foster contests which will improve the chances for innovation, growth and adaptation that will yield better ideas, better laws and better outcomes for all of Ohio. I ask you to reconsider and to produce maps that have a chance to lead to such systematic improvements that will benefit all Ohioans. Thank you. [applause]

**Co-Chair Speaker Robert Cupp** [01:26:43] Thank you for testifying are there questions for the witness? Seeing no questions. Thank you.

**Co-Chair Speaker Robert Cupp** [01:26:51] Next,.

**Staff** [01:26:52] The next witness is Tommy Jackson, followed by Randall James.

**Co-Chair Speaker Robert Cupp** [01:27:13] Thank you. Please state your name and spell it for the record, please. Sure.

**Tom Jackson** [01:27:20] Good afternoon. I haven't been called Tommy since my cousins called me that when I was about seven years old. My name is Tom Jackson, J A C K S O N and I'm from Solon, Ohio. and Ohioans overwhelmingly voted to fix our broken system of mapmaking. Ohioans are tired of the status quo of rigged partisan maps that protect super majorities and interfere with good governance. Ohioans overwhelmingly voted for fair maps. And as it's been demonstrated here, I recognize the complexity of creating truly representative maps, but it doesn't appear to even try. There's no fairness and no progress on your map. I'm outraged that you put forward maps that are worse and not better than

the current ones. This so-called working document needs significant improvement to clear the lowest threshold of being constitutional and consistent with what Ohioans voted for. And in evaluating the map, I consider three factors that I believe are essential to have a legislature that can produce good public policy first to keep core communities together. There's no valid reason to divide towns and small cities. And second, the maps must be lost proportionally, represent the diverse views of our state. And finally, and most importantly, the maps must allow for and incentivize competition, collaboration and compromise to bring forth the best people and the best ideas. And in all three areas, the proposed maps are even worse than the status quo. And I'm asking you to do better. As a Solonresident, I resent that my community is one of those selected to be divided and cracked, but maybe I should be proud. I moved to the city in part because of the diversity and strong sense of community that brings together people from all types of backgrounds we share a top school district, public library, a wonderful community center and municipal services. We have shared interests around public public safety, good roads, quality schools and strong local economy. We have a proud history of working together and coming together as a community. So why would you divide the city in half other than to crack the growing maority of Democratic leaning voters? I can only assume that you're upset with the results of current elections. By all measures, Ohio is a slightly Republican state Governor DeWine received just 50 percent of the statewide vote in 2018, but the proposed map is even more disproportionate than the current lopsided makeup of the legislature, roughly 55 percent Republican and 35 percent Democrat. Supermajorities like this are bad for democracy. They lead to corruption, stale or backward ideas. Extreme legislation that's often bad policy and simply bad lawmaking. The new map, as proposed, will likely expand the Republican supermajority. And that's not the progress the voters demanded and that Ohioans deserve. Analysis of the proposed maps shows just one competitive district in the house and just two in the Senate. And worse, the proposed map targets the House districts where the Democrats gained votes or flipped seats in the last three election cycles. I was actively involved in the campaigns to elect my state representative, Phil Robertson, and ahead of the 2018 elections, we were told it would be impossible to elect a Democrat in this district because it was carefully crafted to be a safe Republican seat. But the district demographics are shifting, and we knew this seat had become more competitive. Representative Robinson, won in 2018 and again in 2020 by close margins, which means we're in a truly competitive district. The voters actually had a choice and as a result, we elected one of the best young lawmakers, someone who is highly regarded in this community, the district and the statehouse. Why would you want a map that eliminates these types of competitive seats? Phil Robinson and the other Democratic Reps that this map tries to root out, the very kinds of lawmakers we desperately need in our legislature, those who have innovative and competitive ideas, those that I've listened to and work with a variety of interest groups and points of view and have demonstrated a commitment to getting things done. These lawmakers can't take votes for granted. They know their margins and they work hard for every vote.

**Co-Chair Speaker Robert Cupp** [01:32:43] Mr. Jackson, your time has expired and actually exceeded that. If you could take 30 seconds to wrap up, that would be great.

**Tom Jackson** [01:32:53] No matter how much your budget tries to market Ohio as a progressive state. No, our advertising campaign will offset the backward policies that are the direct result of gerrymandering. You said at the September 9th hearing. This is just a starting point and working document. I hope you stay true to those words. [applause]

**Co-Chair Speaker Robert Cupp** [01:33:12] Are there any questions for Mr. Jackson? Seeing no questions Thank you for your testimony.

**Co-Chair Speaker Robert Cupp** [01:33:23] Next is Randall James, I believe it was called.

**Staff** [01:33:28] the next witness is Barbara Kaplan, followed by Andrew Katerson.

**Co-Chair Speaker Robert Cupp** [01:33:44] I am going to echo what Co-Chairman Sykes asked at the beginning, if we could avoid applause on either side, we've also been informed that people have assisted, assistive listening devices and it does interfere with that. So I would ask you to be respectful of that. Thank you. And you may proceed. Please state your name and spell it for the record.

**Barbara Kaplan** [01:34:08] OK, thank you. Members of the redistricting commission for giving me this opportunity to speak to you. My name is Barbara Kaplan. That is spelled with a K A P L A N I am a resident of Summit County. And as you have heard from many other speakers today and previously, I'm sure this map, as proposed, represents an abject failure to comply with the Ohio Constitution. I'm not going to tire you or bore you, apparently some more with repeating what has already been said. I live in Peninsula Village. It's really little. Some of you know where it is. Many of you don't. It is the most gorgeous place on Earth surrounded by the Cuyahoga Valley National Park. We are totally landlocked in that regard. So we're small, but we service over three and a half million visitors a year, most of whom are actually residents of the county and surrounding counties. I live 10 minutes from Hudson. I live 10 minutes from back. I live five minutes from Richfield. I live 40 minutes from New Franklin. As the current district and the proposed district are drawn, all of not all of those are within my district. The district is being drawn is a long, long, narrow stripe down the western side of the county. And it just doesn't work. It didn't work. For the last ten years, I have not been represented demographically, culturally, economically. My village most resembles Hudson, Bath and Richfield. It does not economically resemble the southern part of the county. It just doesn't. In addition, my district works closely with Bath and with Cuyahoga Falls because we share an interest in the Cuyahoga River watershed, which neither Franklin nor Norton have any interest in. So it doesn't matter whether I have a Republican or Democrat representing me. They are not going to represent the interests of my community or the communities that are adjacent to me. It just doesn't work. I will say that at least at first glance, the Democratic amendment may, in fact address some of those issues. So I do hope that will be considered looking at this map in conclusion, as it exists right now, the only thing I can think is it's the result of either incompetence, indolence or deliberate malfeasance, because it is cracked. It is packed and it's a mess. It's a gerrymandered mess. Lastly, I will just add, I really do hope that there will be a cooperative spirit. I can make that minute, but I will tell you that I called Leaders Sykes's office today and Senator Hoffman's office, and I was told that there were no meetings working on these maps over the weekend. Perhaps their aides were wrong or misled or just didn't get the information. But that is what I believe to be true at this point. Thank you for hearing me

**Co-Chair Speaker Robert Cupp** [01:37:46] Are there questions for the witness.

**Co-Chair Speaker Robert Cupp** [01:37:49] Seeing none.

**Co-Chair Speaker Robert Cupp** [01:37:49] Thank you for testifying.

**Staff** [01:37:54] The next witness is Andrew Kontusion, followed by Stephen Kellat.

**Co-Chair Speaker Robert Cupp** [01:38:35] Thank you for being here. And if you state your name and spell it for the record, please. Thanks.

**Stephen Kellat** [01:38:39] Thank you. Thank you, Mr. Speaker. My name is Stephen Kellat. That is spelled S T E P H E N K E L L A T. I'll confine my remarks to issues with boundary lines on the proposed map. That would be the most profitable use of time. To redraw the lines to the 32nd senatorial district creates problems. Although the lines were redrawn to include the majority of the district's population, they presently exclude the currently serving senator, Sandra O'Brien, who has more than two years remaining on her term. The redrawn lines dividing people in the newly drawn 30 second district of the services of a state senator. As the Republican Party would need to decide how to fill the vacancy that was created as no other senator would be living nearby to plausibly represent that district. Senator O'Brien's currently neighboring senator, Senator Jerry Cirino, lives in Lake County and faces a redrawn map that sharply changes his district to the point that he would become the new senator representing not just Mrs. O'Brien but me. That the Republican Party is depriving itself of the services of one of its first term state senators is baffling. Turning to the proposed map for the House, we see an unusual tentacle slithering into Ashtabula County. This particular line loves communities like Harpersfield, Austinburg, Eagleville, Rock Creek, Geneva and Geneva on the lake into a district of Lake County communities instead of being included with neighboring communities in their own county. Part of the problem with this horrible tentacle is that while it includes the village of Rock Creek in that Lake County based district, at least Chumlee Township to its west between it and the Geauga Ashtabula County line in a completely different district. Overall, this does not help community cohesion in the largest county in our state. All the maps that have been proposed have frankly taken a jigsaw to Ashtabula County. The current working proposal snakes a tentacle from Lake County into it. The Senate Democratic caucus map chopped the county into an east west split. The winners of the public mapmaking contest took an approach, splitting the county diagonally with a split running from Orwell, pardon me from Orwell in the southwestern corner to Conneaut, in the northeastern corner of Ashtabula County, has its own more natural split. Main population centers and affinity communities are the cities of Geneva, Ashtabula and Conneaut. All three are north of Interstate Route 90. The National Weather Service splits the county using I-90 as the dividing line when it gives forecasts for Ashtabula, Lakeshore and Ashtabula inland. I urge you to consider sticking with the more natural split used by the National Weather Service. Our population follows split just as much as our weather does. Our county isn't large enough to support a single house district, but you can at least break us up in ways that respect our traditions, history and culture. Thank you for your time consideration. And I yield, Mr. Speaker, for any questions or comments from our members.

**Co-Chair Speaker Robert Cupp** [01:41:54] Are there questions from the commission? But thank you for testifying.

**Stephen Kellat** [01:42:00] Thank you, sir.

**Staff** [01:42:06] Next wit, the next witness is Katelyn Johnson, followed by Jay Katchaver

**Caitlin Johnson** [01:42:28] Hello, my name is Caitlin Johnson and I am the communications director of Policy Matters Ohio. Thanks for having me here today. And we're research-

**Co-Chair Speaker Robert Cupp** [01:42:37] If you would, could you spell your name for the record?

**Caitlin Johnson** [01:42:39] Sure. C A I T L I N J O H N S O N

**Co-Chair Speaker Robert Cupp** [01:42:39] thank you.

**Caitlin Johnson** [01:42:45] And I'm a resident of Shaker Heights, which is House District nine and Senate District 21. So I'm here representing my organization, which a lot of you are probably familiar with. And we do research and analysis. And our hope is that we're going to provide you, our policymakers, with the best information possible so you can write laws and rules that make Ohio a vibrant and healthy and prosperous place for all of us. No exceptions. But I'm also speaking today as an Ohioian and whose family came here from Ireland in the 1920s in search of political freedom and economic opportunity. I live in Shaker Heights, like I said, with my husband, my son and my and my stepchildren. And I want Ohio to live up to the promise. My grandparents came here, for and since I'm mentioning my family. I just want to say to Governor DeWine, you know, my cousin was Pat Sweeney. He was the great legislator from Cleveland. A lot of you probably know him. And I was so touched last year after he passed when you and Lieutenant Governor Husted went on TV and talked about him. And I think Pat really kind of embodies that spirit of working across party lines and putting Ohio in the community that he's serving first. And I hope that you can kind of you can remember my cousin and the words that you said about him when you're making this decision, because I know that he would want us to do what's best for all the people in Ohio and not just corporate donors and doing what we can to hang on to power. So that said, all Ohioans deserve the freedom to choose the elected leaders who are accessible and accountable to the people, we the people, no matter where we live or what we look like or what political party we support. And that's fundamental to our American form of government. But today, certain political interests are rigging the rules to divide communities and minimize the power of black and brown Ohioans just so they can hang on to power and wealth. And Ohioans know what's happening. We can see this very clearly. And when we don't believe in the people elected to represent us and we don't believe that those people care about our families and our communities and our future, we're going to lose faith in our government and in a state and in a nation that is so intensely divided that I think we all can recognize how damaging that is. The consequences of that are really painfully clear. So you all the members of the redistricting commission have a chance to show Ohioans that the politicians aren't concerned about how to keep their party in power or how to appease their donors, that you want us all to live in a thriving state where we can make our voices heard. But instead, we're seeing the opposite. The maps approved by the commission along party lines make a mockery of the constitutionally mandated process. Voters approved and affirmed the worst stereotypes about politicians. And as you mentioned, as I mentioned, politicians in my family. I like politicians now. I work at a research institute, so I know the data about Ohio really well. And we just released our State of Working Ohio report that shows more and more of the wealth that hardworking Ohioans create is in the hands of the wealthiest few and the highest paid people whose wages are being held. The rest of us, our wages are being held down. Ohioans have suffered under districts that are drawn to deliberately silence our voices. We haven't had good outcomes in nearly every measure that matters. We are underperforming the nation, whether it comes to infant mortality rates and especially in the case of black babies, we're underperforming. Our college accessibility and completion rates are behind the nation. This system has not worked well for the people and it's not serving us now. Like I said, I live in Shaker Heights. I'm a third generation Clevelander. Anybody knows that lives in Cleveland, that when you draw district that stretches across the city, that what you're from west side to east side, what you're really doing is diluting and silencing the black vote. We all know that. We all know.

So I know that my time has come to an end and, you know, I have a lot to say, but really it's disingenuous to do anything beyond trying to keep our communities together. You know, Ohio and you all have a chance to show us that we can do something, we can do something together as a state. We can come together across party lines and you can show the nation that that's possible, too. Let's be an example. Let's hold a. Let's do what Governor twined said. Show that this is a state, a progressive state that people want to come to. And if you all take your job seriously and make your choices based on what's best for the people, we can have that. So thank you.

**Co-Chair Speaker Robert Cupp** [01:47:29] Any questions for the witness? Seeing none.

**Staff** [01:47:37] Jay Katchaver followed by Marion Krieger.

**Jay Ketchaver** [01:47:43] Thank you for your time today. I hope you can hear me through this mask. My name is Jay Ketchaver. That's Ketchaver and I live in Lakewood in 2015 and 2018. Ohioans across the political spectrum overwhelmingly voted in favor of fair districts. I spent countless hours gathering hundreds of signatures for these reforms and I talk to Democrats, Independents and Republicans. Everyone agreed that the people of Ohio should pick their politicians and not the other way around. Now the following comments are directed solely at the Republicans on the commission have approached this entire redistricting process in bad faith. The truth is that the vast majority of Ohioans voted for fair districts and reforms. Republicans are lying when they claim that they couldn't do anything because the census data was delayed, that their maps are fair, that they're following the Constitution or whatever other excuse they offer for their machinations. The truth is, Republicans are trying to commit an even more egregious gerrymander because they only value political power. They have nothing but contempt for the people of Ohio, the constitution and democracy. We know what you know, what you're doing. We're not going to stand for it follow the Constitution, respect the will of Ohioans and do your jobs.

**Co-Chair Speaker Robert Cupp** [01:49:07] Thank you for testifying. Next witness,

**Staff** [01:49:12] Marion Krieger, followed by Katherine LaCour.

**Catherine LaCroix** [01:49:35] Hi, good afternoon, co-chairs and members of the commission. My name is Catherine Lacroix, that c a t, h, e, r, i, n e Lacroix like the water l a capital c, r, o, i, x. I am co president of the League of Women Voters of Greater Cleveland, which is an all volunteer organization. I live in Shaker Heights and I voted Ohio House District nine, Ohio Senate District 21 and U.S. Congressional District 11. I have several comments about the commission maps under discussion today that were introduced last week on September 9th. On September 10th, Friday morning, we sent the best information we could get to our over 700 members and many other volunteers for them to review. Many commented that the information on the maps was too limited for them even to tell whether their community was kept whole. There were many deficiencies. No one could understand what the maps even did. Clearly, we all needed a tutorial on Dave's redistricting. Other league members commented that once again the time and location of the hearings did not permit them to participate during the workday. So I and other regular citizens very much appreciate the volunteer map experts and other concerned citizens who are appearing at these hearings with detailed analysis. And in that spirit, I would like to offer some specific observations on the maps that are currently proposed by the commission. A few features on the East Side at least, can be seen by anyone in the district, including Shaker Heights has an odd additional piece. The Village of Woodmere, a largely black populated village connected with the rest of the district only by

a bridge over a highway, the thereby separating the residents of Woodmere from the school district to which they belong, which is on their side of the highway, and taking that largely minority population and packing its residents into a district that already is quite diverse. The cities of South Euclid and Lyndhurst are separated into different House and Senate districts, even though they share a school district and other services. The city of Solen, as has been observed, is split between two districts. The city of Pepper Pike is separated from its neighbors to the east and west, which are the neighbors that with whom it is, has most in common and placed in House and Senate districts that wander across the county to distant points and communities that have nothing in common with Pepper Pike. Also obvious from the shapes on the congressional proposed maps. Many of the districts violate the Ohio Constitution, as has been observed, because they are not compact. Any previous witness specified the same ones. I picked out Senate District 27, House District 22, House districts 14 and 18, and so little snake on the Lake House District 13. In addition, the data appear to show that Democratic leaning House districts in Cuyahoga County are as much as four percent over the average population number for a district. In other words, more people are packed into each district, reducing their leverage and representation. I could not understand why these districts were so long and meandering and so over packed with people until I saw the analysis by fair districts showing the partisan imbalance of the maps. So, as has been observed, there are constitutional violations. The commission districts ignore the compactness requirement in order to build a map that as a whole was drawn to disproportionately favor a single political party. There is no excuse for this, and I'm not even touching on the Voting Rights Act issues. The commission proposal is based on an unconstitutional approach to map making. We urge it to be rejected. Based on today's testimony, I'm tempted to feel encouraged by the proposal, most recent proposal of the Democratic caucus. But how do I know? The ground keeps shifting. This entire process has been disturbing, but I choose optimism, as I stated in my first testimony on August twenty third, I hope that you will rise to the occasion, listen to the voters of Ohio and approve fair maps that fully comply with the Ohio Constitution and federal law. Thank you.

**Co-Chair Speaker Robert Cupp** [01:54:12] questions for the witness? Thank you for testifying. Next witness.

**Staff** [01:54:20] Karen Leeth, followed by Dale Miller.

**Dr. Karen Leith** [01:54:33] Members of the redistricting commission I am Dr. Karen Leith Karen spelt with a K. Leith l e i t h. I reside in Hudson, which is House District 37 and Senate District 27. I spoke at the Akron hearing on August 27. My comments are based on two broad experiences they have mentioned before. At the August 27, as a League of Women Voters member for the last 41 years, I have been part of the campaigns that put these issues on the ballot, having gathered signatures, managed volunteers and worked hard to get out the vote, I cannot ignore the incredible gerrymandering on the current presented map of both the Ohio House and Senate districts. Second, as a retiree of the Catholic Commission of Summit County, I spent 30 years the last seven as executive director, bringing the most vulnerable voices to the table. Our mission was to make sure all voices were heard. And I look at the map you have presented and see more voices silenced. I have spent too many years bringing underrepresented voices to the table to let this go. In my various positions, I have remained an independent voter willing to work with any and all elected officials. The issues have always been my focus. In the last few years. I have definitely felt that elected officials no longer listen, and these maps are definitely evidence of that. I do not understand how you can present maps such as these when 71 percent of all 88 counties want fair maps. Those voices are Democrats, Republicans and

independents for the comments. Listening to the commission meetings and I have been observing all the hearings and commission meetings, I was shocked to hear that the racial data was not used to make sure there was compliance with the Voting Rights Act. I am now part of the League of Women Voters committee called Real Talk that highlights the very issues of people of color. Ohio's communities of color must be considered informing districts and let's not by packing districts with people of color. Next, as a resident of the District 37 of the House, I am horrified to see what you've done to it. It has moved for a very compact, very competitive district, one that has flipped back and forth to something that is sprawling. Look at it. It's district twenty three up there. Basically, something is wrong when the redistricting committee takes a good district that respects communities of interest, that is both compact and competitive and turns it into a sprawling district covering three counties. Having worked with and for the people of Summit County, I know the importance of keeping communities together, of respecting communities of interest and for the sake of time. My last comments have to do with the lack of bipartisan and transparent procedures. Both partisan maps, those presented by the Republicans and the earlier ones presented by the Democratic caucus are unacceptable. Also, the fact that this Republican map is so bad that there's no such thing as fixing it. Throw it out. Start Again. Not providing a script to explain the choices is not helpful. I'd like to know why District 23 has to meander through three counties when it was once and is right now a very compact and competitive district. And jamming these hearings in before you intend to produce the final map tells us that you're not listening to us. You're just going by the letter of the law. That's not what we asked of our elected officials. We want fair maps. Please consider what you're doing. Listen to the people of Ohio and give us fair maps. Be leaders, Be statesman thank you for your consideration.

**Co-Chair Speaker Robert Cupp** [01:59:49] Any questions for the witness. Seeing none. Next witness, Dale Miller, I believe. Former member of the Ohio Senate.

**Dale Miller** [02:00:11] Speaker Bob Cupp Senator Vernon Sykes, members of the redistricting commission, thank you for the opportunity to address the Ohio redistricting commission. My first comment is that the available maps and block lists are not well designed for public use. More detailed maps, along with precinct lists, which can be cross-reference against publicly available maps, would be more helpful. I'm speaking this afternoon to call your attention to the egregious deficiencies in the draft map for Cuyahoga County. The proposed map is not at all compacted mercilessly, chopped up Cleveland into disorganized little bits and distribute those bits to numerous districts with no regard whatsoever to natural communities. Proposed districts such as number 13, 14 and 18 would serve well as instructional examples for gerrymandering. I call your attention in particular to the plight of the West Park community, which comprises Cleveland's wards 16 and 17 on the far west side of the city. As I understand the proposed map, each of the two ward to be chopped up and distributed among at least three different state representative districts. The West Park area has been a coherent and well defined neighborhood for at least 100 years. It is geographically small in size, with a population of about 45000 people, less than 40 percent of the target population of state of a state representative district. There is no valid reason why it should not be included in a single state representative district. My colleague Marty Sweeney also extends his greetings to you and also asked that the West Park area be kept whole as a single district. The voters of the state of Ohio overwhelmingly passed a constitutional amendment designed to make state representative and state Senate districts compact and politically fair. This proposed map does neither. It draws lines that split up communities and organizes districts in ways that make no sense from the perspective of easily understandable community representation. And it creates a state of districts, a set of districts that statewide will likely have a political result that differs

widely from the overall division of popular votes among candidates of the two major political parties. I call upon you as a redistricting commission to fix this map and create districts that reflect the popular will and reforming the redistricting process. Districts that are compact respect natural communities are politically fair and will be good for 10 years. I close by reminding you that even if you cannot bring yourself to be politically fair, you can at least create a map that is advantageous to the majority party while still cleaning up the distorted shapes and dismembered communities found in the current map. Please do at least that much. Thank you very much for your attention and consideration of my testimony.

**Co-Chair Speaker Robert Cupp** [02:03:44] Thank you are there questions for the witness? Auditor Faber

**Auditor of State Keith Faber** [02:03:50] Thank you. It's good to see you.

**Dale Miller** [02:03:53] Thank you,

**Auditor of State Keith Faber** [02:03:53] Representative. Senator. Specifically, if you had a chance to look at the Democratic maps that have been proposed.

**Dale Miller** [02:04:02] I have not. I just saw them presented earlier in today's meeting, and I don't know much about them.

**Auditor of State Keith Faber** [02:04:12] So you don't know if they take care of the issue you identified with that community?

**Dale Miller** [02:04:18] From the quick look, it looked like it certainly was an improvement. But whether it completely addresses that or partially addresses that, I only saw it for a few seconds. So I couldn't give you a definitive answer

**Auditor of State Keith Faber** [02:04:33] where, and again, trying to get a better answer. Where is that exactly?

**Dale Miller** [02:04:41] This is in the far west side of the city. It's it's near the Cleveland Hopkins Airport. It runs from approximately west 140th street to the Rocky River border.

**Auditor of State Keith Faber** [02:04:59] Staff guy just tells me that they think they took care of part of it, but not all of it. OK, thank you. Again, these are the kind of things that are helpful for us to hear. Thank you. OK.

**Co-Chair Speaker Robert Cupp** [02:05:12] No further questions. Thank you for coming.

**Dale Miller** [02:05:15] OK, thank you.

**Co-Chair Speaker Robert Cupp** [02:05:16] Next witness.

**Staff** [02:05:17] Representative Kent Smith, Representative Kent Smith.

**Co-Chair Speaker Robert Cupp** [02:05:28] (Inaudible)

**Representative Kent Smith** [02:05:34] So we uh am I on?

**Co-Chair Speaker Robert Cupp** [02:05:38] Yes. Would you spell Smith for us, please?

**Representative Kent Smith** [02:05:40] So I was a little surprised that we jumped from M to S in the last names, but so my name is Kent Smith, K E N T Smith. I want to thank the commission for being here. I currently represent House District eight. I think I would be in House District 19 based on the current map being considered by the commission. The ballot referendum language spoke to the importance of keeping communities together and also representative fairness. The but it's also just plain and simple. It's about math. The map that is before us display in Cuyahoga County has Cuyahoga County split between districts thirteen through twenty two, which represent with District twenty three going over into both Cuyahoga uh both Geauga and Summit County. Now the population of Cuyahoga County, according to the last census, the most recent census is one million two hundred sixty four thousand eight hundred and seventeen. The average district size, if you take the Ohio State population, divide it by 99 would be one hundred and nineteen thousand one hundred and eighty six. So if you do the math of Cuyahoga County, we should have 10 districts. If you just take the one hundred nineteen thousand one hundred and eighty six and divide it, and that would actually leave you a surplus of seventy two thousand nine hundred and fifty seven voters, which is more than half of what the average district would be. So the issue of rounding gets Cuyahoga County to 11 complete districts that would be within the the five percent variance of, again, the margin of one hundred and the average of one hundred nineteen thousand one hundred and eighty six. So I'm concerned that Cuyahoga County will lose its represent representadal fairness because it's it will lose districts that it shouldn't lose. If you just do the basic math of the average population of Cuyahoga County divided by what should be the average population of state House districts. Again, this is a state that has voted for Barack Obama, Sherrod Brown, Mike DeWine, good to see you, Governor, and Donald Trump. In the last presidential election. As you all know, the state went 53 to 45 in favor of President Trump and the Democratic. And the counties that voted majority Democratic were Franklin, Cuyahoga County Summit, Lucas, Montgomery and Hamilton and also Athens County. So, again, if the spirit of representative representation representadal fairness is important to the members of this commission, as I believe the voters dictated in both 2015 to 2018, then keeping Cuyahoga County and 11 districts I think is one of the ways to meet that goal. Anticipating the question about did I take a close look at the proposed Democratic map and would it meet this criteria? I couldn't tell. Based on the map that was displayed, I would also suggest that this will lead to better legislative outcomes. I'm going to play a little bit inside baseball now, but I think you all on the commission are going to understand what I say when I say that there's a discharge petition in the Ohio House for House Bill 248 that just Friday the Ohio Chamber were warned all of us would be a terrible bill for business. And we couldn't get a discharge petition on House Bill six after the former speaker had been arrested by the FBI. So the notion of. So, again, I think we have to beware of what a gerrymandered map will do, not only to unfairly affect Cuyahoga County, but with the legislative outcomes that the members of the General Assembly will in turn produce. Thank you very much for your time and attention.

**Co-Chair Speaker Robert Cupp** [02:09:57] Further questions for Rep. Smith? Seeing none. Thank you.

**Staff** [02:10:08] Marvin McNicoll, followed by Kevin Konwell.

**Rev. Marvin McMickle** [02:10:23] Good evening. My name is Marvin M A R V I N McMickle M C M I C K L E. I am pastor emeritus and also am a pastor at Antioch Baptist Church in the city of Cleveland, Ohio. However, I live in Shaker Heights, House District

nine. Senate District twenty one. I wish that this process was only about lines and maps. I wish that lines and maps were the end of the process. What I believe is that lines and maps are a means to an end and the end is reducing full and open and competitive political engagement in the two party system in the state of Ohio. I think that lines and maps are designed to turn African-American and other minority voters into collateral damage on the road to a political power play that is happening not just in Ohio, but to be honest, it's happening all across the country. While many of us focus our political attention and understandably so, on what is happening in Washington, D.C.. The truth is the things that frighten me the most are not happening in Washington. They're happening in state legislatures all across this country. It is state legislatures that are attacking voting rights. It is state legislatures that are trying to limit what can be taught in public schools in Ohio and across the country, it is state legislatures that are busy at work to create safe districts in which one party rule can be established in the state of Ohio, Texas, Wisconsin, Arizona, Pennsylvania, North Carolina and many other states as well. And so I appeal to this commission to ask itself whether or not it has an agenda. The agenda is not maps and lines. The agenda is the accumulation of political power for the perpetuation of a political agenda which does not have at its heart or its mind apparently the best interests of all the persons who live in the state of Ohio. I am here to speak for those whose voices are seldom heard, whose voices and votes are often taken for granted, and who wonder whether or not the end result of this process makes them more or less citizens of the state of Ohio. I oppose the maps and lines as they are currently being presented because I do not think this is at all about maps and lines. This is entirely about agendas and plans and intentions, where one party will continue to impose its will on the remainder. I just finished a panel discussion about what's happening in public education in this state. We need representation to be sure that the voices and views of all persons of all political persuasions are heard. That is not what is being accomplished with these maps and these lines.

**Co-Chair Speaker Robert Cupp** [02:14:59] Questions for the witness. I hear, none, thank you for testifying.

**Kevin Conwell** [02:15:10] Thank you very much. I just received this e-mail,.

**Co-Chair Speaker Robert Cupp** [02:15:17] If you could state.

**Kevin Conwell** [02:15:17] Council member, Kevin Conwell from the city of Cleveland. I've been down to downstate matter fact, a lot of times I've been at your committee meetings battling against Stand Your Ground. I've been down, downstate battling against House bill. Twenty two. I've sent you several letters and disagreements and I've walked my neighborhood time and time again. Matter of fact, I even sent a letter to the Governor himself and texted to him, my opposition against Stand Your Ground. So I received this this morning and I'm not happy. And if a councilman just received this about this hearing here, my residents who are your residents don't know anything about this. And I represent a majority African-American ward. And when you look around here. You don't see African-Americans not even in attendance here, and they're your bosses is also because, you know, the voters are the bosses, they're your board of directors. So I reached over to my great state representative Upchurch, and I said they need to come to our ward and face the African-American community at Glenville High School. He said, I'll reach out to them and ask them to come to Glenville High School so that the children also at Glenville High School will see this process and learn about this process and what you're doing to our community. We need you to come there. And I reached out to you Churchill. You said it's no problem for you guys to come. Now was there a problem for you to come to the African-

American community? Because when I look at this map, it's not a good thing. It's not a good thing for us. You split it in half. We would not be represented. We probably won't even. I got to tell you, Representative Sykes, we probably won't even have an African-American representative. And Churchill is good, he writes me, tells me what's going on down there, you're disenfranchizing my community and my people, you're hurting us. You heard the great Reverend McMickle talk about the lines. This is more than lines. I feel for my residents when we talk about drive by shootings and and gun legislation. And when we talk about infant mortality in the community, we need someone from the community. And is for the community, they have the goodness of the community at heart. But when we see these districts broken up, look, look here. District 20, you have ward 9 Ward six and Ward four and East Cleveland there in District 20 as well. You have Cleveland Heights and University Heights. It's not connected. Right. The demographics there is not right. Because when you feel the infant mortality that's in ward 9. The drive by shootings is in Ward nine, we're hurt. We need to have when you look at District 19 as well, Cleveland eight and 10 must be with wards six and nine and four. They got to be in there together. And you have to reach out to the community. You have to do a survey analysis in our neighborhood, talking with my residents, your bosses, the black clubs, the street clubs to pastors as well, and how this will benefit us this way. This map is drawn right now. It's going to hurt my people and I'm going to go door to door in my neighborhood, write a letter and, you know, I will Governor, to my residents and tell them about what's going on and tell them to write to you. And we will be at every meeting. But I need you. And I yell real quick. Because I believe for my residents, I need you to come to the mighty, to Glenville High School and talk with the people there so that they can have an up close view, a genuine concern, and so that you have a sensitive ear to help the African-American community. I yeild for

**Co-Chair Speaker Robert Cupp** [02:19:45] Thank you any questions for the witness? I see none thank you for testifying.

**Secretary of State Frank LaRose** [02:19:45] Speaker?

**Co-Chair Speaker Robert Cupp** [02:19:45] Oh. I do? Secretary LaRose.

**Secretary of State Frank LaRose** [02:19:45] Thank you Speaker.

**Kevin Conwell** [02:19:47] Hey How you doing Secretary?

**Secretary of State Frank LaRose** [02:19:47] Good sir, good to see you. Thank you.

**Kevin Conwell** [02:19:54] You came to my neighborhood.

**Secretary of State Frank LaRose** [02:19:55] yeah I have.

**Kevin Conwell** [02:19:55] Yes.

**Secretary of State Frank LaRose** [02:19:56] How are you doing?

**Kevin Conwell** [02:19:57] I'm doing great. I'm doing well, but not by this map.

**Secretary of State Frank LaRose** [02:19:58] Yeah.

**Kevin Conwell** [02:19:59] I'm not a happy camper.

**Secretary of State Frank LaRose** [02:20:01] Well, I appreciate the passion and the love that you have for your community, and that's evident.

**Kevin Conwell** [02:20:05] I'm in love with my community. I'm in I'm in love.

**Secretary of State Frank LaRose** [02:20:08] amen. amen.

**Secretary of State Frank LaRose** [02:20:10] Is is the Democratic proposal that you saw an improvement? And if you need time to take a look at, I'd love to hear your feedback and you can call me or whatever. Let me know if that proposal that you saw from from the Senate and House Democrats just now is a is an improvement in your opinion.

**Kevin Conwell** [02:20:30] You'll get a letter from me. You will get a letter from me and everybody here will get a letter from me.

**Secretary of State Frank LaRose** [02:20:35] A letter may take too long.

**Kevin Conwell** [02:20:37] No, you'll get that from me and the Governor, no. I'll text you my letter, governor about, what's going on with this right here? I'm not happy.

**Secretary of State Frank LaRose** [02:20:43] The letter may take too long. If you could if you could email me or call me, that'd be that'd be wonderful.

**Kevin Conwell** [02:20:48] I'll Email you I'll call you. Even if I have to drive down to Columbus to see you. I'll do that as well.

**Secretary of State Frank LaRose** [02:20:53] Thank you, sir.

**Kevin Conwell** [02:20:54] Thank you very much.

**Co-Chair Speaker Robert Cupp** [02:20:56] Any other.

**Kevin Conwell** [02:20:58] As well as you, Mr. Sykes. Thank you.

**Co-Chair Speaker Robert Cupp** [02:21:01] Thank you for testifying. Next witness

**Staff** [02:21:06] Terrence Upchurch. Followed by Andrew Motlack.

**Rep. Terrence Upchurch** [02:21:18] Good evening, everyone. Speaker Cupp, Senator Sykes Leader Sykes, governor. Secretary, good to see all of you. I just want to echo the sentiments of Councilman Conwell his ward is in my district and it's very important that we don't break up Cleveland neighborhoods. When you break up through the neighborhoods, Cleveland loses its voice, particularly on the northeast side, which has been at a disadvantage for decades. And these maps will continue that disadvantage and they will leave neighborhoods behind. So I'm going to be brief. I'm happy to answer any questions about the neighborhoods that are being broke up and the communities are being torn apart. So that's all I have to say. I just wanted to echo the sentiments of my councilman, who I brought down here to speak in front of this committee.

**Co-Chair Speaker Robert Cupp** [02:22:10] Leader Sykes.

**House Minority Leader Emilia Sykes** [02:22:16] Thank you, chairs. Thank you, Representative, for joining us and hosting us in your county today, can you talk a little bit more specifically about what communities you like, whether it's by ward names, by community names or institutions, landmarks, just kind of help us understand better what it is that you like to see?

**Rep. Terrence Upchurch** [02:22:36] Sure, absolutely. So if you all look here to the map, the district that I live in would be the proposed District 19, which is Cleveland Ward eight and 10. This is considered North Palo and South Palo, which is one community that has always been together, whether you look at state Senate district or state House districts. Senator, you go there to see I know you're familiar with that area. You've represented that area before. now, just going further southbound you hit the Glenvil neighborhood, which is where Councilman Conwell was from, which is where I represent the historical African-American neighborhood. And these communities have always been together and they've always been a consolidated block of the northeast side of Cleveland. They've always spoke with one voice. Right. And they've always had the same representation in the House and in the Senate. This is something like I've never seen before where you've got a line being drawn right in the middle of a community. Even though there are different neighborhoods, there's still one community and they're still on the same and they're still fighting for the same resources at the local level. And if you go further west, I cover this. I covered downtown Cleveland, which is its own neighborhood that's also being carved. It appears, it looks into a third district that goes all the way to Lakewood, if I'm looking at that, correct? Yeah. I don't know how that's going to work. I mean, there's there's competing interests. You know, Cleveland, downtown Cleveland has its own unique set of issues and its own unique set of interests and not taking anything from Lakewood, Ohio. But they've got their own unique set of issues in their own interests, and they have those interests competing with one another. When I imagine that district is already going to be part of a caucus that is in the super minority, it's going to it's really going to just leave out not just the people in downtown, but the people in Lakewood also. So, I mean, these are just some of the things that I'm noticing. And I haven't had an opportunity to look at this map in depth. But these are just some of the things that I'm noticing that could be detrimental with these maps

**Co-Chair Speaker Robert Cupp** [02:24:45] Representative Upchurch, are these communities together under the current map?

**Rep. Terrence Upchurch** [02:24:50] They are under the current map.

**Rep. Terrence Upchurch** [02:24:51] My district has the Collinwood community and the Glenville community. So that would be comprised of three Cleveland wards, eight, nine and 10, the entire northeast side of Cleveland I represent right now.

**Co-Chair Speaker Robert Cupp** [02:25:03] Thank you.

**Rep. Terrence Upchurch** [02:25:04] You got it. And just point of clarification, I know my councilman has had a long day, it is up Upchurch, not Churchill. All right. That's all right. That's all right. It's a long walk from here to Glenville bro all right. I'm just kidding. Thank you, everybody.

**Co-Chair Speaker Robert Cupp** [02:25:22] All right. Thank you. The next witness,

**Staff** [02:25:29] Andrew Motlack, followed by Anthony Small.

**Rev. Anthony Small Sr.** [02:26:00] Good evening. Good to see you. Good evening to you. Staff the board here, we are so glad to have you. My name is Reverend Anthony Small Senior. I am the senior pastor of the Starlight Missionary Baptist Church. I am also the president of East Cleveland Concerned Pastors. My history is I am a 35 year veteran of the Cleveland Police Department as a detective. I'm here about East Cleveland. The way you got it now is three cities are split and we would like to work together if you go by the census, remember the people I represent seventeen thousand five hundred people in the city of East Cleveland. That census did not say that. And I'm here to represent them as a preacher, as one that cares for the people. I need to make sure they get they just do. I talk to the governor. Thank you for this representative that he sent to us, to the preachers. We preachers must stand together for the people of God, those in and out of the faith. That's what we're here for. If we're going to do it right, let's do it right and fair. I've been an Ohioan all my life. I lived in Cleveland all of my life. The Governor knows my dad, Reverend, Dr. Edward Small that stood with the Stokes boys that elected Carl Stokes, one of the first African-American presidents. And I look at his picture every day. Governors say, why me now and now I know because the rights of the people of God are being violated. When I looked at the 2016 map, it said was unconstitutional. I like what you're doing, but let's make sure we'd be fair because it's not the people you have to answer to. Its God. Thank you. Any questions?

**Co-Chair Speaker Robert Cupp** [02:28:08] Thank you. Are there questions for the witness?

**Rev. Anthony Small Sr.** [02:28:11] God bless you.

**Co-Chair Speaker Robert Cupp** [02:28:12] Thank you. Um, Auditor Faber.

**Rev. Anthony Small Sr.** [02:28:12] Sure, I'm sorry.

**Auditor of State Keith Faber** [02:28:17] Thank you. Did you have a chance to look at the Democrat proposed

**Rev. Anthony Small Sr.** [02:28:18] Yes, I did.

**Auditor of State Keith Faber** [02:28:19] Did that fix the East Cleveland problem?

**Rev. Anthony Small Sr.** [02:28:21] No, we're still if you look at it right now, you've got East Cleveland and you've got south Euclid. Then you've got Cleveland Heights, the one that you had that was upstairs, the one previous to the one he had. It comes close, but you bring, there's what some cities that are split in half, what I would like to do to tell you the truth is what they did in Warrensville. get all those cities that border one another for us to work together. And my job as the president of East Cleveland passes is to bring all municipalities together. That's why I've been working so close with the governor's office and with Mr LaRoses's office to make sure things are done decent and in order. We need to stop working in silos and work together. That is my purpose.

**Co-Chair Speaker Robert Cupp** [02:29:14] Go ahead, go ahead.

**Auditor of State Keith Faber** [02:29:15] I was just going to say, if we can if I were to give you the proposed maps of northeast Ohio,

**Auditor of State Keith Faber** [02:29:22] the Democrat maps, could you tell me where you would think we need to merge or make changes to take care of it?

**Rev. Anthony Small Sr.** [02:29:27] Sure.

**Auditor of State Keith Faber** [02:29:29] I'll just give you this, you bring it back up to me when you're when you get a chance to take a look at it. And I appreciate it more than you know..

**Rev. Anthony Small Sr.** [02:29:34] All right. Thank you so much.

**Auditor of State Keith Faber** [02:29:36] And thank you for your service.

**Rev. Anthony Small Sr.** [02:29:37] no problem sir.

**Auditor of State Keith Faber** [02:29:38] Secretary LaRose

**Secretary of State Frank LaRose** [02:29:43] The Auditor Took my question, but I look forward to seeing your work on this. And I enjoyed worship once with you all a while ago before Covid and look forward to coming back. It's a thank you for for all that you do, you know.

**Rev. Anthony Small Sr.** [02:29:55] No problem. Thank you. God bless you. Governor. Take care. I feel like I'm in church now. Go ahead, sister, good to see you.

**House Minority Leader Emilia Sykes** [02:30:09] Thank you Reverand Small I'm a church girl so I know what you got to do to get people's attention. No worries. So you talked about East Cleveland, that there were seventeen thousand people, but the census did not count them. Is that what I heard correctly?

**Rev. Anthony Small Sr.** [02:30:21] No, it does not show it. Its seventeen thousand five hundred and twenty seven. I believe.

**House Minority Leader Emilia Sykes** [02:30:28] That is the population that you know it to be, but not what the census

**Rev. Anthony Small Sr.** [02:30:30] In East Cleveland, correct.

**House Minority Leader Emilia Sykes** [02:30:30] But not what the census calculatated

**Rev. Anthony Small Sr.** [02:30:31] that's not what the census counted Unfortunately, my people are scared of government.

**Secretary of State Frank LaRose** [02:30:39] So are we.

**Rev. Anthony Small Sr.** [02:30:40] And it's been happening ever since I was a police officer. Even when I go to the neighborhoods, they thought I was going to take their goods. No, I've been explaining, just like the governor's office, that you guys send out to us. It's just about accounting your family. That's all it's about. And they were scared that you were going to come in and take from them. Now, if this was another Senate, I would ask you to help me show them that you're not going to do that. It's almost like the same thing with dealing with the shot. They think you are putting a chip in there for some reasonwe got the

same fight help us with that fight. But this here, we need to get rid of this. We need to come together, do what we need to do. But there's over seventeen thousand people in East Cleveland and if you looked at the last voting, less than six hundred voted because they believe their vote did not count. And that's what I have to deal with as a pastor. But I got the faith that one day I'll get them where they need to go. Any other questions? God bless you.

**Co-Chair Speaker Robert Cupp** [02:31:49] Thank you.

**Secretary of State Frank LaRose** [02:31:49] God bless you

**Co-Chair Speaker Robert Cupp** [02:31:50] We're going to take a five minute break now and then we'll reconvene.

## Ohio Redistricting Commission - 9-13-2021- Cleveland part 2

<https://www.ohiochannel.org/video/ohio-redistricting-commission-9-13-2021-cleveland-part-2>

**Co-Chair Senator Vernon Sykes** [00:00:00] We like to call the meeting back to order. Call the name, please, of the next witness,.

**Staff** [00:00:08] Diane Morgan. Followed by Katie Paris. Diane Morgan, followed by Katie Paris.

**Co-Chair Senator Vernon Sykes** [00:00:36] Would you state your name and spell it, please?

**Katie Paris** [00:00:39] Sure, my name is Katie Paris. and I'm the founder of Red Wine and Blue, which is a community of thousands of suburban women all across Ohio who want to have our voices heard. I'm also a suburban mom myself, of course, with two young boys here in northeast Ohio. Now, every mom knows how to pick out a bully on the school board in about five seconds. And that's about how long it takes to see what a power grab the Republican proposed maps are. I'm sorry. I got a mom... I'm a mom, I got to call it like it is. The Ohio Constitution requires that our districts are proportional. That means, of course, that their partisan makeup is representative of Ohioans as a whole. You know, one of the reasons I was most excited to move to my husband's home state of Ohio almost a decade ago was because of the political diversity of our state. But our state legislature does not reflect that diversity. The average statewide vote split over the past decade has been about 46 percent Democratic and 54 percent Republican. Yet the officially proposed Republican maps would give Republicans 66 percent. That's two thirds of both House and Senate seats. Since the 2016 election, women across Ohio's suburbs have been increasingly engaged in the civic and political process here. We've been getting informed on the issues finding common cause with women in neighboring communities and even running for office. Still, the number one obstacle to participation is the belief that your vote, that your actions just don't matter. I hear it all the time. Women and highly gerrymandered areas cannot believe that they live in a district, different district from their neighbors down the street. But most importantly, they're demoralized because they understand that even if they organize, even if they convince everyone they know on an issue or for a candidate that they believe in, they can't secure representation that reflects their voice or their values. The officially proposed Republican maps would further disempower voters. Republicans have seen what happens when suburban women organize. So here's what's going on, they're attempting to further divide up suburban areas and dilute our voices. They've also seen what happens when white, black and brown voters in urban and suburban districts unite across our differences. So they're attempting to concentrate minority populations into fewer districts. You see, at the heart of every bully's power grab is fear. They fear what happens when the rest of us have a real voice. So I ask you all the redistricting commission to say no to these proposed maps and say yes to the people of Ohio. Thank you so much for your time. [applause]

**Co-Chair Senator Vernon Sykes** [00:04:02] Any questions? Thank you,.

**Staff** [00:04:08] Jacqueline Peck, followed by Peter Petto.

**Jaqueline Peck** [00:04:15] Jacqueline Peck. I live in Kent, that's Ohio Senate District 18 and House District 75 and Congressional District 13. I thank all of you commissioners for this opportunity to speak today. I've edited my comments based on what we've already

heard, and I'm focusing on one issue that's actually a process issue. I'm a professor, retired from the University of Akron. I have published research. I have worked editing research for publication. And I have a great concern when district maps are drawn without regard to sound use of data and sound analysis. In the case of drawing these maps, I'm talking about the data of the census community factors and also voting as are, as Chris presented past voting patterns. I was very pleased to see all of that data presented in that map and I will take a much closer look when I get back home and I encourage everyone to do so. I learned a lot through the presentation about the difficulties of mapping and the challenges. And I also thank the Sykes for their map, Sykes and Sykes, and we'll be looking closely at that. So I ask you now, just to be sure, you engage in sound use of data, sound analysis of data, and if the commission needs help, I suggest Katelyn Johnson was it and her firm that does help in analyzing and research data. So we heard it today. I also encourage you all for the benefit of all of us to continue working together and come forward with a map that does honor all voices in the state of Ohio. Thank you for listening. [applause].

**Staff** [00:06:32] Peter PettoNext Witness after Peter Pedowitz, Charlene Pleasant/

**Co-Chair Senator Vernon Sykes** [00:06:42] Please state and spell your name, please.

**Peter Petto** [00:06:45] My name is Peter Petto, from Bay Village, House District 16, Senate 24. Congressional nine. I'm a retired high school statistics and mathematics teacher. I recently helped the League of Women Voters construct a district map that was submitted to the Cuyahoga County Redistricting Commission and helped several chapters of the league with community maps that were submitted to Fair Districts Gallery and the Ohio Citizens Redistricting Commission. I'm here today to offer analysis of the maps proposed by the commission on September 9th and tell you that these maps should not be the maps chosen for Ohio. On August 23rd, I testified in Cleveland before this commission on several topics, including my community, the Westshore Suburbs of Cleveland. It comprised Bay Village, Rocky River, Fairview Park, West Lake and North Olmstead. At that time, I made this plea, please don't break up our community. On September 9th, the majority party's map maker, Mr. DiRossi, began his testimony with praise for all the citizens who had testified at the statewide commission hearings. However, I see no evidence in the maps he produced that he took any of that testimony into consideration. My Westshore Community, with a total population of 122,879 could have remained intact as a house district that is within the target range. Instead, it was split into three House districts. Suburban Rocky River was combined with Lakewood and a swath of Cleveland that extends nearly to University Circle, far beyond downtown. Similarly, suburban Fairview Park was combined with another swath of Cleveland that snakes eastward across urban Cleveland to the other side of town, past E. 80th Street. I've attached maps of those to my written testimony. The other four community maps that I helped construct were similarly fractured. Mr. DiRossi also began by talking about how a regular man, many, many municipal boundaries are and to talk about rivers and gave illustrations about Columbus and elsewhere. I think it's instructive to look at one place where those constraints are substantially eliminated within a big city, the city of Cleveland. Cleveland has a population of three hundred and seventy two thousand six hundred and twenty four, and that comprises three point one two ratios of representation. It must be split and mathematically could be split into exactly three House districts combined into one Senate district, all weighing in at four percent above Target. What happened in Cleveland was in the proposed house may have split not three ways, not four ways, not five ways, but eight ways. And only one of those districts was entirely within Cleveland. Look at the map of the districts I provide to you and you will see the dark shadow of 2011, at least three snake

shaped districts, many broken neighborhoods. In hearing...In that hearing, Mr. DiRossi said his maps comply with all the constitutional requirements over and over again whenever he was asked about Section 6. A listener to those hearings might think that he meant that these maps satisfy every constitutional instruction. That's not what Mr. DiRossi appears to have meant. I think that what he meant was that the maps satisfy Section 3, the section labeled requirements for drawing Senate districts or Senate and House districts. His testimony made clear that they don't satisfy Section 6, additional district standards, when he asserted repeatedly that he did not consider partisan preference. He also claimed that he did not consider demographics, which speaks to the Voting Rights Act under federal law. Many maps that satisfy Section 3 constitutional requirements have been submitted to this commission. More than a few do better than the commission map, with respect to other constitutional directives. I believe that for the commission to fulfill its Section six duty, you need to score each and every one of those maps partisan composition and compactness, and then choose the map among those that best meets these targets. The other thing that you must do is a is attempt, or you must attempt to do is to determine whether a map was drawn primarily to favor or disfavor political party. At a minimum, you must ask mapmaker's about their mapmaking procedure. I have about a minute more. Would you allow me to finish that?

**Co-Chair Senator Vernon Sykes** [00:11:22] OK, please. Please.

**Peter Petto** [00:11:25] If there mapmaking procedure was automated, they should disclose the algorithms that were. Used and you should apply statistical methods that can show impermissible political gerrymandering. If I told you that I didn't use the partisan data to draw a plan, I think that's unpersuasive. Everybody knows the Democrats are clustered in high population and urban areas. It's easy to draw a map that favors one party without using specific data. When I was young, my parents had a lot of requirements and many standards for my conduct. It was not it was not unusual for me to say I heard you, and they would reply, but were you listening? I hope you heard and listen to these thoughts that you will take them into consideration as you do the right thing. Thanks for your time and happy to answer any questions.

**Co-Chair Senator Vernon Sykes** [00:12:16] Are there any questions? Thank you. Thank you.

**Staff** [00:12:23] The next witness is Charlene Postle, followed by Norma Robbins.

**Co-Chair Senator Vernon Sykes** [00:12:39] The next witness.

**Staff** [00:12:42] The next two witnesses are Judith Saltzman, followed by Sarah Sarasin.

**Co-Chair Senator Vernon Sykes** [00:12:59] Next witness.

**Staff** [00:13:02] The next witness is Juliet Sweeney, followed by Daniel Sweeney.

**Daniel Sweeney** [00:13:19] Good evening.

**Co-Chair Senator Vernon Sykes** [00:13:20] State your name and spell it, please,

**Daniel Sweeney** [00:13:22] Daniel Sweeney, M.D., I'm from Bay Village, Ohio. First of all, I'm glad to be able to speak here this evening. I think you need to hear from another Sweeney if you come to Cleveland, Ohio. I am a recently retired family physician. And as

such, one of the things I'd like the co-chairs to do is to make sure their commission members, where their mask, when they're in these meetings. [applause] Every other every. I have been wearing a mask throughout the hours we've been here, and I wish that all the commission pictures were doing the same until they had to speak like I'm speaking now. So that's my my off the cuff comment. I have a long political ties with Ohio. My grandfather was the honorable Martin L. Sweeney, congressman from Cleveland, from 1932 to 1942 during the New Deal Era. My father was honorable Robert E. Sweeney, who was a congressman at large from 1964 to 66 during the Great Society Congress, and he also was County Commissioner of County Cuyahoga County from 72 to 1976 and a good friend of George Voinovich and Taft, even though he was a Democrat and they were Republicans. Because of such lineage, I have strong interests in our political landscape in Ohio. I consider myself a progressive, independent and speak here as an Ohio citizen. I am markedly disappointed and actually appalled at the map that was put forward by the majority of this commission. I'm concerned about the state as a whole and not just about northeast Ohio. I did some simple calculations and this not based on maps. Tthe state of Ohio as of the 2020 census has 11,689,100 citizens. I then looked at the top seventeen counties, which are mostly urban and suburban, with the highest population. Those populations were 7,332,229. The other seventy seven counties were predominantly rural and their population was 4,467,219. If you look at the divide between the rural counties, which most often are Republican or lean Republican and the Democratic urban or suburban ones that most often are leaning Democrat, sixty two percent are with the seventeen counties of urban and suburban and thirty eight percent was with the other seventy seven counties. Since most of the counties swing Republican, since mostly rural counties swing Republican and most urban and suburban are now swinging Democrat, the current commission maps at sixty five percent Republican and thirty five to forty five percent Democratic reversed this number. And it ignores the reality of 2020 census of the state of Ohio and population shifts. If the commission... If the commission wants to file the 2015 and 2018 Ohio Constitution and these simple calculations there may have to reflect somewhere between fifty five and 60 percent Democratic leaning and only forty five, forty to forty five percent Republican leaning based on the demographics. The other important thing that's been spoken about here is how this affects the minority population. Twenty one percent of which in a state of Ohio is 2,578,791. The vast majority of these live in urban areas or suburban areas. The commission's maps ignoring the 2020 data is in effect disenfranchizing millions of the minority community in Ohio. These maps should not be adopted by the commission and, if adopted, are in violation of Ohio constitutional amendments. And their various other...they will disenfranchise is myself as Ohio citizen

**Co-Chair Senator Vernon Sykes** [00:17:48] Are there any questions? Thank you. Next witness.

**Staff** [00:17:55] Paul Simon Norske, followed by Rob Thompson.

**Co-Chair Senator Vernon Sykes** [00:18:11] State your name and spell it, please.

**Rob Thompson** [00:18:13] Good afternoon, I'm Rob Thompson.

**Co-Chair Senator Vernon Sykes** [00:18:15] Thank you.

**Rob Thompson** [00:18:18] I listen to the online testimony of the commission members on nine September when your map was introduced. Most commission members admitted that the map was a work in progress and promised to work in a bipartisan manner over the weekend to improve the map. Have changes been made to the map? If so, why hasn't the

new map in progress been published? Seeing your work as essential for public input. The Ohio Constitution requires a map that be accompanied by a statement explaining what the commission determined to be the statewide preference of the voters of Ohio based on election results during the last ten years. Where is that statement and what is the preference ratio for Republican and Democrat that you used in arriving at your map? And any map must be accompanied by a statement that describes how the statewide proportion of districts in the plan corresponds closely to those voter preferences. Where is that statement and how do you show this correspondence? My point is that written statements provide more insight into your thinking than even the maps do. It's too bad that we won't even see these statements until a map is adopted. The proposed statehouse map has little correspondence to voter preferences. Putting aside the competitive districts, the Republican map provides fifty six Republican leaning districts but only twenty two Democratic leaning districts. So you want us to accept the 72 percent Republican weighted map when you have Constitution requires a 55 percent Republican weighted map. If the proposed maps do not fall to our Constitution, then Ohioans reject the maps. The Ohio Constitution states that no General Assembly district plan shall be drawn primarily to favor just a political party. I by myself using only public software to devise maps that were more represented than your maps, even with all your resources available to you. The winners of the Fair Districts Competition and others produced excellent maps, fair, compact and with the intention to nonwhite voters. Ohioans reject the commission's maps and demand much, much better. To be more specific, I looked at your state house map and focused on the five districts in the Toledo area. One of your proposed districts starts in the western suburbs, snakes along the Maumee River and ends in the eastern and northern suburbs, almost a complete circle. Is that what you call compact? Another district is a wonderful example of gerrymandered packing. 75 percent Democrat. My edits preserve communities, give compact shapes and produce fair districts. The Toledo area votes fifty four percent Democrat and 43 percent Republican. And my map has three Democrat leaning districts and two Republican leaning districts. A representative map. I hope you will give my editors and others edits your utmost attention. I have the maps here. The Constitution allows for the Supreme Court to intervene if the statewide proportion of districts in the plan whose voters favor each political party does not correspond closely to the statewide preferences of the voters of Ohio. The proposed maps are in violation. If you want a court fight, you're going to get one. Please avoid a public lengthy court battle that serves no one well. Get to work. Do what Ohioans want, not only what you want. Thank you. [applause]

**Co-Chair Senator Vernon Sykes** [00:21:52] Any questions? Thank you. Next witness.

**Staff** [00:21:59] Heather Tuck Makawa, followed by Robin Turner.

**Co-Chair Senator Vernon Sykes** [00:22:17] Please state your name and spell out, please.

**Robin Turner** [00:22:19] Absolutely. Robin Turner. Good evening, Co-chair Sykes, co-chair Cupp and members of the Ohio District Redistricting Commission, thank you for the opportunity to be here today. I'm here today to talk about why their districts are important to my community and why the past 10 years of gerrymandering in Ohio has been so devastating for so many of us in Ohio. Again, my name is Robin Turner. I'm a mother. I'm a community leader and also happen to be formerly incarcerated. I'm from Cleveland, Ohio. And over the past ten years, I have seen my community's political power and ability to influence policies that affect to decline due to unfair maps and rigged rules of the political game. I am very concerned or worried about the safety of my family and myself.

There's been an increase in poverty and crime where I'm from, especially violent crimes involving guns. I'm always contemplating moving out of this area. But what would I, what would that solve if I move? I'm not the kind of person who runs from problems that plague the neighborhood I'm from. I want to help find solutions. I work with Ohio Organizing Collaborative and our members organizations in regards to building Freedom Ohio, which builds political power for formerly incarcerated individuals and their families. But the problem is, I don't think many elected officials really know what happens in our neighborhoods. I never see or hear from any of them until it's time for reelection. When it comes to making my community better and making all of Ohio better, the gerrymandered districts we've had for the last decade keeps us from getting that. We are never able to move our agenda forward because we don't have any power to make policy at the state level. We want to build a safer community by ending mass incarceration and investing in our communities. But all too often our voices are unheard. There's a total mistrust of political officials, which is not how democracy is supposed to work. All people in this state, no matter their background or where they live, what color deserve to feel, and be represented by the people we elect. I'm asking the commission to please put party interests aside to make sure that the people in our state have a chance to create solutions and make their communities better. Please follow the spirit and the letter of the reform Ohioans voted for in 2015. We need real representation in this state, which means the number of Democratic and Republican seats in the House and Senate need to mirror how Ohioans actually vote. Roughly forty six percent Democrat and fifty four percent Republican. We live uncertain times. We deserve more certainty that our voices will be heard and our interest represented. Thank you again for the opportunity to be here. This concludes my testimony. [applause]

**Co-Chair Senator Vernon Sykes** [00:25:31] Any questions. Thank you.

**Robin Turner** [00:25:36] The next witness,

**Staff** [00:25:38] David Wales, followed by Joshua Walker.

**Co-Chair Senator Vernon Sykes** [00:25:49] Next witness

**Staff** [00:25:50] Maureen Welch, followed by Tessa Yuan.

**Co-Chair Senator Vernon Sykes** [00:26:04] We state and spell your name, please.

**Sue Dyke on behalf of Maureen Welch** [00:26:07] I'm testing on behalf of my friend who can't be here today for medical reasons and she can't testify virtually. So she asked me to read her testimony for her. Her name is Maureen Welch and I am Sue Dyke. And I'm just reading her testimony that she sent me today. There's no way for her to testify, so I just wanted to make sure her voice could be heard.

**Co-Chair Senator Vernon Sykes** [00:26:30] Thank you.

**Sue Dyke on behalf of Maureen Welch** [00:26:31] OK, I'm going to skip the platitudes and I'm just going to go right into it. Maureen Welch is a resident of Guilford Township in Medina County, and I'm presenting testimony on her behalf. Let's see. I have because... She says I have been recently interacting with Medina County citizens about redistricting reform since early 2016, most recently, I've been facilitating groups providing input for community maps in Medina County. I don't think we've talked about Medina at all today. So I just wanted to, I feel like this her testimony should really be paid attention to. Let's

see, it was alarming, but very telling to hear that the map makers were instructed by GOP legislative leadership to disregard the Voting Rights Act and proportionality as required in the Ohio State Constitution. It was not surprising that independent mapping experts quickly indicated the map is not competitive and will ensure a Republican stronghold in the Ohio State House, even ensuring that Republicans pick up several more seats. The official working map on these grounds alone is unacceptable to the voters of Ohio, who overwhelmingly supported the 2015 state redistricting reforms. And we demand that you work with the minority members of the Ohio Just Redistricting Commission to develop fair, proportional and competitive legislative maps. I also have concerns related to Medina County. Even though there is no reason to split Medina County on your official map, it is split yet again in a North-South manner. And the western half of Medina County is paired in a district with Ashland and Northwest Holmes County, with Wayne County sitting... Specific conspicuously setting between Medina and Holmes. This does not benefit Medina voters and does not reflect where they spend most of their time. In 2021 while mapping where Medina County and live workshops spend their leisure time and get their health care, not one person mentioned Ashland or Holmes County as communities of interest or traveling there regularly for services or work. This is yet another attempt to gerrymander Medina voters, placing us at a disadvantage when petitioning our legislative officials, ensuring the continuing problem that voters do not know who the representative and senators are. And even worse, the offices of the representatives and senators are confused by the gerrymandered districts and don't know where their districts are. That confusion is a diversion from public service and takes away from voters trying to work with legislators on issues and concerns. Gerrymandering, which is what you guys have done with with the GOP or Matt Huffman's map, is a way legislators turn their backs on voters and create apathy among the population. And maybe that's what you need to get reelected is voter apathy. That's my comment. Sorry. Sorry, Mosey. I ask you to consider Geoff Wise's Ohio House and Senate maps and these maps, Medina County is whole and paired with Wayne and Western Summit counties, which makes total sense if you're trying to keep community of like interests together. In talking with community members all over Medina County in 2021, people cited strong ties to the Western Summit County for shopping, leisure, health care services and work, as well as residents from southern Medina. People all over the county consistently mentioned easy access to I-76 and 71, and it makes it easy to get to Fairlawn, Akron and Cleveland. They have infrastructure in Medina County as well as environmental and health care concerns, such as there's no hospital that delivers babies in Medina County. Anyway, I'm going to... I'm speeding along here. Ohio voters spoke with their vote in 2015. We do not want to be packed to craft into gerrymandered districts that dilute our votes and make the primaries, the competitive race and the general election a done deal. Even though the gerrymander is hidden in false compactness, Ohio voters expect and are asking the Ohio Redistricting Commission to follow the letter in the spirit of the redistricting reform passed in 2015. We spoke with our votes in 2015 and those votes are clear. We want proportional districts and competitive districts that represent the population of Ohio and do not unfairly benefit one political party over another due to gerrymandering. Draw fair districts and let the chips fall where they may. Medina County wants to remain whole and be placed with communities that reflect where we spend our time and share our values. It is very clear that Geoff Wise's map for the House and Senate meet these standards. Consider these maps as the official working map or I would say now that you presented a Democratic compromise map, perhaps, these are my my comments here that you consider that as you're working map. It's time for the Ohio Redistricting Commission to reevaluate their course of foot dragging apathy and blatant noncompliance with the Ohio Constitution and federal law and pivot to passionate and hearty bipartisan work to do the will of Ohio voters. And in case you're wondering what we mean by hearty bipartisan work and means meet with each other outside of this formal

public meeting and hash it out again. Those are my comments very... I continue to be frustrated that no progress has been made since other than what the Democrats, the Senate Democrats have provided today and advancing fair maps and Sen... Secretary LaRose. I would just like to mention it's really not fair for you to ask people what they think about the Democratic Senate maps that were just presented before we showed up in this meeting. How are we supposed to do that?

**Co-Chair Senator Vernon Sykes** [00:32:23] Please?

**Sue Dyke on behalf of Maureen Welch** [00:32:23] Thank you. Please. Any questions? I don't know if I can answer questions about Medina, but I will try.

**Co-Chair Senator Vernon Sykes** [00:32:31] Secretary LaRose,.

[00:32:32] Thank you co-chair. And yes, ma'am, I understand the frustration. My email address is Frank@OhioSOS.gov so once you do get a chance to look at the Democratic maps, please do let me know. Just so that so that, you know, we are working together as we speak, actually, both Republican and Democratic staffers, while we're busy here, are collaborating and trying to find opportunities for middle ground. The auditor and I met with the Senate Democrats and House Democrats today. So those are the kind of things, and I believe others have as well. So very much a work in progress. My question is about your Medina County comment. So I want to understand correctly what you're saying is that Medina County should be kept whole within one house district. Is that what your testimony was?

**Sue Dyke on behalf of Maureen Welch** [00:33:20] This is Mosey's testimony, Maureen Welch. And I don't see why it needs to be split in half if you're if you're taking pieces from other counties. I mean, just from a logical standpoint. But I would like to just respond also to your comment is that we've been calling your office every week and we speak with Mr. Ward and he's still talking about the census being the reason that nothing's getting done. So maybe you need to advise him differently. And so I just wanted to, you know, again, point that out. In addition, I noticed that you were telling Mr. Conwell to hurry up and get comments to you that he shouldn't write a letter because that's going to take too long. That's not his problem. This is the commission's problem. And as far as we're concerned, I mean, I think I speak for a lot of people in this room who expect you to be meeting with each other outside of sitting behind a table. And it doesn't seem to be happening. I mean, I appreciate the fact that you're talking here and that you're asking questions, but y'all should have been meeting for months now. All right. Maybe even, well, maybe starting in January. I'll give you that. All right. When the new when the new session started. But I mean, that that's no substitute. It's nice, but it's no substitute. You need to be sitting in a conference room talking to each other and hashing it out. And nothing's happened since I testified, what was it, Wednesday or Thursday of last week in in Columbus? So, anyway, that's not Mosey's testimony. That's mine. I'm sorry. But I mean, when you ask questions and you make comments like that, this is this is the way people feel in this room. We're just not being listened to. You hear us, but you don't do anything. I mean, nothing's changed since Wednesday. I've had to prepare multiple testimonies for this. What have you done anyway? So I'm done.

**Secretary of State Frank LaRose** [00:35:22] Mr. Co-chair, a member of my staff was mentioned. I do want to say that that Mr. Ward is a very dedicated and hardworking and valued member of our team. The point that he makes is a valid one about the Census Bureau data being five months late.

**Sue Dyke on behalf of Maureen Welch** [00:35:36] For God sakes, this is a tired argument.

**Secretary of State Frank LaRose** [00:35:37] But it's a fact that that data put us at a great disadvantage. But nonetheless, this is a circumstance we have to deal with. And that's why I've asked if someone does have some constructive feedback. We're up against a deadline of this Wednesday. And so just as a practical matter, the sooner we can hear the better and I really appreciate that.

[00:35:54] We gave you that constructive feedback since March, OK, we have been calling all of your offices since March. This is nothing new. All right. And for you to sit here...

**Co-Chair Senator Vernon Sykes** [00:36:05] Please, direct, please direct to the chair, please.

**Sue Dyke on behalf of Maureen Welch** [00:36:09] I'm sorry.

**Co-Chair Senator Vernon Sykes** [00:36:09] Yes.

**Sue Dyke on behalf of Maureen Welch** [00:36:10] For us to be treated in a way where we where we are pushed away when we make calls every week, if not more frequently. And we've been bugging everybody to do this. You guys, the Republicans control the process. And you are the reason that this is up... Our backs. All of our backs are up against the wall. You put us here and that's why we're angry. You had plenty of notice. So I don't I don't I apologize for not knowing your your decorum here, but I'm just a regular person who's just very upset that you have put our backs against the wall and your own.

**Co-Chair Senator Vernon Sykes** [00:36:49] Thank you very much.

**Sue Dyke on behalf of Maureen Welch** [00:36:51] Thank you.

**Staff** [00:36:55] Next witness. State Representative Juanita Brent,

**Co-Chair Senator Vernon Sykes** [00:37:04] Please state your name and spell it. Please.

**Tessa Xuan** [00:37:06] Hello, my name is Tessa Xuan. I believe it's my turn. Good evening. Thank you for the opportunity to testify. I am a resident of the Ohio City neighborhood in Cleveland. I serve as the state wide director of OPAL, a statewide grassroots feminist organization that is building power with Asian, Asian-American and Pacific Islander communities across Ohio. I'm here to oppose the acceptance of the proposed Republican voting district maps and instead strongly support fair maps that lead to a robust and participatory democracy in our state. I'm a proud Ohioan. I've lived in Ohio since my family first moved here from Kentucky when I was two years old. And during my lifetime I've lived in seven different counties across the state. The makeup of the current gerrymandered state house does not accurately represent the state that I live in. And as a result, our state house has consistently skewed unfairly toward one political party, focusing its energy on pushing through extreme policies that benefit a select few, rather than feeling the pressure to solve the problems that the majority of us care about. Firstly, I'd like to say that as an Ohioan and as an Asian-American, I'm still feeling quite furious about the HB6 nuclear bribery scandal, which was described as likely the largest bribery money laundering scheme ever perpetrated against the people of the state of Ohio by U.S.

Attorney David M. DeVillers. This bribery scandal has put Ohio on the map as having one of the most corrupt state legislatures in the nation. Not only did our lawmakers try to steal \$1.3 Billion from working families across the state, they also stood by and said nothing, basically giving a pass when dark money poured into mailers, going to every single household that engaged in racist, xenophobic, misleading and fear mongering tactics. And these are tactics that have made Ohio a less safe state for people who look like me. This is an age old strategy of demonizing and scapegoating foreign countries and immigrant communities in order to get away with harming predominantly black, brown and poor communities. Gerrymandering is why our officials thought that they would be able to get away with this. Corruption and gerrymandering is why HB six has still not been fully repealed. If the Republican proposed Ohio House map is adopted, then my neighbors across the street from me in Ohio City will live in a completely different district. The line on West 50th Street does not make any sense based on, it's not a natural boundary for our community. The tight knit community that I live in will be split up and our power will be diluted. Representational fairness should also include an effort to draw districts in a way that the voices of minority populations are not drowned out. The current proposed maps from the Republicans does exactly this to Asian and AAPI populations and black and brown communities in Ohio. I am a member of the Asiatown Cleveland Advisory Committee, and the Republican proposed maps draw awkward lines around this white, working class, low income immigrant neighborhood separating Asiatown from black and brown communities that share similar interests and socio economic status to the east of the neighborhood. I also know that Asian and AAPI communities were disappointed this past year and a half to see the state legislature almost completely ignore the resurgence in acts of violence against our communities. We heard from state officials that token representation on a few committees was a substitute for measures of actual substance with actual funding that we knew would keep our communities safe. My fellow OPAL members brought painful stories to our state representatives of being verbally assaulted on the Cleveland RTA, our elders being spit on while walking down the street, our children being called racial slurs while getting ice cream at Graeter's and even one Vietnamese restaurant in Dayton being forced to shut down after being set on fire and spray painted with the words China virus. Even after the mass shootings in Atlanta and Indianapolis targeting Asian and sick American workers, not even a resolution acknowledging these harmful incidents was passed. The statehouse has not been responsive to our needs, and it's clear that it has not been looking out for our interests in any meaningful way. The fact that the members of this commission admitted they did not even consider the importance of racial composition while drawing maps is unacceptable and disrespectful to our communities. I just ask that you please honor and protect our democracy by setting a level playing field and adopting maps that reflect the political and modern racial makeup of Ohio. Thank you so much. [applause]

**Co-Chair Senator Vernon Sykes** [00:42:17] Are there any question? Leader, Sykes.

**House Minority Leader Emilia Sykes** [00:42:26] Thank you so much for your testimony today. I really appreciate you you sharing about the AAPI community in northeast Ohio, specifically Cleveland. So you went through very quickly the part of the city where there are new Americans residing. And if you could just be a little bit more specific so as we take your feedback, we can better understand where you want us to to move things.

**Tessa Xuan** [00:42:52] So Asia town is just east of downtown Cleveland. And in both the House and Senate proposed maps from Senator Huffman, there are awkward lines that basically cut off the Asiatown neighborhood from other working class, low income neighborhoods directly surrounding Asiatown. It's I think in this map, it shows it's the very

east part of District 13. So it's in the same district as Rocky River, which does not share similar socioeconomic status or similar interests of housing and security, interests of needing more green space in the neighborhoods so that that district line does not make sense. And I I'm on the Asiatown advisory committee. I've worked with the Midtown Cleveland CDC. So it's cutting through Midtown as well.

**Co-Chair Senator Vernon Sykes** [00:43:58] Thank you very much. Thank you.

**Staff** [00:44:03] Next, witness, State Representative Juanita Brant, followed by gelada özlem.

**Rep. Juanita Brent** [00:44:20] Thank you, co-chairs and commissioners. I mean, commission for coming to House District 12. So thank you for coming to my house district. I have a plethora of notes, texts from people who have sent me texts who are sitting at home because we do not honor or not honor, but offer, virtual options. So you will hear me talk about multiple parts of this county. First note that was given to me is that Cleveland needs to have multiple districts in Cuyahoga County that touch Cleveland, but not at the expense of diluting black and brown communities. I would get into the details of that. House District 13, which includes Lakewood, which is on the farthest west side of the county and ends over in the Hough community, which has become the new snake on the lake. If you have looked at Hough, it is a historically black community, and then you look at Lakewood, that is a very progressive community in so many words, but communities that do not tend to mix when it comes to voting habits or demographics at all and is very far in between between each one. And as it is, it is not compact at all. Also, point number three about Solon is split, Solon was one of our cities that has worked really well about where... Is working within our region is no reason that an anchor city like itself is being split within our state. House District 18, which includes Fairview Park, which has an average income of sixty eight thousand dollars, goes all the way, Houses District 18, goes all the way to Ward 5 of Cleveland, which is the poorest part of our state, which is the most concentrated part of of not having wealth. The average income in Cleveland Ward 5 is eleven thousand and that part of the public housing area. So why would we put public housing, which is the average income is eleven thousand with Fairview Park, which is the farthest western part of it, which is also put in House District 18? House twenty one includes Woodmere, which is the only city that is not the part of the Orange School District, that is not in houses... That's being split from that house district. Problem with that, and even if you look at the Orange School District is being split up between two Senate districts and three House districts. It's being split up between House District 21... House district 20-- I mean House District 23, House district 22 and Houses district 21. With all the different school districts is very problematic that we have five cities that are all part of this school district and they are being split up between two different Senate districts in three different House seats. Orange School District has a A rating and the communities are very close over there. People work really well and it's like, why are we splitting them between three points of representation for this House district? House District 18 and house district 20 splits up ward seven, which includes our Asiatown, that also includes Hough, these are communities that are very intertwined with each other. And you also break up part of the Asiatown also. House District 23, which is the joke on the side of Cuyhoga County, is our three ring circus of three different, three different counties being split up. If we were to just decrease the amount of population for each house district, we would not need to have a house district that goes into three different counties for House District 23. The Fairfax community, which is in House District 21 and 20, which is being split, which is a community that is being intentionally split, is the Fairfax and Larchmere community, which is being split up. That's another community that's being split up right now and then very important downtown

Cleveland, which is being split up between House District 18 and 13. Our downtown should not be split up between two different House districts. Historically it's all kept as whole. And now you splitting it up into two different districts. And also our Cleveland Clinic area which is very growing, is being split up between House District 20 and House District 13, which is very problematic as we are growing businesses within that area and also when it comes to housing. I'm respectful of time, so I stopped. Did you have any questions?

**Co-Chair Senator Vernon Sykes** [00:49:02] Any questions? Secretary LaRose.

**Rep. Juanita Brent** [00:49:08] Thank you, Representative, appreciate the detailed look at the at the Cuyahoga County map that you've done there. And I know, as was expressed earlier, that the time to review the proposal from the House and Senate Democrats has only been limited. But if you do get a chance to take a look at that, I'd love to hear your feedback when you get a chance. Please don't hesitate to shoot me an email.

**Rep. Juanita Brent** [00:49:28] I will.

**Secretary of State Frank LaRose** [00:49:28] All right. Thank you, Representative.

**Co-Chair Senator Vernon Sykes** [00:49:30] Thank you very much. Thanks. Next presenter.

**Staff** [00:49:39] The next witness is Jaladah Aslam,

**Jaladah Aslam** [00:49:43] nope, that's not how you say it.

**Co-Chair Senator Vernon Sykes** [00:49:48] Pronounce and please spell your name, please.

**Jaladah Aslam** [00:49:53] Good evening. Thank you chairs. To co-chairs Cupp and Sykes, Governor DeWine, I guess he is still there, Leader Sykes, Secretary LaRose and Auditor Faber. My name is Jaladah Aslam. I live in Austintown Township in Mahoning County and I'm here as president of the Youngstown Warren Black Caucus. I'm not going to go over some of my testimony, as you've already heard, and I think we all know where we're at. The reality is, is that the voters have said twice that we want this thing fixed. The voters have said overwhelmingly, we want this thing fixed. Now, let's be true. Let's be honest. Ohioans don't agree on things like this. We don't agree a 70 and 75 percent of the time of the way something should be done. We've been clear what we want to happen here. And so I hope that the map that was approved strictly on partisan lines by a vote of five to two last week is truly a starting place. It is not where we will end up, because I can tell you there isn't a single person that I've talked to on either side of the aisle in my community that will be happy with those districts. I do want to point out a couple of things to you. First of all, looking at the map that was submitted, my Senate district would really be adversely affected. I live in the 33rd Senate District and the proposal put forth by the majority party added Carroll County to that district. Now, Carroll County and Mahoning County don't have anything in common. OK, not only that, you're taking a city that is a majority minority, Youngstown, and you're packing us with Columbiana and Carroll Counties. Now Columbiana is already part of the district by moving Carroll County into that district. That's still just a way of ensuring more Republican votes and so do the African-Americans and Latinos and Youngstown area will not be adequately represented. That's a problem. That's a major problem. Before I'm asked by the auditor, did I look at the new

maps? Yes, they did take Carroll County out of that district. And thank you very much to the Senate and the House Democrats for looking at that. I do want to say something else, I do a lot of work with young people trying to get them engaged in the political process, trying to get them involved in campaigns and the importance of voting. And when people submit, when you guys submit maps that are heavily gerrymandered after the voters have told you that that's not what they want. It really proves to the young people that everything that we tell them is not true, is true. But we tell them, don't worry, the system isn't rigged against you. Don't worry that you're going to be treated fairly. Don't worry. Your voice is going to be heard. Your vote counts. And when they see something like this, then they say, see, what is the point? Why should we get involved? That's not something, that's not a legacy that I want to leave to our next generation. And I don't think any of us here should want them to feel that way. So I'm asking that you as a body, as one commission, instead of looking at just Democratic maps and Republican maps, come up with the map that's fair to all Ohioans. Submit that to us. And please make sure that it is fair, because I'm telling you now, if it's not fair, you know this is not going to end well. It's not going to end today. There's going to be lawsuits. And there's already talk about another referendum going on the ballot. And the next time we will not be asking elected officials to do this, we will be asking an independent commission, because you will have failed us and failed us miserably. [applause]

**Co-Chair Senator Vernon Sykes** [00:53:51] Are there any questions? Thank you very much.

**Jaladah Aslam** [00:53:56] I do have.

**Staff** [00:54:02] The next witness is Jane Jenaveve, followed by Kelly Gauche.

**Co-Chair Senator Vernon Sykes** [00:54:14] Next witness, please,

**Staff** [00:54:16] the next two witnesses are David Goren, followed by Laura Ervin,

**Co-Chair Senator Vernon Sykes** [00:54:25] would you state and spell your name, please?

**Kelly Goshe** [00:54:28] Hi, my name is Kelly Goshe. It's not at all what it looks like, I know. It's Kelly Goshe. Thank you, all of you, for being here. Members of the commission. Thank you for allowing me to speak today. My name is Kelly Goshe. I reside in Moreland Hills. My kids attend Orange School District. Thank you for the shout out. She's right. I currently reside in Ohio House District 6 and Ohio Senate District 24. Before I start my official testimony, I want to make two points. I'd like to refer to the Ohio Constitution, Article 11, Section 3, subsection A, which is about the requirements for drawing House of Representative districts for the General Assembly. It says the whole population of the state, as determined by the federal decennial census or if such is unavailable, such other basis as the General Assembly may direct. So I'm not an attorney. I don't know the Ohio Constitution by heart, but it seems to me that maybe the General Assembly could have gotten the ball rolling a little earlier on this and yes, wouldn't have had perfect numbers, but could have gotten a start. And then and then proceeded further when the census information was available. Also to the question several times about whether people have looked at the the initial Democratic map. I haven't heard any speakers today say that the Democratic map was the end all be all. I haven't heard any speakers say, ignore everything else, just go with that one. It is the Republican map that this commission has so far voted on and put forth to the public. So I think it makes sense that it's the Republican

map and the Republican gerrymandering, the Republican packing, the Republican cracking. That is what people have spoken about today. If the commission wants to go back to the initial Democratic map and put forth that as the the working map, by all means, I guarantee you people would have had comments on it. I looked at it briefly. I would have had comments on it as well. So I think that's that's our starting point. Much of my prepared testimony was either highlighted or negated by the amended proposal that was put forth earlier by Senator Sykes and Representative Sykes. I came to highlight the splitting of District 23, the splitting of orange school districts, cities. Thank you, Representative Brent. I appreciate your comments. And also the splitting of the city of Solon, which makes no sense whatsoever. I live very close to Som Center Road and under the proposed maps, if you travel Som Center Road from the top of Solon into the bottom of Solon, which is only five miles, you would go back and forth between districts six times. That seems a little crazy to me. Instead, I was going to recommend Mr. GEoff Wise's submitted maps, which keeps the city of Solon intact in my district, but apparently split cities in others. I admit, I have three children, three young children. I had to bribe them with a lot of candy just so I could sit and look at the maps in my district. So I apologize if I didn't closely examine other districts. Without having looked at it closely, it does appear that the proposed amended map we just heard about closely abides with the Ohio Constitution. Thank you again, Representative Sykes and Senator Sykes, and to the gentleman who explained that information, I hope this committee is sincere in its gratitude for their good faith, effort, effort. I hope you will vote on that amended map now today and maybe take that up as your new working map. When I spoke to this commission in Akron, I highlighted the importance of competition in our districts. No, not all districts have to be competitive, and that is not a requirement outlined in the Constitution, but surely having more competitive districts as allowed for in the Sykes's amended proposal. More competition is better. Competition spurs innovation, competition spurs growth. Ohio and its economy needs more of that. I hope the commission, will finish up quickly, but would they allow me to proceed

**Co-Chair Senator Vernon Sykes** [00:58:54] Are there any questions?

**Kelly Goshe** [00:58:57] No I reached my time limit. May I please continue?

**Co-Chair Senator Vernon Sykes** [00:59:02] You can take one minute, please.

**Kelly Goshe** [00:59:04] I will do my very best. Secretary LaRose, I really appreciated your comments earlier about moving forward in a bipartisan process. I sincerely hope you mean it. I understand your frustration with the cynicism and and disappointment and pessimism that some speakers have expressed today, but I also hope you will understand that when we have been disappointed and blatantly ignored again and again and again, it's hard to have faith that others are working in good faith. Again. Secretary LaRose, and unfortunately, the governor has left, but I address my comments to them because I'm just more familiar with their speeches. And so it's not a slight to the rest of the commission. But I think like many of the citizens sitting here today and in the overflow rooms above will be registering as Republicans in the 2022 primary. I disagree with you and the governor a lot, but in my heart of hearts, I really believe that you have the best interest of Ohioans and that you want to do what is best for our state. And so I will vote for you in that primary. I just urge you to do the right thing. You have seen the extremism, you have seen the vision. You know that this map, the currently proposed map, is not what is right for Ohio. It's not what's right for our citizens. It's not what's right for our economy, because this division and the extremism is killing us. We've got to get back to common sense. We've

got to get back to balance. Please do the right thing. Thank you. Thank you for allowing me to go over. I appreciate it.

**Co-Chair Senator Vernon Sykes** [01:00:56] Next witness. Briefly, Secretary LaRose.

**Kelly Goshe** [01:01:05] Thank you, ma'am. I'm a parent of three as well, and I want to make my daughters proud. So we're going to work as best we can to get to that compromise. Thank you.

**David Guram** [01:01:16] Hello, my name is David Guram. I'm from Akron. I encourage this committee to vote no or against the Republican map submitted on Thursday, September 9th. That day that the map was submitted, you voted quickly to vote for it. Today, there was an amended map that was offered. But today you did take a vote on that amendment. I encourage you to vote for that map, because actually it's moving towards a much better map. Why don't you do that today so we know where the direction of this committee is going? So we are still under the Republican map. We'll be under Republican map, the maintains and increases the strength, the stranglehold of the power of the Republicans on the citizens of Ohio. Under the super majority rule by Republicans has led to one of the largest political corporate scandals that was allegedly commissioned by Representative Larry Householder and his friends. Besides taking a bribe from FirstEnergy, Householder raised large amounts of campaign contributions that Larry distributed to other Republicans. Then the votes of those, of these Republicans was purchased to passed HB 6. Even now we are we are still paying for two coal fired plants in Indiana and... The efficiency programs. And the alternative non fossil fuel power projects have been scrapped and are still eliminated. The practice of accumulating campaign donations and then distributing that money to other candidates who will be beholden to those politicians is still occurring. That is actually what was done by Huffman in 2018 and by Cupp in 2020. If you look at ballot Expedia, you'll see their financial records. Of of course the, of course the Republican plan is to have a four year map. Mr. LaRose, this is the reality. It's time to start continuing your fantasy of optimism. Are all five Republicans going to be complicit with the boys from Lima, Huffman and Cupp? Only when Amy Acton to was the head of the State Department of Health. DeWine actually seemed to be a leader. However, now that that however, we know now that DeWine's inability to to change the gun laws as they promised after mass shooting. [applause] Still, he is still not fulfilled that promise. He signed a law, a Stand Your Ground law that puts a target on black and brown people and people like me who stand up and speak out. And people should know that there is a woman that is running as a Democrat for governor and a woman that's running as a Democrat for secretary of state. That much better--

**Co-Chair Senator Vernon Sykes** [01:04:53] If I could interrupt you. Just speak to the maps please.

**David Guram** [01:04:58] I'm speaking to the maps.

**Co-Chair Senator Vernon Sykes** [01:04:59] We have a lot, we need to be courteous. There's forty one more people to--

**David Guram** [01:05:06] But not being courteous by what what's being done by the by the Republicans. So--.

**Co-Chair Senator Vernon Sykes** [01:05:11] We're here to talk about the map. So please curtail your comments to the map.

**David Guram** [01:05:15] In conclusion, it's time to trash the September 9th map. Vote on the amended map as was presented tonight. Tonight. Thank you.

**Laura Irvin** [01:05:43] My name is Laura Irvin, and I'm here testifying against the gerrymandered Republican drawn state House map. I want to thank you all for showing up today to hear the testimony of your constituents. I'm from Lorain County. I'll tell you a little bit about what's going on in Lorain County. In ten of the last 11 or more presidential elections, voters in our county have voted for the Democratic candidate. We are a Democratic county. In Lorain County, we have seven countywide elected officials who are Democrats and we have four countywide elected officials who are Republicans, one of which is a coroner. Until the last election, all county wide elected were Democrats. I'm sure you've heard about the shenanigans that have been going on between the two newly elected Republican commissioners, hiring lovers, firing lovers, hiring campaign managers, firing campaign managers, hiring campaign donors, firing campaign donors, hiring people who are unqualified, firing some of those people. One Republican commissioner telling the other to resign. The list of their scandals goes on as a soap opera. Needless to say, not a whole lot is getting done in Lorain County because of the two Republican commissioners and their foolishness. These are the same ilk as the Republicans in Columbus who cheat us out of tens of millions of dollars through FirstEnergy dark money, backroom dealing and school vouchers to ECOT. I digress to point out that when Republicans are in charge, when they have a supermajority, they cheat, they cost us money, they cost us lives, and I'm sick of it. This is exactly what you're doing with the drawing of these maps. The way the Republicans have drawn Lorain County is a perfect example of gerrymandering and cheating. Putting Lorain City and Elyria in the same district is a textbook example of packing a district. You have packed the Democratic and minority votes. The spirit and the intent of the voters was to end gerrymandering. We want competitive districts. We want districts that reflect our community. We want districts that reflect our voting patterns. We should have at least two competitive districts, if not three, in Lorain County. You have drawn zero competitive districts in Lorain. For House district 53, you have drawn Vermillion in the same district as Willard. Tell me what connection the people in Vermillion on Lake Erie have to do with the farmers in Willard. Vermillion's revenue is from tourism. Vermillion's businesses are in the boating industry, but the focus on boat repair, boat sails, marinas, fishing charters, docks and boat storage. Willard is a small rural farming community. What do the people of Oberlin, who worked for one of the most prestigious colleges in the country that's known for the Allen Art Museum and the Music Conservatory, have in common with the farmers in Huron, which, by the way, is Ohio's number one county in producing vegetables? We're not talking apples and oranges here. We're talking tractors and soybeans versus Mozart and museum tours. Both are good, but they don't go together. They shouldn't be represented by one committee...They should be they should not be represented as one community because they are not one community. Oberlin should be represented by the same person who represents Lorain County Community College and Elyria. Oberlin is eight miles from Elyria. Oberlin is forty six miles from Willard. I would add that our stage is a purple state, not a red state. The only reason people think we are Republican state is because our state legislature is so gerrymandered. We should have at least forty four House, Democratic House seats and at least fifteen Democratic Senate seats. Aren't you tired of the extremists in your party dictating how you can vote? Don't you want to win fair and square? Don't you feel dirty when you cheat? [applause] What do we have to do to make you want to be fair, we voted for a fair process, we voted for a fair map, and that's what we deserve. [applause]

**Co-Chair Senator Vernon Sykes** [01:10:59] Next witness please.

**Co-Chair Senator Vernon Sykes** [01:11:02] Randall Nichols, Randall Nichols.

**Randall Nichols** [01:11:15] My name is Randall Nichols and I would like to ask the commissioners to turn their devices away. Turn your phones over, please. I'd like to have your attention. Thank you. You've got a room full of presenters who are compassionate and knowledgeable and very technical, and your maps just dismiss all that and so that the technical side of it is pretty obvious they know more than you do. And yet you will go away from here and gerrymander some more. It's a given. It's your history. Even Democrats, it's a it's your history to gerrymander for political advantage, not for fairness or equity. And so what I want to do is not address the technical, but more of the moral. In just a couple of minutes, I'll bet a dollar which is lying in front of Bob Cupp, that whatever you present goes to court. It will be illegal, it will be unconstitutional, and they'll be a big fight. So you're going to ignore almost all of what you just heard. And there is a dollar. My name is Randall Nichols. You can get in touch with me if you'd like. What you want to do is preserve your power, your money and your egos. Politicians, you know, many of them are psychotic. That's been proven. And you want to preserve the ego that power you get from being in charge of things. You love it. And that's what you want to keep more than you want to keep equality or fairness. And one of the things I know for certain is that the Republicans take their commands from bowed down to really believe in Trump, who steals from kids charities, calls people motherfuckers, lies every time he opens his mouth, calls women skanks and pussies. And that's the guy you look up to. [gavel]

**Co-Chair Senator Vernon Sykes** [01:13:44] Please, please, please.

**Randall Nichols** [01:13:45] I'm just repeating Trump's words.

**Co-Chair Senator Vernon Sykes** [01:13:47] We don't have to repeat those words.

[01:13:50] I just I'm quoting our president, our former president. What you are doing with this kind of an idea, among many others, like the ECOT scam you helped perpetuate. What you're doing is killing Ohio. You're killing democracy. You are miscreants. And you are immoral. [applause]

**Co-Chair Senator Vernon Sykes** [01:14:17] The next witness please

**Staff** [01:14:21] the next witness is Sherry Abramski. Followed by Mary Kelsey.

**Co-Chair Senator Vernon Sykes** [01:14:39] The state and spell your name, please.

**Sheri Obrenski** [01:14:42] My name is Sheri Obrenski I'm the president of the Cleveland Teachers Union and a voter in House District 60 and Senate District 25. Good evening, co-chair Cupp, co-chair Sykes, and members of the commission that are still sitting at the table. I testified in Cleveland, along with dozens of other concerned citizens, regarding the importance of a truly fair and democratic redistricting process. To Auditor Faber, who has left the room, Senator Sykes and Leader Sykes, it is nice to see you again. It is unfortunate that the other members of the commission were unable to make their in-person attendance at the last round of hearings a priority. There were many people that change their schedules to attend those hearings, though they were clearly inconvenient for both the commission and the citizens alike. The maps that the commission voted to adopt for formal introduction within just a few hours of their presentation last week demonstrate that we were not heard during those hearings, but rather that the majority party has

chosen to cling to a system that the voters of Ohio have overwhelmingly rejected. I also served on the Fair Districts Mapping Competition Advisory Committee. As has been pointed out by previous speakers, these maps were created by private citizens who attempted to do what should have been done by this commission, which has put forward a map that is fair to the citizens of Ohio. While I understand that those maps are not perfect, I dare say they were created with more intention to meet the spirit of the Ohio Constitution than that which is currently being introduced. The voice of the people cannot be allowed to fall on deaf ears, which is precisely what has occurred over the last ten years in our gerrymandered state. You have a legal, ethical and moral responsibility to do the right thing. Secretary LaRose, I wish that I shared your optimism, but when your voice is repeatedly ignored, optimism is difficult. When the families that you serve are continually marginalized by their state legislature, it's hard to have faith. When the members that you serve are routinely derided by so many of their elected officials, trust is tough. Subverting the voice of the people by packing and cracking districts, which is what the proposed maps do, is shameful. Once again, black and brown people are ignored or worse, minimized and competitive districts are scorned. Upholding the status quo will result in more of the same. A General Assembly that focuses, focuses on the red meat of the base, produces low quality and too often unopposed and sometimes corrupt candidates, and often fails to serve in the best interests of all of the people of Ohio. If you are truly here to serve the people and desire the voters to fully participate in our democracy, you will discard the hyper partisan map you have introduced and instead look to those examples that would promote competitive districts and more fairly represent the voters that they are supposed to serve. Thank you.

**Co-Chair Senator Vernon Sykes** [01:18:07] Thank you. [applause] Are there any questions? Next witness.

**Staff** [01:18:14] The next witness is Mary Kelsi, followed by Pam Marcio via Virginia Weiss.

**Co-Chair Senator Vernon Sykes** [01:18:34] Next witness.

**Staff** [01:18:41] The next witness is Anastasia Panchos, followed by James Trutko.

**Virginia Weiss on behalf of Pam Mascio** [01:18:59] yeah she said, my name [inaudible]

**Co-Chair Senator Vernon Sykes** [01:19:07] State and spell your name, please.

**Co-Chair Senator Vernon Sykes** [01:19:11] Good evening, late evening. My name is Virginia Weiss, I'm presenting today... Pam Mascio, a colleague of mine. We work for a fair voting in Cleveland. We work together closely as one of the things we do. And so I've offered since she's unable to be here to read her testimony. And I appreciate you being here. And I also appreciate the members on this commission who chose to put their masks on. I noticed that for this portion they were not on. And as our covid numbers are skyrocketing yet again and we're going into the winter, I'm getting really nervous as I know a lot of Ohioans are. So I do appreciate you putting masks on. Thank you. I feel more comfortable. Good evening. My thanks to Co-Chair Sykes and Co-Chair Cupp and the rest of the commission for hearing my comments on the proposed maps today. Her name is Pamela Mascio and she lives in Aurora in Ohio Senate District 18 and Ohio House District 76. And I'll read in her voice. I testified at the first public hearing in Cleveland, but I could not be here today because with such short notice, she was unable to reschedule another meeting. I read this morning that out of the million dollars plus budgeted for redistricting,

only 173,000 dollars had been spent and of that, majority party has spent only 42,380 dollars. And that comes through loud and clear in these abysmal maps presented last week. You didn't even think it necessary to hire any outside consultants, but rather used Republican staff members, the same exact people who gerrymandered these maps in 2011 and gave Ohio the distinction, this state that I like to be proud of, which I'm not anymore, of being the fourth most gerrymandered state in the country. You've heard by now loud and clear that Ohioans believe these maps presented are unlawful, unconstitutional, and they're not executed with a shred of good faith. Many Republicans call themselves people of faith. Like the children that we try to teach, I feel the same way. I don't believe it anymore. The maps are more gerrymandered than what we have now, but you know that. The maps ignore representational fairness, but you know that. The maps ignore the requirements of the Voting Rights Act. But you know, that, too. It is appalling, that you would ignore two constitutional standards that require you to attempt in good faith to draw lines that do not favor one party over the other and are drawn so that districts, represent statewide voting preferences. I think it's safe to say that anyone who has the most minimal knowledge of these matters knows that the voting preference of Ohioans over the past 10 years is not 67 percent Republican. In fact, you'd have to go more back more than 100 years to find a presidential election where 67 percent of Ohio voted Republican. From the big picture down to the community level, these maps are unacceptable. Consider what you've done to Aurora. Currently, her house district includes other similar suburban communities like Bainbridge and Chesterland. The proposed map for Aurora has been cut away from those communities and becoming part of a district that includes rural Trumbull County and Warren. This is not our community. Three exclamation points. We are a bedroom suburb of Cleveland and are just 10 minutes away from Chagrin Falls. I don't know that I've ever even been to Warren, but suffice it to say, their needs and concerns don't remotely mirror ours. Furthermore, Aurora is a growing area and is trending toward more competitiveness. That trend will most likely certainly be completely obliterated in our newly proposed district. Lumping Aurora in with Warren is just patently absurd. We all know and that good and fair maps can be drawn. Community map making competitions have resulted in numerous maps, all superior to what we've, what you've proposed. When compared using the standard metrics, these maps fulfill all the requirements of the reforms with no partisan gerrymandering and more competitive districts. Have you guys looked at them? How and when are you planning on making modification to these proposed maps? Will there be bipartisan negotiation? Will these meetings be transparent? I am embarrassed for you and I hate to read this, but the majority party, I'm embarrassed for you to you have made a mockery of the redistricting process so far. I cringed when I heard you debating the meaning of the words shall attempt. Never in my wildest imagination would I have thought that you would try to weasel out of what is obviously intended and the reforms by debating, debating common legal phraseology. How you have conducted - I'm almost done, I promise. How you have conducted yourselves throughout the past month flies in the face of the will of all Ohioans. You took an oath to support the Ohio Constitution and to impartially perform all the duties incumbent upon you. But it's obvious your singular goal of maintaining supermajority power by continuing to rig the vote supersedes that oath. This will not be over on Wednesday. If we do not get fair maps in accordance with constitutional reforms, we will continue to fight and we will exercise every option available to force you to do your jobs for which you were elected. And I ask just personally that in good faith, check your oath.

**Co-Chair Senator Vernon Sykes** [01:25:07] Thank you. Thank you. Next witness. Spell your name, please.

**Anastasia Pantsios** [01:25:19] Hello, my name is Anastasia Panchos, I live in Cleveland Heights, I am in House District 9, that's Janine Boyd and I am in Senate District 21, Sandra Williams. I come from a family of activists. My mother was actually the president of the Chicago Legion...League of Women Voters in the 70s. But I was not politically active at all, being more of an arts person until 2000, when the stopping of the counting the presidential votes in Florida made me aware that I needed to get out there and do something. And since then, fair elections has been my number one issue. So naturally, I was involved in the efforts to pass redistricting reform in Ohio in 2015 and 2018. Some of you may recall that there were people who were pushing at the time for a bipartisan or nonpartisan commission to do the the redistricting. Actually, that was pushed earlier. I think there were some measures on the ballot that failed in 2012, but there were a lot of people who said, well, OK, this isn't ideal, but there's a lot of guardrails in place. And there's all these rules they have to follow. So it'll be good even though we don't have the bipartisan commission. And I have to say, I was one of those people. I thought, OK, you know, we have these rules, they're in the Constitution. This is the law they have to follow it. It's very disappointing to me to see that the Democrats released a map on August 31st. Nine days later, the Republicans released a map that was entirely created by Republicans. And the understanding, and I think most of us believed that the any maps proposed were supposed to be created together and were supposed to be created with a transparent process instead of, oh, here's our map. Here's your map. For the Republicans to come out with a map as a starting point that is actually worse than the current map feels like giving the finger to the voters that worked so hard to pass this redistricting reform. [applause] Currently we have sixty four, thirty five breakdown in the House. And to be fair to the voters, it should be fifty five, forty four. In the Senate, twenty five, eight. It should be about 19-14. I mean, obviously those aren't, you know, specific figures, but you know, you want competitive districts and you want a little bit of swing there. These maps have just been released haphazard without the public having a chance to look at them. I shoot at festivals for my publication and I shot four festivals over the weekend and have 1500 photos I should be editing at home. So, no, I haven't had a chance to look at the map, but I've read a lot about what people have said. People want a bipartisan, transparent process and I hope that's what you'll give them, because if you don't, the state is going to go nowhere good. Thank you so much.

**Co-Chair Senator Vernon Sykes** [01:28:52] Thank you. [applause] Next witness.

**Staff** [01:28:58] James Trutko.

**Co-Chair Senator Vernon Sykes** [01:29:02] State and spell your name, please,

**James Trutko** [01:29:06] Sure, my name is James Trutko. I'm a resident of Rocky River in Cuyahoga County. I'm a Republican, but I'm here speaking on my own behalf today. Thank you for giving me the opportunity to speak to you today. For years, Democrats and liberal supporter groups have complained about gerrymandered legislative districts. Blaming the dead... Legislative district boundaries for their failure is really a result of failing to win elections. And insulting the representatives here today is a mark of that frustration. Let's remember today that the new fair redistricting process became a law under a Republican governor and Republican controlled legislature. The new process was not the result of efforts by different voter rights groups to end the gerrymander. We now have a fair and bipartisan, but difficult, process for drawing legislative districts. This process was validated by an overwhelming majority of Ohio voters in 2015, and they when they approved this change. We should all take a moment to pause and think about the practical implications of redistricting and redrawing lines. The basic problem is that Democrats are

concentrated in predominately urban areas and Republicans are spread out. This makes it very difficult to draw what everybody sees as fair districts. I should mention and compliment a number of people that have given presentations. The process of drawing these legislative boundaries is very... Is a very difficult one that involves many criteria, several of which are conflicting. I think fairness and the idea of... People's perception of fairness and what is gerrymandering really depends on the eye of the beholder. When I look at your results in Cuyahoga County, I see that you... Represent... Districts 13 and 18, in my opinion, could be improved. It's in the interest of the public to have competitive races even when it's difficult to draw districts. The reason we have districts is, it is to be able to hold individual representatives accountable for their actions. When I looked at Dave's Redistricting analysis on the two, the Republican map, and looked at the briefly the Democrat map, it was, it said that the Republican map was twice as competitive. I think this is a good thing for the for the public. I've heard a lot of people talking about how the next election will come out for Republicans and Democrats, but we're voting for individuals, not Republican or House representation in the Ohio House or Senate. Let me ask a question about these partisan forecasts. How will the maps come out for no party voters? In Rocky River, a fairly typical suburb. We have 16,000 voters, about twenty two hundred Republicans, thirty nine hundred Democrats and over 10,000 no party voters. So nearly two thirds of the voters are no party. Whether Democrats or Republicans win our district depends on how the candidates appeal to people without a party ID and how they represent us. Voters have a choice and need to have a choice and a reason to vote with competitive districts. And that's the way it should be. The results in Columbus in the next election will be determined not by a map, but by well, how well the parties appeal to partisan Democrat and Republican voters and to a large degree on how they appeal to the number of people that don't represent or don't pick either party right now. Thank you for the opportunity to speak to you. Thank you.

**James Trutko** [01:34:11] Next witness, please.

**Staff** [01:34:13] Delores Gray, followed by Tim Clark.

**Co-Chair Senator Vernon Sykes** [01:34:30] State your name and spell it, please.

**Dolores Gray** [01:34:33] Dolores Gray. Thank you, commission, for allowing me to speak. And I wanted to state a couple of facts which we have stated before. Ohioans sent a clear message to the map drawers. We want fair maps drawn through a transparent redistricting process with lots of opportunity for people to engage on proposed maps. Ohioans demand to give voice to the needs of their communities and future maps. No matter who we are or where we live, all of us deserve a fair shot at real political representation. We all deserve the power to vote politicians out of office that don't serve us well. Unfortunately, most Ohioans haven't had that power for the last decade because of our gerrymandered districts. I come from the heart of the city in Cleveland, Ohio, Hough, Midtown, as well as Asian town. And that's one of the main areas that are suffering from different types of problems that are going on. I am an advocate and leader in the city of Cleveland and I'm working for the betterment of women and children in the community and the surrounding areas. This decision of this proposed maps, in my opinion, is unfair and is a divisive measure to further marginalize a community of people, in my opinion, that's bigoted, racist and ungodly. It will create even more problems. As a resident of Cleveland. I understand what gerrymandering would do to our district, my city, my community, and it's an insult to voters that are looking for help within their communities. We want fair maps with fair districts. I want to make this short, but it's not sweet because this is something that is necessary and things should, you should really take a look at these maps and how it will

affect the community. Every day in my community, I work with women and children that are going through serious problems. And this map, it will not help at all. I want to know where are we at that live... We live in these areas. Where do we fit in with this process, with this decision? It sounds like we do not fit in at all. We're being ignored. I ask this question because I feel that the commission doesn't care. It appears to me that they are only concerned with protecting partisan interests only. The commission should be aware of how splitting the maps will affect the residents. Our governments need to be working on helping all citizens, whether you're rich, middle class or poor. I'm going to close this, like I said to me, is not... It's simple and it's not sweet. But we really have to take a look at what's going on in all our communities. I'm a concerned resident. I am a mother. I am a grandmother. And all of my family members live in the heart of the city. And this part, gerrymandering it really needs to stop. All Ohioans should be thriving, not just the wealthy. I urge you to please take consideration regarding the map. And with that said, I want you all to know that everyone in this room and all the ones that was here before, we are a voice. We are not an echo. And we will continue until we get everything together in our communities, whether you, whether you are there or not. Thank you. [applause]

**Co-Chair Senator Vernon Sykes** [01:38:50] Next, witness.

**Staff** [01:38:53] Tim Clark, followed by Janice Simmons' Mortimer.

**Tim Clarke** [01:39:14] My name is Tim Clarke. Around August 31, I submitted a General Assembly redistricting proposal to the commission. I had hoped to discuss my proposal last Thursday, but I had a previous commitment which I could not reschedule on one day's notice. When Ohio voters adopted the General Assembly redistricting amendment in 2015, a number of changes were made. Some are technical or procedural in nature, but there was an important linchpin in the new scheme for the first time in the state's history. There was an express obligation to create districts that fairly represented the voters of the state. Specifically, no plan could be drawn primarily to favor or disfavor a political party. And the statewide proportion of districts favoring each political party, sorry, now favoring each political party must correspond closely to the statewide preferences, the voters of Ohio. What the majority of this commission has proposed does not come close to meeting these standards. The Democratic share of the two party vote is approximately 46 percent. To comply with Section (6)(B) would require forty five of ninety nine state House districts and fifteen of thirty three state Senate districts favoring Democrats. Instead, the commission's proposal includes only 32 Democratic leaning House districts and a mere eight Democratic leaning Senate districts. This can only be described as a complete failure to comply with this provision. It is not as if this was necessary. It is possible to draw 45 House districts favoring Democrats. I know. I did it. And it is possible to draw 15 Senate districts favoring Democrats or at least come very close. I know. I did it. The commission's proposal may well meet the technical requirements of Sections 3 and 4, it follows the rules for the number of House and Senate districts and large counties. It does not divide any small county more than once. It does not divide the cities of Lorraine, Parma, Canton, Youngstown or Hamilton. I would expect nothing less. I followed these rules as well. As for other municipalities and townships, the commission's proposal contains the same number of split's is in my proposal. None of this justifies the plain violations of Section 6. Whenever I have spoken to a redistricting panel, I have stressed how fundamental it is to our democracy that if a majority of voters support a particular party in an election, that party should be given the opportunity to govern. After all, in elementary school. One of the first things we are taught about our government is that majority rules. And yet the commission's proposal does all it can to subvert this principle, suggesting that the only majority who should rule is the majority of this commission. My proposal may not be perfect, but if I,

working on my own in two and a half weeks can come up with a plan that complies with all of the sections of Article 11 in the spirit in which they were intended, then surely legislative staff with all of their resources and four weeks could do as well or better. The only conclusion is that there was no intention of complying with Section 6. The commission's proposal is an insult to democracy and an insult to those who supported the reform proposal six years ago. I urge this commission to reject this proposal and select another option. Naturally, I would recommend my own. If I am unable to persuade the majority of this commission or some reasonable compromise can be reached, then I would urge the Democratic members of this commission to reject the majority's proposal. After all, it is better to come back and revisit this in 2025 than to lock in a bad map for ten years. I thank the members for their time and attention.

**Co-Chair Senator Vernon Sykes** [01:43:30] We'd like to thank you as well. The next witness,

**Staff** [01:43:36] Janice Simmons' Mortimer, followed by Jessica Eppstein,

**Co-Chair Senator Vernon Sykes** [01:43:41] Would you state and spell your name, please?

**Janice Simmons-Mortimer** [01:43:43] Sure. Good evening. I'm Janice Simmons Mortimer. I live in Ohio House District 76 and Ohio Senate District 18. If I asked you what did you think of Shalersville, you may have a glassy eyed look to you, maybe you never thought you'd been there, but if you traveled the Ohio Turnpike heading east, you have been. What did you think of Manaway? Again, unless you went to the potato festival recently or were there when they did the world's largest potato pierogi? You probably haven't been to Manaway either. How about Hiram? Well, that one you might know, you know, Hiram College, where James A. Garfield got his start politically and his formative years, which ended up in the presidency. But all three of those communities comprised the Crestwood School District. We don't have a lot, but we do have the Red Devils. We have Friday Night Lights. We have the Crestwood Scarlet Guard Band where our community finally comes together. But in every map, every map, we are divided, split into two. Whether it's the OCRC map, the original Democratic map, the Huffman map, the Wise map or even the new map or split. But you know what? That can be OK if it's for the greater good, if the fact that our little community is split, which keeps other communities like Orange, Woodmere together, if it's for the greater good, for a greater map. All right. It's kind of like Solomon, we were willing to do that. But if it's just another way to gerrymander, then the small business owners like myself and my husband, the farmers who for generations have farmed Portage County, the blue collar workers, the white collar workers who are coming to our area, and the educators who dot our landscape, he worked too darn hard for me to stay silent about that. Now, it's been a long night, four and a half hours. I did not bring snacks. I don't know what I was thinking. You had a long night last night, and a long night tonight as well. And you have another day tomorrow. It's easy to tune us out, but I appreciate the folks who are still sitting here. I appreciate you looking at the speakers. Because you know what? This room and the folks who have been up here time after time. We are Ohio. It's not the extremes. It's the center. It's the people in the middle is the people who can disagree about what it really means for gerrymandering or why people are voting. And it's about our ability to have a conversation. The only way Ohio is going to get through the challenges that are ahead is remember the middle. And if we remember to create districts where people have conversations, again, whether it's the pandemic, the ongoing pandemic or public education, which I talked to you about in Youngstown, whether it's the opioid crisis which continues to ravage throughout our state

or social injustice reforms that are necessary not only in Ohio but across the United States. Whether it's climate change or the toxic algae blooms of Lake Erie. No one party has all the answers. It's only when we have both parties working together at a table where we have, not the extremes in representatives, but people who know that they must be accountable to their constituents there in Columbus working together that Ohio will succeed. I'm a mom of two daughters. They are looking and love Ohio, but they will be gone. And that means that I'll be gone as well. We don't want that. We love Ohio. We want to be here in Ohio. Thank you for your time. [applause]

**Co-Chair Senator Vernon Sykes** [01:47:23] Thank you. Next witness.

**Staff** [01:47:25] Jessica Epstein, followed by Jim Tye.

**Co-Chair Senator Vernon Sykes** [01:47:36] Next, witness

**Staff** [01:47:38] Johnny Williams, followed by James Jerome Bell.

**Co-Chair Senator Vernon Sykes** [01:47:51] Next witness, please,

**Staff** [01:47:53] Ray Freeman, followed by Crystal Gray.

**Crystal Gnau** [01:48:02] [inaudible]

**Staff** [01:48:11] That's you.

**Co-Chair Senator Vernon Sykes** [01:48:18] We apologize, could you state your name and spell it, please?

**Crystal Gnau** [01:48:21] No, that's fine. It's mispronounced all the time. It's actually pronounced Gnau. People mistake it for Gray all the time. I'm I'm Crystal. My first name, Crystal. Last name again, Gnau. I'm from Clark County. I have a three hour drive ahead of me. First I want to say that I am not a public speaker. I am not that eloquent. However, I am very disappointed in the map that you have presented us. This is not bipartisan. this is not what we asked for. When 70 plus percent of the voters of Ohio have come to you to say this is what we want, they expect you to work for them. This is not working for them. This is working for you. Gerrymandering not only disenfranchises minorities, women, people of color, people of the LGBT community, it sends a signal to anyone who lives here, graduates college, that they should leave. It doesn't bring good people and good jobs to Ohio. Because, why? No one wants to stay here. What that does on a federal level, which I don't believe anyone has spoken to, is Ohio has been known as a purple state for many years. We benefit from being a purple state. We get federal contracts, federal dollars to help us with education, building projects and so forth. We have been schmoozed by all of the presidential hopefuls, presidents that are sitting and reelected. We've had Obama come through. We've had Clinton come through, Biden came through, Trump came through. Many of our leaders in recent years have stopped and care about Ohio. But if we continue to do this we're just going to become another red state that gets zero attention. Our tax dollars that we contribute to the state of Ohio as well as federal will be lost to another state. We will no longer be important. And if we are no longer important, jobs won't come here. We'll be shipping manufacturing out once again to Mexico, abroad or anywhere else. I have children who have graduated college. One is seeking a PhD and when he gets that, he'll move away because that's where his job will take him. I have a daughter that fears for her protection because there is a war on our body and our rights.

She begs me daily to leave Ohio. No one in Ohio should grow up feeling safe and have that ripped away from them. Whether you're a woman or a person of color, whether you are part of the LGBT community, no one in Ohio should feel unsafe. And I get emotional when I talk about my children, just as any mother should and does. I don't like speaking in public, but I'm here because of them. I, I feel like what we've asked you to do is, is not that difficult. Many other states are asking the same. What you've presented us is very gerrymandered. It's still two thirds Republican. That's not reflective of Ohio. I've had great difficulty finding these maps. I've had a great difficulty trying to find my hometown on these maps because it's not clearly written. And it's not until today that I actually find out another link that I could find a better map. 70 percent of Ohio voters are not here today. There's a good possibility that they're not here because this process has not been transparent enough. The meetings haven't been conducive to their schedules or to where they live. Again, I drove three hours today. I appreciate your time, everyone sitting on this panel who has stayed to listen, but please understand it is a waste of our time. It is a waste of our money to not vote on an inappropriate map that we can all agree on. I don't feel like that's too much to ask. Thank you for your time. [applause].

**Co-Chair Senator Vernon Sykes** [01:53:27] Thank you. Our next witness.

**Staff** [01:53:34] Carolyn Hardin Levine, followed by Linda Cohar.

**Carolyn Hardin-Levine** [01:53:47] Hi, thank you for this opportunity. My name is Carolyn Hardin-Levine. Last name is Hardin-Levine.

**Co-Chair Senator Vernon Sykes** [01:54:01] Thank you.

**Carolyn Hardin-Levine** [01:54:02] Can you understand me with my mask.

**Co-Chair Senator Vernon Sykes** [01:54:03] Yes.

**Carolyn Hardin-Levine** [01:54:04] Good, because I had a sister passed away of COVID, so I appreciate everybody wearing their masks. I'm sorry that last woman got to me. I'm here today because I have registered Republican, I have registered registered Democrat, I have worked for both Republican and Democratic leaders. I was a CEO of a data company. I am now retired. And for the last 25 years, I have spent every election day working voter protection. I work it not with a party in mind, but to ensure voters get their say in the poll. The one thing that I can tell you is I would have nine of my friends here with me today had there been better notice given because they wanted to come. But they have people in hospitals and sick and other jobs that they have to attend to. So I'm speaking on all of our behalf. As voters of the state of Ohio, we voted and ask you to create a commission that followed three core principles, and I will not repeat them. You've heard them. You know what they are better than we do. We also know that the map that has been presented is not only an elongation of a map that has brought us shame in Ohio for being highly gerrymandered, but it exacerbates it. So what I will ask of you just very short and very sweet is to hear our voice. Hear that we're asking for fairness. I am a mother of five children and three have left the state, one because he is gay and does not feel safe here. A daughter who works in Boston because she she too is a public servant. And then another left for California. I moved here from Texas twenty five years ago. I'm embarrassed by my home state, but I want to be proud of Ohio. Ohio is where my home is. It's where I'll be til I die. but what I would ask is just to bring fairness back to our elections here. The people of color hear us when we say we want to vote and be heard as communities for which we live. And I ask that you give serious consideration because the

first man that I saw of Cuyahoga County that looked anything representative of the districts that I have sat in and I have for voter protection for twenty five years, is that closer to the Democrats and what they put forth? I'm not saying that you intentionally put a bad map forth. I don't know your intentions. I can't look into your heart. But what I will tell you is we are better served when we have a fair and just system. Please do not turn Ohio like Texas, like the laughingstock of the country. I want to be proud of my state. Thank you. [applause]

**Co-Chair Senator Vernon Sykes** [01:57:41] Thank you. Thank you very much.

**Carolyn Hardin-Levine** [01:57:45] Do you have any questions for a crying middle aged woman?

**Co-Chair Senator Vernon Sykes** [01:57:50] No [laughter] But thank you very much. Next witness.

**Staff** [01:57:55] Susan Lewis, followed by Terrence Murphy.

**Co-Chair Senator Vernon Sykes** [01:58:05] Next witness,

**Staff** [01:58:07] Edward Neil, followed by Scott Nichols.

**Co-Chair Senator Vernon Sykes** [01:58:17] Next, witness.

**Staff** [01:58:18] Mimi Plevin Foust, followed by Angela Chute Woodson.

**Mimi Plevin-Foust** [01:58:27] I'm taking my mask off. Thank you all so much. It's been a terribly long day and I really, really appreciate that you're hanging in there and you're listening to us. It really means a lot to us.

**Co-Chair Senator Vernon Sykes** [01:58:37] State and spell your name, please.

**Mimi Plevin-Foust** [01:58:38] Sure. It's Mimi Plevin-Foust. I want to say that I don't think the current map that was voted forward should even be the basis of any changes because it's so slanted and it lacks consideration of so many important criteria. But what I would like to suggest is that you look closely at the three winners of the Ohio Fair Districts competition. People have talked about Jeff Wise's map. While it does split some communities, he did count the communities and he actually splits less than some of the other known maps. And then the other two people who won the competition along with Jeff, their maps are not on your website, but there are maps and with a narrative and explaining their maps are on the Fairdistrictsohio.org map. If you click on news and you and you read about the there competition, then you can find each of their maps along with their narrative. I really highly recommend you look at them because they could really be a fantastic basis to just grab one of those maps and go forward with it. It's...they're so well thought out and so, so thoughtful. I can tell you that the other first place winner, Pranav Padmanabhan, he really tried to keep communities together working with keeping school districts together, which I think is a very useful way. He was really working on trying to keep communities of interest together and yet still have fairness and still have a certain amount of competition. The other winner is Paul Nieves, and he also was trying to work very hard to have compact communities. And anyhow, I think that those three maps are really worth looking at, even if you don't find them all on your own website. I would just like to say that I as a Clevelander, I grew up in Shaker Heights. I love living here. And I moved away. I was on the East Coast for a long time. I came back here 18 years ago. And it's it's

just a wonderful place to live. But the hard part is that I feel that based on the policies and the that are going on in Columbus, that we are not, our interests are not being considered in any way, as far as I can tell. I mean, we I, I live right near the border of Shaker and Cleveland. And literally over the weekend, seven people were shot in a 15 hour period. And, you know, we're losing our our kids. We're losing, you know, our our loved ones. And yet in Columbus, people are looking for ways to spread more guns all around the state with no regard for this. And there's just so many issues where I and pretty much everyone I know feel that we're not being taken into consideration in any way. I honestly kind of feel that Cleveland should secede from Ohio because that's how little consideration we're getting. And I think we give a lot of money to Columbus. So it would be nice if we got a little more weight in the maps and in in the issues that are considered. I will just say that the the map that was proposed really shows a staggering level of contempt for Ohio voters. And it's kind of heartbreaking. I don't know what I've done to earn that kind of contempt. And I think as individuals, each of you want to treat people with respect and want to be good public servants. So please don't let the fact that you're part of five people, you're in a majority, cover the fact, that how you vote and which map you put forward within in this week is going to reflect personally on you. You know, I know that speaker Cupp your your your sons were Eagle Scouts. And I'm sure that the Eagle Scouts don't believe that people should win races that have been rigged, you know, which is what a rigged map does. And you've worked so hard, Secretary LaRose, to to make sure that so many people got to vote in the last election and overcame so many obstacles. No, please don't let your. It shouldn't be sullied by voting for a tainted map and you know, the same for you, Auditor Faber and I, I, I just, you know, think about it individually of what it means for your own legacy and your own children and grandchildren. Thank you.

**Co-Chair Senator Vernon Sykes** [02:03:46] Thank you very much. [applause] State is spell your name, please.

**Angela Shute-Woodson** [02:03:58] Sure. Good evening. It's Angela Shute Woodson. And thank you to the chairs. Thank you to the commission. Thank you for everyone for staying late. And we appreciate that. I come to you on behalf of wearing several titles, but actually I'm here as Angela Shute-Woodson of South Euclid, Ohio, whose state rep is Kent Smith of House District 8 and State Senate District twenty five, which is Senator Kenny Yuko. I live in what's called the West 5 when I look at this map of South Euclid. Which you have combined with East Cleveland, Cleveland Heights and University Heights. Why are we call West 5? We are 90 percent African-American. We're five streets. We share the university, Cleveland Heights University Heights School District. Most of our children in this district are confused where they go to school because their friends literally across Mooresville Stone a road go to the Lynnhurst South Euclid School District. They get confused even who their reps are at times. Some people think the rep is Janine Boyd because we are so close with Cleveland Heights and a lot of them play in the Cleveland Heights Rec Center. So when I look at this particular map, you're going to confuse young people even more that sit on a border and I would hope you would relook at this also as far as just income levels, school district levels, the fact that some municipalities are missing, such as Lynnhurts, I noticed on this map as well as Pepper Pike is missing on this map. But I hope you would take all of that in consideration along with race. It's also the school districts that are involved, because, like I said, we're five streets in a pretty big municipality that, like I said, is 90 percent African-American. And we're the only five streets that go to the Cleveland Heights University Heights School District. And now you're telling us we will no longer be with the majority of South Euclid. We are looking to possibly have a new state rep and a new state Senator, the way these maps are looking right now. So I would just hope you would, again, keep that in mind, because that was echoed from several people.

When we talk about voter turnout and voter suppression, I am very passionate about young people and we try very hard to get young people to vote and have confidence in this government. And so it's going to be very hard for me who actually walks my block every election cycle along with participating in the city of Cleveland, because I do a lot of work in the city of Cleveland, trying to convince them to have trust in the system. Because I believe in this system. I believe in good government. I believe in public service. But it's going to be hard when I look at something like this to try to go back to them, to try to explain the why. They get the census situation. I don't want you to think they don't, but it's still going to be hard when you divide a community up, especially, like I said, South Euclid, that has five streets, that's predominantly African-American. That's believe it or not, I'm probably one of the elders on the street because it's very young, they're young families, to try to explain this. So just take that into consideration. I thank you.

**Angela Shute-Woodson** [02:07:33] Thank you. [applause].

**Co-Chair Senator Vernon Sykes** [02:07:33] Speaker?

**Co-Chair Speaker Robert Cupp** [02:07:38] You can you tell us what street you're talking about?

**Angela Shute-Woodson** [02:07:41] Sure, sure. The streets are East Antisdale.

**Co-Chair Speaker Robert Cupp** [02:07:43] Say that again please?

**Angela Shute-Woodson** [02:07:45] East Antisdale, Grosvenor, Eastway, Colony. I'm missing one. Who am I missing? Who am I missing? I missing somebody. Colony, East Antisdale. Did I say Grosvenor, my own street? I'm missing one. I can't -- forgive me because I can't think of the last one.

**Co-Chair Speaker Robert Cupp** [02:08:12] That's fine.

**Angela Shute-Woodson** [02:08:12] Yeah, but we fit in between kind of Cedar to explain it, and kind of this Wal-Mart development now off of Warrensville Center Rd. But just please, like I said, consider that because it's a lot of small pockets when you look at this map. And I'm just one example, like I said, of where I live. But when I look at this map and even look at Fairview Park, where my son used to live, there are just small corridors within these different suburban municipalities that, you know, you're going to divide us up tremendously, even more.

**Co-Chair Speaker Robert Cupp** [02:08:45] All right, thanks.

**Co-Chair Senator Vernon Sykes** [02:08:48] Thank you very much.

**Angela Shute-Woodson** [02:08:49] Thank you.

**Co-Chair Senator Vernon Sykes** [02:08:51] Oh, yes?

**Auditor of State Keith Faber** [02:08:51] I was just going to ask you a question. Who's your current representative, you said it was Smith?

**Co-Chair Senator Vernon Sykes** [02:08:58] Yes. Right now we're in House District 8 with Kent Smith. And right now our Senator is Kenny Yuko in the Senate District 25.

**Auditor of State Keith Faber** [02:09:05] Currently are all together.

**Angela Shute-Woodson** [02:09:07] Currently, we're all together. But if you do this particular map in front of me, we won't be.

**Auditor of State Keith Faber** [02:09:13] Thank you your testimony.

**Angela Shute-Woodson** [02:09:14] Thank you.

**Auditor of State Keith Faber** [02:09:15] Thank you for specifically telling us about what on the map is bad, right?

**Angela Shute-Woodson** [02:09:20] Thank you.

**Co-Chair Senator Vernon Sykes** [02:09:22] The next witness.

**Staff** [02:09:25] The next witness appears it's spelled Lorl.

**Loh** [02:09:32] Loh!

**Staff** [02:09:34] Followed by Eugene Ward.

**Loh** [02:09:44] Good evening, everybody. Oh, thank you for all of you, still here. Today, I'm here. My name is Loh. It's pronounced loo. I have got the opportunity to meet a couple of you in the past, especially our budget process. So for me to come here to talk about this map, I can tell you honestly, today we see all kinds of talents here. Some people, they can draw a very good map. Some of them don't really know how to draw maps, but they understand that. So the maps actually is a way to navigate. What drive this country to navigate is the so-called American dream. This map represents many, many people's dreams. Some of the people's dream will be joined with better map while some other people are thinking about having the map to get reelected. So let's get it to the point. What kind of map do you really want? If we keep going this way, not just our children, not just our ancestors. Well, I'm a tourist here. As all of you can see, because all the problems here, is the inequities. So as a tourist, you only heard of one of my fellow tourists saying how we are in the community for a long time and we have not been treated fairly. So in this case, I think the very near future, we will have certain people coming here dreaming, drawing the map, to follow the step by. Well, you know, Texas always will to be another country, California people there, they always talk about they want to split in two 1/2 or three. Virginia and West Virginia already separated before we were born. So the next map, we will draw eventually will be the [inaudible] to Ohio and for Ohio maps or black Ohio maps and white Ohio maps. Or based the parties. But please remember, the American dream to build this country is from multi parties. So if any parties only think about its own survival instead of all the people, that map will come up sooner or later. Enjoy the evening. Thank you, everybody.

**Co-Chair Senator Vernon Sykes** [02:12:56] Thank you.

**Co-Chair Senator Vernon Sykes** [02:13:01] State and spell your name, please.

**Eugene Ward** [02:13:04] Thank you, Senator Sykes. Thank you, Speaker Cupp. Thank you, Senator Sykes, for holding this meeting. My name is Eugene Ward, I'm pastor of the

Greater Love Baptist Church here in the city of Cleveland. I'm also a vice president of the Mt. Pleasant Ministerial Alliance. I'm on the board of the Mt. Pleasant Now Development Corporation. I'm chairman of the Board of Bishops for Kingdom Connection International. Kingdom Connection Fellowship International in Columbus, Ohio, where our bishop is our presiding prelate, Bishop Jerome H. Ross. I came to talk with you today because of this map. And I want you to know that I got my appetite for politics back when I was a teenager, when Carl Stokes and Louis Stokes were elected to office. Louis Stokes, when my dad died, became my godfather and helped to raise me. He was... My best friend is Lewis Chucky Stokes, who lives in Detroit, Michigan. This travesty of a map, though, that has been given to us, I do realize makes us distrust government even more. I realize also that our census numbers are down. So, yes, it makes it necessary for you to do redistricting. But this looks like pure gerrymandering if I've never seen it before. I want you to also know that the redistricting really gives the fear that many people have of government, and especially in the African-American community. This map speaks of racism. It speaks of the fear of gerrymandering. It speaks of white supremacy. It speaks of partyism, and it speaks of, speaks of outright bigotry. It's an agenda for more individuals to become politicians and make sure that their pockets align. Mr. Glassburn showed us a map and he's already stated that the communities are divided even in the map that he is looking at, as well as the maps that you are looking at. But it is a time for us to also bring our communities together, bring our politics together, bring our issues together, bring our programs together, and especially bring our people together. We're wondering if this coming together is just another futile effort, if this is going to be an exercise in futility, if you're just here to get it, get to the point where you hear all of our gripes and complaints, but you're going to do whatever you want to do anyway. We cannot be a republic that is concerned with liberty and justice for all. If we're going to continue to design districts and legislation that strip and reduce liberty and justice for all. For those who are concerned about just being in political office and making sure that they get taxpayer dollars, I remind you of what Psalm 62:11 God has spoken it once. This have I heard twice. Power belongs to God. It does not belong to man. It does not belong to people. It is delegated to us. It is loaned to us. He continues to rule. He continues to govern. I am asking that you look at this map, which is going to continue to divide this country and divide these people and take your conscience home and go before the Lord and ask him, are you doing the right thing for yourselves or are you doing the right things for the people of God? Thank you very much. [applause]

**Co-Chair Senator Vernon Sykes** [02:16:50] Thank you. Next witness

**Staff** [02:16:52] Kari Capecchi, followed by Justin Evaristo.

**Co-Chair Senator Vernon Sykes** [02:17:13] State and spell your name, please.

**Justin Evaristo** [02:17:16] My name is Justin Evaristo. Yes. So I am from Cuyahoga County, Beechwood, specifically. And like many before me, I have concerns that I was hoping to voice about the district maps being drawn here in Ohio. So over the past decade, Ohio voters have been pretty closely split between the two parties, approximately 55 percent for Republicans and 45 percent for Democrats. This tight margin is demonstrated, most notably in our designation as a swing state in presidential elections. However, if you were to look at our state government, you would be fooled into thinking that we have almost no Democratic voters and instead are a deeply red state. In the General Assembly today, Republicans hold around double the number of seats compared to Democrats, and all of the executive positions are also filled by Republicans. This is allowed Republican lawmakers have complete control over the levers of power with little

concern of being replaced by their constituents if they do not represent their interests. People of Ohio voted overwhelmingly in favor of amending our state constitution because we were tired of legislators diluting our votes, silencing our voices all to maintain their own political power. The people of Ohio demanded that fair maps be produced. Maps that would create a government that accurately reflects us as a state, reflects our diversity and our values. Yet it seems to me that a certain political party here has not been participating in this process in good faith. The Republican Party has been deliberately delayed the process by waiting to propose their version of the map until the last minute, giving little time for the voters to scrutinize and for their colleagues across the aisle to debate it. And after all this, waiting to present us with another map that is skewed in their favor, albeit a little less brazenly. Analysis shows that these, this proposed map, which decreases the disparity between the two parties but coincidentally will allow Republicans to retain their veto proof majority. And yet you have the audacity to claim that this is not, that you did not do party analysis, partisan analysis on this map. The redistricting commission has held hearings on weekdays, often during business hours, forcing concerned citizens like myself to take some time off of work. Time that many don't, do not have the luxury of spending simply to for an opportunity to participate in this process, participate in this process that has consequences that will affect them in future. Thinly veiled attempts to hide their handiwork from Ohio voters. Tactics like these are not new or unique. Administrative foot dragging and targeted exclusion have been a staple, and not only in our state's politics, but throughout the country for decades, the consequences of which have fallen squarely on the shoulders of the historically oppressed in our society. Minorities, women, the LGBTQ community and the impoverished. Coincidentally, these communities often don't vote for Republicans as well. The people of Ohio are tired of these political games. We're tired of the disconnect between the representatives and the represented. We demand that fair maps and transparency that we were promised. We demand fair representation in our government. And also, as a side note, I noticed that Secretary LaRose mentioned a number of times that that, claimed that he had been acting in good faith. But to me, it seems that that has not borne out in the end. And what has happened so.

**Co-Chair Senator Vernon Sykes** [02:20:43] Any questions? Thank you very much. [applause] Next witness.

**Staff** [02:20:56] Chad Stevens, followed by Michael Pellegrino.

**Michael Pellegrino** [02:21:14] Hello, I'm Michael Pellegrino. It's very good to hear your name called after waiting for a while. I appreciate everyone who's still here and listening. I actually was not going to come tonight, even though I've been following the redistricting process for a very long time. My wife works in a hospital and she has been having to get up early in the morning to go to work and early before I even get out of bed in the morning. And I went down to breakfast this morning and she had put a pen on top of the witness form before she left for work. So that's why I'm here tonight, because she left that pen, that little message from me that she couldn't deliver in person. I am a huge fan. My hero is Abraham Lincoln. I have a big picture of him over my desk at work. Abraham Lincoln said, think nothing of me, take no thought for the political fate of any man whatsoever, but come back to the truths that are in the Declaration of Independence. Abraham Lincoln said that all of the troops, equality, liberty, inalienable rights and this one. Government derives its just power from the consent of the governed. Government derives its just power from the consent of the governed. That's what Abraham Lincoln said. You know, I woke up to really bad news this morning about how terrible all of our sports teams this week did this weekend. Reports from the meeting in Dayton that said that the the all of the feedback that was to, and I think the headline was to to, ensure a Republican majority, a supermajority in

the redistricting process. And, you know, I have to tell you that people had asked me because they knew I was following this process. What do I what I thought about? And I said, well, you know, the new process will eliminate the worst excesses of gerrymandering. I never thought it would actually turbocharge the worst excesses of gerrymandering. But that seems to be what appeared when those maps were produced. I was going to go to the county fair, to Wayne County Fair to night with my wife. That's what we were going to do. It's a great county fair. I hope people have been to it. It only cost two dollars to get in and kids under 12 are free. It's a great county fair. I imagine that everyone on this panel has been invited down to a county fair or to a 4-H club or to an Elks Club or a high school to award a prize to a first place winner, to a gold medal winner or to a gold, a best and best in show. And I imagine that you told them about the importance of competition. I don't think anyone would have ever said, you know what, the real thing you need to do is learn how to game the system for partisan advantage. And I truly hope that as this process works out, no one's going to game this system for partisan advantage. I agree with this gentleman right here. I'm all for competition. I didn't like the part of the redistricting reform that was going to say, that talked about representative representational fairness. I don't think anyone should be guaranteed so many seats. I would have rather said that they had to be drawn to the majority of seats are competitive, are competitive, because I think that's what it means when it says that government derives its just power from the consent of the governed. That when you have to earn votes and not the votes that have been gained, but actually earn votes, we're better served as the people of Ohio. That's what I would like to see. And then just one last thought. Redistricting cannot make every seat in Ohio competitive, but having nonpartisan primaries can't. Having nonpartisan top two primaries. Ohioans would be better served if in parts of the states two Republicans are running in the general election. And in other parts of states, two Democrats are running in the general election. That doesn't require a constitutional amendment that can be legislated. And I would encourage that if we really, truly believe in competition, like Ohioans believe in competition. We love competition. If we truly believe in let's make our elections competitive, let's not just not only make competitive maps the best we can. Let's also have nonpartisan top two primaries so that the two best candidates for an area are going to face off against each other in the general election. Thank you for your time. I appreciate it. [applause]

**Co-Chair Senator Vernon Sykes** [02:26:39] Thank you. You know, in addition to being a senator and thank you very much for allowing me to serve you, I am also professor emeritus of political science at Kent State University. And just listening to the testimony, just reminds me of the principles that this country was built upon and even the oath of office that we take. It is inspire... It's inspiring to sit on the side of the table to listen to you one at a time, just march up and just plead your hearts out to us. And I want to let you know, it's just not... We're listening. We're listening. We appreciate your sentiments. Next, witness.

**Staff** [02:27:30] Chad Stevens, followed by Lori Cumler.

**Co-Chair Senator Vernon Sykes** [02:27:40] Mr. Greg Moore, are you leaving? Come on back here. Yes, sit down. We're gonna get to you. We're gonna get to you. Would you state your name and spell it please?

**Lori Kumler** [02:28:01] Hi, my name is Lori Kumler. Thank you for your work in public service and for being here this evening. I am amazed and overwhelmed and blown away by all of the comments everyone has made. I'm just really impressed. I don't have a great deal to add, so I'll be short. I currently live in Stark County, 50th Ohio House district, the

29th Ohio Senate District. I feel that it doesn't matter where I live in Ohio because most districts are safe. I guess the question is safe for whom? We know the answer, and it's not safe for any of us here, for Ohio's citizens. Part of me feels like I have no business being here on a Monday evening during... driving in an hour each way, missing dinner with my family. There's nothing particularly complicated from my perspective about why the proposed districts are unsafe for democracy in Ohio. I'm here on behalf of my family, my children who will vote within the next decade. I care about this issue. Many others who could not make it here tonight also care about this issue. We want competitive elections. We want real choices. We voted to change Ohio's constitution to achieve these aims. In my mind, gerrymandering is not in the eye of the beholder. Just as two plus two equals four is not the data. The numbers, the evidence are very clear. Sixty seven percent does not equal fifty five percent. I earnestly ask you to carry out what Ohio voters have asked you to do to create competitive districts where everyone's vote matters. Thank you.  
[applause]

**Co-Chair Senator Vernon Sykes** [02:29:55] Thank you. Next, witness

**Staff** [02:30:00] Sue Dyke, followed by Kristen Christie, Haggy George.

**Sue Dyke** [02:30:14] But there were some points I wanted to make of my own. I'm Sue Dyke, I live in Cleveland Heights and, you know, I didn't know if you knew, but I'd like to give a shout out to all the people who were up in the three overflow classrooms here. I don't know if you know that that there were that many people here. People who took time out of their day and even the overflow rooms had overflow. And, you know, I want to just tell you a little bit about me. Most people that know me think I'm pretty mild mannered, that I'm a nice person, that I don't get angry very much. You you bring out the worst in me and why I'm angry. And there's many reasons. But first and foremost, you sent my kids away. I have a 22 year old daughter who's gay, who is a teacher now in Chicago. She went to college in Minnesota. My son is an accountant for one of the big, big four, yeah big four. And he lives in Richmond, Virginia. They're not coming back. This is why I'm mad. People, politicians have made it uninhabitable for young people. And so and that is coming from a very blue part of the state. But they also see that their rights are being assaulted. And that's what gerrymandering brings. And this is why I am always looking for an opportunity just to talk. But anyway, I did just want to thank the Senate Dems for offering a compromise map. I hope you take it very seriously, like meet together without us and talk to each other, maybe go out for dinner tonight. I know it's late, but, you know, I don't know. There's a lot of places open. Chipotle is always good. But anyway and thanks for pointing out that these are... Representative Sykes or Leader Sykes, I'm sorry that these are the Ohio, the citizens of Ohio's maps, not Matt Huffman's map. And where is he, by the way? Did he leave again? He's running this process and he doesn't even bother to show up. This is really frustrating. But or stay. And and thank you for a viable ten year map. We want a ten year map. We don't want to do this in four years. And I don't think you do either. All right. So reminder, congressional maps are due in 17 days and we don't even know who the legislative committee is that will run the process. We don't have proposed maps and we don't have any hearings scheduled. This is my constructive feedback. All right. I hope you're hearing it. I know it's hard to work on two things at once, but we did suggest early on that these these these hearings, these processes be done concurrently, but they haven't been done. And I look forward to the time when I don't feel like I need to keep coming up here and drawing your attention to to my anger. OK, thank you. Any questions? Thank you.

**Co-Chair Senator Vernon Sykes** [02:33:37] Thank you. Yes, go ahead.

**Auditor of State Keith Faber** [02:33:49] We have been working behind the scenes with our staff because there's a rule in Ohio called Sunshine. It means the four of us can't get in a room, talk about, three of us can, talk about maps and redistricting because we would be violating the Sunshine laws. Our staff, on the other hand, can and frankly, have been all weekend long working--.

**Sue Dyke** [02:34:11] and before that, I'm pretty sure

**Auditor of State Keith Faber** [02:34:12] working together and talking about that. But we continue to have conversations back and forth and we continue to work. You know, this is one of those things I wish like you, I wish this had been done a long time ago. But the reality is, is we've got a Wednesday deadline that we're going to do our darndest to hit. And we will continue to work on that. And I will just extend to my colleagues what I've extended before I'm happy to buy dinner or whatever. So let's keep working. And I appreciate the leaders of both the Republican leaders in the Democrat leaders who have worked with the secretary and me and the governor to figure out what we can do with our staff to see if we can't land this plane with a bipartisan, I agree, 10-year map.

**Auditor of State Keith Faber** [02:34:54] And please, you know, please make sure that you are not sacrificing the quality of the map. You don't have to. Lots of people have created great maps. All right. And and you don't have to sacrifice quality or or you know, or you make them partisan, even for that matter. And so I realize you're under a tight timeline. But, you know, this sucks for us, too. And I don't I don't want to have to do it again. I mean, and if I feel like I'm being listened to. Right, I think that that that helps. All right. By the way, I have snacks in Dave's bag back here. If there's anybody who wants something, trail mix. OK, you took off your mask, are you going to ask me another another statement? OK. All right. Thank you.

**Staff** [02:35:49] OK, Christy, Hadgigeorge, followed by Jimmy Graham Moki.

**Kristi Hadgigeorge** [02:36:01] Good evening. Good evening. My name is Kristi Hadgigeorge. That's it. I promise. I live in Lakewood, House District 13, Senate District 23. I initially came to this hearing today as solely just a listener to feel energized by my fellow fed up Ohio citizens. But as I listened in the overflow room down the hall, I heard a testimony that enraged me and it needs to be repeated. So I just whipped us up. After promising countless times last week that the commission would get all hands on deck and work tirelessly with one another and staff over the weekend and through the nights to fix these partisan maps. Not one single meeting was held. Not one hour did you spend together trying to right the wrongs of this pathetic map and focus on the will of the people. You heard hours of complaints. You gave us a lot of pacifying and condescending B.S. and then you went home to dinner and went to sleep. You woke up, you watched the Buckeyes lose. You went to sleep. You woke up, you watched the Browns lose, you went to bed. And today you woke up just to sit on your hands and watch the rest of your citizens lose. That's something. Quite the statement or non statement. We've been pleading with you. These maps are not the will of the people. I can't say I'm surprised any longer. The whole process is felt like a setup from the beginning and feigning interest in specifics now feels very performative. There's a day and a half left until this is voted on. Do you think anything substantial will get done at this hour? No. Instead, the supermajority Republicans get exactly what they want, a slightly watered down version of their hyper partisan map that is still gerrymandered to all hell. What a shame. What a shame for all of us. Being here today, listening to the past three hours of testimony, sorry, this was written hours ago,

I felt that energy I was hoping for, but hearing that not one iota of our energy was carried with you into our week, your weekend plans. Well, now this all feels like a waste. You're not even trying. You either have one final trick up your sleeves or you're just letting us air our grievances now to feel like, hey, at least we tried. You don't care. One last comment, Governor DeWine is not here. So I'll speak to an empty seat. Keep our 50 million. You're spending it in falsely advertising our state is progressive, one look at these maps and the ever growing extremism and people will see right through your expensive marketing ploy. There was a previous speaker that was right to say that the young people are frustrated. Voices are diluted. It was Miss Jaladah. I'd like to reiterate what a fellow speaker in the beginning hour of this had mentioned, that we are leaving. The youth is leaving the state. I bought a house in January. I'm going off script now. I bought a house in January. I thought it was going to be my pride and joy that last nine months, it's felt like a ball and chain. I feel stuck here. I feel stuck here because you guys don't represent my people. You don't represent, represent and you don't give a shit. You don't care. This was your map. This this is what you came up with to say we'll figure it out like this will be the starting point and then we'll go from there. That's embarrassing. My partner and I have had several talks very recently and specifically within the last two months about selling the house and moving out of state, and it's gotten to be real conversations and thankfully, it's a seller's market. So it could happen very quickly. But the maps just solidify that decision if these were to continue. For our household and for many others my age. So please hold yourself accountable, allow for competition, please. Please allow for competition on both, in both parties. Listen to your constituents, do your job, and please don't let Ohio slide even further into extremism. It's dangerous for every one of us. That's all. [applause]

**Staff** [02:40:23] Jimmy Germulke, followed by Emily Barcia.

**Jimmy Germalic** [02:40:41] You want me to spell my name? Germalic. I'd like to start out that people's hearts would be open to this message, a little prayer, Hail Mary full of grace. The Lord is with thee blessed art, thalamic women and blessed are the fruit of our own Jesus. Holy Mary, mother of God. Pray for us sinners now. Ready. Amen. Now, when I read this, don't think I'm getting off the topic because I came here for Governor DeWine, because I've been trying to get a meeting with him, because in North Dakota and Ohio, I'm the only one, I should be in the Guinness Book of Record that is trying to run for Congress and outside the two party nominees. And I wanted to say to him that I'd have to contact thirty thousand people when you have the Delta virus to get on the ballot. And the ballot is still not in operation. But when I come to the end, you'll see I'm right on this when I'm talking about. So that's why in the beginning it might seem like I'm burying or something. I said, Dear Governor Divine, I'm writing on behalf of James Germalic to grant him a hearing. The humble talk to the humble. Lincoln would talk to the common people day in and day out. Thousands of people came in and he listened to them and did what he could for them. The president's signature opened doors no one else could open. When you were a U.S. senator, I'm talking about Governor DeWine in Washington, D.C. You said to James, me, keep on talking. Well, why don't you follow your words and let James talk to you? It's no good to say that if there's no one to talk to. A guy said to Lincoln, why do you waste your time with all these people when the Great War is going on? Lincoln didn't get mad. He replied, I have pondered this many times, but I come to the conclusion that these are the people that put me here and these are the people I want to hear from. I am here for anyone has needed me. If Lincoln, the president could talk to the common people than you, Governor. Sure could. James is a Christian, a Catholic and pro-life, so are you. So why won't you talk to him? Even the Roman world let St. Paul state his defense again and again. St. Paul gave his defense to Governor Felix and then Governor Festus. Felix would call Paul up to hear him over a period of two years. When Governor Festus replied replace

Governor Felix, he gave Paul a hearing. Then Festus and King Agrippa gave Paul a hearing. Lincoln would see anybody. Lincoln was the guiding light of the Republican Party, the best president. You are Republican, so why don't you follow his example? Plato and Socrates? Plato said. In the Republic, justice is the cement of republic. We have a republic. OK, Lincoln said. You want justice for yourself, but deny it to your opponent. I give justice to friend and foe alike. A preset charity is optional. Justice is an obligation. This is about the most unjust situation possible. James Me not only has a compelling case is also a request for justice to be done for him. In this environment of a circulating virus and it endangers people's health. It is a fact that Cuyahoga County throws out three out of four signatures handed in. James found this out in 2008 and 2016 Ralph Nader and 2004 in his run for president also encountered this. Requirement of two thousand five hundred sixty six signatures, therefore, would require up to 30000 contacts to be made with people since one since one out of every three or four people you approach sign your petition and three out of four are thrown out. With the Delta variant going around and being 1000 times more virulent than the original coronavirus, it just does not make sense to contact that many people. That is why I'm asking you, Governor, to hear James out to find a solution to this pressing problem before the ballots are printed, which is coming up? James gathered about 600 signatures in a month of July. Since then, the Delta virus has got worse. We would like to talk to you if something can be worked out to allow him to get on the ballot this time. Given the unique circumstances of the virus making it unwise to contact so many people. One solution will be allowed to allow him to pay a fee in lieu of the remaining signatures not obtained due to the virus and delta variant. I'm reading so fast because I wanted to get to this, which has to do with your problem. Lincoln would not compromise on either the breakup of the Union, divorce the South, divorcing the north or end slavery. The peace democrats would not compromise on the union but would let the South have their slaves. Lincoln would not compromise on a principle of morality. The Republicans would like to give justice to the Democrats, but the Republicans cannot compromise on principle of morality. When the Democrats took on one hundred million abortion, same sex marriage and Obamacare, whose first principle is euthanasia with death panels not under congressional or judicial review, they divorced the Republicans. The Republicans can no longer give them justice because they bring along with them abortion, same sex marriage and euthanasia. The Republicans can't give them territory in which to extend their kingdom of evil if Republicans. To make districts in a in a just way, they'd be giving up districts to Democrats who bring the murder of 100 million babies, same sex marriage and Obamacare, whose first principle is euthanasia with death panels, not other congressional judicial review on the people in their district, just as Lincoln couldn't compromise on slavery. So the Republicans can't compromise on abortion, same sex marriage and euthanasia. Now, here's the last thing.

**Co-Chair Senator Vernon Sykes** [02:46:09] Can you wrap it up? can you wrap it up, please?

**Co-Chair Senator Vernon Sykes** [02:46:12] OK, I'll read the last. This is the last paragraph. There is only one way for the Republicans to give justice to the Democrats. That is, they give up abortion, same sex marriage and euthanasia. And as long as that divide, which nobody will bring out, nobody will speak on, that divide of immorality. There can't be no compromise. Okay, because as I said, Lincoln said he said, you want justice for yourself, but you deny it to your opponent. I give justice to friend and foe alike. But he couldn't give justice to the South and say, I'm going to let you have your slavery. And the Republicans cannot give justice to the Democrats as long as they hold on to abortion, same sex marriage and euthanasia. And that is the core of it.

**Co-Chair Senator Vernon Sykes** [02:47:02] Yes. Yeah. Next witness,

**Staff** [02:47:08] Emily Bottcher, followed by representative Stephanie House.

**Emily Bacha** [02:47:17] Good evening to the honorable members of the Ohio Redistricting Commission, thank you for the opportunity to submit testimony for your consideration. My name is Emily Bacha, and I'm providing testimony today on behalf of the Ohio Environmental Council, the OEC, and myself as a concerned citizen. I oppose the state legislative district maps currently under consideration and support the map submitted to this commission by the Ohio Citizens Redistricting Commission. I grew up in a Southeast suburb of Cuyahoga County and currently reside on the near west side of Cleveland. Over the past 10 years, I worked in a number of community facing environmental education, advocacy and engagement roles which have taken me across northeast Ohio. And through these experiences, I have seen the vastly different environments our residents call home. In particular, my work in the city of Cleveland has illustrated a history of environmental injustice, the disproportionate exposure of communities of color and low income communities to environmental hazards such as air pollution, toxic waste water and lead exposure. That is the definition of environmental injustice. Sorry I've been so excited to speak all evening. Years of intentional disinvestment and formerly red line Cleveland neighborhoods and nearby Indurain suburbs on the east side have resulted in an aging housing stock riddled with lead paint and lead and water issues, declining tree canopy cover, proximity to legacy brownfields as well as poor air quality that has been deemed failing year after year by the American Lung Association. Climate change impacts, especially more frequent heatwaves and increased precipitation exacerbate these environmental hazards. Without a functioning and fair democracy, Ohio will continue to perpetuate such environmental injustices. Under our current maps, Ohio has many districts that crack apart communities. Unfortunately, the map currently under consideration by the Ohio Redistricting Commission perpetuates the cracked and packed districts of the past. Specifically proposed House districts 13, 14, 18, 19, 20, 21 and 22 to crack apart Cleveland east side communities where the majority of Cleveland's black residents and residents of color call home. These communities also bear the highest environmental justice burden locally. According to the US EPA's EJ screen and environmental justice mapping tool. These communities face the highest National Air Toxics Assessment Cancer Risk, highest lead paint indicators and are in close proximity to hazardous waste sites. The deliberate crafting of these communities dilutes their voices and their power to advocate for a healthier environment, for their families and for their neighbors. Ohioans deserve better. Ohioans want districts and representatives that reflect our perspectives, our lived experiences and our communities. Representatives elected by and for communities will know the problems that they face, including these shared environmental injustices. When we have districts representative of communities and not partisan interests, our environment and our communities win maps like Ohio's Citizens Redistricting Commission Unity Maps, which took seriously the constitutional requirements for drawing the maps are what Ohioans deserve. Thank you for your consideration of this critical perspective and this is very, very important process.

**Co-Chair Senator Vernon Sykes** [02:50:44] Thank you for your contribution. Appreciate it. Thank you.

**Staff** [02:50:49] Next witness represents Stephanie House, followed by Greg Moore.

**Rep. Stephanie Howse** [02:51:02] Good evening to the chairs of the commission and commission members again, my name is Stephanie Howse and I'm the current state

representative in Ohio 11 House District, which currently consists of Cleveland's parts of Ward 2 two precincts in Ward four, Cleveland Ward five and six, Ward seven, one precinct in Ward 9 one precinct in Ward 10, Cleveland, Ward 12, Newburgh Heights and Garfield Heights. In looking at this new proposed map, the first thing that I see is that the entire district is broken up, which I mean, on surface, people are like, well, you've got to get fair districts. But then when you actually look at the demographics of things. So I'm just going to go quickly through these districts. When you look at District 14, it takes currently on the east side of Cleveland, wards 2, 4, and 12 and merges them with the west side of Cleveland wards eleven, thirteen and sixteen, one west side suburb, Brooklyn, and one east side suburb, Garfield Heights. Which again, giving a suggestion, I really do believe that people who are drawing the maps need to look at the cultural context. The bridge that divides our east and west side can be very... It could be a good start to beginning to use Westside communities with Eastside communities not doing the zigzagging, which is which is currently being done. When you see the new District Eighteen, which has downtown Cleveland one district, Ward five, which is on the east side of Cleveland, and then the districts or wards 11, 14, 16 and 17, which is on the West Side, along with Fairview Park, which is on the West Side. It's a west suburb of Cleveland. Looking at District Twenty, you have wards four six and not people talked about that one before going to District Thirteen. Again, you have part of downtown, you have Cleveland Ward seven, which is on the east side of Cleveland, Cleveland Ward fifteen, which is on the west side of Cleveland, along with Lakewood and Rocky River, which are west side suburbs. We talked about earlier District nineteen. And then there's district twenty two, district twenty two, which basically has all these suburbs kind of on the south and east side of Cuyahoga County. Now I'm bringing this up and the reason why it compelled me to come and testify today is because I currently represent the largest concentration of African-Americans in the state. House district eleven has sixty five percent African-Americans. And when you look at how, and it was told from the very beginning that race was not taken into consideration as a part of drawing this map, I always like. OK, well, let me let me check on the other side. Right. I wanted to look at the highest concentration of white people, and it's a lot of them, but the highest concentration is House District eighty four. House District eighty four has ninety seven point three percent white Ohioans that live in there. And then I looked for it again in oh, coincident? It's still House District eighty four and House District eighty four, which is right south of Lima, is still basically intact. And so I guess my question to the district is, how is it that the highest concentration of African-Americans has been literally obliterated in these proposed maps? And when you look at the highest concentration of white Ohioans, they are kept intact, they're kept in whole, their communities are kept in whole. And we need to change that. Getting into the last components of that. What we look at just what was presented to people. People cannot understand at this. You don't know the city, these the communities you are using. And you, literally, what I did as a full state representative is use what is known as Dave's Redistricting. Who is Dave? I'm appreciative of it, but that is not. I mean, seriously, like we have to treat the people's information better than this. We are talking about trying to communicate information. People learn very differently. Some people visually, they can get it, but other people need to read it. You should be able to have the right stuff, OK, and go from there. And that's basically it in a nutshell. We can do better. Ohio's African-American representation. It is very hard, you know, just anybody to run. But if we are looking to have fairness that it must include the racial and cultural ethnicities and cultures when it looks into this map. This map does not do it and is going to be very problematic. So thank you all so much for your time. Any questions,.

**Co-Chair Senator Vernon Sykes** [02:55:56] Secretary LaRose?

**Rep. Stephanie Howse** [02:55:59] So that's good. I agree with you that Dave's Redistricting sounds like...something the [inaudible] provides so we're all trying to work on the tools that we've got. You mentioned the concentration of minority Ohioans, African-American Ohioans in your district. One of the concerns with putting too many people together in one district is packing problem, right, fact that we want to create the maximum number of minority opportunity districts and that kind of thing. I'd ask you to take a look on Dave's Redistricting at the Democratic proposal that they presented earlier and I'd love to hear your comments on that. Give me a call.

**Rep. Stephanie Howse** [02:56:40] Absolutely. I will absolutely do that. And again, just given the things of if you wanted to look at and it is not necessarily looking to break people up, but I think culturally, if you look at Cleveland and you keep downtown, as people said, downtown is currently split, keep in downtown whole. It is a community, I think even merging with some of the communities on the east side of Cleveland. You can get to the numbers. Right. And that was the one thing with, in my current district probably had the most population loss of any place. So we need to add some people, you have to go somewhere if you had a choice. I think going south and east versus east and west would actually get us there and have the intent of the law.

**Secretary of State Frank LaRose** [02:57:19] Thank you.

**Rep. Stephanie Howse** [02:57:20] You're welcome.

**Rep. Stephanie Howse** [02:57:22] Auditor Faber.

**Auditor of State Keith Faber** [02:57:24] Thanks, just just to follow up on that. I agree that it's important that we try and keep communities together and that also that where we can we draw, draw minority, majority and minority influence districts. And as somebody who represents one of those districts based on your testimony, I assume you understand or you would agree with me that to hit that in an area like Cleveland where there's a concentration of folks, is going to be very difficult to draw districts that keep communities together and provide minority input in ways that don't get accused of packing individuals together in one area. I mean, I just looked at some maps that were presented by, frankly, your leaders. And frankly, I kind of like the maps better than what we're seeing and we're having that conversation. But the concern could be that those tend to pack in ways that the Democrat indexes, particularly in certain areas of Cleveland, are going to be really high compared to what would be considered a competitive 50/50 district.

**Rep. Stephanie Howse** [02:58:32] So through the chair to the auditor, when it comes to that area, the reality is we're just Cleveland is a Democratic city. I mean, you're talking about currently right now, I have a Democrat Democratic performance index of like 86, 87 percent. And that's literally that because, like minds usually live together. Right. So I think the reality is creating districts that are culturally, yes, there is some competitiveness. But you can really get the competitiveness kind of in the outskirts where people are, you know, I mean, that's that's where it happens. Usually in the suburban areas, like some of these urban areas, you're not going to necessarily get that. And I think if you had a preference, you have to look at people's culture. And I would layer on top of it. When you're dealing with people who are already a concentration of poverty, who are really dealing with transportation, housing issues, health care and everything else, to just dilute that voice to everyone else I think is going to be very problematic and it will be diluted. And the issues that are currently not being addressed from The State of Ohio will be further diminished with a map like that and having representation like this.

**Auditor of State Keith Faber** [02:59:38] So, Mr. Chair, to the representative, I don't want to see you and I are singing from the same hymnal. But the reality is, is there are going to be districts that you're going to have a representational index in certain areas that tend one way or another. I look I mean,.

**Rep. Stephanie Howse** [02:59:54] That's going to be happening. I don't think that's the necessarily the issue, I'm sorry...

**Auditor of State Keith Faber** [02:59:58] And I was going to say, look, the same thing in rural areas of this state as well. You kind of mentioned over in western Ohio where Representative Cupp and sorry, Speaker Cupp and President Huffman come from, it's going to be real hard to draw a 50/50 district over there as well. And so we know that that's going to be a factor. We're going to have areas that that we tend to to see concentrations.

**Rep. Stephanie Howse** [03:00:21] Right.

**Auditor of State Keith Faber** [03:00:22] And frankly, in that capacity, I think you would probably agree with me keeping communities of interest together. Right. And like similar communities are at that point the priority in those areas instead of diluting them to get some 50 50 competitive.

**Rep. Stephanie Howse** [03:00:35] So the reason why that I brought that up was because of the district that I represent be the highest concentration of African-Americans. It just so happens to be when I looked at what was the highest concentration of white Ohioans, it's in House District 84. And what I was looking at as the the goal of what we were presented is to try to look for that political fairness, that 50/50, what I am saying is in this current map, when you look at how District 84, it is not broken up. Look the way House District 11 and all these different is split. House District 11 is currently split in seven different ways, with the highest concentration of African-Americans. House District 84 with the highest concentration of white Ohioans is not split at all, is virtually the same district. No, no, I'm telling you that that's what I'm sharing with you. And it's still the same number. So the one that's House District 11 doesn't have 11 and all these different new numbers, but 84 is consistently basically the same. And so if people did not look at it, I want to put it on record and bring it to people's attention.

**Auditor of State Keith Faber** [03:01:34] Thank you.

**Auditor of State Keith Faber** [03:01:34] You're welcome.

**Co-Chair Speaker Robert Cupp** [03:01:35] Mr. Chairman? I want to thank you for coming and sharing that information with us, you know, you live around here. And I've come over time to understand that there's dynamics here that you might not find many places. And the way that you've gone through this, I think has been very helpful. I just want to thank you for that.

**Rep. Stephanie Howse** [03:01:58] You're welcome. All right. Thank you. [applause]

**Staff** [03:02:06] Greg Moore, followed by Seth Bridger.

**Greg Moore** [03:02:13] Thank you very much, Mr. Chairman, Cochairs and all the members who've been here since four or at least. And my name is Greg Moore, I had

scheduled to testify tomorrow. I'm the co-chair of the Ohio Citizens Redistricting Commission. But because my leader asked me to come back, I decided to come back. And also I want to hear sort of where we were going toward the end. I have a few comments to make and they won't be duplicated, what I'm going to say tomorrow. But it's just more about process. Tomorrow, you'll hear some official comments about the maps have been presented, as well as some comments about the new maps that have been presented tonight. First, I want to ask my friend Catherine to stand. She is what we call a long hauler. So I know there is a lot of frustrated people because it definitely gets a lot of frustrated people in the room tonight because of the process. But I have to say that she's my hero because she started working on this decades ago, not months ago or weeks ago, but decades ago. By the same token, I've been working as my background in voting rights for about 30 years, started as an Ohio University student activist and student government president all the way through my work in Ohio, registering voters and then my 17 years with the NAACP as the director of the National Voter Registration.

**Co-Chair Senator Vernon Sykes** [03:03:48] We didn't want you to talk a long time.

**Co-Chair Senator Vernon Sykes** [03:03:50] It's not long [laughter] I'm only making a comment about how long it takes to get stuff done. And my point to you is that I know there are two things we have going on in this room. One is a lot of pessimism and then there's some optimism up front and some in the back, and then there's hope and then there's reality. The reality is that people have seen this before. They've seen it come crashing down and they've seen this not work out. They've seen everybody revert back to the partisan nature of what has happened in this state for several cycles. But everything I've heard tonight and you've heard tonight are the modifications among the people who know this area the best. I can't add anything to it or subtract from it. They know what needs to be done for these matters. I'm assuming what we're looking at now will be a part of our history of what was originally presented. But tomorrow and on Wednesday, we'll come up with something that I'm I am optimistic will be a modification of what you've done. So I think that people in this room who are frustrated, I just want to say to you that I was frustrated when we were trying to collect signatures, that we were running out of time and we did get there. And we were frustrated when I was with, I guess, Matt Huffman and yourself, Mr. Cochair, when we were trying to negotiate this at the very end with League of Women Voters and Common Cause and others and the NAACP. So the delays that we had with the census are real. The delays we've had with getting maps and data together is very real. But we have something that could be a model for the rest of the country. I don't think there's another model like this anywhere. So if this works, if this works, it will be something that other states would replicate. If it fails, I don't think we have to even have that conversation because if it fails, this will be reformed like it was before and a whole new system would be put in place that doesn't involve any elected officials. So I think you've heard that tonight. I think that's a real possibility. So this would be the first time we have to do this. But I think it's also the last time we have to get it right. So that's my message tonight. Tomorrow, we'll talk about the maps. But I just want to talk about the long haulers and the importance of our keeping that a little bit of optimism, even if it's just a little mustard seed, as someone said, that's enough for me. Thank you.

**Co-Chair Senator Vernon Sykes** [03:06:16] Thank you. Our last witness.

**Staff** [03:06:23] Reverend Seth Bridger.

**Rep. Seth Bridger** [03:06:31] Greetings and good evening to distinguished chair persons and the respective members of this commission. My name is Seth Bridger and I appreciate

the opportunity to stand before you tonight. I arrived a little after four o'clock this afternoon and the three or four overflow rooms were lively and were well attended. You do need to know that. I'm representing myself as a father of two boys growing up in the state and as a husband of a wife who was also clergy. And I represent a multitude of other people, people who are working right now, others who were taking care of their children right now, others with no reliable transportation to get here tonight to this wonderful Tri-C facility, others whose health is too diminished for them to attend such a commission meeting tonight, and still others who are voiceless, marginalized by the systems in place and simply too tired of the process to care or give up their Monday evening or afternoon. I believe, as I hope that each of you do, that this process is extremely important and essential to the future of Ohio and all Ohioans, extremely important to those that this process is done with integrity and an ethic which honors the human dignity of all people. It is therefore part of my ordination vows as a member of the clergy of the Evangelical Lutheran Church in America, to speak and to not speak for myself from the privileged position that I have had my entire life. But to use this voice in support of the marginalized, including people of color in our fine state. I currently serve the people at Messiah Lutheran Church and Fairview Park, Ohio, a first ring western suburb and part of House District 16 and Senate District 24. I currently reside in beautiful North Olmstead, Ohio. Yet I hail from the zip code of 44691 in Wooster. The gentleman referred to Wayne County Fair. You got to go. I attended college in Springfield, Ohio. Clark County. The seat of Clark County, I served in Americorps in the Linden Ave. Neighborhood in Columbus, across the interstate from Ohio State's campus for 10 months. My wife and I purchased our first home in the western hills of Cincinnati, lived in Green Township, and she and I resided in Bexley, Ohio, 43209 for several years through grad school and service in Bexley. I say all this to say this. I know the state of Ohio. I love the state of Ohio. This is not the state of Ohio. We can do better. Listen to all the people. Listen, please. I speak from great privilege, but I want you to listen to those you've heard tonight, those that you've heard across this great state. Listen to the people for what is fair and just. I also represent the Laundry Love ministry that we're part of at the church in Fairview Park, at the closest laundromat to us, we go as a congregation and love on the people at the laundromats. I've represented hundreds of people through laundry love ministry that come the last Thursday of the month to clean their laundry. And we help with that. We don't do their laundry, but we help with that and help pay for their laundry at the end of the month. You can imagine how tight it is, hundreds of people who are really struggling and want better from the representative. So I implore you, listen to the people and extension. Listen to the people. Listen the people you're hearing from this night and across Ohio. Listen to the citizens of your home district. Yes. And listen to the citizens of the whole state beyond Akron and Lima, Ohio, and other places that you have loyalties. Divest yourself, please, of party and corporations and interests to the extent of your ability. Divest yourself of your party affiliation, your corporate interests and your racial biases. I especially want to thank the lady to talk to you all down in Dayton, Ohio. I couldn't sleep last night. I was up praying for several people in our congregation, praying for this world that God so deeply loves. I couldn't sleep, so I was up at three fifteen and I found ideastream and they broadcast the commission meeting you had I think on the 25th of August down in the Dayton, Ohio area. I'm talking about the lady who came as a realtor, gave up a showing the African-American realtor mom who brought her recent high school graduate daughter to that hearing. Listen to her. Listen to countless others you've heard from today. Listen and then act, please. And I realize this redistricting process will not satisfy one hundred percent of the people. However, we must do better. It includes you, the honorable members of this commission. Listen and act, please. Thank you. Peace be with you in this process. It's not an easy process. Thank you for giving of your time and your service. I want to say one more thing about the districts. The congregation that I serve primarily pulls from Fairview Park in North Olmstead and Rocky River and

Lakewood and beyond several districts. Our congregation represent about five or six of your districts here, Fairview Park and Rocky River are tied in lot of ways. I'd like you to reconsider the way thirteen and eighteen are drawn up. Please. I'll tell you, the testimony of the representative just a little bit ago about these long, narrow, skinny districts in this map. Please look at thirteen and eighteen, a district specifically. That's what I can speak to. I'm open to any questions.

**Co-Chair Senator Vernon Sykes** [03:12:30] Questions. Thank you very much.

**Co-Chair Speaker Robert Cupp** [03:12:37] Yeah, thank you.

**Co-Chair Senator Vernon Sykes** [03:12:42] OK, go ahead. Just give your name and spell it, please.

**Elliot Forhan** [03:12:49] My name is Elliot Forhan. I live on the east side of Cuyahoga County. And thank you very much to the chair. I've been here since four thirty, but I guess according to Representative Smith, my name was called before then. So thank you. Competitive districts are a bedrock of good government. When districts are competitive, elected officials are accountable to the voters because the threat of losing an election is real. A competitive district map means that the elected officials and the political parties to which they belong are accountable. That accountability is the best guarantee of good government. On the other hand, uncompetitive districts corrupt our government. Lack of competition destroys the accountability to the voters of elected officials and their parties. What incentive do government officials and the political parties have to deliver to the voters when they know that they will never lose an election? Uncompetitive districts are anathema to good government and to democracy. Incumbents in Ohio's redistricting process 10 years ago avoided competition for themselves and enacted uncompetitive district maps. And the elected institutions of government in our state, controlled by incumbents unchallenged in uncompetitive districts, have been dysfunctional and corrupt during the past decade. Ohio voters, by large margins in twenty fifteen and twenty eighteen, took action and changed the redistricting process. Notwithstanding the expressed will of the Ohio voters, the incumbents in our state are doing it again, the district maps that this commission adopted last week are similarly uncompetitive compared to the existing maps. This is an outrage and it should outrage every Ohioan. These incumbents, the leaders of our state government, are granting to themselves gold-plated job tenure. Congratulations to them. It must be nice. How can you tell that the district maps of the commission adopted are bad? According to the analytic software of the website Dave's Redistricting, the partisan lean of the proposed districts, exceeds 10 percentage points with respect to approximately 83 percent of the districts of the proposed House map and 80 percent of the districts of the proposed Senate map. So only 17 percent of the districts of the proposed House map and only 20 percent of the districts of the proposed Senate map are competitive. Again, 17 and 20 percent competitive proposed districts. Eighty three and eighty percent uncompetitive. Outrageous. It's even worse when you consider how easy it is to create much better, more competitive maps, not to mention the maps that Mr. Glassburn introduced today. Users on Dave's redistricting can submit their own district maps, and the website software analyzes those user submitted maps automatically. Right now, on the website, user submitted maps are publicly available that compared to the maps that the commission adopted, improve on the number of competitive districts by more than 80 percent with respect to the House map and by more than one hundred and twenty five percent with respect to the Senate map. The users who submitted these maps likely did not have the resources available to them, but the commission does, yet they produced far superior maps. I'm almost finished. Ohio voters

deserve so much better. They deserve a redistricting commission that enacts district maps that promote competition, not maps that insulate, protect and coddle the incumbent politicians. Members of the commission please rise to the moment, reject the district maps that you adopted, and introduce new maps with far more competitive districts. Examples of superior maps are available to you right now. Thank you very much. [applause]

**Co-Chair Senator Vernon Sykes** [03:17:37] Thank you. That was our last witness slip. I am afraid to ask if there's anyone else, [laughter] but I'm obligated and in this position. Is there anyone else who would like to speak tonight? Is there anyone else? John Patterson?

**John Patterson** [03:18:12] I wasn't going to speak. John Patterson, a former state representative and the Patterson of Cupp-Patterson Fair School Funding Plan. Now, why do I bring that up? It took over 200 years for us as a nation to eliminate the scourge of slavery. It took well over a hundred years to give women the right to vote. And on both those issues, we are still struggling to get it right. For 30 years, almost 30 years, we have struggled to get a fair school funding formula and we still have a long way to go to get it right. And when I think about the future, and I don't know if you noticed, but there were two young boys sitting out here for over four hours. You fed them. Thank you. So well-behaved. I couldn't think about the world that they are going to inherit from us. And I want you to look around this room now and think about who will still be here 50 years from now. There won't be many, and yet 50 years from now may be the time it takes to address some of the pressing problems we face in Ohio. Things like climate change, like a 21st century excuse me, 22nd century workforce. How will we continue to mobilize and get along as a people? Those are long term problems that deserve the very talented people working together. And there are two parts of that that I want to address in a little bit greater detail. As many of you know, I spent more time working with my dear friend Bob Cupp across the aisle excuse me, Speaker Cupp, than I did with any other member in my own caucus, just working on school funding in the last term, say, for John Rogers, my roommate, because that's what it took to get this done. It takes that trust. It takes that commitment. And this is where term limits hurt us as well. We don't have time to build the trust. But the other factor is this. When we have noncompetitive districts, talented people who we need, who are not politicians but statesmen and stateswomen, sometimes don't run for office, they don't have the stomach for it. They know they don't have a chance to win. And we need all the talent we can muster to face these problems. You as a commission, we as a people, are standing on the threshold of a tomorrow for those two little boys. The decisions you make are going to impact Ohio for decades, but it rests on competitive districts. So I implore you to think about your legacy, Ohio's future and the work that we can accomplish when we work together for the greater good, regardless of party affiliation. Thank you and thank you for all your service in your time spent here. [applause]

**John Patterson** [03:22:18] Thank you, Representative Patterson. When I asked, I really didn't mean it, [laughter] and then you gave us a whole load. You know, I'm gonna ask one more time. Do we have anyone else that would like to speak. Any members of the commission, have any comments they'd like to make?

**Co-Chair Speaker Robert Cupp** [03:22:41] Going once going twice.

**Co-Chair Senator Vernon Sykes** [03:22:42] Hearing none. No further business. We have now adjourned.

## Ohio Redistricting Commission - 9-14-2021 - Part 1

<https://www.ohiochannel.org/video/ohio-redistricting-commission-9-14-2021>

**Co-Chair Speaker Robert Cupp** [00:00:01] Morning, everyone. Before we begin our official business today, I'd like to thank the Washington State Community College for hosting our remote site today. So we are also taking testimony from from Marietta at Washington State Community College as part of our hearing today. I would also like to let the the audience here know that there are overflow rooms and they here in the state house and there are room 311, 114 and 116. We'll now call to order this regional hearing of the Ohio Redistricting Ccommission. As people arrive and would like to testify. We ask that you fill out a witness slip on the table and provide them to our staff so that we know that you are here and can put you in on the list to be able to testify. We'll, now take attendance and ask the staff to please call the roll.

**Speaker 2** [00:01:05] Co-Chair, Senator Sykes,

**Co-Chair Speaker Robert Cupp** [00:01:06] present

**Staff** [00:01:08] Co-Chair, Speaker Cupp,

**Co-Chair Speaker Robert Cupp** [00:01:09] present

**Staff** [00:01:10] Governor DeWine (here), Auditor Faber (here), President Huffman (here), Secretary LaRose (here), Leader Sykes checked-in.

**Co-Chair Speaker Robert Cupp** [00:01:22] All right. The quorum present will be meeting as a full commission. Excuse me. At this time, the commission will hear public testimony on the commission plan that was introduced on September 9th, 2021 in accordance with the commission rules and Article 11 of the Ohio Constitution. These proceedings will be recorded and broadcast by the Ohio Channel, so the commission in its deliberation may consider things that are said here today. It also serves as a informal record of the proceedings. We ask our audience today again to refrain from clapping or other loud noises, whichever side, whether you agree or disagree with whoever's talking, we would like to exercise the most respectful decorum here for everyone. And that's out of respect for both the witnesses and the persons that are watching the proceedings remotely. And I was also advised last evening that those who have hearing assisted devices, the loud noise and the clapping, interferes with their ability to to hear all it's being said. If you are here to testify, please complete a witness slip and give it to one of our staff. As I mentioned previously, if you have written testimony, please submit a copy to our staff so it can be included in the official record of the proceedings. All right, a member of the public may testify on the commission's introduced plan before the commission for up to, we're going to ask for three minutes. We have 90 witnesses scheduled. And so in order to get everybody to have an opportunity to at least say something will limit the testimony of three minutes. We will have somebody that is doing the time and you'll be notified when you have one minute left. So witnesses should limit their testimony to comments on the introduced commission plan. And I would just add that I think what is most helpful in this is if you have specific changes in the plan that you wish to recommend, those are most helpful to us. I would also ask that we avoid repetitive testimony that is multiple witnesses saying the same thing, because all that does is sort of limit people who want to testify further down the list. We will be taking testimony both from onsite Columbus and remotely from Marietta, as I mentioned previously. So please be patient. We give witnesses from

each location the opportunity to speak. We will now begin with our first witness here today and who is our first witness?

**Staff** [00:04:22] Our first witness is Masina Alvie, followed by Dean Barbeau.

**Co-Chair Speaker Robert Cupp** [00:04:38] All right, who are the next witnesses?

**Staff** [00:04:40] The next witness is Amena Barhume, followed by Katie Barnes.

**Co-Chair Speaker Robert Cupp** [00:04:48] Oh, please come forward and state your name and spell your name for the record.

**Dean Barbo** [00:04:54] Hi, my name is, take the mask down. My name is Dean Barbo B A R B O. So I wanted to testify here today. So first off, the first out of the gate, which is fun. So I came I got off of work to come here today because I think of the importance of this issue to everybody and what's been done over the past 30 years with the district in this district, in the state, and that, you know, the new districts, I guess, just came out on Thursday. I haven't really had a chance to look at them in depth. But, you know, it comes down to one of philosophy, I think, to create noncompetitive districts is un-democratic. And I think that as a as a representative of of the people of Ohio that you need to be making these these districts competitive. I know according to the demographics and and the racial demographics, that it's impossible in some places to make districts 50 50 or competitive. But, you know, there's a lot of room within the current rules of of the redistricting to for more gerrymandering. And I want to impress upon all of you the need to have competitive districts in this state when, you know. Fifty four percent of the people vote for one party in the last election, but yet. Seventy eight or nine percent of the publicly held seats go to one go to one party. It's not very representative of the people of Ohio. So I don't want to take up a lot of time, especially with the new new districts coming out and not knowing exactly where those lines are drawn at this point. But I want to impress upon you the need to fairly represent the people of Ohio in these districts. And I think it's of utmost importance to democracy here in this state and to prevent the state from becoming, you know, a one party rule which will serve nobody in the end. So that's about all. I got.

**Co-Chair Speaker Robert Cupp** [00:07:00] Questions for the witness? Seeing none, thank you. Thank you for your concise testimony. We appreciate that. The next witness is

**Staff** [00:07:11] Amina Barhumi, followed by Katie Barnes.

**Co-Chair Speaker Robert Cupp** [00:07:16] Welcome, please state your name and spell it for the record, please.

**Amina Barhumi** [00:07:21] Good morning. My name is Amina Barhumi, good morning, Co-Chair Cupp, Co-Chair Sykes and members of the Ohio Redistricting Commission,

**Co-Chair Speaker Robert Cupp** [00:07:34] Would you spell your name for the record?

**Amina Barhumi** [00:07:35] Absolutely. It's A, M as in Mary, I, N as in Nancy, A. Barhumi B as in boy, A R H U M I.

**Co-Chair Speaker Robert Cupp** [00:07:45] Thank you.

**Amina Barhumi** [00:07:46] Of course. Thank you again. I'm here to testify on behalf of the Ohio chapter of the Council on American Islamic Relations, known as Care Ohio. Thank you for the opportunity to appear before you. I'm also a member of the Ohio Citizens Redistricting Commission, and I am here to present testimony in support of those proposed unity maps. As a civil rights and advocacy organization for Ohio Muslims, Care Ohio has been working for several months to fight for fair maps. Muslims who are often the subject of political discourse rarely have the opportunity to advocate for themselves. As it stands, Islamophobia, racism and xenophobia pervades our political system, leading to the creation of discriminatory policies and laws. This particularly emphasizes the need for diverse representation amongst elected officials. At the very least, Muslims should have adequate representation in government that will be both accessible and responsive, let alone and much less advocate for their needs. The redistricting process is crucial to establishing proportional representation, as it is commonly known, and ensuring that all Ohioans have a voice in their government. This is why Ohioans overwhelmingly voted for these reforms. Also part of this part of these reforms was that the process be fair, be transparent and provide ample opportunity for public input. Thus far, we have seen that this commission seriously challenges the spirit of the redistricting reforms Ohioans were promised. The Ohio Redistricting Citizen's Redistricting Commission has accomplished all this in a timely fashion with ample opportunity for public testimony, and with that, I'd like to offer an example of how that has happened. One of our Muslim community members (inaudible) who could not be here today. She's a first year Ohio State University student, had testified as part of the OCRC about her residential community around the Noor Islamic Cultural Center, one of the largest mosques, also a polling location in central Ohio. She testified about how her neighbors are split between two congressional and two state House districts, therefore diluting her and her neighbors and community's collective voting power. The OCRC was able to take her testimony into account when drawing the proposed maps and remedy the issue with constitutional requirements. And such an important task implicates all of Ohioans. And and it is really critical that these hearings are announced in time and that there are virtual options, all of which the redistricting commission has been able to accomplish. And so we need to ensure that the Ohio voters are fairly, fairly represented as these maps shape our lives, our laws and our policies for at least the last decade. We need to make sure that these maps, especially like immigrant communities like mine and other communities of color, are fairly and equitably represented, with no exceptions. And with that, I complete my testimony.

**Co-Chair Speaker Robert Cupp** [00:11:27] Are there any questions for the witness? Seeing none, thank you.

**Amina Barhumi** [00:11:32] Of course.

**Co-Chair Speaker Robert Cupp** [00:11:33] Next witness.

**Co-Chair Speaker Robert Cupp** [00:11:35] Katie Barnes, followed by Nick Bates.

**Co-Chair Speaker Robert Cupp** [00:11:47] I see Katie, is Nick here, please come forward.

**Nick Bates** [00:12:02] Good morning, Co-Chair, Sykes, Speaker Cupp, members of the Ohio redistricting committee, thank you for the opportunity to testify today. I made sure to wear both blue and red as a person of faith. We are nonpartisan and our work. My name is Nick Bates'. I'm a deacon in the Evangelical Lutheran Church in America and service director of The Hunger Network in Ohio. But today I am here speaking on behalf of myself

and my neighborhood, the Hilltop in Columbus, Ohio. I'm connected to my neighborhood in many ways. I'm a volunteer soccer coach for my daughter through West Gate Recreation Center, and I volunteered there for many seasons. I'm an active member of the West Gate Elementary School PTA, where my wife is currently serving as PTA president and I'm advisory board member on the Hilltop YMCA. So as clergy, we are called not just to a congregation or a specific ministry, but to serve our community. And as a member of the Hilltop, I've been doing this work since about 2007 when my wife and I purchased a house in the Westgate neighborhood there. We believe the district should represent communities, the political boundaries that you draw should correlate to natural communities that exist. You can look at neighborhood schools who attends that school, where do people shop? Who shops at that Kroger, that Giant Eagle, or where do people go for swim lessons or soccer games? Many of us are very concerned that the proposed map divides up the Hilltop in unnatural ways. That will be a long term barrier to success of the west side of Columbus. Proposed House districts 1, 6, 7 and 10 and Senate districts 3, 15, 25 and 16 divide the West Side like a turkey on Thanksgiving Day. The Reverend Cavanaugh of the Hilltop slum zone told me recently as the pastor of two United Methodist churches in the West Gate. But who serves the people of the Hilltop? This configuration that removes West Gate from the Hilltop is deeply offensive. This map mutes the voices of Hilltop families and squanders the great potential of our community by dividing us into four separate House and four separate Senate districts and are unlikely to produce any state senator from the West Side neighborhoods. While the Hilltop contains great diversity, we are one Hilltop and West Side community. Our political districts should reflect that. For example, West Gate Rec Center, where I serve as a volunteer soccer coach for my daughter's peewee soccer team at six and seven year olds. By the way, we are the fire breathing dragons this year. We have 13 players on our team and they attend to eight separate elementary schools. Kids that live throughout the Hilltop go to that one rec center. That's a natural community that exists. Similarly, as advisory board member at the Hilltop YMCA, I've met people from various neighborhoods in the Hilltop and on the west side, including places in between the Hilltop and Hilliard, Grandview, Upper Arlington come to our YMCA because we are one West Side community. These maps also don't respect our businesses. There is a business enterprise that has stirred up small businesses, come together to invest in our community. At Thirteen North Westmore, just north of Broad Street called the West Gate Business Works, yet it is divided politically from the actual neighborhood of West Gate. A local leader who is involved with Westgate, who is involved, who lives in Westgate, involved in Summer Jam West and the farmer's market, said the Westgate neighborhood is part of the Hilltop and should not be placed in a different district from the rest of the neighborhoods that comprise the greater Hilltop area. I was looking at the maps and I noticed that as a child who wanted to walk from one from their house to the park could have to walk through it over the course of four or five blocks through three separate Senate districts. And the proposed map, that does not make sense. That is unconscionable. And I encourage this committee to make sure that we keep communities together. The Hilltop neighborhood is one community and one divisions have to be made. Make sure that they are as minimal as possible so we can have good West Side representation. Thank you. I'd be happy to answer any questions.

**Co-Chair Speaker Robert Cupp** [00:16:25] Thank you.

**Co-Chair Speaker Robert Cupp** [00:16:26] Next witness.

**Staff** [00:16:28] Lonnie Bowling, followed by Rachel Bowman.

**Co-Chair Senator Vernon Sykes** [00:16:47] Next witness, please.

**Staff** [00:16:51] Janiece Brock, followed by Katherine Brown,

**Co-Chair Senator Vernon Sykes** [00:16:57] Can you state your name and spell it, please? For the record.

**Rachel Bowman** [00:17:01] Rachel Bowman, R A C H E L B O W M A N.

**Co-Chair Senator Vernon Sykes** [00:17:05] One thing to be clear, just want to make sure there's a question being raised whether whether or not you could speak to both the commission map in the proposed amendment to the map. You could speak to both of those.

**Rachel Bowman** [00:17:19] I have not had the time yet to refer to the proposed amendments in detail. So I'm sorry to say I cannot speak to those.

**Co-Chair Senator Vernon Sykes** [00:17:26] That's just general information. I just want to make sure you had that information to you as well.

**Rachel Bowman** [00:17:31] Thank you. Co-Chair, Sykes, Co-Chair Cupp, members of the redistricting commission. Thank you for holding this public hearing today. My name is Rachel Bowman. I'm here representing for Future Ohio, a member of the Equal Districts Coalition. I live in Columbus. I moved to Ohio four years ago. Two years ago, I decided I wanted to make Columbus my home and I bought a house here on the south side, on Lockbourne Road. I've noticed and my four years in Columbus that our legislature often is taking actions not in line with the will of the majority of Ohioans. That's because our districts are not drawn to represent the voters, but instead to help the Republican Party maintain as much political control as possible. I, along with the majority of Ohioans in all 88 counties, voted for the redistricting reforms in 2018. As this year started, I was cautiously optimistic that this committee would have the best interest of Ohioans in mind while undertaking this important task. Unfortunately, between not meeting deadlines and the maps now under consideration, that has not been demonstrated to me. If anything, the maps under consideration are worse than what we have been living under. Ohio's constitution requires map drivers to aim for maps that reflect the voter's preferences over the past decade, commonly known as representational fairness. But the proposed maps clearly make no attempt to meet this constitutional obligation. Over the last ten years, Ohioans have voted Republican 55 percent of the time. But these maps would give the Republicans sixty six percent of Ohio House and Senate seats. That does not serve the people of Ohio. I'm sure that map making is not an easy task, but it is both possible and constitutionally required to be done fairly. As another testifier from CARE mentioned, the Ohio Citizens Redistricting Commission has been able to do that. The Senate Democratic caucus has been able to do that, and even citizens participating in a mapmaking contest were able to keep communities of interest together while crafting maps that reflect Ohio's statewide vote share over the past decade. I ask that you reject the commission's draft maps and adopt one of the many fairly drawn proposals instead. Thank you for your time today.

**Co-Chair Senator Vernon Sykes** [00:19:58] Are there any questions? Seeing none, thank you very much. The next witness. Will you state and spell your name, please.

**Jeniece Brock** [00:20:12] Yes, my name is Jeniece Brock. That's J E N I E C E and that's Brock B R O C K. Co-Chair, Sykes, Co-Chair Cupp and members of the Ohio Redistricting

Commission, thank you so much for allowing me to have the opportunity to be here today. My name is Jeniece Brock. My pronouns are her. Are she her. I'm the policy and advocacy director at the Ohio Organizing Collaborative. I'm a Health Scientist and I'm also I also serve as the vice chair of the Ohio Citizens Redistricting Commission. This testimony is offered in support of the map submitted to you by the Ohio Citizens Redistricting Commission, an independent, diversified, nonpartisan commission that's made up of 16 volunteer members, including academics, community leaders, current and former elected officials, attorneys and more. In our maps, each district keeps communities together, meeting the constitutional requirements, minimizing splitting of counties, townships and cities. Our maps reflect the true diversity of Ohio. There are almost two million black and brown Ohioans who are often are too often left disaffected and apathetic about the political process because they don't see themselves represented. In Akron, Ohio, where I'm from there, over 30 percent, over 30 percent of the population is black. And the Ohio Redistricting Commission needs to include and uplift their voices when drawing the maps. With fair maps we can make sure that folks from Akron, Toledo, Columbus and Dayton have fully funded schools, vibrant neighborhoods, excellent public transit and quality health care that they deserve. Over and over again, during the hearings of the Ohio Citizens Judicial Commission, we heard constituents from every corner of this state frustrated with the unreasonable district lines, splitting apart their neighborhoods, campuses and communities. Community leaders in Columbus and Cincinnati who are next door neighbors live in different Senate districts. There are countless families across Ohio who have trouble knowing who to call for help when they have critical constituent services. As community members engaged in the process of mapping their communities of interest, you can hear the joy in the passion and the passion for the people and places that make up their community. Our lives are shaped by our everyday interactions with schools, libraries, places of worship, rec centers and corner stores, post offices and things alike. The Ohio Citizens Redistricting Commission was able to hear from those communities. They were able to incorporate those that information into the communities that are in the map and making sure that everyone felt like they were represented fairly. The Ohio Citizens Redistricting Commission made it an open, transparent and inclusive process that drew map, that met the constitutional requirements, kept communities together and considered the extent to which minority minorities can meaningfully influence elections. We are calling on the Ohio Citizens Redistricting Commission to do the same. Thank you.

**Co-Chair Senator Vernon Sykes** [00:23:37] Thank you. The questions saying thank you very much. The next witness.

**Staff** [00:23:52] Maria Bruno. Followed by Akii Butler.

**Co-Chair Senator Vernon Sykes** [00:24:05] State and spell your name, please.

**Maria Bruno** [00:24:08] Maria Bruno and I did bring hard copies, I don't know if I'm supposed to give these to, but they're here. My name is Maria Bruno. M A R I A B R U N O, and I'm the public policy director of Equality Ohio, a nonpartisan statewide LGBTQ plus education and advocacy organization. First, I just have to point out, I rewritten this testimony three times in four days and I've tried to adjust my feedback based on some of the comments of this commission and do my best to reiterate, to not reiterate arguments that I wholeheartedly agree with, but have already been hammered home by other wonderful testimonies. But first of all, the timeline, timeline change. So I'll do my best to talk fast. But a frequent demand that I've heard from all of you is to keep this feedback narrowly focused on the lines of the map. And I feel obligated to point out the absurdity of that demand. Process and methodology, how these lines were decided on in the first place

is the whole ballgame here, despite not meeting, despite no meaningful public dialog, where you all explained with specificity how these lines were drawn, we're expected to take you all at your word that these maps were drafted purely in good faith when we've been denied the opportunity to see the sausage get made. That's a big ask. No one saw any of these maps before last Thursday, Thursday, nine days after the constitutional deadline for this commission. No rough drafts, no public debate among the commissioners. We've seen proposed amendments, in fact, as recently as last night. And as I understand it, these maps will likely pass tomorrow regardless of what is said today. These hearings are going several hours because this is not a sufficient forum that creates a meaningful opportunity to participate in this process. Advocacy is my full time job, and even I don't have the time and expertise to dig deep on each line of these maps in that turnaround time to expect this of the general public seems out of touch at best. That all said, let me get into the meat of it. While Equality Ohio might not seem like the most obvious interested party in the district line drawing. The interest of our communities, we serve very much hang in the balance of what you all do today. LGBTQ plus people are in every single one of our Ohio communities with a wide range of political ideologies and gerrymandered maps fail all of us, gerrymandering results in an increased incentive to villainize the other political party, along with anyone who disagrees with you, but also those who simply live differently than you do. LGBTQ plus people are often the first in the line of fire during that mudslinging. Gerrymandering is a main contributing factor to the polarization and culture wars that have taken over our state's political discourse. Gerrymandering is why, instead of passing the Ohio Fairness Act, a bill that has been introduced every General Assembly for more than a decade and has the wide support of Ohio businesses, Chamber of Commerce and public opinion, this legislature instead spent this spring attempting and thankfully failing to sneak through a bill that not only lacks broad public support, but that villainizes is trans girls simply trying to play on a team with their friends. While, I haven't been in my current role long, I previously coordinated the Ohio votes program and not a statewide nonpartisan get out the vote initiative targeting underserved and low propensity Ohio voters. If you've ever seen a voter registration opportunity at a food bank or library or your local YMCA, you were likely seen in Ohio votes partner at work. So needless to say, I've spent a lot of time studying how best to engage disillusioned Ohioans without relying on demonizing other people or playing party politics. And let me tell you, there are a lot of them. I regularly hear things like, why bother to vote, politicians don't care what we think, and I try not to get worked up about things I can't do anything about. I don't hear people that are so satisfied with their government that they don't feel a need to participate in elections. I hear people who are completely resigned themselves from ever feeling that they would be heard even if they bothered to speak up. We've talked a lot about fairness and competitiveness and proportionality, but I think there's a more obvious point to be made as well. Complicated districts like that unnecessarily look like a Rorschach test, confuse voters, all voters of all political persuasions. So every time that I see a teeny tiny sliver on a single district, I think of all of the confused voters who won't know which district they live in and who will, and how that will become one more reason that they don't feel heard. I know regardless of what is said today, you will likely pass these maps on moved, I'm under no illusion that one testimony could do what two constitutional amendments approved overwhelmingly by Ohio voters has not. I am begging you to prove me wrong. I hope that you all will take these impassioned pleas for fairness and representation seriously and honor what remains of the constitutional process Ohioans voted for. I promise you, the people of Ohio are watching. And as is evident by the many, many passionate testimonies we've seen just in the last few days, they're not looking away any time soon. We were here yesterday. We're here today, will be here tomorrow and the day after that. And no matter how squiggly these districts become, no matter how many constitutional provisions requiring transparency and

accountability go ignored, we will still be here getting in the way every single time. Thank you. And I'll be happy to answer any questions. (Applause)

**Co-Chair Senator Vernon Sykes** [00:29:08] Are there any questions? Seeing none, the next witness, please?

**Staff** [00:29:15] Katherine Brown, followed by Akii Butler.

**Co-Chair Senator Vernon Sykes** [00:29:26] Next witness, please.

**Staff** [00:29:29] Brian Campbell, followed by Juliet Nayo.

**Co-Chair Senator Vernon Sykes** [00:29:40] Next witness please.

**Staff** [00:29:42] Susan Kavanaugh, followed by Kobie Christian

**Co-Chair Senator Vernon Sykes** [00:29:48] State and spell your name, please.

**Speaker 6** [00:29:49] Yes, my name is Susan Cavanaugh, C A V A N A U G H. Thank you Co-Chairs and members of the commission today. I want to talk about the Republican map introduced last Thursday, especially in relation to Section 6 and 6B of the citizen's constitutional amendment. There seems to be confusion on the commission about Section 6B, so I'd like to break it down. It tells us the proportion of districts that favor one party or the other, quote, shall correspond closely to the statewide preferences of the voters of Ohio, end quote. It tells us clearly how to determine those preferences. It tells you to use, quote, statewide, state and federal partisan election results in quote, and it tells us what time period to use, quote, during the last ten years in quote, I think the citizens wishes are clear. So let's move on to the introduction of Section six that addresses additional standards. Quote, The Ohio Redistricting Commission shall attempt to draw a General Assembly district plan that meets all of the following standards, end quote, let's break it down. Who should do this? You the commission. Then we again have that pesky word, shall, which I continue to understand as a directive in the biblical sense which of the standards should be met? It says all of the following. Now, I read over the weekend that a member of the commission was focusing on the word attempt and thought that that meant that 6B was aspirational. Now, aspirational has to do with a strong desire. We the citizens do have a strong desire. We are, but we are not naive. We must understand that 6B is not in your political interests. We're not asking you to develop a strong desire to do this. It says you shall attempt and attempt means to try. Growing up in rural Ohio, one of my mother's rules was you have to try. Something important required 100 percent effort. Doing something poorly due to lack of care or effort was not tolerated. And I don't expect less than 100 percent effort from you. I'm going to move ahead just a bit because my time's running out, but. I want well, I want to say that you don't have to do this alone and citizens uploaded plans that meet all of those requirements, all of those standards. But you didn't choose to start with one of those, I especially liked Jeff Wise's. My only hope at this point is that there are people already working on the next constitutional amendment that will remove the responsibility for redistricting from the governor, the legislature, elected officials, politicians, lobbyists and political parties. It's time to end government of the politicians, by the politicians for the politicians. Thank you.

**Co-Chair Senator Vernon Sykes** [00:33:21] Are there any questions?

**Co-Chair Senator Vernon Sykes** [00:33:25] Thank you. Next witness, please.

**Staff** [00:33:29] Kobie Christian, followed by Janet Cicconi.

**Kobie Christian** [00:33:40] My name is Kobie Christian, K O B I E C H R I S T I A N. Good morning, Co-Chair Sykes, Co-Chair Cupp, and members of the redistricting commission. Thank you for allowing public testimony today. As I said, my name is Kobie Christian. I'm here representing for Future Ohio, a member of the Equal Destructs Coalition. I've lived in Ohio my entire life. I was born and grew up in Tiffin, went to school, began my career and cast my first ballots in Cincinnati and the surrounding suburbs. And I now live here in the heart of the heart of the state, Columbus. In my life and in my work, I've seen that many communities in Ohio have a unique set of needs, but shared an unfortunately similar problem. We're denied what's known as representational fairness. The number of Democratic and Republican legislators does not reflect the will of the votes over the past several elections. Far too many Ohioans, therefore, are represented by legislatures who do not share our values. If we are able to gain our representations attention on a particular topic, we can rarely expect solutions. It's almost as though some of the elected officials aren't worried about being held accountable to their voters. Ohio's overwhelmingly passed two ballot measures to bring transparency and fairness to the redistricting process. That's why this year's process has been so frustrating. The maps presented by the Republicans on the commission last week would give Republicans 66 percent of seats, even though they only won about 55 percent of Ohio's vote. This is unacceptable. It blatantly ignores the constitutional requirement that that map drawers attempt to reflect on how voters political interests and preferences over the past decade. We had the opportunity for the redistricting process to be done in a transparent, bipartisan manner. Much of the process could have began even before census data had arrived. But I see no indication that this option was even considered. Aiming for maps that represent the statewide vote share isn't an aspirational it's a constitutional requirement. I don't think that the governor or his party can claim that they attempted to meet the standard, not when they've been presented with examples of maps like the Senate Democratic Caucus or Ohio Citizens Redistricting Commission commission maps that put forth. Reflects truly how Ohioans vote, they keep communities together and provide pathways to minority representation. The commission's proposed maps don't represent the people and they're not fair to Ohio's communities.

**Kobie Christian** [00:36:21] Thank you.

**Co-Chair Senator Vernon Sykes** [00:36:22] Are there any questions? Seeing none, thank you very much. The next witness, please.

**Staff** [00:36:39] Dick Gunther and Greg Moore. (Inaudible)

**Greg Moore** [00:37:03] Good morning, am I allowed to take this off here?

**Co-Chair Senator Vernon Sykes** [00:37:06] You can take it off if you want.

**Greg Moore** [00:37:07] OK. I was able to say a few words, Co-Chairs and members of the committee had a few words I was able to say about 9:30 last night. So I'll give some brief remarks and I have a written statement we can submit for the record.

**Co-Chair Senator Vernon Sykes** [00:37:26] And to let you know, this is a group and you are allowed ten minutes.

**Greg Moore** [00:37:30] OK, great. Thank you for that Co-Chair Cupp and Sykes and members of the committee. My name is Greg Moore...G R E G M O O R E. I have the honor of serving as the Co-Chair of the Ohio Citizens Redistricting Commission. I'm also president of two organizations, The Promise of Democracy Foundation and the Ohio Voter Fund. We've been active in the issue of redistricting reform and voting rights for several years. And today we're here to offer testimony on behalf of the Ohio Citizens Redistricting Commission, which is an independent, diverse, nonpartisan commission made up of 16 volunteer members, including academics, community leaders, current and former elected officials, attorneys and more. This group was formed through the collaboration of the Ohio Organizing Collaborative, the Ohio Conference of the NAACP and the Philip Randolph Institute of Ohio. Members were invited to apply to be representatives of organizations and were deliberately chosen to reflect the diversity of Ohio, including people from diverse ages, races, regions and backgrounds. Many of these members helped sign petitions. They also, in the case of Dick Gunther and others, helped draft parts of the constitutional language. And in some instances, we were involved in many of the negotiations to try to help get the legislation passed back in 2006 on the congressional end. So the amendments spell out a criteria upon which the OCR unity maps are based and many of them are here today and will be offering their own testimony. We began our first hearings on May 12th with three main goals, model a thorough and robust engagement process for developing legislative districts, including reaching out specifically to minority and underrepresented communities and to develop demonstrated citizen derived principles of redistricting. And three to draw unity maps displayed here today based on Ohio's constitutional requirements, our citizens derived principles of redistricting and an aggregation of a wide variety of preferences that came out of public input. In addition, our maps we have submitted through a report outline the work and process of our citizens commission and the maps we produced. We've held nine public hearings and numerous work meetings. Every effort was made to make the hearing safe and accessible, including holding them after business hours and virtually a total of 494 Ohio citizens registered to attend these public meetings. Many of these citizens came representing diverse communities and large membership organizations. Attendees offered testimony about what they would like to see happen in the 2021 redistricting process. We partner with academic institutions, including the Kirwan Institute for the Race and Study for the Study of Race and Ethnicity at Ohio State University, MGGG Redistricting Lab at Tufts University for data collection, analysis and Community of Interest Mapping. The Team Use Districter, a free community Web based tool. That was used to create communities of interest, regions and points of interest. This was paired with narratives about community issues and the needs of all. In all, over to 2350 submissions were received through this portal. Prioritizing communities of interest is generally considered to be essential to drawing. Fair districts, but in practice, local community knowledge is necessary to give a full picture of what is and what is not someone's community, what is their work, their place of worship, their school, their recreation decoration destinations. The OCRC's Community Mapping Project collected testimony from the public, which featured not only narrative descriptions of these communities, but mapping, describing their geography. So this broad set of qualitative and quantitative spatial data was utilized to inform mapping choices. After the constitutional requirements that we met on August 25th, we released these proposed community maps to the Ohio House and Senate via statewide media and social media and public comment and input. And I'm happy to say today that we were also able to submit an op ed to the dispatch that is running today. The unity maps were based on constitutional requirements, citizens derived principles of redistricting and an aggregation of a wide variety of preferences that came out in this public input. The maps incorporate the Census 22 data that was released on August 12th, and many of our staff and supporters worked around the clock to make sure we were able to have this input in time for the constitutional

deadline. We input was requested at two public hearings over email and we submitted the final test, final report and unity maps. As you are now saying on September 1st, I'm incredibly proud of the work of the commission undertook and I'm sure everyone's voice is heard. Today is the final deadline. And I hope that the members of this commission or tomorrow is the final deadline. The members of this commission will come together after all the testimony and realize that Ohio was virtually unanimous in its belief that we must follow the Constitution and follow the wishes of the citizens of Ohio. We should expect nothing less from our governmental leaders as it is prescribed and now enshrined in the Ohio constitution. Finally, as I said in my brief remarks last night in Cleveland, if we fail to get this right, it will more than likely be the first and the last opportunity to get this right. The voters of Ohio will see, remember and vote more than probably any of them will watch this vote more than probably any other vote you will cast, because it would be a direct reflection on you and your relationship with them. I have still have faith that after the hearing from your constituents today and across the state, you that you may do what is right and embrace the spirit of these maps and a revised consensus map based on what was presented last night. At the end of the day, it is not a request. This is a political this is not a political, but rather a moral obligation that you have to the oath that you have taken and the very people who sent you to represent them. So all we're asking you to do is represent us. Thank you. I would now like to ask my colleague, Dick Gunther, who's been our champion on this, to come and make presentation. Thank you very much.

**Co-Chair Senator Vernon Sykes** [00:44:23] Dr. Gunther, thank you for coming forward. I'd like to thank you all for your participation and input in this process. You have three minutes, sir.

**Richard Gunther** [00:44:38] Good morning. I'm Richard Gunther, professor emeritus of political science at Ohio State University. I'm also one of the five negotiators who produced the draft of what is now Article 11 of the Constitution, which sets forth the rules that we should be following in drawing these district lines. I'm here today to speak out in favor of these two maps submitted by the Ohio Citizens Redistricting Commission. And what I'd like to do is point out that these maps meet every one of the criteria set forth in the Ohio Constitution since it was revised in 2015. First, as required in Section 3B, the districts for both the House and the Senate are roughly equal in population size. None of them deviates from the relevant ratio of representation by more than five than the five percent allowed by the Constitution. Second, in compliance with the rules relating to the splitting of counties, townships and municipalities as set forth in Sections 3C and 3D, considerable effort went into the preservation of political subdivisions and communities of interest. As Greg pointed out, this entailed nine public meetings involving 494 Ohio citizens and the submission of 2350 maps. While it was not always possible to reconcile those preferences with the requirements of the Ohio Constitution. We certainly made more of an effort to respect these wishes than is characteristic of most other redistricting processes. Moreover, we strictly adhere to all of the rules relating to the splitting of counties, townships and municipalities that are set forth in Section 3C and 3D of Article 11. These splitting decisions are described in considerable detail in the report that has been circulated to you. Third, we strictly adhered to the requirements set forth in Section 6B, which states that the statewide proportion of districts whose voters based on statewide, state and federal partisan general election results during the past 10 years favor each political party shall correspond closely to the statewide preferences of the voters of Ohio. As I pointed out in my last testimony, that would mean that voters cast fifty four point two percent of their ballots in favor of Republican candidates for those offices and forty five point eight percent of the two vote share for Democratic candidates. How does our map stack up against this requirement? Among the 99 House districts, 55 included voters who have supported

Republican candidates over the past decade, while 44 have leaned Democratic with regard to Senate districts, 18 lean Republican and 15 lean Democratic, which is exactly in conformity with the constitutional standard. Accordingly, this map does not favor one party over the other, and we are in full compliance with the Section 6A. Which states no General Assembly district plan shall be drawn primarily to favor or disfavor a political party. The merits of our plan with regard to minority representation will be discussed more extensively by my OCRC colleague Tom Roberts, president of the Ohio State Conference of the NAACP. But at this point, let me summarize by pointing out that in drawing district boundaries, considerable effort was made in locating communities of color and districts that avoid packing and cracking the final section. The final criterion in Section 6C calls for the creation of compact districts. Given the absence of agreed upon indicators of compactness, we rely upon the eyeball test and common sense in judging these maps. And as you can see, virtually all of these districts are quite compact. Overall, our map does an excellent job of complying with each and every criterion set forth in the Ohio Constitution. This is not a Democratic map, this is not a Republican map. This is a fair map that will allow the voters of Ohio to elect representatives who accurately reflect their political preferences. We urge you to adopt this as the institutional framework for electoral competition over the next decade. Thank you.

**Co-Chair Senator Vernon Sykes** [00:49:12] Any questions for Dr. Gunther? Seeing none, thank you very much. Is there another witness from your organization or is that it?

**Greg Moore** [00:49:40] (Inaudible)

**Co-Chair Senator Vernon Sykes** [00:49:44] You each have three minutes, we would ask you, please, to adhere to the time frame. Because you're submitting a plan, you were extended this time, but please don't go beyond that.

**Tom Roberts** [00:49:57] Co-Chair Sykes and Co-Chair Cupp and members of the Ohio Redistricting Commission, thank you for this opportunity to hear today. My name is Tom Roberts. I am the president of the Ohio Conference of Branches of the NAACP. And I served on the Ohio Citizens Redistricting Commission. This testimony is offered in support of the maps submitted to you by the Ohio Citizens Redistricting Commission. The mission of the NAACP is to ensure political education, of social economic equality, of rights of all persons, and to and to eliminate racial hatred and racial discrimination. When legislative maps are not fair, communities of color don't have a real pathway to representation. This means that black political power power is diluted, adequate political representation is denied. I participate in the OCRC to give our units and the broader community the opportunity to make to make our voices heard in the accessible process. And that took into account the interests of the black community and the underline serve populations after years of unprecedented global calls for racial justice. It is time the leadership of Ohio rise to the promise of equal opportunity for all. Our OCRC maps, districts were reviewed and understanding the extent to which minority voices can meaningfully influence the elections, adhering to rules about keeping counties and political subdivisions together, largely allowing communities of color voices to be drawn into the compact districts and the same avoiding packing and cracking. Packing and cracking a practice which has been used historically across the country and right here in the state of Ohio to dilute the voices of people, of black people and other minority groups and weaken our overall election election influence. The NAACP has fought for over a century to end the practice of these which seek to place a ceiling on on our hopes, dreams, abilities and minority communities. We must continue to fight against these practices today with the Ohio Redistricting Commission. We need fair state legislative maps to give black communities a fair chance

for our voices to be heard and to remove the gerrymandering that has silenced our voices. Fair maps give black communities the power to choose representatives to speak to our interests concerns jobs, education, justice, health care and safety. We are calling upon the members of the Ohio Redistricting Commission to draw fair maps and to give black communities the opportunity to meaningfully influence the political process. Andre Washington will now testify.

**Andre Washington** [00:53:04] Thank you, President Roberts. To Co-Chair Sykes, Co-Chair Cupp and to members of the redistricting community, I stand before you as the proud state president of the historic A. Philip Randolph Institute. A. Philip Randolph was considered the godfather of the Civil Rights Revolution, A. Philip Randolph, won executive order in 1948 from President Truman to ban discrimination in federal hiring practices and in the armed forces. Asa Philip Randolph organized marches in the 50s and 60s to desegregate public schools. Asa Philip Randolph organized marches in 1963. He organized the march in Washington, D.C. for Jobs and Justice, where Dr. King gave his I Have a Dream speech. And in 1965, we formed the A. Philip Randolph Institute that does voter registration voter education programs in the urban communities. Asa Philip Randolph, a great American, a great humanitarian. A great man. In 2015, Ohioans voted for a constitutional amendment that offered a fair and transparent process that we can trust where communities remain whole in voters power isn't diluted by packing and cracking voters, especially black and brown voters packing is when minorities are concentrated into a small number of districts. Cracking is where minority communities are split and minority voters are spread into many districts. Our Citizens Commission did not wait until last month to begin the conversation about redistricting. We brought redistricting to the communities with public hearings, community map making sessions and with public education. Beginning back in May. As a citizens commissioner, I heard over and over from the black and brown community members about how it feels when our voices are unheard and the political process as a civil rights leader, as a labor leader, as a father and as a man of faith, I know that it is a critical that we need good jobs, safe communities and healthy families. The black and brown community cannot afford for our voices to be silenced and unheard. I urge the redistricting committee that has the power to assure that black and brown communities and this redistricting process in their government, that their voice is heard and that their districts are not cracked and packed and their voice is not silenced. I urge you to uphold democracy and draw maps that are fair. And they represent all all of Ohio's like the A. Philip Randolph Institute. We are nonpartisan, but we're very particular about our politics. Thank you. (Applause)

**Co-Chair Senator Vernon Sykes** [00:56:11] The next speaker?

**Chris Tavenner** [00:56:19] Co-Chair Cupp, Co-Chair Sykes and all honorable members of the Ohio Redistricting Commission, thank you for the opportunity to submit testimony for your consideration. I am Chris Tavenner, staff attorney for the Ohio Environmental Council. I also had the opportunity to be a member of the OCRC over the past few months, 10 years ago, when Ohio last considers its legislative district maps, I wasn't even yet old enough to vote. I came of age during the tumultuous economic recession, watching the impacts of perpetual war overseas while becoming increasingly worried about the looming threat of the climate crisis. The OEC opposes the current map under consideration by the Ohio Redistricting Commission, as originally proposed by the Ohio Senate president. Instead, we urge this commission to adopt the Ohio Citizens Redistricting Commission Unity Maps. The OEC opposes any form of gerrymandering designed to support particular political parties. Ohio's legislative maps must represent communities, lived experiences and geographies while also creating a legislature that does not favor one party over

another through district design. The maps currently under consideration violate these principles, as well as Article 11, Section six. You've heard the math plenty of times. In contrast, the OCRC's maps uphold the constitutional requirements of proportional representation. You've also heard that math plenty of times. It's worth noting, here's some math I've not heard mentioned often about the map considered by this commission. It's worth noting which districts have more or less than one hundred nineteen thousand one hundred and eighty six, the number it would take to have every Ohio district precisely equal? That's not strictly possible, but it's a constitutional requirement to get close. 16 Democratic leaning districts have more than one hundred nineteen thousand one hundred and eighty six, while thirty six Republican districts, more than more than the total number of Democratic leaning districts in the entire map, have less than one hundred ninety one hundred nineteen thousand one hundred and eighty six, with fourteen Republican districts having populations four percent less or more than four percent less than that one hundred nineteen thousand one hundred and eighty six number. This is almost as many districts that have been given to the Democrats with greater than one hundred nineteen thousand one hundred and eighty six. By creating more Republican leaning districts with less population, gerrymandering has been made to be much easier. The map currently under consideration also fails to maintain compact districts. I live in Columbus, central Ohio and Franklin County have plenty of examples illustrating how the proposed map fails. The compactness requirement of Article 11. Section six, for instance, the Senate district proposed to be made up of districts four or five and six loops from the Hilltop area all the way through Groveport up to New Albany and eventually ends in Westerville. Similarly, the Senate district, composed of districts 10, 11 and 12 and covers Grove City and Darbydale scoops up Hilliard, Upper Arlington and Dublin and stretches all the way to Marysville. The OCRC's map makes much more sense for Franklin County when considering how the people who live here actually define our communities. Similar communities like Hilliard and Dublin, where my wife and I grew up, are included in one house district alongside Upper Arlington and Worthington in their own House district. As the speaker noted in their testimony on Thursday, the OCRC districts are mathematically more compact than the map currently under consideration by a significant degree. Ohio voters deserve an explanation from the supporters of the map currently under consideration by this commission. Section by section, we need to see the math and work done that shows how it satisfies the requirements of the Ohio Constitution. The unity map of the OCRC upholds the spirit and the literal language of the twenty fifth constitutional amendment, creating a district map, furthering the will of Ohio voters. And the OCRC also submitted a report outlining specifically how it satisfies the constitutional requirement of Article 11. Thus, the OEC urges the commissioners to reject the map under consideration and adopt the OCRC maps. Thank you.

**Co-Chair Senator Vernon Sykes** [00:59:58] Thank you.

**Crowd** [00:59:59] (Applause)

**Samuel Gresham** [01:00:11] Chairman Cupp and Senator Sykes and members of the redistricting committee.

**Co-Chair Senator Vernon Sykes** [01:00:18] Could you state and spell your name, please?

**Samuel Gresham** [01:00:20] Yes, sir. My name is Samuel Gresham, S A M U E L. The last name Gresham G R E S H A M. I serve as chairman of Common Cause, and I've served on this Ohio Citizen Redistricting Commission. We've done the work for you. You

don't..(Applause)..have to have to go any further, and I want to let you know that if you draw another map and we have to go to court, we're going to use our map to show the difference. I was born in Greenwood, Mississippi, and I was raised in Chicago and I serve in Columbus, Ohio, where the black community has to fight for its right to hear its voice to be heard. I've dedicated my life to that cause I remember my father crying as he told the story of the jelly bean jar in Mississippi. I remember persons personally threatening me in Chicago. I will never forget the snake on the lake. The packed and cracked 3rd Congressional District and the 15th District, the elongated 15th district which extended from Upper Arlington to Athens County, that's a big jump. These congressional districts in Ohio made Ohio famous. However, they were unfair and ruthless. They denied citizens an opportunity of fair representation. I was there in 2010 when these districts created and I believe we set out a set of rules in this new process of creating such districts. History will tell a story whether you followed that or not. I will paraphrase now, because initially we had five and now I'm down to three, but I work on making their. I have worked on both reform issues, 2015, 2018. American democracy is based on the principle that representation and a fundamental notion that government should be responsive and accountable to the citizens. The story I was told that this representation was the fundamental foundation of our country. Later, I learned that was a lie. Our established process did not adhere to the rule of law. It did not create a representation district for our citizens to participate. During the course of the next process, if we do if we have to stay with a four year map, I want you to remember there will be two elections in that four year period. And we are going to remind the citizens of Ohio of your negligence and being able to construct a 10 year map. Imagine starting the whole process over and the public input into developing the maps. We're going to make so much noise at those meetings, you won't be able to hear anything. Thank you for your time, and this concludes the testimony on the behalf of the Ohio Citizens Redistricting Commission. We hope you have questions and we stand for to answer them.

**Crowd** [01:04:25] (Applause)

**Co-Chair Senator Vernon Sykes** [01:04:32] We'd like to on behalf of the commission, we'd like to thank you for your diligence and your work and we benefit from your presentation and information that you extended by starting in May. It gave you involved time and more time than we've taken to do a good job. And we certainly appreciate it at this time are the questions to the presenters. Leader Sykes.

**House Minority Leader Emilia Sykes** [01:05:00] Thank you, Mr. Co-Chair, and to the Ohio Citizens Redistricting Commission. Thank you for presenting today and sharing your work and showing what was possible had we started earlier. It is I'm probably just not speaking out enough, but thank you for letting me know. My question is specifically about the population variances and to whomever is available to answer this question, you mentioned that in most of the in the I know you have your presenting on your map, but this was a very interesting perspective on the map that the commission adopted last week, that the Democratic leaning districts seem to be overpopulated upwards to four percent or more. Can you tell us any more about any trends that you found in that, whether they were the districts that had a significant black voting age population, or were they concentrated around the three C's were they mostly suburban, where they mostly in any other northern, central, southern the state? Is there any other trend that you noticed in where that map is overly populated in certain districts?

**Chris Tavenner** [01:06:13] Unfortunately, I did not have the time to do that deep of an analysis I only had. I mean, we've only had these maps for a few days and I was looking at

as many metrics as I could. But I think that illustrates that it requires further analysis to really look at how, you know, certain districts have been given a lot less people and certain districts have been given a lot more people.

**Co-Chair Senator Vernon Sykes** [01:06:33] Please.

**House Minority Leader Emilia Sykes** [01:06:34] Thank you. And so the maps that you all made. Could you talk about how you all made the decision to spread out or disperse the population within the 99 districts that that the OCRC commission put put forward?

**Katy Shanahan** [01:06:51] Through the terrorist leader Sykes, first, I think that some of those districts fall in major metropolitan areas. So, of course, that's an area of concern. I know specifically from an article that Jesse Balmert wrote in the Cincinnati Enquirer that one of those is a Cincinnati anchor district. But, of course, we can do more analysis about where those are and send them to your office. But more broadly speaking, the OCRC tried to undo sort of the typical gerrymandering that we see in our current map by uncracking and unpacking communities, particularly in our major metropolitan areas, which is where we see a lot of Democratic, but also voters of color being either crammed into as few districts or possible or cracked apart into districts that further dilute their vote. So we try to reverse that, particularly in all of Ohio's major cities.

**Co-Chair Senator Vernon Sykes** [01:07:40] Yes.

**House Minority Leader Emilia Sykes** [01:07:41] Thank you, Mr. Chairman. Into the to the to the chair excuse me, members of the OCRC. Thank you for that response. And so if I can be totally honest with you, I think it would be unlikely that this commission would take up the maps from the OCRC. But nonetheless, your work is appreciated and very much considered. And I'm I'm only speaking for myself here and maybe other members of the commission are willing to do something different. But based on my understanding of how things have worked. Probably not. But with that being said, is there a map that's been put out by any member of the commission that you feel is more closely aligned with the proof of concept that you put forth that we could look to to alter and maybe work from in the next 24 hours or so?

**Samuel Gresham** [01:08:33] Sure. No, no. More questions?

**Co-Chair Senator Vernon Sykes** [01:08:46] Are there any other questions? Thank you very much, appreciate it. Thank you...(Applause)...Next witness, please.

**Staff** [01:09:11] Janet Cicconi, followed by Terrilyn Copeland again, Janet Sacconi, followed by Terrilyn Copeland.

**Co-Chair Senator Vernon Sykes** [01:09:26] Next witness, please.

**Staff** [01:09:32] Tony D'Ambrosio, followed by Talla de Boer.

**Co-Chair Senator Vernon Sykes** [01:09:48] Next witness, please.

**Staff** [01:09:53] Scott DiMauro, followed by Mary Earl.

**Co-Chair Senator Vernon Sykes** [01:10:05] Will you state and spell your name, please?

**Scott DiMauro** [01:10:08] Thank you. My name is Scott DiMauro. S C O T T, last name DiMauro, D I capital M A U R O. Co-Chairs Cupp and Sykes, members of the Ohio Redistricting Commission. My name is Scott. DiMauro I'm a high school social studies teacher from Worthington is also my honor to serve as the president of the Ohio Education Association. On behalf of OEA and our 120,000 members, thank you for the opportunity to address you today. I'd like to address the maps adopted by the Commission for for consideration in the process thus far. When I testified in Dayton last month, I had a spirit of cautious optimism. I said that through this redistricting process, Ohio has a chance to serve as an example to the country. You could put partisanship aside and listen to the will of the people. By working together and compromise, you could rise to the occasion and produce fair representative districts. I don't have that same sense of optimism today. Last Thursday, you adopted the maps under consideration on a party line vote. They were unveiled earlier that day produced by legislative staffers of the majority party. There was no bipartisan engagement. The maps heavily favor the party in power. It was as if 71 percent of Ohio voters hadn't supported a change in the Constitution. It was business as usual and wholly unacceptable. The voters of Ohio have given you an assignment, the constitutional amendment calls for the statewide proportion of districts favoring each political party correspond closely with the statewide preferences of the voters. It also requires that the plan comply with federal law such as the Voting Rights Act. These provisions of the constitutional of the Constitution are not aspirational, they are not optional, they're not for extra credit. There are fundamental to the change that we voted for. This feels like a bait and switch. As others have noted, the citizen produced maps that won the fair district mapping competition outperformed the maps being considered on key metrics of limiting the number of splits of political subdivisions, compactness, competitiveness and minority representation. They merit the consideration of this commission. I particularly appreciate that Pranayam that Pranav Padmanabhan proposed attempted proposal attempted to keep school districts intact as a way of prioritizing keeping communities of interest within legislative districts. When voters approved Issue one in 2015, one of the committee Co-Chairs said, obviously there's a lot of skepticism about government, but if you work these issues through and get everybody involved, you can solve some of these issues. That bright eyed optimist was none other than current commission member Senator Matt Huffman. At Thursday's hearing, several members of the commission stated they wanted a 10 year bipartisan agreement. They were willing to put in the work to make it happen. As I stated when I last testified, anything less than a bipartisan agreement and a 10 year map would be a failure of leadership. The voters of Ohio voted for change, we want an end to partisan gerrymandering and business as usual. We demand fair maps. As you know, time is running out. Thank you for your attention.

**Crowd** [01:13:35] (Applause)

**Co-Chair Senator Vernon Sykes** [01:13:36] Are there any questions? Thank you very much. Next, witness,

**Staff** [01:13:43] Mary Earle, followed by Pamela Easterday.

**Co-Chair Senator Vernon Sykes** [01:13:54] Next witness.

**Staff** [01:13:56] Karen Elliott, followed by Christina English.

**Co-Chair Senator Vernon Sykes** [01:14:06] Next, witness,

**Staff** [01:14:08] Josh Flori, followed by Kelly Freeman.

**Co-Chair Senator Vernon Sykes** [01:14:21] Will you state and spell your name, please?

**Kelley Freeman** [01:14:23] Certainly, my name is Kelley Freeman, K E L L E Y F R E E M A N. First, I would like to thank Co-Chairs Cupp and Sykes and the members of the Ohio Redistricting Commission for the opportunity to testify in support of Ohio's redistricting process and in the hopes that these community hearings result in the fair maps that Ohio voters need and deserve. My name is Kelley Freeman. I'm the state field manager of NARAL Pro-Choice Ohio. I'm also a small business owner and a parent. I moved from I moved to Ohio from South Carolina in 2014 with the assumption that I was moving from a red state to a purple state and was very excited to get involved in the political process where I feel like I could be represented. It took a single lobby day, which felt like a crash course in Ohio politics to find that I was sorely mistaken in the assumption of purple statehood. But the thing is, I wasn't actually mistaken. Ohio is a purple state with a split of 56 44, a Republican to Democratic votes in the last election. While the electorate in Ohio is fairly balanced blend the map absolutely does not reflect that. And if we want Ohio to move to be able to move forward and to be a state where people want to move to and raise their families, a decision I sometimes wonder was whether or not it was the right one for me to make. Our future must include representational maps. Ohio is not yet usually losing population, but it did lose a federal House seat. We aren't growing as fast as other states and I think it could be because of gerrymandered maps and abortion bans. But that's another conversation. But also, is it really? Gerrymandering has a tendency to drive elections to the extremes when the real competition is during the primary. We don't see the balance of the communities would like. Instead, we get the folks who can shout the loudest and be the most divisive because districts are drawn like that. All Republicans are grouped together, even if they're not from similar communities and Democrats accept it because they get safe seats out of it as well. I would wager that at least a third of the Republicans in the state House aren't specifically anti-abortion, but vote that way because they aren't given any other options and gerrymandered districts. Rather than addressing the needs of constituents, anti choice legislators have been implementing their own agenda when primaries are the only competitive part of an election and dilutes the power of more centrist voters who may skip the primary entirely in favor of general elections. And they in turn find that the only options are candidates who were chosen by the most extreme elements of each political party. Gerrymandered maps are erasing where there once was common ground between political parties. I don't think most of the legislators actually hold anti-abortion beliefs or convictions, but they do have fundraising goals and it's an easy target. Gerrymandered maps make it all the easier to be to use. Being anti-abortion is an extreme to you'd have to prove they're more conservative than other Republicans in the race. We need fair districts because my neighborhood in downtown Columbus shouldn't be split in half. Since I moved to Columbus, I've lived at four addresses, all within six miles of each other, and I've lived in three different state House districts. I do recognize that Republicans would still have the majority in both the House and Senate under a fair map. But either party holding 75 percent of the seats is absurd given the makeup of the Ohio electorate. And to suggest a map that makes it even more slanted in favor of the Republican Party is frankly insulting. Ohio voters deserve and democracy demands representational maps. Voters must be able to choose their representatives, not the other way around. We deserve to have an actual vote and a voice in the Ohio legislature. Instead of screaming into the wind, as we have for the last ten years. Regardless of this commission's personal beliefs on policy issues, policy based issues in the state, I hope you'll take into consideration that fair maps, districts drawn with community input will represent Ohioans more equally and will be a benefit for all going forward. Thank you.

**Crowd** [01:17:50] (Applause)

**Co-Chair Senator Vernon Sykes** [01:17:50] Thank you. Are there any questions? Thank you very much. The next witness,

**Staff** [01:17:58] Ishmail Gad, followed by Carolyn Goongerah.

**Staff** [01:18:10] Next, witness,

**Co-Chair Senator Vernon Sykes** [01:18:12] Ruth Hardy, followed by Brad Henry.

**Co-Chair Senator Vernon Sykes** [01:18:38] (Inaudible).

**Co-Chair Senator Vernon Sykes** [01:18:40] Next witness, please.

**Staff** [01:18:43] Donna Herman, followed by Jonah Hilario.

**Co-Chair Senator Vernon Sykes** [01:18:57] Next, witness

**Staff** [01:18:59] Derek Holmes, followed by Katelyn Johnson.

**Co-Chair Senator Vernon Sykes** [01:19:11] Next witness.

**Staff** [01:19:13] Laura Joseph, followed by Joe King.

**Joel King** [01:19:39] Goodmorning Commissioners, I'm Reverend Joel King, J O E L K I N G. I voted the House District 19 and the Senate District 3 and Congressional District 3 The reason I'm here is to demand fair voting districts for my community and this entire state. I serve as a leader the Columbus 3177 chapter of the NAACP, member of the Baptist Pastors, coverage of the Baptist Minister Alliance and member of the Interdenominational Minister Alliance here in Columbus. I'm a lifelong member and an advocate for all citizens, basic right to vote in this state and vote their conscience. The unfairness of our current Ohio House, Senate or congressional districts is one of the barriers to the vote because it discriminates against minority and vulnerable citizens of our state. Our history of unfairness and lack of access to access to the vote is far, is that a far new story in this country? We've been talking about it for years and can't get it right yet. We fought a war, fought to 20 years in Afghanistan to give those citizens the right to vote. Here we are again, 2021, to get fair districts in Ohio. Something wrong with that picture? This has been a blatant unfairness for generations. Ohioans want to see the commission approve a bipartisan 10 year map that keeps our community together and live a representational fairness for all of our citizens. The present Republican map, as drafted, fails to meet the basic requirements for representational and fairness and even take the Voting Rights Act into consideration. So we are already on the wrong track. We need to push stop pushing partisan gerrymandering here in 2021 for all of our districts and make them fair for all of our citizens. We need this commission to listen to the voters and work together to deliver our promises of fair maps the voters had intended when they passed, you're right to be in session to make this opportunity fair in Ohio. We can make history in Ohio or we go backwards 200 years of our history. Let's make fair maps for all of our citizens. Thank you.

**Co-Chair Senator Vernon Sykes** [01:21:56] Thank you. Are there any questions? Thank you very much. The next witness?

**Staff** [01:22:03] Representative Thomas West, followed by Mitchell Kingsly.

**Co-Chair Senator Vernon Sykes** [01:22:19] You have three minutes.

**State Representative Thomas West** [01:22:24] Thank you, Co-Chair.

**Co-Chair Senator Vernon Sykes** [01:22:25] State your name and spell it, please.

**State Representative Thomas West** [01:22:28] Yes, my name is Representative Thomas West.

**Co-Chair Senator Vernon Sykes** [01:22:31] With these legislators, you have to be very, you know,

**State Representative Thomas West** [01:22:35] OK, he's going to start. All right. Well, thank you, Co-Chair. My name is Thomas West, T H O M A S Edward E D W A R D West W E S T. And today I'm here to speak on behalf of the 49th House District. The grinding, the grind, 49. But more importantly, I'm also here to speak on behalf of the president of the Ohio Legislative Black Caucus. And since this is a historic moment in time, I felt that I wanted to bring forth a little bit of history of the Ohio Legislative Black Caucus, but before I do that, I wanted to add with regards to the maps. In the Grind 49, I represent Massillon and Canton, and as you guys know, we've passed a resolution last year honoring the historic game between Massillon and Canton, the football heritage corridor, which is a street between Massillon and Canton. Both maps eliminate Massillon from the Grind 49. And today, I'm asking that we make certain that we be very intentional about keeping those two together. Not only for historical purposes, but because that's what makes the grind 49. So I say that, but let me now talk to you a little bit about the Ohio Legislative Black Caucus. The Ohio Legislative Black Caucus, formerly known as the black elected officials of Ohio, BEDO, was founded in 1967 by African-American state legislator, the leadership of state representative C.J. McLin of Dayton, Ohio. OLBC was created during the time of the civil rights era. Well, you guys say, well, what does this all got to do with redistricting has a lot to do with redistricting because during this time, several things happened that led up to the founding of the Ohio Legislative Black Caucus. We had the Brown the 1954 Brown v. Board of Education Supreme Court ruling that outlawed segregation in public schools, the civil rights of 1964, the Voting Rights Act of 1965. Well, let's get to the point. I'm going to get there. The 1962 U.S. ruling, Baker versus Carr, that further provided the basis for fair elections. And redistricting practices that opened the door for more African-Americans to be elected to the General Assembly in the state house across the country, prior to that ruling, we only had three African-Americans that represented in the state of Ohio. But after that ruling, they had a historic win of 12 African-Americans to serve in this legislature. C.J. McLin, Carl Stokes, William Mallery are some of the names that was in that 12 who created the Ohio Legislative Black Caucus that went on to do major things in our state and our community made us proud. And it's very important for us to look at this this time in history. And make certain that we're very intentional about drawing these lines. I'm here today to express the serious concerns with the opposition of the commission's current proposal. That current Sykes on Thursday afternoon meeting that said these maps would likely result in an even greater advantage to the majority party than the current state legislative maps, which are already some of the worst maps and gerrymandered maps in the country. Taking a step further in direction completely disregards the spirit of the reforms voted in 2015. Now you heard that, so I'm not going to go over that anymore. But I still have hope. That this commission can come together. Not

talk about red and blue, and I know that we talked about that, we didn't look at the demographics of race. Well, let me tell you what we did look at color. We looked at red and blue. And we forgot about black and brown. And that's not OK. We need to make certain that we're very intentional about looking at these districts and making certain that the African-American communities that had fair representation, that finally had a representation, that they can start working together in unity. Areas like Stark, Trumble. Areas all across the state of Ohio. I just ask that you I implore you to work these lines and make certain that you're very intentional about understanding who's in who's district and who can serve them best. Why? Because we don't have to work on red and blue. We can work on red, white and blue. This is about the United States. This is a historical moment and you have to call. I call it the grind 49, because I know that Stark County, when it comes down to that last inch, we're going to get there. When it comes down to that yard, we know football. We're going to get there. We're asking you to do the same thing, come together with the seven, look at both maps, the first map I'm going to tell you just throw it out the door. Let's start working on a map that matters. Let's work on a map that works for Ohio, that leads this nation so that in the future, your child, your grandchild, your cousin, your brother, whatever district or whatever party he's in, he has a shot to win. He has a shot to make it, and thus we will be happy about that. Now, this is the final round and all I ask you is don't forget about black and brown. Thank you.

**Co-Chair Senator Vernon Sykes** [01:28:51] Any question they know. Thank you. Next witness, please.

**Staff** [01:28:58] Mitchell Kingslee, followed by Michael and Connie Klein.

**Co-Chair Senator Vernon Sykes** [01:29:11] Next witness, please.

**Staff** [01:29:13] Richard Kunkle, followed by Mia Lewis.

**Co-Chair Senator Vernon Sykes** [01:29:28] State and spell your name, please.

**Mia Lewis** [01:29:31] Yes, my name is Mia Lewis, M I A L E W I S. Co-Chair, Speaker Cupp, Senators, Sykes, members of the Ohio Redistricting Commission, thank you for the opportunity to testify. My name is Mia Lewis. I'm here on behalf of Common Cause Ohio. When looking at the officially proposed maps, we have heard numerous specific examples where the lines have been drawn in ways that divide communities, particularly communities of color, thus undermining their ability to elect the representatives of their choice and also examples of packing and cracking. The updated map submitted by the Senate Ohio Senate Democratic Caucus is an improvement, but there is still work to do. Fulfilling the requirement for representational fairness is non-negotiable. Auditor Faber. I'm sorry he's not with us, but Auditor Faber made a good point last night about how we need to keep communities together, but we don't want to overpack them. It's important for map makers to understand what communities want. Yesterday we heard directly from Cuyahoga County residents about how they see their county as divided east and west. Public testimony also suggests that splitting school districts divides communities. That's an important thing to consider, some of the maps have taken that into consideration, the officially proposed one apparently has not. Public hearings are a good way to hear what people want. But you can also look at many community maps that were created with fair districts in community conversations at our landing page, which is [districtor.org/eventohio](http://districtor.org/eventohio). And also the Ohio Citizens Redistricting Commission Unity Map offers excellent examples of constitutionally compliant maps that take the wishes of communities into consideration. Drawing new voting district lines is the most significant public act that you will do for or

against the people of Ohio in your lifetimes, most likely, certainly at least for a decade. Please look to the future, look to posterity, look to your better angels. Yes, you should have started this process earlier, spread these hearings out over five months so we didn't get six hour hearings and heard from all the people. But but here we are. Let's all acknowledge really a very obvious thing, this is too important a task to be rushed. Deadlines are important, but sometimes they simply can't be met. It is not unheard of for the Ohio General Assembly to miss a deadline here and there by a few days. And you did get your census data four months after you were originally expecting it. The people of Ohio fought for a good process and for fair maps. They didn't fight for maps by Wednesday, September 15th. This is not a magical date. We urge you to seriously consider taking another week to truly consider each district and the placement of each line just seven more days. What a difference that could make for the next 10 years. We call for a public, transparent, bipartisan review of the submitted maps county by county. Ohioans want to see your deliberation in public so that they can understand and see the choices being made. Thank you.

**Co-Chair Senator Vernon Sykes** [01:33:06] Are there any questions? Leader Sykes?

**House Minority Leader Emilia Sykes** [01:33:09] Thank you, Mr. Co-Chair, and to the witness, thank you for your testimony today. So I just want to be clear about your statement about perhaps not making the deadline tomorrow. Is that on behalf of you as a citizen or you on behalf of an organization?

**Mia Lewis** [01:33:28] As an organization, Common Cause, Ohio.

**House Minority Leader Emilia Sykes** [01:33:31] And follow up, Mr. Chair?

**Co-Chair Senator Vernon Sykes** [01:33:33] Yes.

**House Minority Leader Emilia Sykes** [01:33:34] And so, again, just to clarify, your suggestion is to take an additional week to figure this all out, and that is the position of Common Cause Ohio.

**Mia Lewis** [01:33:43] Yes. Through the chair. Yes. I just think this is too we think this is too important a process to be rushed. And, yes, deadlines are important. But this has been a very time, a very serious time crunch. And we've made a lot of progress here. People have come up with specific suggestions of where they feel that the previous speaker, representative, who spoke about a line being drawn in a certain place. Let's go look at that line. Let's go see what happens when we move it to put it back where it ought to be. And let's do it county by county, district by district, and make sure that we get this right. You guys have done, you know, these heroic hours, but we're using up a lot of your time. Just telling you how frustrated we are with the process and with the outcome. And, you know, if we actually went through district by district and you discussed the map and and took into consideration the testimony that's already been given and that's been submitted, then we could make real improvements. This these maps are going to last, we hope, for ten years. So it's of enormous significance.

**Co-Chair Senator Vernon Sykes** [01:34:55] Any additional questions? Thank you very much.

**Mia Lewis** [01:34:58] Thank you.

**Co-Chair Senator Vernon Sykes** [01:35:00] Next witness.

**Crowd** [01:35:00] (Applause)

**Staff** [01:35:03] The next witness. The next witness is Zabor Malik, followed by Carolyn Amanda.

**Co-Chair Senator Vernon Sykes** [01:35:21] Next witness,

**Staff** [01:35:23] The next witness is Kevin Maywood, followed by Wendy Missenden.

**Co-Chair Senator Vernon Sykes** [01:35:35] Next, witness?

**Staff** [01:35:36] Merrill Newman, followed by David Niven.

**Co-Chair Senator Vernon Sykes** [01:35:55] Would you state and spell your name, please?

**David Niven** [01:35:57] Certainly, David Niven, D A V I D N I V E N and I'm a political science professor at the University of Cincinnati. I appreciate the opportunity to speak to the commission here today. And I'll note that Speaker Cupp suggested that he didn't want to hear the same thing from every speaker over and over again. And I'll say to that, if you don't want to hear the same thing from every speaker, don't draw the same map every time. And of course, he achieved the goal of not hearing the same thing from every speaker by leaving the meeting. Let me say for a moment here, we know what gerrymandering is and there's a fascinating dialog going on right now. It's almost the reverse Potter Stewart here. Gerrymandering is all around us. And yet some members of the commission seem to suggest that they won't know it when they see it. Well, we know what it is. We know what it is. We know it is the dilution of the value of a vote. It is taking one vote and treating it as inferior to another for the purposes, obviously, of achieving greater political power, of achieving more seats in the process. The map that's been proposed, the draft map of the commission fails every gerrymandering test that's ever been created. It fails the efficiency gap test. It fails the partisan bias test. It fails to proportion test. It fails every test that those who study this for a living have ever devised. I study this as part of the work that I do. Here's the bottom line. The map, as drawn as proposed to this commission, gives Republicans the power to win a majority on the strength of a minority of the votes. There is no system where that is considered fair. There is no system where that is considered anything but the definition of gerrymandering. Here's your bottom line. That map is more biased than 80 percent of all the maps drawn and put into effect across the nation for the last 20 years. That is not the reform that Ohio voters have asked for now with respect, there's an alternate map that's been proposed by the Democrats, it's better. It's better, but it still favors Republicans. It's more biased than about 40 percent of the maps out there over the last 20 years. So it's a step in the right direction. But voters didn't ask for a mildly less unfair map when they passed a new system here in Ohio. Let me just close briefly with this. As a classroom exercise, I've asked my students to draw maps to draw up a map of Ohio in a redistricting lesson. And here's a shocking fact. Fair maps can be drawn quite quickly. It's easy. You keep communities together and it happens. You see natural shapes and you get a fair map that looks like looks like Ohio. It's the unfair map that keeps folks up all night. It's the unfair map that requires the secret hotel rooms and the massive expenditures. We all we don't just ask for the fair map. We demand fair map that Ohioans have voted for and the Constitution requires. Thank you.

**Co-Chair Senator Vernon Sykes** [01:39:20] Are there any questions? Leader Sykes. There's a question for you.

**House Minority Leader Emilia Sykes** [01:39:29] Thank you to the Co-Chair and Dr. Niven, thank you so much for your presentation. So you mentioned the maps that the Democrats put forth. The amendment was better, but not not as good as you'd like. Could you provide us a couple of examples or suggestions to make it to get more along the lines? That could be what you imagine or say that Ohioans want it.

**David Niven** [01:39:53] Sure. You know, the bottom line and I don't want to get too far into the weeds of political science jargon here, but the alternate map continues to waste more Democratic votes than Republican votes. So the alternate map is better in terms of wasting fewer votes than the than the main proposal. But you're still talking about about a three to four percent sort of discount rate on the value of a Democratic vote and the ideal, of course, this is to strive for zero, that the votes of all Ohioans be equal. Put this in simple terms. The alternate map is likely to result in Republicans getting about seven percent more seats than they get votes. So it makes you know, it starts the process with Republicans in the lead and they can still, with the alternate map, win by losing. And then just to give you a couple of examples, there are some....spots, you know, on the south side of Cleveland, I know there's one in Columbus where the district lines seem to be drawn without regard for keeping neighborhoods intact and without regard to following the prescriptions of the state constitution. And as I said, it is a less biased map, but it remains tilted in the Republican direction.

**Co-Chair Senator Vernon Sykes** [01:41:27] Leader Sykes.

**House Minority Leader Emilia Sykes** [01:41:28] Thank you, thank you so much for that, that's very helpful. So the so I believe I got this correctly, seven percent more seats than votes. How how did you find that? Is there an equation or formula that you're looking at? And is it concentrated in one particular area of the state or particular areas of the state? And how can that be undone?

**David Niven** [01:41:50] Sure, sure. I mean, that that's a cumulative effect. So where does that come from? It comes from Democratic districts where there are essentially wasted votes. You know, so it comes from, you know, from a district where, you know. You put, say, high 50 percent Democratic vote. You know, those are votes, you know, from a statistical perspective that are wasted past that point. Those votes aren't going to affect the outcome. So without getting too far in the jargon, the short answer to your question is that's a number that reflects statewide trends. And the way to address that is to reduce the number of districts that are overwhelmingly Democratic, you know, is essentially the quick answer to fixing that.

**Co-Chair Senator Vernon Sykes** [01:42:49] Yes.

**House Minority Leader Emilia Sykes** [01:42:50] Thank you. Thank you very much, because I think we're getting to something here, so is any of that that you see with the Democrat votes? Part of what I guess, at least in your analysis, let me put it that way, and your analysis, could some of that be towards? Protecting black voting age population in certain communities, that is increasing that and then that's moving that out, could release some of those wasted votes, but then dilute the ability of the black voting age population.

**David Niven** [01:43:24] Well, that that's an excellent question. And the answer is no, that's not the answer. For example, in the Senate map, there's only three Senate districts where the minority population reaches 40 percent, which is actually an extraordinarily low number and lower than the Republican map. So it is not in service of minority opportunity that this partisan bias arises, but rather it's actually in defiance of minority opportunity that the bias arises.

**Co-Chair Senator Vernon Sykes** [01:44:00] Are there any additional questions? Auditor Faber.

**Auditor of State Keith Faber** [01:44:05] Thank you, Doctor. It's interesting that you point out essentially your modeling seems to try and approach a statewide without boundaries, without regard to where people tend to live a goal. The problem is that's not Ohio. Ohioans tend to cluster around people that vote like them. And so in order to achieve your idealized approach, unless we just have statewide elections, the reality is and by the way, in the last I just did the map using the wonderful chart we had here and here out of the last 15 statewide election, Republicans have won 13 of them during that time period. Unless I'm going to do a statewide without boundaries, I'm going to have to either to achieve your goal, fracture counties, cities, communities of interest to achieve anything approaching an equal number. And so the question that we've been trying to wrestle with is what is the goal keeping communities together or competitiveness? And while I will freely admit I want to do more competitiveness as we're trying to go through this, aren't I correct in saying that at some point you're going to have a limitation on your ability to hit the competitiveness if you're going to keep communities together?

**David Niven** [01:45:35] The short answer to your question is. The fact that Ohioans naturally disperse and you're quite right, a lot of folks like to live or or their social and political views lead them to cluster, that's worth about three percent, bottom line. There's a geographic bias that and you're right, if if you and I created a totally impartial, random district drawing process, it would give Republicans a modest bonus because of that cluster, and that's worth about three percent. The Democratic alternative map is a Republican bias of seven percent. The Republican drawn map is a bias of 14 to 16 percent. So, yes, there is clustering. Clustering is a tiny fraction of the effect that we're seeing in the Republican map. And it's less than half of what we're seeing in the Democratic map. So when you suggest certainly and you're right, that Republicans have had an extraordinary run of success winning statewide elections, but many of you got to office with, you know, 51, 52, 53 percent of the vote. You didn't get to office with 65, 66, 70 percent of the vote. And our state districts, you know, naturally drawn, would reflect much more those statewide results where you're winning 52 percent of the vote than, you know, winning two thirds of the seats.

**Auditor of State Keith Faber** [01:47:01] I would, Mr. Chairman, I would be willing and frankly eager to see your research on that as to how that three percent is calculated. And frankly, I think it's very enlightening to hear that discussion. So thank you for that.

**David Niven** [01:47:14] My pleasure.

**Co-Chair Senator Vernon Sykes** [01:47:16] Lieutenant Governor Husted.

**Lt. Governor Jon Husted** [01:47:18] Thank you, Mr. Chairman. I'm interested in your your answer to this question in terms of our goal, what our goal should be. Let's say hypothetically, that we drew districts of 99 seats where in House seats, that 51 of them

were Republican leaning and 48 of them were leaning toward the Democrats to guarantee a representational fairness to guarantee that a 55 index for Republican seats, 45 index for Democratic seats, which if that were possible, would lead to primary voters making the decision about who represents them in the legislature with really no regard to what the general election voter might think and practically would lead to very partisan ideological views in the governance of Ohio, where other votes occur on the House floor of the Senate floor, versus a goal of having 99 districts that are 50/50, where the general election voter had a greater say in who made decisions about their election. So which goal is more admirable?

**David Niven** [01:48:47] Well, I think that's a fascinating question and I appreciate it. And the reality is in Ohio, we don't have either we have neither the competitiveness nor districts that fairly.

**Lt. Governor Jon Husted** [01:48:56] But what should be our goal?

**David Niven** [01:48:57] I think that the bottom line is the goal as a practical reality is a mix of those things that you know, that you're correct in saying if you could magically draw districts that were each, let's say, 90 percent in favor of a lot of Republicans or 90 percent in favor of Democrats, and then it was just a matter of deciding how many of each that would not be the ideal. Certainly, I think as a practical reality, the fairest map you can draw in Ohio is going to have. Many very strong Republican districts, it's going to have many very strong Democratic districts as a practical reality, as Auditor Farber pointed out. So then the question then is, is the mix? The question then is how do you balance that with the preferences of Ohioans? And I think that that bottom line is if you create too many districts tilted in one direction, you know, which is what we have we have here in Ohio right now the current legislative map, it's not the most biased map in the nation. It's the second most biased map in terms of Republicans ability to win state House and state Senate seats without winning a majority. So the system that we have now, and this is echoed in the proposed map, fails either of the two goals that you've spoken of.

**Lt. Governor Jon Husted** [01:50:21] Mr. Chairman, I appreciate that I I still is is I'm looking at this in. I'm trying to think through, you know, a better approach. The fundamental question, for example, if I look at one map and I see that Franklin County has no Republican members in one map that I saw. That means that that county, largest county in the state, by the admission of the map, drawer would be not represented in the majority caucus in policymaking. There are just these other factors of making sure that people have a voice in making sure that perhaps they have a moderate voice that represents the views of the collective majority rather than the views of a specific partisan drawn district. It's finding the balance. And and appreciate your your reflections on that. Thank you.

**Co-Chair Senator Vernon Sykes** [01:51:31] LaRose.

**Secretary of State Frank LaRose** [01:51:32] Thank you, Chairman, if I may, may maybe a corollary to the lieutenant governor's question, because this is something I've been ruminating for a while. So if in theory the target proportionality is 44, 55, and we know you can't draw a 99 competitive seats without grossly gerrymandering the state to do so. So say you got to a place where there were 25 competitive seats and we can define that different ways, 45 to 55, 48 to 52, whatever the competitive. So take those 25 off the table for this proportionality conversation. Would you say those are competitive? Go get them. Go with them. Leaves us with 74 and then that's when we start to consider that proportionality that's contained in the Constitution. And so then just to you know, 44

percent of 74 gives you 32 Democrat districts, Democratic districts, and then 55 percent of 74 gives you 41 Republicans. So what you're essentially dividing up among the partisan conversation here is who gets what safe seats? And then we maximize the competitive seats to the extent possible. Would that be a more practicable approach to achieving the dual goals of creating as many competitive districts as we can, while at the same time creating that proportionality that's called for in the Constitution?

**David Niven** [01:52:53] Yes, and this reflects, you know, the lieutenant governor's question as well, that as a practical matter, you can't draw, you know, 99 safe seats, you know, without, you know, God awful shapes. And as a practical matter, you can't draw 99 competitive seats again without without God awful shape. So I think I think you're right to suggest that if you draw proportionally those seats that have a lean and then, of course, the key, the devil in the details, that those competitive seats are, in fact, truly competitive, that they can't they can't all be leaning to one party, you know, in the system. But I think if you do that, yes, you get you get an outcome that's responsive. So there's no realistic reason to think that if we draw these maps and we do it fairly, that the outcome necessarily will be 55 percent Republican, 45 percent Democratic. There should be good years and bad years. You know, there should be a responsiveness where things favor a party, the quality of its candidates is particularly good. And you see that and that. You know, just to bring in, for example, the Ohio congressional map for a moment, you know, it was in place for 10 years. That's 16 elections, four times five, 80 times. And there was never once a seat turnover. So that's that's the opposite of what we're talking about in terms of responsiveness. It didn't matter whether it was a good Democratic year or a good Republican year. Nothing changed. So I think what you and I are talking about here is a system that allows for responsiveness, which is never going to produce a precise, you know, 55 percent, 45 percent outcome necessarily. But it allows for that to be possible. And it it doesn't start with knowing that one party is going to win a majority, even with the minority of the vote.

**Secretary of State Frank LaRose** [01:54:44] And co-chairman as a fellow-up that that 45 55 construct is at its essence fiction. Right. It would be the ultimate arrogance for us to think that we can create this thing where it's the state's just going to divide 55 45, that I come from a district where I served here in the state Senate, where I won in a 46 index district that nobody thought I could win way back in 2010. And that shows you candidates campaigns matter and they do over and over again. We need to acknowledge that.

**David Niven** [01:55:10] Well, I wouldn't use the word fiction. I would use the word foundation that it's the point that we build from now. You know, if the Republicans should happen to field 99 of the most extraordinary leaders in the state and they're able to succeed and win more than 55 seats, that's perfectly natural. If the Democrats should do the same and they should happen to have a good year, that's perfectly natural. But what we have, you know, this is the fundamental situation that we have. It's one in which the quality of the candidates and the quality of their ideas matters a whole heck of a lot more than the quality of the mapmaking. And that is not responsive in any way.

**Co-Chair Senator Vernon Sykes** [01:55:51] Any additional questions, seeing none, thank you very much. Thank you. Next witness.

**Staff** [01:56:01] The next witness is David Peper, followed by Donna Peterson.

**David Pepper** [01:56:24] Thank you very much, Mr. Chairman. Other officials. The man who spoke before Lincoln at Gettysburg said he spoke for two hours and almost none of it

was remembered, but he said in grave matters, it is best to call things by their right names. And I think that's the best thing we do here is just be very clear about what's happening. I want to address a little bit with Mr. Nivan just discussed. You know, there's a I appreciate the discussion from secretary over Husted about this academic discussion about what the ideal is. But we can't ignore what David Niven said, which is the maps that we're talking about from 2011 to 2020 weren't some effort to get close to that. They were the worst maps proposed. They were like 54 maps put forward in 2011 by citizens. The average score, based on the criteria that we were just discussing, was it was like 84. The highest score was 222. Balancing competitiveness, representational fairness. You can do this stuff. The map that was approved was the last map on the list, averaging thirty eight point five. So we can discuss the idea on the academic. But the truth is, most of the maps that are coming forward that we've lived with and that we've seen so far from one side aren't even close to what we're talking about now. I just want to talk for too long. We have a tight limit here. A lot of times in canon law, the challenges we have to go back 200 years to figure out what the founders meant, right. Originalism, the founders of this language are sitting in this room. The founders were 70 percent of the voters who voted for this language, so this isn't that hard. We don't have to go through some deep dove into the history. And one of the things the founders did. In this case, West say we want some balance in drawing these districts. That's why we have two Democratic state House members in two Republican state House members. You know, most states and secretary, as you may know this, only the legislature draws their own maps. Ohio decided that's a terrible idea. There's too much of a conflict of interest. If only Speaker Cup and President Faber are drawing their own maps, they're obviously going to be pounded by their members right. To only draw maps and help their members. That's why we have two and two, but that's also why we have three statewide officials. And what I'm asking today is for those three statewide officials to see that they have a unique role here, they're not part of the state house. Secretary Leros and Lieutenant Governor Houston knows this. And Keith Faber, he's still here. You guys had to campaign a different way than Matt Huffman than Speaker Cup. You had to talk to everybody to win the races you won. You bring a statewide perspective. You are as much a check in a balance on the state House majority as the two Democrats are. That's why voters have you sitting up there. You ran for these offices to do this. So in the final days or day, I'd ask you remember that role. You have the same order of favor. If you did a bunch of audits to help only one party cities and not the others, you'd be in big trouble. You wouldn't be doing your job, Secretary Leros, if you ran elections to only help one party, you wouldn't be doing your job. And on this committee, your job is again, it's not an accident. It's the secretary of state and the auditor. Those are positions that we expect to rise above party. And so you have a role here not to just do what the state House majority wants you to do. But to actually be the balance that was put in place, not simply close and I appreciate it, I know how busy Governor is, he was here along with anybody statewide. He's a busy man. But I think you all have experience, especially Secretary Leros and Governor DeWine. What happens in a gerrymandered legislature, governor, wine was working so hard, we all watched and cheered and unified as he tried to do all the bad pandemic. What happened? An out of touch antiscience legislature ran him over again and again and again. Secretary Leros, he tried to have postage paid in the November election. What happened? He got run over by gerrymandered legislature. If you statewide officials can't get through gerrymandered legislature. What about the rest of us? What are we supposed to do with no choice or no voice? And we're all here because we love Ohio, right? That's why people are coming to these all over the state and we love democracy, don't we? And we know that the best Ohio comes to the most robust democracy. And the three statewide officials here, I think, are the key, working with Democrats, working with Republicans, if they're willing to put aside

the narrow interests of their members to build the best democracy in Ohio. And that's means fair districts for once and for all. Thank you all very much. I appreciate it.

**Co-Chair Senator Vernon Sykes** [02:01:24] Are there any questions or questions? Thank you. Thank you. Thank you very much.

**David Pepper** [02:01:32] Good luck.

**Co-Chair Senator Vernon Sykes** [02:01:32] At this time. We've gone through 60 witnesses and I believe it's time for us to take a verdict. So I will take a 45 minute lunch break. We'll reconvene at one o'clock.

## Ohio Redistricting Commission - 9-14-2021 - Part 2

<https://www.ohiochannel.org/video/ohio-redistricting-commission-9-14-2021-part-2>

**Co-Chair Senator Vernon Sykes** [00:00:04] At this time, we're going to close off the virtual testimony that's available at the Washington State Community College in Marietta at this time.

**Clerk** [00:00:17] The next witness is Senator Teresa Fedor, speaking on behalf of Terrilyn Copland.

**Sen. Teresa Fedor** [00:00:35] Thank you very much.

**Co-Chair Senator Vernon Sykes** [00:00:36] Can you please pronounce and spell your name, please, for the record,

**Sen. Teresa Fedor** [00:00:41] Senator Teresa Fedor representing the Toledo area.

**Co-Chair Senator Vernon Sykes** [00:00:48] Thank you.

**Sen. Teresa Fedor on behalf of Terrilyn Copeland** [00:00:50] And this is for my constituent, Terrilyn Copeland. Dear Sir, Madam, I am writing to implore you to act in accordance with the will of the voters of Ohio. The map proposed and submitted by the committee last week is unacceptable. It fell short of the spirit and letter of the voter mandate. I cannot tell you how disappointed I am in the map you presented. After studying your map, it appears that someone spent a considerable amount of time constructing a map more gerrymandered than the current one. The proposed map is a slap in the face to Ohio voters who expected committee members to take their charge seriously. Ohioans have voted overwhelmingly on two occasions for better maps. It appears that request fell on deaf ears. Simple software programs are available to assist in the complicated process of developing fair maps that meet specific criteria for fairness. In addition, collaborating with experts in a bipartisan fashion would foster transparency and ensure an ethical and fair process for all. Dave's Redistricting App was used by a number of people to offer much better maps than the one you proposed and adopted along party lines. Since we have many important critical deadlines, collaboration would have fostered expediency. Dave's Redistricting App required maps consider to the following key elements and yields a score with 100 percent perfect: proportionality or representational fairness, minority representation, compactness, splitting of political subdivisions, competitiveness. The proposed Ohio Senate map falls far too low on the score for Competitiveness 26, and Proportionality, 43. Proportionality representative fairness, 43. Minority Representation, 49. Compactness, 49. Splitting of Political Subdivisions, 91. Competitiveness, 26. For me, competitiveness and proportionality are two elements critical to fair elections. These two elements are central to eliminating gerrymandering so that elections reflect the will of the people. Competitive elections allow for more robust debate and a winner who is more likely to look to represent all of the people. Of the 20 maps submitted to fair districts for consideration, three had better scores for competitiveness and 20 had better scores for proportionality. I would strongly recommend that you consider the Senate map developed by Geoff Wise. His score for competitiveness is 36. He found twelve competitive districts. Your map actually resulted in a reduction in competitive seats. In addition, his proportionality score of 98 far exceeded yours. Lastly, and of critical importance, Mr. Wise wisely chose to draw a map that was compliant with the federal Voting Rights Act. See below. And you can read that, because my time's running out. During the Thursday meeting, it was found that your map did not even consider such a critical element, minority

representation in regards to the whole district map. I would respectfully ask that you use Mr. Wise's map as well. See below, it scored far better than yours in three categories and tied in one. Proportionality or represented fairness, 82. Minority representation, 64. Compactness, 56. Splitting up political subdivisions, 100. Competitiveness, 31 Proposed District Map. Proportionality of Representative Fairness 51. Minority Representative, 58. Compactness, 49. Splitting of Political Subdivisions, 100. Competitiveness, 22. As I stated previously in my letter to the committee at the Toledo hearing, gerrymandering districts are one of the major fuels propelling unprecedented voter discord in Ohio and in the country. And so House districts are currently configured. They are enabled. They have enabled the most extreme voices to be elected because the politician represents a contorted district that ensures their election rather than a district that represents the voters of a compact, continuous area. A lack of willingness to compromise because the party in power has no reason to do so. One party in Ohio to win 65 percent of the seats while receiving only 48 percent of the vote. Too much governmental gridlock because extreme voices are amplified and the voices of moderate and compromised are diluted. I will close. In closing, I remind you of my comments in my letter of August 22nd, 2021, quote, "Ohio voters are asking for your commitment to open, transparent, bipartisan and ethical congressional and Ohio legislative maps this year. Ohio voters have clearly said this is their wish, not once, but twice. Can we count on you to do what we ask you to do? Thank you. Sincerely. Terrilyn Copeland, Toledo, Ohio. Thank you.

**Co-Chair Senator Vernon Sykes** [00:06:54] Thank you. Are there any questions? Thank you very much. Thank you. Next witness?

**Clerk** [00:07:01] Donna Peterson, followed by David Pickett.

**Co-Chair Senator Vernon Sykes** [00:07:12] Next witness.

**Clerk** [00:07:13] Rima Rysiek, followed by Aaron Ryan.

**Co-Chair Senator Vernon Sykes** [00:07:23] Next witness,

**Clerk** [00:07:25] Debra Saunders, followed by Debbie Schmieding.

**Co-Chair Senator Vernon Sykes** [00:07:31] Would you please state and spell your name, please?

**Debra Saunders** [00:07:37] Hello, I'm Debra Saunders. I live here in Dublin and my current Ohio legislative districts are House 16 and Senate 21. I join the remarkable number of fellow Ohioans who have felt an imperative, a compelling purpose to testify to this commission over these last several weeks. It speaks to the passion, commitment and civic responsibility Ohio voters feel regarding this critical initiative that will impact lives on a day by day basis. There have been well-supported technical arguments on the shortfalls of the majority approved working maps as they relate to Article 11 of the Ohio Constitution and fervent testimony by impassioned citizens and leaders speaking to the peril these maps will bring to their neighborhoods and communities, particularly for the underserved and people of color. I add my voice of opposition to the proposed maps. If I look at where I live near the junction of Dublin and Upper Arlington, an area becoming much more diverse, merging the entire west side of Franklin County, a metropolitan population to the whole of Union County, a primarily rural area, demonstrates what appears as a purposeful intent to neutralize Senate District 16 votes, not aligned to what would be a supermajority. And for the House, a different approach was taken. Districts were chopped, seemingly to

weaken the power of voting and minimize the impact that the aggregate of votes can bring. We have heard there has been a great amount of work happening behind the scenes since last Thursday by Democratic and Republican staff members poring over revisions of the maps. We've heard this is the time where significant work can be done to find a middle ground. And yet I keep returning to a poignant comment offered by Leader Sykes last Thursday. She said the legislative body has been through this before, where a proposal is offered as an extreme, a provocation in fact, and through the process becomes only marginally better, if at all. Never finding center because it began too far from midline and sufficient concessions will never be made to get there. It feels like that's where we that's what we have here. Well, the majority members concede 10 or more seats in the proposed House map to reach proportional representation with a similar concession for the Senate? It seems to be an immense chasm to cross. I urge this commission to consider strongly the maps presented by the Democratic caucus as the foundational documents on which to build using salient input from maps that have been rigorously analyzed and debated. We, the voters of Ohio, move together as a bipartisan constituency and declare that we expect gerrymandering to end. We are holding on to hope that this commission can find that same spirit. Thank you.

**Co-Chair Senator Vernon Sykes** [00:11:04] Thank you. Are there any questions? Seeing none, Thank you very much. The next witness. Hi, can you state and spell your name?

**Debbie Schmieding** [00:11:18] Debbie, Schmeiding. Chairperson Cupp, Chairperson Sykes, members of the commission. Thank you for the opportunity to speak to you today. My name is Debbie Schmieding. I'm a member of the League of Women Voters of Athens County. I'm also the Voter Services Chair for the League of Women Voters of Ohio. As such, I am one of thousands of volunteers who collected petition signatures in 2015, 2018 in order to bring us to this moment and this task. I'm speaking on behalf of Ohio League members, many of whom you hear from directly on a regular basis, and particularly on behalf of the several dozen who show up every month for our voter services call. We meet to share ideas for improving our voter registration, voter guide and candidate forum activities, as well as ideas for advancing our working partnership with our local boards of elections. To be honest, we also share some frustration over the difficulty of getting candidates to participate in these long standing practices on behalf of Ohio voters. I'd like you to know that I'm a pretty regular person who knows a lot more about the connection between legislative and congressional maps and the practice of democracy than I did 10 years ago. I'm not unique by any means. I don't need to recite for you the unprecedented margin by which the redistricting bills passed. As a collective, Ohio voters have come a long way in our understanding of the fundamental role of fair maps in representative government. We understand that candidates and safe seats tend to skip opportunities to interact with voters more often than those in competitive districts. We understand that intra party primary contests become the place where general elections are, in fact, decided. We understand that our elected officials are becoming more and more extreme in their policy positions and are less likely to collaborate with their peers. We also understand that the map you are starting with will not come close to solving these issues. As a proud member of one of the premier nonpartisan good government organizations in the country, I expect you to take another look at your plan to revise it for representational fairness and minority balance. I know your time is ridiculously short and your constitutional duty here is huge. There are many excellent citizen-created maps to assist you. Please avail yourself of help from your highly invested and creative constituents. Thank you.

**Co-Chair Senator Vernon Sykes** [00:13:38] Thank you. Are there any questions? Thank you very much. Next witness, please,

**Clerk** [00:13:46] The next group of witnesses is Molly Shack, Derrick Holmes, and Akki Butler.

**Molly Shack** [00:14:00] Good afternoon, Co-chair Cupp, Co-chair Sykes, and members of the Ohio Redistricting Commission. Thank you for the opportunity to be here today. My name is Molly Shack and I serve as co-executive director of the Ohio Organizing Collaborative. It is our mission to organize everyday Ohioans for racial and economic justice. For the last ten years, I have worked with OOC on a wide range of issues to improve education, build healthy and safe communities and increase access to good jobs with living wages. I've spent literally thousands of hours educating my community on the civic process and training our members and their neighbors on how to make our voices heard. For the last ten years, I have witnessed the devastating impact of fighting for our lives, for our families and for our communities' futures only to have our concerns ignored by elected officials who represent gerrymandered districts. We teach people every day that their votes matter, that their voices matter. But the rules of our democracy have been rigged by partisan gerrymandering. If we had fair maps in Ohio, we would be having more debates of authentic differences of ideas in the public arena., differences about how to solve our toughest problems and pass policy solutions that our communities desperately need. Ohio is a big state. We definitely don't all think the same, and we don't all experience the same opportunity to succeed. But we do have a lot in common. Our communities might look different, but from suburbs to small towns and cities to the country, we are facing similar problems that require collective solutions. Addiction is decimating families. Schools do not have the resources they need. ICUs are overflowing and parents are losing sleep at night, wondering how they're going to make ends meet. Two times, Ohioans voted in overwhelming numbers to reform our Constitution to build a more fair democratic governing process together. Yet the majority party leadership of this commission continue to support proposed maps that fail to meet the basic requirements of the Constitution and fail to honor the spirit of these reforms. There have been thorough and robust processes like the one led by the Ohio Citizens Redistricting Commission, which you heard from earlier today, which was more accessible to many parents and working people and produced fair proportional maps with fair opportunities for minority communities to make their voices heard. The current supermajority enjoyed by the House and Senate Republicans was achieved through a rigged system. And it is clear every single day Ohioans have been left behind. All of Ohio has paid the price of a broken unemployment system, underfunded schools and the corrupt, dysfunctional and extremist legislators embroiled in the largest bribery scandal in Ohio's history. We need fair representation in this state, which means for proportional numbers, the number of Democratic and Republican seats in the House and Senate need to mirror how Ohioans actually vote. Roughly 46 percent Democrat and 54 percent Republican. That means our map should include 44 Democratic and 55 Republican leaning House districts, and the Senate should have 15 Democratic and Republican leaning districts. It is an Article 11, Section (6)(B), it requires us to get to that outcome. I have talked to thousands of Ohioans over the last ten years about their hopes and dreams, their fears and what keeps them up at night. One thing that unites us all is the hope and joy we find in our communities, the people and places that give color to our everyday lives. Each and every one deserves to be respected enough by this commission to have their voices heard over the next 10 years. Thank you.

**Co-Chair Senator Vernon Sykes** [00:17:31] Thank you. Are there any questions? Thank you very much. Would you state and spell your name, please,

**Derrick Holmes** [00:17:46] Derrick Holmes.

**Co-Chair Senator Vernon Sykes** [00:17:54] Thank you.

**Derrick Holmes** [00:17:54] Good afternoon Co-chair Cupp, co-chair Sykes and members of the Ohio Redistricting Commission. I am Reverend Derrick Holmes, faith organizer of the Amos Project here in Columbus, Ohio. I am a Columbus resident, have been for 30 years. I also pastor a church just south of the city in Circleville. When I think of the condition of my community, the communities in which my congregants reside, and many of the communities in this city and state, communities, by the way, that are populated by poor black and brown people, persons of color, I can't help but think about the ways in which gerrymandering has crippled them, the ways in which our communities have been inequitably districted cripples the ability of neighborhoods to elevate their station. Unfair districting mutes the voices of our citizens in that we don't have adequate representation to voice our needs. The absence of those political voices leads to an absence of resources. Limited resources lead to limited choices and limited choices point to poor ones being made. Just because the way that these maps have been drawn out have no effect on your community, does not mean that it doesn't affect ours. Redistricting our neighborhoods in a more fair and equitable way positions us to have the political power required to address issues on our streets. Issues that have race and class at the center of them. Better communities begin with better maps. Better communities begin with better maps. And to have elected leadership support and condone this type of abuse is actually insidious. And another decade of maps that signify where prosperity starts and where poverty ends is actually intolerable. We demand better service from our public servants. Children who end up with substandard schools, demand better. Families who live in fear because they are overpoliced, demand better. Black and brown and poor people who deserve all of the same first class living conditions that their counterparts have demand better. The God of justice and righteousness for all people demands better. Doing what is fair is not an act of favoritism. Rather, it is the radical act of just doing what is right. The first step towards making long term improvements in our communities is to change the way in which our communities are districted. It should not matter what zip code you have with regard to the high quality of your living. Thank you for your time.

**Co-Chair Senator Vernon Sykes** [00:20:26] Thank you. Are there any questions? Seeing none, thank you very much. The next witness, please.

**Akii Butler** [00:20:45] Hello.

**Co-Chair Senator Vernon Sykes** [00:20:45] State and spell your name, please.

**Akii Butler** [00:20:48] My name is Akii Butler. Good afternoon, Co-Chair Cupp and Co-chair Sykes and members of the Ohio Redistricting Committee. As I stated before. My name is Akii Butler. I am 24 years old and I have been a citizen of this state since the age of three. Growing up in Ohio, one of the things I was always interesting to me was the fact that Ohio was was a purple state. I've been told time and time again that's what we were. However, the maps that have been drawn in the past and the map that was unveiled last week does not only contradict that statement, but it's also a sign... A slap in the face to every voter here in Ohio. I am a new resident of the city of Columbus, as I was raised in Youngstown, Ohio. In school, I took an Advanced Placement government class and it touched on redistricting a bit, even talked about gerrymandering, but never, never fully went into with those topics actually meant. It wasn't until I did my own research later in college that I was fully able to understand the topics. And it wasn't until most recently that I

realized the district that I grew up in, in a district I currently live in are deemed unconstitutional gerrymanders. As someone that has grown up in Youngstown and has traveled to Warren many times, whether it was for work, to visit friends or family, it makes no sense for them to be split into two separate districts. This is just one example of how communities are split apart and certainly people's voices are diluted. With the Ohio Student Association, we work to educate and engage students in the civic process. Some colleges, some college campuses and students' residential areas across the state are broken up into multiple districts to dilute their voice. Students to be able to advocate for ourselves and for our futures with electing elected officials who know their power of their voice and the importance of our concerns. All too often, young people feel like their interests are ignored by the people who are supposed to represent them, even though they are told time and time again that their vote matters. As we all know, the Ohio Constitution and federal law require map drawers to consider whether communities of color have adequate and real pathways to political representation. However, the Republicans just admitted in the public hearing on September 9th that you didn't even take that into consideration. Students and all citizens of Ohio demand a fair redistricting process and fair maps and equal maps. This is not only a want, but a need. The citizens of this state deserve accurate maps so that they can have accurate and fair representation within their districts. For far too long, certain cities, counties and and more have suffered because they are lumped together with areas they have nothing in common with. You can tell us that our voice matters, or that our votes matter and but then introduce maps that would give Republicans more than 55 percent of the government seats when they only won about 55 percent of the Ohio vote. That doesn't make sense. In conclusion, I ask that you take what we are saying seriously and you draw maps that accurately reflect the citizens voice. You can't keep saying you work for the people and then ignore us and our demands are fair maps. Growing up, I was told power was in the hands of the people. Yet every time you draw maps, you take more and more power away until essentially, you're picking who you want to represent and that is not democracy.

**Co-Chair Senator Vernon Sykes** [00:24:03] Thank you. Thank you. Are there any questions? Thank you very much. Next, witness

**Clerk** [00:24:12] Katy Shanahan, followed by Gwendolyn Short.

**Katy Shanahan** [00:24:21] Good afternoon, commissioners, and a special thank you to Leader Sykes and Senator Sykes for actually being here to hear from us on the final hearing. My name is Katy Shanahan and I'm the Ohio State director for All on the Line, a grassroots advocacy organization that's fighting to end gerrymandering, and a member of the Equal Districts Coalition, a group of more than 30 prominent labor unions, advocacy and civil rights organizations who have come together to demand that all Ohioans have an equal voice in our political future. Speaker Cupp asked us to stop being so repetitive, and maybe that's why he's not here now to hear all of our talking points. But I would respectfully push back on that and ask that you all actually start listening to our reasonable demands. They bear repeating because you're still not hearing us. Since 2011, Ohio has lived under some of the most gerrymandered districts in the country with a legislature that's passed bills that have harmed our communities, attacked our rights and tanked our future. Last week, Republicans unveiled a map and the commission, along party lines, voted to consider a map that's even more gerrymandered than the ones that we have now. Quite the feat. Ohio's constitution, which, by the way, is the law of the land and not just a collection of mere aspirations, is a document that requires that our maps are drawn to reflect how we actually vote. As you've heard in great detail over the last couple of weeks, across the last decade, Ohioans have voted 54 percent Republican and 46 percent

Democratic. That means we should see 44 Democratic House seats and 15 Democratic Senate seats. Those are not rigged numbers. Those are fair numbers. Instead, the official commission proposed map would give the Republicans a whopping 66 percent of the seats, again relegating Ohioans to live under unearned Republican supermajorities in both chambers. Additionally, last week, Republican mappers astonishingly admitted that their leaders instructed them not to consider racial demographics when drawing maps. This claim would, I guess, be believable if the maps didn't so masterfully crack and pack, especially black communities across the state to undermine their political power. Even more, though, telling Ohio's communities of color that you didn't even take them into consideration when drawing maps that will impact their political future is an insult. It's also a dereliction of duty. Fair district does not require us to be colorblind. We should be drawing district maps to reflect the diversity of our communities. And the Ohio Constitution requires that you all, as the commission, draw maps that comply with federal law, including, importantly here, the Voting Rights Act. How can you claim that your maps are constitutional when you've admitted that you haven't even done the necessary analysis to ensure that that's the case? And while I think that the newly proposed Democratic maps are a vast improvement over what the GOP introduced last week, the commission... And that the commission officially proposed for consideration, it doesn't quite reach full representational fairness and we need more time to fully analyze its impact on our communities. And one quick note. I know I'm out of time. We would not endorse that the commission skipped through its next deadline, as someone else suggested before. Constitutional deadlines actually matter, as do all of the other rules guiding how the maps have to be drawn. We are not going to choose between a fair process or a fair map. We need both. In 2015, Ohioans sent a clear message on redistricting. We want fair maps drawn through a transparent process that brings us in at every step. As most of the commission has made clear, you've also sent a message to Ohio that you just don't care. You don't care about deadlines, which is why you blew past the first one. You don't care about requirements to draw districts that actually reflect how we vote, which is why the Republicans proposed maps that would give them another decade of undeserved supermajorities. You don't care about requirements to ensure that communities of color actually get real representation, which is why you told your mappers to crack and pack them. You don't care about public input, which is why most of the commissioners aren't even here to hear us on the final day to hear directly from Ohioans about what we need in our maps. But despite all of that and all of the efforts to curb public engagement, Ohioans from every corner of the state still showed up and we still showed out for the maps that we deserve. Our fight is not over yet, and we hope that you'll meet us where we are and that you'll draw maps and adopt maps that actually serve all of us. But if you don't, know that, we Ohioans will keep showing up to demand better. Thank you. Happy to take any questions.

**Co-Chair Senator Vernon Sykes** [00:29:07] Are there any question? Leader Sykes?

**House Minority Leader Emilia Sykes** [00:29:13] Thank you, Mr. Co-chair. Thank you Ms. Shanahan for your testimony today. So you mentioned about the amendment that... It's, we're getting there, it's a step there, but you just need a little bit of time, maybe this is much less of a question than a request, if you could help us get closer to where you think that the constitutional amendment requires our amendment to the map and the Constitutional amendment can meet at a place would be great. I know it's not your responsibility to do our work. But any suggestions that you have would be most appreciative so we can try to meet you in the middle.

**Katy Shanahan** [00:29:48] Sure, I'd be happy to follow up

**House Minority Leader Emilia Sykes** [00:29:50] Any additional questions. Thank you very much. Thank you. [applause] The next witness?

**Clerk** [00:30:00] Gwendolyn Short, followed by Harriet Slive.

**House Minority Leader Emilia Sykes** [00:30:09] Next, witness.

**Clerk** [00:30:11] Sameena So --.

**Co-Chair Senator Vernon Sykes** [00:30:12] I think we have them. They're leaving?

**Clerk** [00:30:19] Samina Sohail, followed by Percy Squire.

**Co-Chair Senator Vernon Sykes** [00:30:35] Please state and spell your name, please.

**Percy Squire** [00:30:40] Good afternoon, Mr. Chairman. My name is Percy Squire. Mr. Chairman, I am here on behalf of the class of voters protected by the provisions of the Voting Rights Act, certified in the case of Armour v. The State of Ohio, 775F.SUPP 1044 Sixth Circuit from 1991. I'm here the state my objection to the map proposed by this commission with respect to both House and Senate districts in the state of Ohio. My objection has multiple components to it. But most notably, I'd like to state that notwithstanding the fine work that's been done by Chairman Sykes and others and coming up with proposed and adopted amendments to the Ohio Constitution in relation to redistricting. The supreme law of the land still remains the United States Constitution and the statutes enacted by the federal legislature, one of which is the Voting Rights Act of 1965 as amended. That's why it was particularly alarming to me when I saw in the press that it was stated by the staff of this commission that race was not considered in connection with the creation of these districts, and the other was deliberately left out at the direction of legislative leaders in the state legislature. This is significant, not only from the standpoint of it being a direct violation of the procedure mandated by the Voting Rights Act, that this commission engaged in an intensely local appraisal of indigenous political reality in connection with discharging its duties in relation to redistricting. But this statement, that race was intentionally and deliberately omitted, brings this out of a mere violation of the Voting Rights Act, but into the realm of an intentional violation, which violates the 15th Amendment. And the jeopardy that the state faces with respect to an admission of this nature, is that you have a map here that is to use the legal jargon per se, unlawful. This map is per se unlawful because the Voting Rights Act requires that this commission engage in an intensive... intensely local appraisal of indigenous political reality and to consider the Senate report factors. We are particularly interested, in the case of my clients, with the districts in the Mahoning Valley, because there's been a previous determination by the 6th Circuit that the state engaged in intentional discrimination in the connection with redistricting in Mahoning County. The Senate report factors that this commission has a duty to undertake in connection with its process here include, among others, the history of official discrimination in the jurisdiction. The black population in the state of Ohio is pretty much localized into seven or eight major metropolitan districts. It was the duty of this commission to look at what extent there's been official discrimination in each of these situations. And in each of these locales, just about every school district has been found to have been traditionally and historically discriminatory in the way it was set up, leading to discrimination claims and most of the major school districts. In the Mahoning Valley, we have the Armour case. The other thing that this commission has the duty to look at was the extent that voting behavior is racially polarized in the various jurisdictions,

the extent to which minority candidates have won election. Going again, back to Mahoning and Trumbull County. If the commission had looked, it what have seen, there's never been a black elected to countywide office in either Mahoning or Trumbull County, separate and apart from a specific judicial finding that the state engaged in intentional discrimination. I dare say that these districts are going to have the unfortunate impact of sowing the seeds that are going to bear the fruits of racial unrest, chaos and polarization in the state in the future. And that it's a violation of not only the Voting Rights Act but the 15th Amendment as the candid representation by this commission staff that they were instructed not to consider race in connection with the construct of these districts. So I would ask that you reject the map and that you undertake your responsibilities as stated in the 15th Amendment, the Voting Rights Act, as interpreted by the United States Supreme Court and *Thornburg v. Gingles* and in the *Armour* case. Thank you very much.

**Co-Chair Senator Vernon Sykes** [00:36:10] Thank you. Are there any questions? Leader Sykes?

**House Minority Leader Emilia Sykes** [00:36:15] Thank you, Mr. Chair. Attorney Squires, thank you for your testimony today. In the court case that you're referring to, *Armour v. Ohio*. Is there any... Are there any tests or rules that we must follow as a commission or as map drawers to help meet the goals of that ruling?

**Percy Squire** [00:36:38] Mr. Chairman? Yes, Ms. Sykes, there is. What's referred to expressly, and there's a textually demonstrable requirement in the language of the Voting Rights Act that a violation of section A as established, based on the totality of circumstances, the totality of circumstances is talismanic language used by the Senate committees. If you go back and look at the legislative history of the Voting Rights Act, for the Senate report factors, there were nine of them that were set forth, that this commission had a duty to undertake and engage in, in connection with this process. One, the history of official discrimination in the jurisdiction, the degree to which voting in the jurisdiction is racially polarized, the extent to which the jurisdictions use a majority vote requirements or at large voting has been a factor. In Ohio in the past, prior to the creation of the reapportionment commission. Going back to the 60s, Ohio elected state representatives at large, a violation of *Reynolds v. Sims*. One person, one vote. The issue here is not only in the configuration of the districts, but also vote the basement. And what I mean by that is when you carve up these districts and these cock-eyed manners in which this has been done, it causes a vote cast in one jurisdiction to have less weight than the vote cast in another district. And that's why they call it vote dilution. And what's happened here, when you do things like separate Youngstown from Warren, that dilutes the vote of those members protected by the provisions of the Voting Rights Act. When you group a man with people like from Columbiana County and so forth, where in order to try to achieve the representative ratio, they have these unnecessary variances and the number of people in one district versus another. The votes end up having less weight in addition to creating these gerrymandered districts. And another important, and I think necessary factor, is the degree that elected officials are unresponsive to the concerns of the minority group. And what you have here is you create districts where you put people in Youngstown with people in Columbiana County, which is in south of Youngstown, outside of Mahoning County. You get officials who represent that district who aren't concerned about all the murders occurring in Youngstown. They aren't concerned about all the murders occurring in Columbus because their election doesn't depend upon appealing to the people who live in the neighborhoods where this crime and so forth is occurring. So there's been a dramatic and very unfortunate failure in this case to comply with federal law. The state constitution and the amendments that Mr. Sykes and others were responsible for causing

to come into being are to be commended. But unfortunately, the supreme law of the land still is the federal constitution and statutes. And there's been zero compliance here and it's been admitted. Which means that if these maps are attacked, not only will it be the violation of the totality of circumstances and the use of the results tests, this is evidence that this was intentional which constitutes a violation of the 15th Amendment. So any way you cut it, the state's gonna have a big problem with these maps. And I would urge you to give this a second look and do whatever you need to do to correct this.

**Co-Chair Senator Vernon Sykes** [00:40:47] Thank you. Sounds like we need to hire you for our counsel.

**Percy Squire** [00:40:49] Thank you Mr. Chairman.

**Co-Chair Senator Vernon Sykes** [00:40:52] Any additional questions? If not, thank you very much.

**Percy Squire** [00:40:57] Thank you, Mr. Chairman.

**Co-Chair Senator Vernon Sykes** [00:40:57] Next, witness, please.

**Clerk** [00:41:07] The next witness is Cheena Srinivasan, followed by Melissa Sull.

**Co-Chair Senator Vernon Sykes** [00:41:20] Next witness.

**Clerk** [00:41:21] The next witness is Paul Simonowski, followed by Richard Topper.

**Richard Topper** [00:41:32] Well, I guess that's me.

**Co-Chair Senator Vernon Sykes** [00:41:34] You can state your name.

**Richard Topper** [00:41:37] Good afternoon, my name is Richard Topper.

**Co-Chair Senator Vernon Sykes** [00:41:38] Could you spell it, please?

**Richard Topper** [00:41:40] Thank you very much, Chairman Sykes and Representative Carfagna sitting in for...

**Richard Topper** [00:41:49] Could you spell your name, please? Yeah, thank you.

**Richard Topper** [00:41:54] I was going to be addressing, because I'm a lawyer, I was going to be addressing the lawyers on the committee, but the lawyers on the committee, except for Leader Sykes, are not here. But what I would like you to do is go back to the four out of the five lawyers and the Republicans and tell them when we took the oath as lawyers, we agreed to support the U.S. Constitution. Not aspire to it. Not follow it, but support the U.S. Constitution, and this includes the 15th, 19th and 26th Amendments, which command that the right to vote shall not be denied or abridged on the basis of race, color, sex or anybody over the age of 18. And our obligation as lawyers is not only to the US Constitution, it is to the Ohio Constitution, and in particular in this case, Article 11, Section 6. The map submitted by my colleague, Senator Huffman, gives one party advantage over the other. Yes, no question about it. And this flies in the face of article... Of Section six. In no way does it support the U.S. Constitution, the Ohio Constitution or our citizens right to vote. Nor would be a map that this esteemed committee should ever

accept or even emulate. Although the Supreme Court in *Rucho v. Common Cause* decided not to address gerrymandering, Chief Justice Roberts condemned partisan maps. He went on to say, "excessive partisanship in distracting leads to results that seem reasonably unjust." What he also did is spend paragraphs actually commending states for coming up to commissions just like this and the hard work you're doing. Since 2004, I have been a volunteer in voter protection. I have been in every election in the primaries and the general election, and the one thing that distresses me more than anything that I hear from people is my vote doesn't count. If you adopt this Republican map, I guarantee you you will hear that over and over again and the Ohio voters will not be happy, nor should they be happy. Let me tell you about how the Republican map affects my neighborhood. And the neighborhood I live in and the neighborhood that my wife and I raised our two children is in the city of Columbus, right off of Olentangy River Road. It's about five miles north of The Ohio State campus. In the Republican map, our neighborhood is a little peninsula that goes from west to east. Our neighbors to the south, our neighbors to the north, our neighbors to the east are not included in this. Our...the precinct is cut in half. Our schools, people that we share schools with, roads, facilities and Next Door app are in the Twenty Fifth District. Now we know why that is. Union County is in the district. Union County voted sixty five, thirty four Republican in 2020, in 2020 election. It comprises of 20 percent of my district in the city of Columbus. You know, I venture to say that what we think about and where I live and what they think about in Union County are two different things. These maps do a disservice not only to us, but to the residents of Union County. I remember Troy Balderson said, and Troy Balderson, by the way, was in, 2011, we were victimized by gerrymandering again, said, you know, we don't really care about being represented by anybody in Franklin County. Well, 34.5% of Mr. Balderson's district is in Franklin County. It does a disservice once again to people in Zanesville, Newark, Delaware, Mt. Gilead, Knox County and us to be represented by a person that doesn't even care about over a third of his electorate. You know, 2011 districts leave Ohioans feeling that their rights and interests are not being protected by the majority of lawmakers. With regard to healthcare, with response to covid, with women's rights, with LGBT equality, with racial equality, with other social and environmental interests, and good government. You know, you may want to tell Governor DeWine that I saw him sitting next to, standing next to Nan Whaley talking about gun, legal gun restrictions and gun registrations when 90 percent of all Ohioans think that that ought to happen. And you know what happened because of the majority, the ultra conservative majority in the Ohio legislature? Nothing. I'm going to finish up in a second here, but the... If you adopt the Republican map or anything close to it, there's only one conclusion to be drawn. Now, I would say you, but they, who are not here, they don't care about debate. They don't care about Democrats, they don't care about independents, they don't care about Kasich Republicans, they don't care about socially liberal Republicans. No, they would rather have Ohioans accept the ultra conservative views of a minority. I think by some of the questions I was hearing, and then the answer is maybe, maybe they think, maybe they who are not here think that we ought to do something different with these, that they recognize that the districts at the Republican Senate has put forward is bad, then I am putting my trust and faith in them. And you, Senator Sykes, and you Leader Sykes, that you'll do what right. It's right. That we will never hear, after these districts are decided, those four words I detest, my vote doesn't count. Thank you very much and I'll be happy to take any questions. [applause]

**Co-Chair Senator Vernon Sykes** [00:48:51] Mr. Topper, I do have one question. Sure, we have your name spelled is Richard Topper?

**Richard Topper** [00:48:59] That's correct. I'm sorry I didn't spell that out.

**Co-Chair Senator Vernon Sykes** [00:49:02] No problem. Any additional questions?  
Thank you so much.

**Richard Topper** [00:49:07] Thank you very much.

**Co-Chair Senator Vernon Sykes** [00:49:11] The next witness,

**Clerk** [00:49:12] Louise Valentine, followed by Joan Van Baccalieri.

**Co-Chair Senator Vernon Sykes** [00:49:23] The next witness.

**Clerk** [00:49:25] Stipen Lavage, followed by Sarah Warner.

**Co-Chair Senator Vernon Sykes** [00:49:37] Next, witness

**Clerk** [00:49:39] Andrea Yagoda, followed by Jay Zanitsky.

**Andrea Yagoda** [00:49:43] Yes, it's me again. For those watching at home, I think you, because you don't see the panel, I just want to note for all the folks that are watching remotely that other than the attendance and the photo op to have their picture taken today, there has not been one half hour, not even that, where every five members of this commission, Republican members, have been present. And as I stand here right now, there is not one member of the Republican commission right now listening to my testimony. Why the heck am I here when the people who have the power can't even show me the respect of being here? I'm sorry. This really pisses me off. [applause] I am tired of feeling like I'm pissing in the wind, folks. I am also offended that Speaker Cupp who hasn't been here for any of this hearing other than the photo op has the nerve to tell us not to repeat what others has said when there have been 10 town halls, hundreds of people who have begged for proportionality and obviously their proxies failed to communicate that to them because on September 9th, we got a map that everyone, the person that wrote the maps said, they do not have the numbers on proportionality. And what did the Republican members of this panel do? They violated their constitutional oath and they voted to propose what they knew was an unconstitutional map. [applause] As late as Sunday on September 12th, Auditor Faber said that he still didn't have the numbers. This is the 12th. He didn't have the numbers. Mr. LaRose, he's not here, Mr. Faber, you keep telling us that all these town halls that your staff is working to come up with another alternative map, we don't believe you. And I'll tell you why we don't believe you because unlike the Democrats, I'm going to go over that one minute. Unlike the Democrats, you have not been transparent. If you've been talking and you're making changes, why haven't we seen them? Where are your amend maps? Goddammit, how long are we going to wait? We only have until tomorrow. And when? Here's my question. When are you going to release your partisan index? When are you going to release your data? When are you going to tell us what you believe proportionality in your proposed map is? This is not transparent. This is not a not an opportunity for the public to give input when we have no idea what data you used in this proposed map. And I suggest it's because you don't know. And you've admitted that all these hearings that you don't know what the data is, you don't know what the proportionality is, and we're obligated to come here and rebut it when you don't even have that information. And what really pissed me off was the other day, you have the nerve to criticize Dave's Redistricting App. You, the Republicans on this commission, you have failed in your responsibility to us. You have forced us to use Dave's Restrictacting Application in order to draft maps, in order to determine what your maps mean. And why is that? Because your website did not, does not have an app on it. You should have provided

to us. You are proposing a map. We should have had the app that you used to propose that map so we could use that same app. We could propose our own maps. We could make changes to your maps, which would have sped up the process and made it a lot easier for all of us. Rather than... There were plenty of maps before September 1st. And I think the Dems had one. You've heard about some of the ones that were on the Weiss map was on there before, the OCRC was on there before. But rather than use any of those maps as your guideline, as your starting point, excuse me for saying this, but you Republicans sat on your duffs for at least a week until you could come up with your gerrymandered map. You could have taken that week. You could have used something, agreed with the Dems and worked. What are we going to use as our starting point? It could have been any of those maps submitted. And you could have spent that week working on those maps. You could have maybe agreed for a starting point map on the 9th and you could have had meaningful hearings on Saturday, Sunday and Monday. But you chose not to do that. You chose really not to give us Ohioans, we the voters who voted for this amendment, you chose really not to give us a meaningful opportunity to respond to your map. And you willfully failed in your constitutional duties and you willfully failed to do what you were required to do under the Constitution. I wish... For someone skeptical like myself, I wonder if the Republicans on this commission will come up with a skewed calculation and a partisan index of proportionality at the last minute, which none of us will be able to comment on in order to justify your maps. This is not what we envisioned. So far, this process has been a total bust and a total sham and so disappointing. It leaves me wonder how any of us will ever be able to trust this process again. The five members of this commission, you breached your trust with us. You've dashed my hopes. I would love for you to prove me wrong, but I will not hold my breath because I want to live to see another day. Give us what we voted for. What you have proposed thus far does not even come close. [applause] If anyone has any questions.

**Co-Chair Senator Vernon Sykes** [00:56:08] Are there any questions? Thank you. Next witness.

**Clerk** [00:56:18] The next witness is Jay Zinitski, followed by Susan Linden.

**Co-Chair Senator Vernon Sykes** [00:56:36] Next witness.

**Clerk** [00:56:40] The next witness is Ruth Hanley, followed by a Anisa Miller.

**Co-Chair Senator Vernon Sykes** [00:56:53] Next witness.

**Clerk** [00:56:56] John Caruso, followed by Sharon Kim.

[00:57:07] Next witness.

**Clerk** [00:57:07] Jeff Seiver, followed by Steven Steel. Michael Aherne.

**Co-Chair Senator Vernon Sykes** [00:57:27] State and spell your name, please, sir.

**Michael Ahern** [00:57:29] Good afternoon, my name is Michael Ahern. Good afternoon Co-chairs Cupp and Sykes and designees of the other members of the redistricting commission and Senator Sykes. This is my third time speaking before the commission and I appreciate the opportunity to comment on the official map that is currently being considered by the commission. I'm not going to wade into the weeds. I know that we've been asked to give specific comments. For those of you commission members who have

been here, you have heard some very specific comments today that I support. But it's clear to me that the Republican members of the statehouse and the consultants that they used to develop the map that's under official consideration right now have no interest in meeting the spirit and the written requirements of the redistricting reforms passed in 2015 by over 70 percent of Ohio voters. I am so disheartened and I think Attorney Squires pointed out very well the legal aspects associated with the dereliction and failure to consider the Voting Rights Act in the official proposed map. He laid out a number of legal and constitutional fundamental flaws with failing to do that. I'm here today just to say what I heard last week was I heard a woman stand at the podium and say, I feel as if I'm disappeared, that I've vanished in this process. A poor African-American woman stood here as a voter, as a citizen of the United States, as a citizen of Ohio, to feel as if she's not seen at all in this process because of the decision making of the leadership in the Republican Party in developing the proposed map. That is horrible. So with that. Less I... I can hardly speak to the Republican members of the House and Senate that are on this commission, so I'm going to turn to the statewide elected officials. Governor DeWine was elected in twenty eighteen by 50.4 to 46.7 percent margin over his Democratic competitor. And I believe, and if you could pass this message on to him, he should approve a set of Senate and House district maps that reflects how he came to office, how the governor came to office. The governor has represented Ohioans very well, in my estimation, through the pandemic and has provided leadership during the pandemic. And he's strive to do what's best for all Ohioans, and I think on the commission, he needs to do that as well. By officially, officially presenting or requesting consideration, official consideration of the map that was submitted by the Ohio Citizens Redistricting Commission by Geoff Wise and others, so that consideration of those other maps are placed in the public record of this commission. If the commission is going to use that data, if the commission is going to use that input to develop a final map, those maps should be part of the public record in the way to do that is to make a motion to officially consider those maps. Auditor Faber, you were elected by 49.7 to 46.3 Percent margin against your Democratic opponent, a slightly closer margin than the governor. And on your website, auditor, you tell citizens, quote, "As Ohio's chief compliance officer, the Auditor of State makes Ohio government more efficient, effective and transparent by placing checks and balances on state and local governments for taxpayers." That's your quote. On this commission, you should have the confidence in Ohio citizens to place checks and balances on unbridled, unfairly obtained power of one party over another. The continued practice of political gerrymandering. And Secretary of State LaRose, thank you very much for being here this afternoon. In 2018, you bested your Democratic opponent by 50.7 to 47 percent margin. As a registered independent voter, I was heartened to observe firsthand the nonpartisan work of poll workers last November. People from both parties worked in a nonpartisan fashion at the risk of their health to provide a free and fair election to all eligible voters. As Secretary of State, you represent the leadership of that nonpartisan organization. I urge you accordingly to consider and vote in a nonpartisan manner on this commission. You, more than anyone else on this commission, knows that there are some in this country that are actively seeking to undermine the confidence in elections. Highly partisan gerrymandered districts feed this dangerous effort. I hope that I hear you make a motion to accept some of the citizen maps that have been presented throughout this process. All three statewide office holders on this commission won your votes, your seats in a margin consistent with the competitiveness that Ohio voters are demanding through the recent reforms to the Ohio Constitution. Each of you legitimately reflect the will of Ohio voters. And I hope that you'll join the Democrats on this commission and push back on the highly partisan, highly politically motivated effort by the state statehouse Republicans. Thank you very much. Happy to take any questions.

**Co-Chair Senator Vernon Sykes** [01:03:59] Are there any questions? Thank you. Thank you so much. Next, witness

**Clerk** [01:04:06] Tom Roberts.

**Co-Chair Senator Vernon Sykes** [01:04:08] He already spoke? No, I think he. He's gone.

**Clerk** [01:04:18] Sorry, Don, Don, sorry.

**Don Roberts** [01:04:29] Good afternoon. I'm Don Roberts. I'm a resident of Franklin County, a local attorney, a small business owner. I am a Republican and I'm speaking here on my own behalf today, unlike a lot of other people here today, with the exception actually of the very first speaker here. And thank you for the opportunity to speak before you. I heard a lot of speakers here today using the phrase nonpartisan as their group. Groups like the ACLU. The ACLU, who filed 400 lawsuits against the Trump administration and only one lawsuit against the Biden administration in spite of a human crisis at our border that has deteriorated and descended into health and safety dangers for Americans and migrants at levels never seen before. Also, among these nonpartisan, in name only, groups like Common Cause Ohio, League of Women Voters, relentlessly have criticized Ohio maps and Republicans as rigging the system and brutally criticized this group and the maps today. Bart Henshall, president of the Chillicothe's League of Women Voters, described previously part of Ohio's map is divided into some of the strangest machinations that anyone could contrive and contrived is exactly how it feels. Liz Walters, Ohio Democratic Party Chairman: "Ohio is not a red state. It is a rigged state. Republicans have deployed suppression tactics, tactics meant to disenfranchise voters and suppress their voice for years, including the way they drew the lines in 2011." Even the unapologetically liberal Columbus Dispatch said, "Ohio maps are jury rigged by Republicans and Ohio has, quote, some of the most gerrymandered political boundaries in the nation." That was Randy Ludlow and Anna Staver of the Columbus Dispatch. Meanwhile, these nonpartisan groups have lauded the Democrat proposed maps. Last week, for example, the League of Women Voters and Common Cause Ohio held a press conference briefing reporters in which they heaped accolades upon the Democrat gerrymandered map, and it's interesting that these nonpartisan groups are doing the bidding of the Democrats on their proposed partisan maps. But let's live in the reality for a moment. In the past 20 years, Ohioans have elected four Republican governors and just one Democrat governor. Ohio is, in fact, a Republican state. These maps are reflective of the will of Ohio voters and not the political will of state officials. The bottom line, the name of the game for Democrats is what we found and what we've heard today, and that is lawsuits. They will sue until Ohio is blue. Whether or not the September 15th deadline is met or there's a 10 year or a 4 year map, the so-called nonpartisan groups like the ACLU, Common Cause Ohio, the League of Women Voters and the others, they will sue. Lawsuits against Republicans are the lifeblood of Common Cause and the League of Women Voters. That's how they make their money. In closing, Ohioans are being hoodwinked. Better yet, they're being psyched by the Sykes. The Sykes family personal agenda driven redistricting maps are bad for Ohioans, no matter what your political stripe. Thank you.

**Co-Chair Senator Vernon Sykes** [01:08:23] Thank you. You need a witness... would you complete a witness slip for us please?

**Don Roberts** [01:08:30] I'll do another one yes.

**Co-Chair Senator Vernon Sykes** [01:08:31] Yes, please. Appreciate it. Thank you. Any questions to the witness? Thank you. Next witness.

**Clerk** [01:08:41] Tim O'Hanlan. Sorry if I ruined your last name, sir.

**Tim O'Hanlon** [01:09:06] Did you want me to spell that?

**Co-Chair Senator Vernon Sykes** [01:09:09] Please.

**Tim O'Hanlon** [01:09:10] Timothy, is full name. And O'Hanlon. Good afternoon. I was going to say good morning and I know it's but we've passed that... This is going to be a little ad hoc because after four hours, much has been said that I was going to say. So I'll just say that I want to add my voice to the chorus of opposition to the map that has been adopted last... I had September 8th by the commission. It was described as a first draft that required intensive work over the weekend. And yet here we are on Tuesday with the map, apparently pretty much the same as it was when it went out the door before last weekend. Not surprisingly, the commission's current map ignores Section 6(A), Article 11 of the Ohio Constitution. Why? Because Section 6(B) requires proportional representation, which poses the most direct threat to the gerrymandered Senate and House districts we've been living with for the past 10 years. Parenthetically, let me say during the morning's testimony. I thought the exchange between Professor Niven and Commissioner LaRose and Commissioner Faber to be quite compelling about the difficulty of balancing proportional representation with competitive districts. Unfortunately, I don't see much effort, at least for public consumption in that direction thus far, with a deadline looming, September 15th deadline looming tomorrow. But it's certainly a good idea. According to Dave's Redistricting software program used by the Republican caucus staff who introduced the current map. The number of Democratic seats closest to proportional in the Ohio Senate would be 15. But the likely number of Democratic Senate seats is, would be 10. This proportional, this projected outcome of a 70 to 30 percent Republican Senate supermajority falls far short of the proportional representation required in the constitutional amendments of 2015. The commission's house map adopted last Thursday projects even fewer Democratic seats in the current gerrymandered map, according to Dave's Redistricting site. This was the one cited once again by the people who introduced the map. I'll hurry along here. Dave's analysis concludes a number of Democratic House seats closest to proportional is 46. The likely number of Democratic House seats is 32. Well, point six four. That projection will result in a loss of two Democratic seats strengthening the Republicans veto proof supermajority from 64 seats out of the 100, out of the 99 total House seats. The 2015 Amendment to the Ohio Constitution was sufficiently concerned with proportional representation, and I might add that Professor Niven's remarks about the difficulty of balancing competition, competitive districts and proportional representation, although well taken, he talked about proportional representation is the foundation for creating fair maps. And perhaps that's why it's required in. Title 11 of the Constitution. As I said, the 2015 amendments to the Ohio Constitution was, were sufficiently concerned with proportional representation in the Ohio House and Senate, that failure to draw a map that would closely correspond to the standards in Section 6(B) would be grounds for the seat, the Ohio Supreme Court to order the establishment of a brand new map by the commission. Paragraph (D)(3)(c) of Section 9 stipulates that in cases where, when state legislative redistricting plans are approved solely by a majority vote, which at this point one day before the deadline, we appear to be heading in that direction. The Supreme Court shall order the commission to adopt a new General Assembly district plan if both of the following are true. And I'll just read this, it's a bit convoluted, but if you read it carefully, it's fairly obvious. One, the plan significantly violates those requirements in a manner that

materially affects the ability of the plan to contain districts whose voters favor political parties in an overall proportion that corresponds closely to the statewide political party preferences of the voters of Ohio, as described in Division (B) of section 6 of this article. And two, the statewide proportion of districts in the plan whose voters, based on statewide, state and federal partisan general elections results during the last 10 years, favor each political party, does not correspond closely to the statewide preferences of the voters of Ohio. Those are two grounds in which the current map would be rejected. The current commission maps fail on both counts. Proportional representation in the Ohio Senate and House seats, of Ohio Senate and House seats, is not aspirational, and the current commission maps are out of compliance with the plain language of the Ohio Constitution. So where do we go from here and why are we doing this now if this is where we're headed? Thank you.

**Co-Chair Senator Vernon Sykes** [01:16:34] Thank you. Are there any questions of the witness? Hearing and seeing none, thank you very much. The next witness, please.

**Clerk** [01:16:43] Trevor Martin.

**Trevor Martin** [01:17:05] I do have some maps that I'd like the committee members to view.

**Co-Chair Senator Vernon Sykes** [01:17:41] State and spell your name, please.

**Trevor Martin** [01:17:47] Good afternoon. Thank you, co-chair Sykes, committee members. My name is Trevor Martin. I am a resident of Columbus, I'm a community organizer and activist. I have been working with multiple organizations over the last four months, nonpartisan, nonprofit organizations. But I am here today to speak on my own behalf, and so in no way am I simping in for the Democratic Party. In fact, I have no loyalty to that party. But I am here to talk about community. And, you know, I've been both in a paid capacity and a voluntary capacity. I have been helping Ohio citizens throughout the state create community maps with the DistrictR and Dave's Redistricting software. And as I said, I'm here to to speak on the experiences and discussions that I've had with community members and how communities would be impacted by these proposed districts. And when I start my trainings or mapping sessions, I always begin with communities should be the building blocks of redistricting. They should be the first step, community input. And when I'm speaking of communities, I'm not talking about municipal boundaries, I'm not talking about school districts, these lines are great and they're very important, but they're not perfect. Communities do not adhere to lines. So how do we determine community boundaries? Well, there's really only one way we ask the community. You know, as I said, we I have been doing, and other organizations like Common Cause and Fair Districts, and the OOC,i have been working for months of doing doing these maps. And, you know, the commission should have been having webinars, town halls, trainings, tutorials. These things should have been up on your website. You have, maybe should've had in your own competition. You know, Speaker Cupp was here last week patting himself on the back with all the preparation and planning that the committee has done. And I really don't... I had to laugh out loud because I understand what preparation has been done besides instructing a staff member to write down the URL for Dave's Redistricting tool. There's no bipartisanship, there's no transparency, and the only bipartisanship I honestly see is the complete lack of transparency and the total disregard for public input. You know, when I'm talking, when I speak of transparency, I mean, you know, these definitions that we're quibbling over, you know, competitiveness, partisan indexing, opportunity districts, you know, what are these definitions? What are the metrics? What are the measures,

methods, algorithms that we are using? You know, this stuff should be readily available not only on the website, but here on display so folks could reference them in their testimony. You know, what is competitiveness? Are we talking, you know, this 45, 55 degree? I mean, you know, I do a lot of campaign work. In the campaign world, a six point win is a hell of a win. That's significant. You know, what are we talking about when partisan index, what indexing are we using? What years, what races? When we talk about opportunity districts, what is the number that we are considering? 30 percent? 35 percent? You know, these things being so obtuse that it leaves room for individual parties to pick and choose, you know, which of these standards are aspirational? You know, there's no agreement. There's no bipartisanship in these standards. In the voting rights law, it's federal law. I mean, representative fairness, Article 11, Section 6, you know, it's been beaten up. You know, competition is important and not splitting, you know, municipal municipalities and things is important. But I believe, this is me personally. Community and fairness is of utmost importance. You know, when you when you cross the state and you see all these signs, they say fair districts, when you when you're looking at the social media says fair maps, fairness, not competitive districts, not competitive maps, fair maps. When, in both both of these proposed maps, both from the GOP and the Democratic Party, fail in this respect, both of them fail on fairness and community. And the GOP says they did, they didn't, you know, account for, you know, the the racial makeup of these districts, which if it were true, that would be insulting. But we know that's not true because the kind of racial gerrymandering that isn't present in this maps is only can only be deliberate and intentional. And the problems are in both, both proposed maps. And so I will get into specifics. I'm from Bronzeville neighborhood, the Bronzeville neighborhood here on the Near East Side. Some people call it the King-Lincoln. White folks called the King Lincoln neighborhood. It's the Bronzeville neighborhood you has the people that live there is Bronzeville neighborhood. I'm a member of the Bronzeville Neighborhood Association. I attend Near East Side Area Community. All right. This proposed GOP map completely obliterates the Bronzeville neighborhood. This is a neighborhood that has historically been screwed on many levels, you know, from from the imposition of the highways, from racial, from economic and and redlining, economic segregation and redlining in here. We here we are again, trying to destroy the community again. Right here you have... If you take a look at this map, you've gerrymandered East High School out of the Near East, Near East side. You've literally gerrymandered the east out of East High School. All right, this is a high school, you know, that has tremendous importance and ties to to the Bronzeville and Near East Side community, you know of Bernie Casey went there, Chuck Hurley, Jim Marshall, our own esteemed senator, Hearcel Craig went to this school. And here you've gerrymandered it right out of the Near East Side, along with the East High School. You've also gerrymandered Pilgrim Elementary. I live right on, right on Johnson Street. If, you know I have a young daughter, she's not in school yet, but if she did go to school, she would go to Pilgrim Elementary. That's outside of my district. She would go to high school East High. That's outside of my district in this proposed district. You know, I know the Eldon and Elsie Ward YMCA has been gerrymandered out of the Bronzeville Near East Side. The Eldon and Elsie... I mean, you may not know the history of this place. This you know, the the E.E. Ward Moving Company is the oldest black owned business in America, all right? The YMCA, used to be called the Spring Street Y, has huge historic significance to the community. Now it's called the Eldon and Elsie Ward YMCA. And if you've gerrymandered out of the district. You know, and the Democratic maps don't do better. Here, you know, look at Linden. All right. You've you've cut up Linden. Now, anybody from the Linden neighborhood knows this is a big no no. All right. They just put a new community center in Linden. And one of the big selling points was that it serves the entire community of Linden. And here you've cut up Linden. East Livingston. If you look at both the GOP map and the Democratic proposed map, all right? This area right here south of

Livingston is a big community of color. All right, Livingston Ave. is like the the you know, it's like their Main Street. It's like the main corridor. And you split it in half. And in the bottom in the Sykes, new proposed Sykes map. These folks here that are within the, within the belt here that just live south of Livingston, but north of the freeway are now, would be in a district with Pickaway County. I mean, it doesn't make sense. The GOP Livingston, that area doesn't do much better, completely. Hilltop, the GOP, the Democratic map, both of these have gerrymandered the West High out of out of Hilltop. Here, you have if someone lives here, the Elementary, West Broad Elementary is right here. The high school that they will attend is right here. Completely different districts. Same, same with the Democratic map. And this one District One with the GOP. This reaches all the way, grabs the West High out of the hilltop, completely pulling out of the west side, and this district one runs all the way over to damn Near East High School, right. And these these are Franklin County because I'm most familiar with Franklin County, but this is happening everywhere, Dayton. This is the Sykes, new proposed Sykes map. Dayton, this Fairview... North Riverdale community. You know, Trotwood, I hate to beat a dead horse, but going back to Trotwood. Look, Trotwood is 70 percent black. Their voting age population is 70 percent black. You've put them, the GOP proposed district puts them in a district that is 70 percent white. Cincinnati, Kennedy Heights, another community of color, completely chopped up. This has happened throughout the state. You know, these are community members I'm talking to. These are the folks that should be drawing these maps. And there's been plenty of very good proposed maps. You know, Geoffrey Wise, the Citizens Commission, other maps that do that. We don't have to sacrifice competitiveness with proportional fair representation. It can be done. We've shown that it can be done. And so, again, I want to, you know.... echo a colleague of mine, you know, we should have a county by county review, district by district review, we should be getting community input. You know, Ohioans want fair, bipartisan and transparent maps. And these these are not it. And, you know, if we if we do, you know, have to take another week, that'd be fine with me personally. You know, and and I don't know about the rest of the folks here, but I believe process is more important than deadlines. And I'd like to see this process done correctly. Thank you.

**Co-Chair Senator Vernon Sykes** [01:29:39] Are there any questions? Thank you very much.

**Trevor Martin** [01:29:43] Thank you sir.

**Co-Chair Senator Vernon Sykes** [01:29:46] The chair has been lenient with the time, but we would ask you if you could stick to as close as you can to the time it would be appreciated and provide courtesy for others. We were in in committee for six hours yesterday, and we're trying to be respectful of everybody's time. Next witness.

**Clerk** [01:30:07] Jen Miller.

**Co-Chair Senator Vernon Sykes** [01:30:19] Good afternoon, Commission, thank you so much for all of us being together for the last week. I want to make clear that this is the official testimony of the League of Women Voters of Ohio. You've heard from many of our members and supporters. I haven't seen their testimony. I didn't tell them what to say. Real quick. We are nonpartisan. We have fought the maps that were unfairly rigged for Democrats and Republicans in this state. And when we have gone to court nationally, we have fought in the courts on behalf of both sets of voters against Republican rigged maps and Democrat rigged maps. One more thing. We've never taken money from a lawsuit. So I just want to make sure you all know that. The press conference, just real clear on that,

we reviewed maps on criteria. We have not endorsed any map. We have reviewed the criteria of the first Democratic map and then the Republican map and on basically the same criteria just to try to give some understanding of what was in there. You will have I have emailed you this testimony. I will tell you that I was writing it and doing analysis all morning. But I want to say a few things. I'm going to talk about how the new Sykes map kind of lines up with the Republican map, as several of you, you three especially, have asked for. So first, the new Sykes map introduced yesterday is far better in regard to Section 6 compliance. We could still see some improvement in terms of proportionality, but it's much better. On the splits, I thought it was really interesting yesterday that the Democrats cartographer, Glasburn, and talked about measuring the constitutionality of only one map and regarding splits. And before we talk about which map that was, I just want to ask how we made those determinations? Did he use software? Did he hand count them? But why was only one reviewed under the microscope, which was created by an everyday Ohioan, Geoff Wise, why was that same review not conducted for the initial, official Republican map? And how do we know that the Democratic map kind of stacks up? Why did we not look at the other winner of our of our competition, which actually worked really hard to keep school districts together? So I think would not have the same concerns. And I just want to mention that I think metrics matter, legal definitions matter. And that's why I'm just asking that we get clear and transparent when we're measuring them. I'm going to have to take just a little more time because I've got technical stuff here. The efficiency gap. We heard from Dr. Niven, who is a very smart man, about the efficiency gap. I'll just mention that that's one way of looking at wasted votes. It's one way of looking at how partisan rigged a map can be or not. The official map of this commission at this point has an efficiency gap of 10.2 percent, which is wasted votes. That really, so it favors the Republican Party with that wasted vote. And then 7.5 percent when it comes to the House. Um, the Sykes maps actually score better, almost 4 percent, 3.8 percent and 3.7 percent, which is in where Dr. Niven, close to where Dr. Niven, was talking about, in terms of acceptability. Minority representation is the thing I'm most concerned about in the Democratic map. The updated Democratic map provides for eight minority majority districts, which is down from 11 in the Republican districts. It has the same number of opportunity districts I would like to see as you continue to try to work together on a map, that that you look at that piece. We need to review that more, because really I feel like their initial map, the Republican map should be the floor. But here's the thing that I think that Trevor was talking about, that I wanted to flag, and these are just some things. The neighborhoods of color, the lines through them throughout the state do not make sense. They do not make sense at all. And I'm going to give some examples. Parts of downtown Columbus and Berwick should not be with Pickaway County. They don't have anything in common with them. My neighborhood of Linden is a historic black neighborhood that has been in existence since the 1900s and it's split into two, which makes no sense. Districts 35 and 38 split Fairview in North Riverdale in Dayton for no apparent reason. Those are black neighborhoods. Kennedy Heights, McPherson Town and Silverton and Cincinnati are all split in confusing ways. In Cuyahoga County, on the south side of Cleveland, there's like this Pangea that where, District 7 appears to break off from 6 with a little sliver of 5 jammed between literally there's one little neighborhood that split into three Senate districts. I don't understand why we would do that. At the end of the day, we are asking that whatever map you choose, we do actually need to go through district by district, county by county, community by community to see if the lines should be that way. I think if we did this cleanup on the Democratic map, we actually would probably improve proportionality, minority representation and the efficiency gap all at once. I don't think it has to be drastic, but I think there are some just weird lines that if they're going to stay there need to be justified. My job is to demystify government so that people can participate as voters and advocates and leaders. I understand folks' frustration and pessimism. The

process has been chaotic, confusing and rushed. Some of the most important conversations appear to be happening behind closed doors. Even to your point, Auditor Faber, folks want to talk about the details of the maps, but it's exceedingly difficult. And so one thing I just want to say is the congressional process has to be better for you lawmakers. Please make it better. Hear from experts like Dr. Niven in advance. First, have the maps projected, provide the software you want us to use, post the hearing schedule well in advance, commit to public deliberations and not behind the scenes negotiations. But despite all the palpable fear and anger and frustration that you've heard, I'm a serial optimist. I can't do my work and not be both persistent and optimistic. So I appeal to your better angels to put the voters first. But our state first. Let's get this done. I do not support an extension. I think let's just dig in and let's let's dig into these lines and figure out how we can improve them. And with that, I thank you for your time.

**Co-Chair Senator Vernon Sykes** [01:36:34] Are there any questions? Thank you very much. Next witness.

**Clerk** [01:36:41] Ellen Rakowski.

**Co-Chair Senator Vernon Sykes** [01:36:50] Would you please state and spell your name?

**Ellen Rakowski** [01:36:53] Hi, my name is Ellen Rakowski. I'm not going to thank you for showing up to do your job. Someone elected you all. I'm from Hamilton County, so I didn't elect any of you. So good afternoon to the other Ohioans that have sat with us for this entire commission and a lot of hearings, and to everyone else who's listening to a really inconveniently timed hearing. I am representing myself here today. But it's important to note that I'm the interim executive director of the Hamilton County Democratic Party and I've taken time out of my day and my glorious volunteers' days to drive up here. And I would be remiss not to note that there is no one who looks like me in this room. And it's really frustrating that only two people in my age demographic have testified at this hearing and only two at the hearing that we had down in Cincinnati. So Speaker Cupp asked for specific recommendations on the proposed maps. So I'm going to speak to those in my community in Hamilton County. That's where I've lived for the past six years. It's the place I will continue to live for a very long time because Chicagoan myself, I love Cincinnati and the chili is really good. So in proposed House District 27, you've taken a really thriving blue collar communities of Silverton and Madeira and tacked them on to places that are really unidentifiable to those residents. Those are extremely compact, pretty urban or traditional neighborhoods. And they're now in a house district that is the full east side of the county tacked to parts of Columbia Township, which is an incongruous district as well as the whole of Anderson Township. So I would ask that you please return those communities specifically back to the proposed house district 26, if I can remember off the top of my head. In proposed House District 29, Forest Park and Pleasant Run Run farms, which our lovely Hamilton County Democratic Party chairwoman lives in our heavily Democratic and majority black and brown communities, were cut selectively and attached to the westernmost parts of the county. I would like to see a resident of Forest Park or Pleasant Runs Farms that identifies with a resident of Harrison Township because I just don't believe that there is one. Additionally, you've taken Jessica Miranda, who's the state representative in House District 28, and tagged her to a House district that is nowhere near the communities that she's represented in this building for the past four years. And proposed House District 24, which is formerly, currently, House District 32, historically minority represented. Currently represented by Cathy Ingram. You've taken the black communities in the West End, Over-the-Rhine, Camp Washington and Price Hill and

combined them with Western suburban neighborhoods. Again, Saylor Park and Riverside, which, it's not a mistake on of like it's the ribbon on the river. They do not identify with those communities. So tagging them along, it just doesn't make sense. You strategically split the communities and Hamilton County away from the other areas in which they identify. And no matter what I say, I know that these maps aren't going to be perfect. And I know Leader Sykes, you've been asking several questions about the Democratic proposed maps. I think a lot of the districts in Hamilton County, that's all I've been able to look at today, are really wonderful except one. And I believe it's proposed House District 24, because, again, it's like all the way from Cleves on the west side and it snakes along the river over to East Walnut Hills people in Cleves and Addyston, they're not in the same community with people in East Walnut Hills and downtown. So those are the things that I think you should take into note. As a recent college graduate, I know what it's like to procrastinate and to be at the end of the timeline. So get some crappy coffee, because it looks like it's going to be a long night. [applause]

**Co-Chair Senator Vernon Sykes** [01:40:46] Thank you. Any questions? Leader Sykes.

**House Minority Leader Emilia Sykes** [01:40:54] Thank you, chair, thank you, Director. So could you talk... Could you go back and say again what you said about House District 24 in the Cleves and Addyston and help me understand that? I'm not as familiar with Hamilton County as you are. Thank you.

**Ellen Rakowski** [01:41:06] Oh, yeah, it's OK. I've learned a lot. But Cleves, Addyston and North Bend are in the far southwestern corner of Hamilton County and in the proposed Sykes Democratic, whatever you want to call it, map, those are attached to the Saylor Park and Riverside communities and kind of like, move along the southern border of Ohio along the Ohio River, include downtown, the downtown, Over-the-Rhine area, and then go all the way over to Mount Adams in East Walnut Hills. Again, so if you took that district and split it east and west, the eastern half would be extremely urban and the western half is very rural. So in like in a neighborhood sense, those are just different types and styles of neighborhood. And I... There's the way those communities operate, they have never really been tied with one another before and they have very, very little in common.

**House Minority Leader Emilia Sykes** [01:42:02] Follow up?

**Co-Chair Senator Vernon Sykes** [01:42:03] Yes.

**House Minority Leader Emilia Sykes** [01:42:04] Thank you. That's very, very helpful. So. In moving forward with this, even though it is a part of the city, you're suggesting that it would be a split in the city that the community would be OK with because the neighborhoods in the culture is different enough that they deserve to be elsewhere?

**Ellen Rakowski** [01:42:23] Yes, in this case, I think the neighborhoods of specifically Riverside and Saylor Park would be OK with a split because demographically and culturally they identify more with parts that are not in the city, suburbs that are not in the city, municipalities that are not in the city.

**Co-Chair Senator Vernon Sykes** [01:42:42] Thank you. Any other questions? Thank you, Leader Sykes sparked the question for me. With Jen Miller with the League of Women Voters? You had suggested that there could be a few suggestions made to the Sykes Amendment that could be beneficial if you could provide those for us, we would appreciate it.

**Jen Miller** [01:43:10] Thank you, Chairman. I also did just get the overlay of actually voters of color with the Sykes map, so I could also share that with you. So I'll send you some notes, but I could also give you that overlay that may help assist you in looking at how these lines are working.

**Co-Chair Senator Vernon Sykes** [01:43:27] Thank you. Appreciate it. The next witness.

**Clerk** [01:43:34] Monica Lira.

**Monica Lira** [01:43:49] Thank you for this opportunity. Good afternoon. How do you do? My name is Monica Lira. I'm here to express my thoughts, my misgivings about the way this map was drawn. And we all know that this process that we're going through right now is just a pro forma. I'm a voter that lives in Cincinnati, and we voted twice for fair districting. The maps that we have seen are in no way, as illustrated by Ellen's statements, seemingly fair to the city that I live in. They're unfair to our constituents and it undermines the voting power of the minority communities in Cincinnati. Gerrymandering is basically racist, it's a racist tool used to suppress voters of color. It has been used this way since the beginning. First by the creator, Samuel, to keep his buddies out from voting. Then later on the tool was used to keep blacks from voting, and it continues. This drawing is a road map for one party to retain power in Ohio for the next 10 years. The Voting Rights Act of 65 provided communities of color some protection from gerrymandering. However, states continue to use this to suppress minorities. It's difficult for these voters to change suppressive voting bills or these unfair maps. They can't, they can't be present today because of the time factor, many are working poor in Cincinnati. Gerrymandering, if I may, and by saying it's fundamentally unfair, unrepresentative of a democracy. My mother always said, you know, nothing in life is fair, you know? And I think everybody else's mother has said this, too, but I beg you to prove her wrong. OK, thank you very much. [applause]

**Co-Chair Senator Vernon Sykes** [01:46:15] Are there any questions? Thank you. Next witness, please.

**Clerk** [01:46:21] Mindy Hedges.

**Co-Chair Senator Vernon Sykes** [01:46:28] Will you state and spell your name, please.

**Mindy Hedges** [01:46:31] Certainly it's my name is Mindy Hedges. and I'm in the 19th Senate, 67th House and the 12th Congressional District. I wanted to correct one of the past speakers. The League and Common Cause are nonpartisan. I would not be a part of their work unless they were. We take a pledge to be nonpartisan. Everything I do for them, I take a pledge to do it as a nonpartisan worker, and if I ever, ever would state a party or state a position as a party, I would not be allowed to do any of the work for those organizations. And that's what I love most about them. They work very hard, particularly the League on voting rights, on rights, civil rights and all the rest of the wonderful work that I, that they do. And I was offended, quite frankly, by hearing what that person had said about these wonderful organizations. And I wanted to make sure that you understood exactly what they did. These groups intimately reviewed all of the maps, not just one, not just the Republican and Democratic maps. They reviewed all of the maps. And also Fair Districts even gave awards to the best maps for really good reasons. We voted for nonpartisan, fair and proportional representation. I want you to know that I'm personally supporting the OCRC map that was presented this morning, although quite frankly, they actually they actually gave us a new revised map, which I wasn't really able to analyze as

well as their map that was previously submitted. So I do have to go home and do more of the work on that. But I did support the one that was presented prior. I do want to make a comment about the Voting Rights Act, however. If Ohio continues with their map that they've publicly said they did not consider this issue, I believe that our state will potentially be spending major money and major time defending an indefensible and unlawful position. I was absolutely offended by that as well. When that was stated, when those maps were presented, I couldn't even believe that that was actually a statement that was publicly made. I really believe very strongly that whatever map is presented to us tomorrow needs to clearly, clearly take minority districts very, very, very seriously. Thank you. Any questions?

**Co-Chair Senator Vernon Sykes** [01:49:39] And questions? Thank you very much. Is there anyone else who would like to testify today? Is there anyone else who would like to testify today? Hearing and seeing none and no further business to be brought before the commission.

**Auditor of State Keith Faber** [01:50:03] Mr. Chair?

**Co-Chair Senator Vernon Sykes** [01:50:03] Yes.

**Auditor of State Keith Faber** [01:50:10] Are you planning on adjourning or are you planning on recessing?

**Co-Chair Senator Vernon Sykes** [01:50:11] Are you making a suggestion?

**Auditor of State Keith Faber** [01:50:12] I would suggest that we, instead of adjourning, we have business later in the day, we recess at the call of the chair that we need to look at whether this is really

**Co-Chair Senator Vernon Sykes** [01:50:23] Well, so be it. We will call a recess at the call of the chair.

## 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 a 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 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 commission 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.

**MINUTES OF THE OHIO REDISTRICTING COMMISSION**  
**FRIDAY, AUGUST 6, 2021, 9:30 A.M.**  
**OHIO STATEHOUSE, RICHARD H. FINAN HEARING ROOM,**  
**ONE CAPITOL SQUARE, COLUMBUS, OHIO**

Members Present:

- Governor Mike DeWine, member of the Ohio Redistricting Commission pursuant to Article XI, Section 1 of the Ohio Constitution
- Auditor of State Keith Faber, member of the Ohio Redistricting Commission pursuant to Article XI, Section 1 of the Ohio Constitution
- Secretary of State Frank LaRose, member of the Ohio Redistricting Commission pursuant to Article XI, Section 1 of the Ohio Constitution
- Speaker of the House of Representatives Robert R. Cupp, appointed to the Ohio Redistricting Commission by the Speaker of the House of Representatives pursuant to Article XI, Section 1 of the Ohio Constitution
- Minority Leader Emilia Strong Sykes, appointed to the Ohio Redistricting Commission by the Minority Leader of the House of Representatives pursuant to Article XI, Section 1 of the Ohio Constitution
- Senate President Matt Huffman, appointed to the Ohio Redistricting Commission by the President of the Senate pursuant to Article XI, Section 1 of the Ohio Constitution
- Senator Vernon Sykes, appointed to the Ohio Redistricting Commission by the Minority Leader of the Senate pursuant to Article XI, Section 1 of the Ohio Constitution

Members Absent:

- None

**A. Governor called the meeting to order**

**B. Presentation of any member appointments to the Ohio Redistricting Commission; order that any new appointments be entered in record of proceedings.**

Governor DeWine read the names of the appointees of the Speaker of the House of Representatives, Minority Leader of the House of Representatives, President of the Senate, and Minority Leader of the Senate into the record.

**C. Oath of Office**

Governor DeWine administered the oath of office to all the members of the Commission. Secretary of State LaRose administered the oath of office to Governor DeWine.

**D. Roll Call, Governor DeWine declares a quorum present.**

**E. Filing of Certificate of Compliance with public meeting notice provisions of Section 121.22 of the Revised Code.**

**F. Presentation of Co-Chairpersons**

Governor DeWine read the names of the appointed Co-Chairs into the record.

**G. Governor DeWine turns the meeting over to the Co-Chairpersons**

**H. Co-Chairpersons welcome and opening remarks**

Co-Chairperson Vernon Sykes welcomed everyone, acknowledged the will of the voters and stated that it was his goal to work cooperatively. Co-Chairperson Cupp welcomed everyone, stated that he looked forward to working with all the members and announced that a regional hearing schedule would be forthcoming.

**I. Discussion/Comments**

None

**J. The Commission Adjourned**

**MINUTES OF THE OHIO REDISTRICTING COMMISSION**  
**FRIDAY, AUGUST 31, 2021, 1:00 PM**  
**OHIO STATEHOUSE, RICHARD H. FINAN HEARING ROOM,**  
**ONE CAPITOL SQUARE, COLUMBUS, OHIO**

Members Present:

- Governor Mike DeWine, member of the Ohio Redistricting Commission pursuant to Article XI, Section 1 of the Ohio Constitution
- Auditor of State Keith Faber, member of the Ohio Redistricting Commission pursuant to Article XI, Section 1 of the Ohio Constitution
- Secretary of State Frank LaRose, member of the Ohio Redistricting Commission pursuant to Article XI, Section 1 of the Ohio Constitution
- Speaker of the House of Representatives Robert R. Cupp, appointed to the Ohio Redistricting Commission by the Speaker of the House of Representatives pursuant to Article XI, Section 1 of the Ohio Constitution
- Minority Leader Emilia Strong Sykes, appointed to the Ohio Redistricting Commission by the Minority Leader of the House of Representatives pursuant to Article XI, Section 1 of the Ohio Constitution
- Senate President Matt Huffman, appointed to the Ohio Redistricting Commission by the President of the Senate pursuant to Article XI, Section 1 of the Ohio Constitution
- Senator Vernon Sykes, appointed to the Ohio Redistricting Commission by the Minority Leader of the Senate pursuant to Article XI, Section 1 of the Ohio Constitution

Members Absent:

- None

**A. Co-Chair Cupp called the meeting to order**

**B. Roll Call**

With seven members in attendance, Co-Chair Cupp declared a quorum present.

**C. Minutes**

Co-Chair Cupp asked for a motion to approve the minutes of the August 6, 2021. President Huffman so moved and Co-Chair Sykes seconded. With no objections, the minutes were approved.

**D. Adoption of Rules**

Co-Chair Cupp asked for a motion to adopt the Rules of Commission. The motion was offered by Co-Chair Sykes and seconded by President Huffman. Before the roll was called,

Co-Chair Cupp reviewed a number of rule highlights. With no objections, the rules were adopted.

**E. Other Business – Regional Hearing Expenses**

Co-Chair Cupp asked for a motion that expenses incurred by Commission members and their designated staff for mileage and supplies in conjunction with the regional hearings held August 23-27, 2021 be reimbursed, with the approval of both Co-Chairs. A motion was made by Co-Chair Sykes and seconded by President Huffman. With no objections, the motion passed.

**F. Other Business – Ohio Senate Democratic Caucus Map Presentation**

Co-Chair Cupp asked if there was further business to come before the Commission. Co-Chair Sykes announced he would like to present a map from the members of the Ohio Senate Democratic Caucus. Co-Chair Sykes and Randall Routt testified on the map. Co-Chair Cupp asked if there were any questions for the witness. No members of the public wished to testify.

**G. The Commission Adjourned**

Prior to adjournment, various members of the Commission discussed their views as regarding the role of the Commission and appropriate next steps. Without objection, the meeting was adjourned.

**MINUTES OF THE OHIO REDISTRICTING COMMISSION  
THURSDAY, SEPTEMBER 9, 2021, 10:00 AM  
OHIO STATEHOUSE, RICHARD H. FINAN HEARING ROOM,  
ONE CAPITOL SQUARE, COLUMBUS, OHIO**

Members Present:

- Governor Mike DeWine, member of the Ohio Redistricting Commission pursuant to Article XI, Section 1 of the Ohio Constitution
- Auditor of State Keith Faber, member of the Ohio Redistricting Commission pursuant to Article XI, Section 1 of the Ohio Constitution
- Secretary of State Frank LaRose, member of the Ohio Redistricting Commission pursuant to Article XI, Section 1 of the Ohio Constitution
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- Senator Vernon Sykes, appointed to the Ohio Redistricting Commission by the Minority Leader of the Senate pursuant to Article XI, Section 1 of the Ohio Constitution

Members Absent:

- None

**A. Co-Chair Sykes called the meeting to order**

**B. Roll Call**

With seven members in attendance, Co-Chair Sykes declared a quorum present.

**C. Testimony on state redistricting plans pursuant to Article XI of the Ohio Constitution and Commission rules**

President Huffman said he would like to present to the Commission a proposed General Assembly District plan. President Huffman announced the presence of Ray DiRossi and Blake Springhetti – Senate and House majority caucus staff, respectively. Mr. DiRossi and Mr. Springhetti testified as regarding said plan, and responded to questions from Commission members.

In the following order, the following (public) witnesses testified in-person:

1. Melissa Sull
2. Tommie Radd
3. Debra Saunders
4. Anastasia Birosh
5. Mark Erhardt
6. Jen Miller
7. Mindy Hedges
8. Carrie Coisman
9. Ann Shroyer
10. Andrea Yagoda
11. Sha'Tisha Young
12. Mike Ahern
13. Susanne Dyke
14. Deidra Reese
15. (John) Mike Halaiko

**D. The Commission Adjourned**

Co-Chair Sykes asked if members of the Commission had any comments. With no additional witnesses present to testify, and no further business before the Commission, Co-Chair Sykes adjourned the meeting.

**MINUTES OF THE OHIO REDISTRICTING COMMISSION**  
**THURSDAY, SEPTEMBER 9, 2021, 2:00 PM**  
**OHIO STATEHOUSE, RICHARD H. FINAN HEARING ROOM,**  
**ONE CAPITOL SQUARE, COLUMBUS, OHIO**

Members Present:

- Governor Mike DeWine, member of the Ohio Redistricting Commission pursuant to Article XI, Section 1 of the Ohio Constitution
- Auditor of State Keith Faber, member of the Ohio Redistricting Commission pursuant to Article XI, Section 1 of the Ohio Constitution
- Secretary of State Frank LaRose, member of the Ohio Redistricting Commission pursuant to Article XI, Section 1 of the Ohio Constitution
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- Senator Vernon Sykes, appointed to the Ohio Redistricting Commission by the Minority Leader of the Senate pursuant to Article XI, Section 1 of the Ohio Constitution

Members Absent:

- None

**A. Co-Chair Cupp called the meeting to order**

**B. Roll Call**

With seven members in attendance, Co-Chair Cupp declared a quorum present.

**C. Adoption of Regional Hearing Schedule**

Co-Chair Cupp made a motion to set a schedule for the Commission. The motion was seconded by Co-Chair Sykes. With no objections, the schedule was adopted.

**D. Introduction of Commission Map**

President Huffman made a motion for the Commission to introduce the proposed General Assembly District plan that he presented at the 10:00 a.m. meeting. Co-Chair Sykes objected.

With the exception of Co-Chair Sykes and Leader Sykes, all Commission members voted in the affirmative. With a vote of 5-2, the motion passed and the Commission introduced its map.

**E. Announcement of Commission Meeting**

Co-Chair Cupp announced that the next Commission Meeting will occur on Wednesday, September 15, 2021.

**F. Public Testimony on a Statewide Plan**

In the following order, the following witnesses testified in-person:

1. Ariunaa Bayanjargac
2. Shela Blanchard
3. Steven Castro
4. Tala Dahbour
5. Susanne Dyke
6. Christopher Hicks
7. Benita Kahn
8. Lucy Anne McKosky
9. Meryl Neiman
10. Charles Spencer
11. Geoff Wise
12. Sarah Yuronka
13. Susan Cavanaugh
14. Sandy Bolzenius
15. Tamie Wilson
16. Mindy Hedges

**G. The Commission Adjourned**

Without objection, the meeting was adjourned.

## 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.



## OHIO REDISTRICTING COMMISSION

### Minority Report

September 15, 2021

Senator Vernon Sykes, Co-Chair

House Minority Leader Emilia Strong Sykes, Commissioner

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 XI 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 municipalities. It also requires that the maps reflect the 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 ten years of gerrymandered districts and give themselves another decade of unchecked power.

Article XI, 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 in Subsections (A) and (B) of Section 6. Subsection (A) of Section 6 states that “No general assembly district plan shall be drawn primarily to favor or disfavor a political party.” 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 “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.” 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 ten 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, Subsections (A) and (B).

In Ohio, over the past decade, the Republican Party won 54% of the statewide partisan general election votes, while Democrats won 46%. See Appendix A. These calculations were

presented to the Commission in extensive witness testimony as well as by researchers at Ohio University (OU) as part of the contract between the Legislative Task Force on Redistricting and OU to produce the Ohio Common Unified Redistricting Database. The election results are not in dispute. They are also publicly available on the Ohio Secretary of State's website. One does not need to be as expert to know the statewide partisan election results. Hundreds of Ohioans were able to draw maps in the constitutionally appropriate timeframe.

Legislative maps would closely correspond with these 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 in the map 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 Art. XI, Section 6 (A) and (B), which were ignored by Republicans. These three maps, respectively, produced 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 Art. XI, Section 6. The Democratic members of the Commission and their staff worked tirelessly to incorporate Republican feedback into the mapmaking process while also drawing maps that adhere to the requirements of the Ohio Constitution in Art. XI, Section 6. The Democratic members of the Commission produced three separate map plans that did not disproportionately favor either party, 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 appeared to follow a playbook of delay and deflection. They used as much time as possible before 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's rules; blaming the census data delay for not convening the Commission before August 6; purposely missing the September 1 constitutional deadline for releasing a plan, holding hearings, and adopting a plan; and feigning interest in a compromise before the September 15 deadline but only offering gerrymandered maps. See Appendix B. Republicans did not demonstrate good faith participation in the process. Democratic solutions went unheeded while the Republicans made only token changes to their maps that appeared designed to protect their incumbents. This culminated again in heavily gerrymandered maps, in their second offering, sent to Democratic Commission members and staff late on September 14, the night before the constitutional deadline.

Their latest maps would produce 9 likely Democratic Senate districts and a single, additional 50-50 toss-up Republican-leaning Senate district. The remaining 23 Senate districts were drawn clearly to favor the Republican Party. It would produce 32 likely Democratic House districts and 5 toss-up Democratic-leaning House seats. This plan, like the first plan put forward by Republican map drawers, 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% to 81%.

We, the two members of the minority party, could not in good conscience violate the voters' will 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 ten years. The plan adopted by the majority violates that requirement. In fact, the Republican members did not demonstrate any attempt to meet the requirements. For these reasons, we are voting against the maps the majority of the Commission is choosing to adopt.



## APPENDIX B

Ohio House of Representatives  
Representative Emilia Sykes  
Minority Leader



Ohio Senate  
Senator Kenny Yuko  
Minority Leader

June 11, 2021

Governor Mike DeWine  
Vern Riffe Center  
77 S. High St, 30<sup>th</sup> Floor  
Columbus, OH 43215

Dear Governor DeWine,

We write to urge you to convene the Ohio Redistricting Commission and call its first meeting so that work can begin immediately to prepare for the drawing of fair districts for the next decade. Under Ohio Constitution, Article XI, Section 3(C), the Redistricting Commission must be convened by the Governor. As you know, the Redistricting Commission has the responsibility for determining boundaries of the 99 House of Representatives districts and the 33 Ohio Senate districts. The Commission also must plan for its possible role in the creation of congressional districts. This will set the foundation for our state's form of democratic government for the next 10 years.

The final round of census enumeration and demographic data will be delivered in mid-August and there is much preparation to do over the next two months. Legislative leaders will need to appoint members to the commission and name co-chairs. The commission must adopt rules, hire staff, create a budget, and plan and build a system that allows the public to submit district plans. All of this work, which requires time and significant deliberation, must take place before the Commission begins its task of drawing and adopting maps. We also must provide adequate information and notice to allow for full public participation in the process as required by the constitution.

So that we can begin the work of creating fair districts for our state, we ask you to convene the Redistricting Commission and set its first meeting as soon as possible. We do not want this important work to be conducted at the last minute behind closed doors. Thank you for your time and urgent attention to this matter.

Sincerely,

Handwritten signature of Emilia Sykes in black ink.

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Emilia Sykes  
Minority Leader  
Ohio House of Representatives

Handwritten signature of Kenny Yuko in blue ink.

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Kenny Yuko  
Minority Leader  
Ohio Senate

**OHIO REDISTRICTING COMMISSION  
RULES**

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**Rule 01 | Establishing authority.**

(A) Article XI, Section 1 of the Ohio Constitution creates the Ohio Redistricting Commission, which is comprised of seven persons who are responsible for the redistricting of the State of Ohio for the general assembly, and, if necessary, for congress. Such persons, collectively, shall be referred to in these rules as “Members” and, individually, as “Member.”

(B) These rules are adopted in compliance with, and under the authority of, Article XI, Section 1 of the Ohio Constitution.

(C) The rules stated herein, as supplemented by Robert’s Rules of Order, shall be the procedural rules for the operation of the Ohio Redistricting Commission.

**Rule 02 | Notices of meetings and hearings.**

(A) Any person may ascertain the time and place of all regularly scheduled meetings, the time, place, and purpose of all specially scheduled meetings, and the time and place of public hearings of the Ohio Redistricting Commission through one of the following methods:

(1) Consulting the website of the Ohio Redistricting Commission at:

[www.redistricting.ohio.gov](http://www.redistricting.ohio.gov)

(2) Consulting the public bulletin boards located outside of the chambers of the Ohio House of Representatives and the Ohio Senate on the second floor of the Ohio Statehouse, Columbus, Ohio 43215.

(3) By calling a toll-free phone number with a pre-recorded message stating the date, time, and location of upcoming meetings of the Commission.

(4) Requesting electronic notice of all meetings of the Ohio Redistricting Commission. The Co-Chairs’ designated staff shall jointly maintain a list of all persons who have requested such notification. A request for such notification shall:

(a) Contain the name of the person making the request and an email address to which electronic notice should be sent;

(b) Be sent in writing by electronic mail to: [meetings@redistricting.ohio.gov](mailto:meetings@redistricting.ohio.gov)

(c) Be received by start of business the day of any regularly scheduled meeting, specially scheduled meeting, or public hearing.

(B) In the event of a regularly scheduled meeting, specially scheduled meeting not of an emergency nature, or public hearing, the Co-Chairs' designated staff shall provide notice of such meeting or hearing by providing the notice described in paragraph (A)(1), (A)(2), (A)(3), or (A)(4) of this rule not later than twenty-four hours prior to the meeting or hearing. In the event of a special meeting of an emergency nature, the Co-Chairs' designated staff shall provide notice of such meeting by providing the notice described in paragraph (A)(1), (A)(2), (A)(3), or (A)(4) of this rule. In such event, however, the notice need not be given twenty-four hours prior to the meeting, but shall be given immediately upon the scheduling of such meeting.

### **Rule 03 | Open meetings.**

All meetings and public hearings of the Ohio Redistricting Commission shall be held in accordance with the Sunshine Law, section 121.22 of the Revised Code, as amended. All meetings and public hearings of the Ohio Redistricting Commission shall be broadcast by electronic means of transmission using a medium readily accessible by the general public.

### **Rule 04 | Officers; participation of members; minutes.**

(A) The Ohio Redistricting Commission shall have two Co-Chairs selected by the legislative leaders in the Senate and the House of Representatives of each of the two largest political parties represented in the general assembly, acting jointly by political party to serve.

(B) Each member of the Ohio Redistricting Commission shall be entitled to participate in all voting and debates, regardless of position held on the Commission.

(C) Minutes of each meeting of the Ohio Redistricting Commission shall be maintained by the Co-Chairs' designated staff. Such minutes shall be circulated among the members and adopted by majority vote at a subsequent meeting of the Ohio Redistricting Commission. Transcripts and archived video of meetings of the Ohio Redistricting Commission shall be provided upon request and completion and verification through the Ohio Government Telecommunications Service.

### **Rule 05 | Calling of meetings.**

After the initial meeting of the Ohio Redistricting Commission, at which the Commission is convened, a meeting of the Commission may be called upon twenty-four-hours notice. Such call and notice to each member of the Ohio Redistricting Commission shall be issued jointly by the Co-Chairs, or may be dispensed with if a motion to recess a meeting designates a time certain for continuation of that meeting. However, a meeting may be jointly called by the Co-Chairs, upon proper notice, prior to a previously designated meeting, should the Co-Chairs deem it necessary.

**Rule 06 | Quorum.**

A majority of the seven members of the Ohio Redistricting Commission constitutes a quorum. A majority of the Ohio Redistricting Commission is required for any official actions of the Commission, including but not limited to the adoption of a plan of redistricting. All motions before the Ohio Redistricting Commission shall be determined by majority vote and in accordance with Article XI of the Ohio Constitution, and, if necessary, Article XIX of the Ohio Constitution. Members of the Ohio Redistricting Commission or their designees may, from time to time, conduct public hearings referred to in Rule 08, absent a quorum of members.

**Rule 07 | Records retention and public records policies.**

(A) Pursuant to section 149.34 of the Revised Code, the Ohio Redistricting Commission shall adopt the Ohio department of administrative services general records retention schedules for general administration records, personnel records, fiscal records, and information technology records.

(B) Pursuant to division (E) of section of 149.43 of the Revised Code, the Ohio Redistricting Commission shall adopt a public records policy.

**Rule 08 | Public hearings on the process.**

The Co-Chairs' designated staff shall organize a series of public hearings in locations around the State of Ohio for the Ohio Redistricting Commission's members or their designees to receive public comment and input on the redistricting process. The Co-Chairs' designated staff shall notify the members of the Ohio Redistricting Commission or their designees of the time, date, and location of each public hearing in the manner prescribed in paragraph (A)(1), (A)(2), or (A)(3) of Rule 02 and in no event less than twenty-four hours prior to each public hearing.

The Co-Chairs of the Ohio Redistricting Commission, or their designees, shall preside over these public hearings. Each member of the Ohio Redistricting Commission may designate an individual(s) to represent the member at any or all of these public hearings. Any individual so designated to represent a member of the Ohio Redistricting Commission shall have no voting rights. No official business or action of the Ohio Redistricting Commission shall take place at the public hearings referred to in this rule, except for the receiving of public comment and input or adopting procedural rules for the operation of the Commission; provided that, the Co-Chairs must provide at least twenty-four hours written notice to the Commission members for there to be a vote on adopting procedural rules for the operation of the Commission.

**Rule 09 | Redistricting plans.**

Any member of the Ohio Redistricting Commission, person, or organization may submit for the consideration of the Commission a proposed general assembly district plan. Any member of the Ohio Redistricting Commission, person or organization may submit for the consideration of the Commission a congressional redistricting plan.

Redistricting plans submitted to the Ohio Redistricting Commission for consideration should contain visual representations of the proposed boundaries. The Ohio Redistricting Commission's website shall give any person or organization access to necessary Census data.

Redistricting plans submitted by the public to the Ohio Redistricting Commission for consideration shall be submitted on the Commission's website at:

[www.redistricting.ohio.gov](http://www.redistricting.ohio.gov)

or by mailing to:

Ohio Redistricting Commission  
c/o Clerk of the Ohio Senate  
Ohio Statehouse  
Columbus, Ohio 43215

Upon receipt, the Co-Chairs' designated staff shall promptly provide electronic notification of a submitted plan to all the members of the Ohio Redistricting Commission, and cause each submitted plan to be posted on the Commission's website for the public to view.

**Rule 10 | Consideration of redistricting plans; adoption of plan.**

The Redistricting Commission shall hold no less than three hearings on three separate days after the Redistricting Commission introduces a proposed General Assembly district plan pursuant to Ohio Const. Art. XI, § 8(A)(1) but prior to adoption of a final plan.

During the meeting or meetings of the commission, a sponsor of a complete statewide general assembly district plan may personally or through a representative present the substance of their plan to the members of the Redistricting Commission for a period not to exceed ten minutes, unless extended by a majority of the commission. The public may offer testimony or comment not to exceed five minutes total on any redistricting plan before the commission, unless extended by a majority of the commission. The co-chairs of the Ohio Redistricting Commission may limit testimony or comments on plans before the Commission, as the Co-Chairs deem necessary.

Any person wishing to testify on a given plan must provide written notice to the Co-Chairs' designated staff prior to the meeting scheduled to consider the various plans submitted.

Members of the Ohio Redistricting Commission may ask questions of any person testifying on the various redistricting plans before the Commission during the meeting scheduled to consider these plans. Members of the Ohio Redistricting Commission may request testimony from experts during this meeting.

Only members of the Ohio Redistricting Commission may offer amendments to a general assembly district plan or, if necessary, a congressional district plan.

The Co-Chairs of the Ohio Redistricting Commission may offer amendments on behalf of those persons sponsoring redistricting plans who are not members of the Commission.

**Rule 11 | Publication of redistricting plan.**

After a final general assembly district plan is adopted by the Ohio Redistricting Commission in accordance with Article XI of the Ohio Constitution, the Co-Chairs of the Commission shall coordinate with the Governor for the publication of the adopted plan no later than September 30, 2021. The first publication of the plan shall be made electronically on the Ohio Redistricting Commission’s website and in its entirety in at least four Ohio newspapers that are geographically diverse, and may be made in a preprinted insert. The second publication shall be made in abbreviated form in those newspapers pursuant to section 7.16 of the Revised Code. No further newspaper publications are required if the second, abbreviated notice meets the requirements of section 7.16 of the Revised Code.

If the Ohio Redistricting Commission adopts a congressional district plan in accordance with Article XIX of the Ohio Constitution, the Co-Chairs of the Commission shall publish the plan no later than November 15, 2021. The first publication of the plan shall be made electronically on the Ohio Redistricting Commission’s website and in its entirety in at least four Ohio newspapers that are geographically diverse, and may be made in a preprinted insert. The second publication shall be made in abbreviated form in those newspapers pursuant to section 7.16 of the Revised Code. No further newspaper publications are required if the second, abbreviated notice meets the requirements of section 7.16 of the Revised Code

**Rule 12 | Reconvening the Redistricting Commission.**

Should further action be necessary pursuant to either Article XI, Section 9 or Article XIX, Section 3 of the Ohio Constitution, the Ohio Redistricting Commission shall reconvene at the joint request of the Co-Chairs subject to this chapter.



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## CERTIFICATE OF SERVICE

I, Danielle L. Stewart, hereby certify that on October 19, 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**
2. **Stipulation of Evidence, Appendix of Exhibits, Volume 1 of 2 (pages 1-259)**
3. **Stipulation of Evidence, Appendix of Exhibits, Volume 2 of 2 (pages 260-433)**

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Dated: October 19, 2021

By: /s/ Danielle L. Stewart

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