

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MICHAEL GONIDAKIS, et al.,	:	
Plaintiffs,	:	Case No. 2:22-CV-773
v.	:	Chief Judge Algenon Marbley
FRANK LaROSE et al.,	:	Circuit Judge Amul R. Thapar
Defendants.	:	Judge Benjamin J. Beaton
	:	

**OHIO SECRETARY OF STATE LAROSE’S RESPONSE IN OPPOSITION TO
PLAINTIFFS’ SECOND AMENDED MOTION FOR A PRELIMINARY INJUNCTION**

I. INTRODUCTION

Simply put, the Plaintiffs are not likely to succeed on the merits of their claims as they rely on a factual inaccuracy – that Ohio lacks legislative districts. *See* Second Am. Mot. for PI, Doc. 96, PAGEID #1582. Because, as of March 28, 2022, Ohio has state legislative districts. And as the lead Plaintiff made clear at the preliminary injunction hearing, he simply wants to be able to support a candidate for general assembly in whichever legislative district he ultimately resides. PI Hrg. Tr., Doc. 150, PAGEID #4349. He will get that chance. True, it will not be in time for the May 3 primary election, early voting for which has already begun *without* primaries for the legislative districts, but it will be in time for *a* primary election later in 2022. And that will happen without this Court granting Plaintiffs’ Second Amended Motion for a Preliminary Injunction, which seeks implementation of the Ohio Redistricting Commission’s (“the Commission”) February 24, 2022 General Assembly district plan (“the Third Plan”). *See* Second Am. Mot. for PI, Doc. 96, PAGEID #1595. Though it was not passed in time to be used in the May 3 primary,

the Commission’s latest plan, the March 28, 2022 General Assembly district plan (“the Fourth Plan) is currently valid (as of this filing), is the operative plan, and can—and should—be implemented. When a primary election will be held on that plan remains to be seen, but it will happen. To be clear, the May 3 primary election is still going on for all other races. The only races that are not on the May 3 Ohio primary election ballot are those for General Assembly and political party State Central Committeepersons. Accordingly, Plaintiffs’ Motion (Doc. 96) should be denied.

In addition to responding to the Plaintiffs’ Motion, this Court posed two questions to the parties at the March 30 Preliminary Injunction hearing – (1) if the Court is to intervene, what relief would each party prefer be ordered; and (2) what, if anything, either prohibits or allows this Court to order the implementation of the 2011 legislative district maps? *See* PI Hrg Tr., Doc. 150, PAGEID #4465. As to the Court’s first question, at present, from an election administration standpoint, an August 2, 2022 primary for General Assembly and State Central Committee candidates which uses the Fourth Plan is preferable, even if the Ohio Supreme Court later invalidates the Fourth Plan. Additionally, it might become necessary for this Court to issue additional orders to automatically adjust the various statutory dates for primary elections in Ohio and a constitutional deadline related to the adoption of a new district plan. As to the Court’s second question, while the Secretary acknowledges the legislative districts adopted in the 2011 redistricting cycle are the last maps approved by the Supreme Court of Ohio and have been successfully used in every legislative election from 2012 through 2020, the 2011 legislative districts are now malapportioned and it would be easier for Ohio’s 88 county boards of election to use the Fourth Plan for the 2022 election as Secretary LaRose’s office does not possess the original

2011 electronic data files used in creating the 2011 district maps and is not certain where they could be found, even assuming they still exist.

II. BACKGROUND

The facts and procedural history of this case have been heavily briefed by the parties previously, and this Court heard extensive testimony during the March 30 Preliminary Injunction Hearing. Therefore, for the sake of brevity, Secretary LaRose offers the following updates that have occurred since that hearing concluded.

Voting in Ohio for the May 3 Primary Election has begun.

As of today, voting in the May 3 primary election has begun for all offices except members of the General Assembly and political party State Central Committeepersons. *See* Ex. 1, Affidavit of Amanda Grandjean, p. 1, ¶ 3. Specifically, on or about April 1, 2022, Ohio's 88 county boards of elections began sending UOCAVA ballots overseas that included all of Ohio's 2022 primary election races except those for General Assembly and State Central Committee. *Id.* Similarly, on April 5, early, in-person voting and absentee voting began in all 88 counties on all races other than the General Assembly and State Central Committee races. *Id.* Ohio's May 3 primary election is underway.

The Fourth Plan is challenged in the Ohio Supreme Court.

On April 1, 2022, the Bennett, OOC, and LWV Intervenor-Plaintiffs, petitioners in the various actions before the Ohio Supreme Court, filed objections to the Fourth Plan in their respective cases. *See* Dockets for *Ohio Organizing Collaborative, et al. v. Ohio Redistricting Commission, et al.*, No. 2021-1210; *Bennett, et al. v. Ohio Redistricting Commission, et al.*, No. 2021-1198; *League of Women Voters of Ohio, et al. v. Ohio Redistricting Commission, et al.*, No. 2021-1193. On April 4, the respondents in those cases, including Secretary LaRose, filed responses to those objections. *Id.* Although the Petitioners' objections are now decisional, as of

the filing of this *Response*, the Ohio Supreme Court has not yet issued a ruling, and the Fourth Plan stands.

III. LAW AND ARGUMENT

A. Plaintiffs' Second Amended Motion for a Preliminary Injunction should be denied.

“[A] preliminary injunction is an extraordinary and drastic remedy . . . that should not be granted unless the movant, by a clear showing, carries the burden of persuasion.” *Mazurek v. Armstrong*, 520 U.S. 968, 972 (1997). The movant “bears the burden of justifying such relief,” and it is “never awarded as of right.” *ACLU Fund of Mich. v. Livingston Cnty.*, 796 F.3d 636, 642 (6th Cir. 2015). Indeed, “the proof required is much more stringent than the proof required to survive a summary judgment motion.” *Farnsworth v. Nationstar Mortg., LLC*, 569 F. App'x 421, 425 (6th Cir. 2014) (quotation and alternation omitted). When determining whether to grant a party's request for such a remedy, district courts must balance four factors: “(1) whether the movant has a strong likelihood of success on the merits; (2) whether the movant would suffer irreparable injury without the injunction; (3) whether issuance of the injunction would cause substantial harm to others; and (4) whether the public interest would be served by issuance of the injunction.” *City of Pontiac Retired Emps. Ass'n v. Schimmel*, 751 F.3d 427, 430 (6th Cir. 2014) (en banc) (citation omitted).

“A plaintiff seeking a preliminary injunction must establish that he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest.” *Winter v. NRDC, Inc.*, 555 U.S. 7, 20 (2008). As to the first factor, a plaintiff must establish a “strong” likelihood of success, *Jolivette v. Husted*, 694 F.3d 760, 765 (6th Cir. 2012) (quotation omitted); a mere “possib[ility]” of success does not suffice, *Summit Cnty. Democratic Cent. & Exec. Comm.*

v. Blackwell, 388 F.3d 547, 551 (6th Cir. 2004). Similarly, the plaintiff must show a likelihood, not just a possibility, of irreparable injury. *Winter*, 555 U.S. at 22. Here, the Plaintiffs fail to meet that burden, and their request for a preliminary injunction must be denied.

1. Plaintiffs cannot succeed on the merits of their claim.

Plaintiffs are not likely to succeed on the merits of their constitutional claims that their rights to vote and to associate have been violated. All of Plaintiffs’ claims—and motion for injunctive relief—are predicated upon the same inaccurate fact— that Ohio lacks state legislative districts or is about to use the 2011 districts. *See, e.g.*, Second Am. Mot. for PI, Doc. 96, PAGEID #1582 (“Without the Third Plan, no state legislative districts exist so Plaintiffs cannot vote in violation of the U.S. Constitution.”). The Commission enacted the Fourth Plan. It is presumed to be constitutional and should not be supplanted with the Third. *See Wilson v. Kasich*, 981 N.E.2d 814, 821-822, 134 Ohio St. 3d 221 (2012).

Given this fact, Plaintiffs cannot succeed on their claims for relief, much less their request for a preliminary injunction. That is, Plaintiffs cannot succeed on claims premised upon the lack of current districts, when Ohio *has* legislative districts.

2. Plaintiffs will not suffer irreparable harm absent an injunction.

Plaintiffs will not be harmed absent an order implementing the Third Plan because a primary election for General Assembly members and State Central Committee will proceed, albeit at a date other than May 3. In other words, even if this Court denies the injunction (as it should), state legislative districts exist, and Plaintiffs will still be able to exercise their right to vote for a candidate. Simply put, Plaintiffs will not be harmed. True, the issue now is one of timing. Earlier during Ohio’s redistricting litigation, there was a point at which it was possible for the Secretary and Ohio’s boards of election to implement the Third Plan for the May 3 primary election. And even as late as the March 30 hearing, it may have been possible for the Secretary and the boards

to have implemented the Third Plan for a “unified” primary election on May 24, if this Court had so ruled on that day. But both of those points have now passed, and it is now undisputed that the state legislative primary will have to take place at a later date. *See* Tr. of PI Hrg, Doc. 150, PAGEID #4247. As a primary election for General Assembly and State Central Committee races will occur later in 2022, Plaintiffs will not be harmed if the Third Plan is not immediately implemented. There is still time to hold a state legislative primary absent an injunction, and that primary can be held on the schedule further explained herein.

3. Plaintiffs’ requested injunction will cause substantial harm to the existing redistricting process and the public interest will not be served if this Court supplants those processes.

The Commission passed a Fourth Plan that, as a matter of law, is to be implemented absent the Ohio Supreme Court ordering otherwise. This Court should not intervene while the state court processes are well underway and while the Fourth Plan, which is presumed to be constitutional, remains operative. *See Wilson v. Kasich*, 981 N.E.2d 814, 821-822, 134 Ohio St. 3d 221 (2012); *see also Growe v. Emison*, 507 U.S. 25, 33 (1993) (“reapportionment is primarily the duty and responsibility of the State through its legislature or other body, rather than of a federal court...[and] [a]bsent evidence that these state branches will timely fail to perform that duty, a federal court must neither affirmatively obstruct state apportionment nor permit federal litigation to be use to impede it.”) (internal quotation and citation omitted). At this point, the public interest will not be served by disturbing those processes only to implement a map rejected by the Ohio Supreme Court, *i.e.*, the Third Plan.

For these reasons, Plaintiffs’ Motion (Doc. 96) should be denied.

B. From an elections administration viewpoint, an August 2 primary election for General Assembly candidates using the Fourth Plan is preferable.

In response to this Court’s question as to what each party’s preferred relief is should the Court intervene, the Secretary prefers that this Court¹ order an August 2 primary election for General Assembly candidates using the Fourth Plan. Assuming that the Ohio Supreme Court does not invalidate the Fourth Plan, then half of this Court’s work is done – the Fourth Plan will be implemented. The only remaining issue would be the date for the primary election for General Assembly and State Central Committee candidates.

However, even if the Ohio Supreme Court were to invalidate the Fourth Plan, it remains the most efficient choice. Notably, this position is solely from the point of view of ease of elections administration for a General Assembly primary election.² And, for the reasons that follow, an August 2 primary using the Fourth Plan would be the easiest for Ohio’s 88 county boards of elections to implement.

1. August 2 is the preferred date to hold a primary election for General Assembly and State Central Committee candidates.

An August 2 primary election date for General Assembly and State Central Committee

¹ The Secretary would prefer, due to separation of powers and federalism concerns, that it be the Ohio General Assembly that would act to schedule the later legislative primary on August 2, 2022. As of this filing, however, the General Assembly has not acted to do so. Nor does it appear from their session calendar that the legislature will be in session to take any such action before the so-called “drop dead” date of April 20, 2022, for this Court to intervene that was established at the March 30, 2022 hearing.

² As has been stated, as of this filing, the Supreme Court of Ohio has not ruled on the constitutionality, under Art. XI of the Ohio Constitution, of the Fourth Plan. If the Supreme Court were to rule that the Fourth Plan violates Art. XI, then the Secretary, as a statewide official who swore an Oath to obey Ohio’s Constitution, should no longer advocate for the adoption of the Fourth Plan. But, if this Court’s question to the Secretary is, as it was at the hearing on March 30, 2022, of all the General Assembly district plans the Supreme Court has invalidated which one would he prefer to be ordered by this Court, then for the reasons that follow, his preference would be for the most recent plan approved by the Redistricting Commission, *i.e.*, the Fourth Plan.

candidates is preferable as it would allow for the primary election to proceed in as normal of course as it can. In even-numbered years in Ohio, primary elections take place over a 90-day period. *See* Ohio Rev. Code § 3513.05 (providing that candidates for party nomination at a primary election for offices elected in even-numbered years must file their declarations of candidacy and petitions no later than “the ninetieth day before the day of the primary election . . .”). Specifically, all of the normal time frames during that 90-day period that apply to a primary election (*e.g.* time for candidate petition filing, time for petition protests) could still be met if the primary election is held on August 2. This presumes that this Court select a district plan by April 20, 2022,³ should the state process fail to yield a final map. So, if the undisputed “drop dead” date of April 20th is met, which is the date for the adoption of a specific general assembly district plan and the Court declaring an August 2nd primary date, then an August 2nd primary would allow everything related to a primary election on that date to proceed according to the normal time frames for primaries under Ohio law.

As Deputy Assistant Secretary of State Amanda Grandjean testified, an Ohio “election calendar typically begins 90 days before an election.” *Id.* at PAGEID #4253; *see also* PI’s Ex. 1, 2022 Ohio Elections Calendar. The process starts with the deadline for candidates to file their declaration of candidacy, which occurs 90 days before an election. *See* Ohio Rev. Code § 3513.05. Encompassed within this 90-day period are a number of other deadlines. *See e.g., id.* (Boards of elections must certify the validity and sufficiency of partisan candidates’ petitions 78 days prior to

³ And whomever is the author of the plan the Court selects is able to supply the Secretary, also by April 20, with the electronic shape files, Census block assignment files, written legal descriptions of the districts, and the designations of the most populous county in each House and Senate district. These are all things needed by the county boards of election to reprogram their voter registration systems and elections management systems. If the Fourth Plan is selected by this Court, then the Secretary already has all the required information to distribute to the county boards of elections.

the primary election; Protests against partisan candidates' petitions due 74 days prior to the election; Secretary of State must certify to boards of elections the form of official ballots for primary election 70 days prior to the primary election); *see also* Ohio Rev. Code § 3511.04 (UOCAVA absentee ballots for primary election must be ready for use 46 days prior to the primary election). Again, these are only a few examples of the many deadlines that must be met in order to conduct a primary election in "regular order."

Because of this redistricting cycle, Deputy Assistant Secretary Grandjean explained that a primary election could still be conducted using a 104-day schedule, with the extra 14 days on top of the usual 90-day primary period needed for the boards of election to reprogram their voter registration and voting equipment systems to whatever new district map is being used. PI Hrg. Tr., Doc. 150, PAGEID #4316-4317. And April 20 is 104 days before August 2. This is further illustrated by the updated 2022 Ohio Elections Calendar, which shows when the statutory deadlines would fall if the primary election for General Assembly and State Central Committee candidates were to be scheduled for August 2. *See* Ex. 1, Grandjean Affidavit, Ex. A. The 104-day schedule also gives Ohio's 88 county boards of elections enough time "to reprogram [their] voter registration systems[,]" which would take approximately 14 days. PI Hrg. Tr., Doc. 150, PAGEID #4258. In other words, any date for the General Assembly primary that is earlier than August 2 and Ohio's election calendar must be condensed, and any date later than August 2 and Ohio would run into the issue of overlapping elections, which "should be avoided at all costs." *Id.* at PAGEID #4328.

From an elections administration standpoint, it is important to note that Ohio's statutory deadlines, as it relates to a primary election, are not defined as specific days. For example, declarations of candidacy and petitions are not due each year on a specific date. Rather, deadlines

are determined based on how many days from the primary election an action must be taken. *See, e.g.*, Ohio Rev. Code § 3513.05 (among others, the deadline for candidates to file their declaration of candidacy is 90 days before the primary election). The issue here, however, is that the “primary election” date is set by statute as “the first Tuesday after the first Monday in May of each year except in years in which a presidential primary election is held.” Ohio Rev. Code § 3501.01(E)(1). Therefore, in order to have all the applicable deadlines *automatically* changed, for the purposes of holding a primary election on August 2 for General Assembly and State Central Committee candidates, this Court would have to order that, for the 2022 election cycle, August 2 *is* a “primary election” under Ohio Rev. Code § 3501.01(E)(1) that will occur on August 2.

Finally, if this Court were to adopt the Fourth Plan, then, in addition to setting the primary election for General Assembly and State Central Committee for August 2, this Court should further clarify that the Ohio Const. Art. XI, Sec. 9(C) (“9(C)”) “clock” began to run on March 28, the date the Fourth Plan was implemented, and ends on April 27, 2022. Ohio Const. Art. XI, Sec. 9(C) states, “[n]otwithstanding any provision of this constitution or any law regarding the residence of senators and representatives, a general assembly district plan made pursuant to this section *shall allow thirty days for persons to change residence in order to be eligible for election.*” (Emphasis added.) This would give a state legislative candidate until April 27 (30 days after March 28) to move into the district in which he or she intends to run, if necessary.

This 9(C) schedule is consistent with the Ohio Constitution. *See* Ohio Const., Art. XI, Sec. 9(C). Also, because the 9(C) clock would end on April 27, any issues associated with 9(C) and declaration of candidacies are likely to be minimal because the 30 days would end a full week prior to the deadline to file candidacy petitions (May 4). *See* Ex. 1, Grandjean Affidavit, Ex. A. This is important because a declaration was filed of a legislative candidate that stopped looking

for a new residence, under the Third Plan, once the Supreme Court of Ohio ruled on March 16, 2022 (i.e., 10 days before that Plan's 9C deadline would have ended on March 26, 2022) that the Third Plan violated Article XI of the Ohio Constitution. *See generally* Declaration of Rick Neal, Doc. 144-1. IF this Court were to order the use of the Fourth Plan for the 2022 General Assembly primary election even if the Supreme Court were to rule that it violates Ohio's Constitution, it is important to the proposed August 2 primary election calendar, *see* Ex. 1, Grandjean Affidavit, Ex. A, that the 9(C) period end on April 27 before the putative new candidate filing deadline of May 4, 2022.

Accordingly, an August 2 primary election for all General Assembly and State Central Committee candidates is most efficient, from an elections administration standpoint.

2. The Fourth Plan is preferable given its practical benefits.

To the extent that the Fourth Plan is invalidated by the Ohio Supreme Court, the Fourth Plan is still, from an elections administration standpoint, the most practically beneficial. Specifically, the Fourth Plan is very similar to the Third Plan, as explained by Dr. Rodden at the preliminary injunction hearing. *See* PI Hrg. Tr. at p. 4408-4409 (explaining that "99.7 percent of the voters are in the same district in the third and fourth plan."). When the Third Plan was originally passed, Secretary LaRose instructed Ohio's 88 county boards of elections to begin preparations for the May 3 primary using the Third Plan. *See generally* Pl's Ex. 9, Directive 2022-26. And after the Ohio Supreme Court invalidated the Third Plan and when it became clear that a unified May 3 primary was impossible, Secretary LaRose instructed Ohio's 88 county boards of elections to "maintain a copy database of the ballot program file" that contained the Third Plan. *See* Pl's Ex. 14, Directive 2022-31 at p. 2.

A survey of Ohio's 88 county boards of elections conducted by the Secretary's Office revealed that 80 of 88 were able to maintain a backup in their *voter registration* systems of the

Third Plan. *See* Ex. 1, Grandjean Affidavit, Ex. B. Of the 8 counties that do not have a backup of the Third Plan in their voter registration systems, half indicated that their districts were not changed by the Fourth Plan. *See id.* As for the counties' *election management* systems (*i.e.*, voting and vote tabulation systems), 76 of the 88 were able to maintain a backup of Third Plan. Thus, by implementing the Fourth Plan, a similar plan to that of the Third Plan, the vast majority of the county boards of election would not have to start from scratch. Rather, they could start from a backup copy and update the Plan accordingly.

In other words, although the Fourth Plan is still a “new” map, which would require reprogramming, Dr. Rodden testified that the only changes from the Third Plan to the Fourth Plan were in Franklin and Stark (the county where Canton is) counties. *See* PI Hrg. Tr., Doc. 150, PAGEID #4408-4409. Thus, only a few counties would potentially need to “reprogram” their systems. *See* Ex. 1, Grandjean Affidavit at p. 3, ¶ 9; *id.*, Ex. B. Given the tight timeline that Ohio is working with, any help that this Court can give the county boards of elections the better.⁴

Accordingly, the Fourth Plan is the most efficient, from a purely elections administration standpoint, regardless of whether it is ultimately invalidated by the Ohio Supreme Court.

C. Although not the Secretary's first choice, this Court is not prohibited from ordering implementation of the now-lapsed 2011 General Assembly District maps for use in Ohio's 2022 General Assembly primary election.

The Secretary is aware of no precedent or rule that would prevent this court from ordering Ohio's 2022 General Assembly election to proceed based upon the state's 2011 District Plan while

⁴ In reading this, the Court may ponder, why not use the Third map. Again, the only reason why the Secretary suggested, from a purely elections administration standpoint, that the Third map would be preferred was *only* if this Court were inclined to order a unified May 24 primary election for all offices. *See* Affidavit of Amanda Grandjean, Doc. 113-1, PAGEID #2929. As that option is no longer possible, *see supra* at p. 5-6, the preferred option is the Fourth map.

accounting for any likely malapportionment issues. That does not, however, mean that such an order would be simple to implement practically or legally. First, the practical.

The Secretary does not object to the Panel ordering the use of the “current” 2011 district plan, but he assumes that the Court would order that any population malapportionment issues be addressed. But, even if this Court were to simply order the use of the 2011 districts as is without any 2020 population reapportionment, as this Panel learned from Deputy Assistant Secretary Grandjean during the preliminary injunction hearing, logistically that is not as easy for the 88 boards to do as one might think. *See* PI Hrg. Tr., Doc. 150, PAGEID #4273. Contrary to popular belief, there is no switch that can be flipped or centralized server that can be restarted that would bring the 2011 maps back online for all 88 county boards. *Id.* An order requiring use of the 2011 General Assembly districts would not be returning to baseline. It would be rebuilding 99 House and 33 Senate districts for the 88 boards of elections from the ground up. The boards of election would have to, once again, reprogram their systems. So, the “old” plan of 2011 would in effect be a “new” plan to the boards.

2021 was a year of decennial reapportionment and redistricting. *See* Ohio Const. Art. XI, Sec. 1(C) (the Ohio Redistricting Commission shall be convened in years ending in the numeral one for redistricting). 2011’s General Assembly districts were to be superseded by districts based on the geographic distribution of Ohio’s citizens as reflected in the 2020 decennial census. *See* Ohio Const. Art. XI, Sec. 3(A). When the work began, neither the Secretary nor Ohio’s county boards anticipated that process being derailed, nor should they have. Mostly everyone expected a process that would yield maps and districts in sufficient time for the May 3, 2022 primary election for General Assembly candidates to proceed. In most any other year, those assumptions would have been correct. But 2021’s redistricting process has proven to be anything but predictable.

Since September 16, 2021, the Secretary has instructed the county boards of election to re-program their systems three times. *See* PI Hrg. Tr., Doc. 150, PAGEID #4291; Ex. 1, Grandjean Affidavit, p. 3, ¶ 10. To put it differently, Ohio’s 2011 General Assembly maps have been superseded no less than three times. *Id.*

In order to “return” Ohio to the 2011 General Assembly districts, the county boards would first need to locate or rebuild the original 2011 electronic files (shape files and Census Block Assignment Files), as well as the written district legal descriptions of each district and determine each district’s most populous county in 2011. *See* Ex. 1, Grandjean Affidavit, p. 3, ¶ 10. The information contained in those files is necessary for the boards to reprogram, register and allocate voters to the correct General Assembly districts, as well as being able to verify candidate petition filings in the correct districts. *See id.* at p. 2, ¶ 8. The Secretary’s office does not possess those original 2011 electronic files, if they even still exist, and recreating them is far from simple. *Id.* at p. 3, ¶ 10. Ohio’s General Assembly districts are not built around or bound by county lines or municipal boundaries. Instead, General Assembly districts are created through compilations of Census Blocks. PI Hrg. Tr., Doc. 150, PAGEID #4367. This block-by-block building is the only way to ensure districts are properly apportioned. *See id.* at PAGEID #4367-4368. Without those original files, an order requiring Ohio to “return” to the 2011 General Assembly districts would present the Secretary and Ohio’s county boards with a very difficult and time-consuming task. And all of this assumes no population adjustments are required to bring the 2011 General Assembly districts into compliance with Ohio and Federal law.

Ohio’s General Assembly districts, as implemented by the 2011 plan, are no longer in balance. Ohio’s population has shifted. Some cities and counties have grown. Others have seen their populations fall. Whether this Court can order a “return” to the 2011 General Assembly

district plan without also taking action to address the potential for malapportionment is an open question to which the Secretary has concerns.

In a Sixth Circuit case involving voting procedures, but not redistricting, the Court said that a consent decree could not itself violate equal protection, confirming that court orders to fix one problem cannot create another. *Northeast Ohio Coalition v. Husted*, 696 F.3d 580, 598 (6th Cir. 2012) (“we join the parties and the district court in finding that the consent decree’s different treatment of similarly situated provisional ballots likely violates equal protection”).

In non-binding cases from other district courts, every court to draw lines has said that they must follow all of the rules, including constitutional rules and statutes. *See Arizonans for Fair Representation v. Symington*, 828 F.Supp. 684, 687 (D.Ariz.1992); *see also Colleton County Council v. McConnell*, 201 F. Supp. 2d 618 (D.S.C. 2002). In *Symington*, the district court said, “Because of the legislative impasse, the court must adopt or draw a plan which complies with the Constitution, 42 U.S.C. sections 1971 through 1973ff-6 (hereinafter referred to as the ‘Voting Rights Act’), and the neutral criteria which support the precept of good government.” *Id.* In *McConnell*, the district court, when faced with a challenge specifically focused on malapportionment, commented that:

Because the constitutional wrong we remedy is the malapportionment of the existing districts, the one-person, one-vote requirement of the United States Constitution is always the paramount concern of a court-ordered remedial plan. The plan for redistricting of a state’s bicameral legislature must ordinarily achieve the goal of population equality with little more than de minimis variation, whereas in the congressional redistricting process, a good-faith effort to achieve precise mathematical equality is required.

201 F. Supp. 2d at 627 (internal quotations and citations omitted).

The Supreme Court of the United States has joined the call for courts to look beyond the immediate problems presented to them when crafting relief in election-related cases. In *Wis.*

Legislature vs. Wisc. Election Comm’n, ___ S.Ct. ___, 2022 U.S. LEXIS 1668, at *1 (March 23, 2022), the Wisconsin Supreme Court chose state legislative lines by having the Governor, state legislature, and others submit proposals. The Wisconsin Supreme Court chose the Governor’s maps. *Id.* On review, the United States Supreme Court found that those lines violated equal protection by working to create an additional majority-minority seat, based on the Governor’s or Wisconsin State Court’s errant belief that the Voting Rights Act (“VRA”) required it. *Id.* at *2-3. The Court did not demand perfection, but required demonstration of at least a reasonable effort to comply with Constitutional strictures. *Id.* at *7-8. Some leeway for “reasonable mistakes” may be acceptable, “[b]ut that ‘leeway’ does not allow a State to adopt a racial gerrymander” that is unjustified by the VRA. *Id.* (quoting *Cooper v. Harris*, 137 S. Ct. 1455, 1472 (2017)). Clearly, a court in a remedial setting must still follow equal protection principles, including, but not limited to, one-person-one-vote. In terms of re-imposing Ohio’s 2011 District Plan, correcting malapportionment between Ohio’s General Assembly districts is a *must*.

Whatever path this Panel chooses, time is of the essence. Shape files and Census Block File data already exists for the Third and Fourth Plans. *See* Ex. 1, Grandjean Affidavit, p. 2, ¶ 8, n. 1. In terms of implementation by Ohio’s county boards, those would be the simplest. *See supra* at p. 11-12. Choosing a “return” to the 2011 General Assembly districts without addressing the malapportionment issues is next in terms of simplicity, but still requires expert analysis to locate, rebuild, and produce the now-lost shape files and Census Block Allocation Files. If the Panel were to re-apportion the 2011 map with the 2020 Census data, then it becomes like any other plan, previously adopted or not. Accordingly, the Secretary and Ohio’s 88 county boards of elections need the new electronic shape files and census block allocation files ready and in hand *no later than April 20*, so the county boards/vendors can reprogram their voting systems in preparation for

an orderly General Assembly primary election to occur on whatever date this Court or the legislature may set.

IV. CONCLUSION

For the foregoing reasons, Plaintiffs' Second Amended Motion for a Preliminary Injunction (Doc. 96) should be denied. Further, in answering the questions posed by this Court: (1) An August 2 primary election for General Assembly and State Central Committee candidates using the Fourth Plan is preferable along with the other findings and conclusions requested, from an elections administration standpoint; and (2) it is preferable to use the Fourth Plan as opposed to the 2011 district maps as those districts are now likely malapportioned and trying to recreate the 2011 districts would be impracticable.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on April 6, 2022, the foregoing was filed with the Court. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties for whom counsel has entered an appearance. Parties may access this filing through the Court's system.

/s/ Jonathan D. Blanton

JONATHAN D. BLANTON (0070035)

Deputy Attorney General

Exhibit 1

Affidavit of Amanda M. Grandjean, April 6, 2022



2022-04-06 Grandjean Affidavit.pdf

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 Created: April 06, 2022 17:13:46 -8:00
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E-Signature Summary

E-Signature 1: Amanda M. Grandjean (AMG)

April 06, 2022 17:19:59 -8:00 [1E25E1663B4B] [75.187.54.228]
 agrandjean@ohiosos.gov (Principal) (Personally Known)

E-Signature Notary: MacKenzie S. Clayton (msc)

April 06, 2022 17:19:59 -8:00 [794A6E48591E] [107.11.84.255]
 MacKenzie.Clayton@OhioAGO.gov
 I, MacKenzie S. Clayton, did witness the participants named above electronically sign this document.



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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

MICHAEL GONIDAKIS, et al.,	:	
	:	Case No. 2:22-CV-773
Plaintiffs,	:	
	:	
v.	:	
	:	Chief Judge Algenon Marbley
FRANK LAROSE,	:	
	:	
Defendant.	:	

AFFIDAVIT OF AMANDA M. GRANDJEAN

STATE OF OHIO :
 : SS
COUNTY OF PERRY :

Now comes Amanda M. Grandjean, having been first duly cautioned and sworn, states and affirms as follows:

1. I have personal knowledge of the information set forth in this Affidavit, and I am competent to testify to the matters stated herein.
2. My experience and credentials remain the same as set forth in my March 28, 2022 Affidavit in this matter.
3. On April 1, 2022, the Secretary of State issued Directive 2022-32. This Directive instructed the 88 county boards of elections to immediately, but no later than April 5, 2022, begin issuing Uniformed Services and Overseas Citizens' Absentee Voting Act ("UOCAVA") ballots for all May 3, 2022 primary races except for the Ohio House, Ohio Senate, and State Central Committee races to UOCAVA voters. In addition, on April 5, 2022, early, in-person voting began across the state at each of the 88 county boards of elections' offices and the county boards of elections began transmitting domestic absentee ballots to voters who requested them. Thus, the May 3, 2022 Primary Election is underway without Ohio House, Ohio Senate, and State Central Committee races on the ballot.
4. If this Court is going to set a new date for the remaining 2022 primary races for Ohio House, Ohio Senate, and State Central Committee, then as I testified on March 30, 2022, the best date going forward from an elections administration standpoint is August 2, 2022. The first

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Tuesday after the first Monday in August is already specified in Ohio law as a possible election day, R.C. 3501.01(D), and some county boards will be holding elections on that day anyway. Holding the primary election for these races on August 2, 2022 allows time for the county boards of elections to complete all processes related to the May 3, 2022 Primary Election, including receiving absentee ballots, conducting the official canvass, and certifying the results. An August 2, 2022 Primary Election date for the General Assembly races also provides enough time to properly and accurately administer the primary election for the remaining races.

5. In addition, for the reasons set forth in my March 28, 2022 Affidavit, August 2, 2022 is the latest date a primary election can be held while allowing the November 8, 2022 General Election to proceed in regular order.

6. If this Court orders an August 2, 2022 Primary Election, the 90-day statutory elections deadlines that are tied to the date of a primary election will reset by operation of law, as set forth in the draft elections calendar attached as **Exhibit A**.

7. As I testified on March 30, 2022, the standard 90-day primary elections calendar does not include the time needed by the county boards of elections to reprogram their voter registration and their voting and tabulation systems to a new General Assembly district plan, or the time for candidates to change their residence due to the adoption of a new plan in accordance with Ohio Const. Art. XI, Section 9(C), if applicable.

8. In my professional judgment it is possible to complete these primary election processes without altering the standard, 90-day primary elections calendar so long as the following conditions are met:

- This Court issues an order not later than April 20, 2022 that: (a) adopts a General Assembly district plan for use in 2022, if there is not a final district plan by that date, and (b) specifies that August 2, 2022 is the Primary Election date for the General Assembly and State Central Committee races.
- If the Court orders the use of any plan other than the four plans adopted by the Ohio Redistricting Commission,¹ the underlying electronic data for that plan – including shape files, legal descriptions, most populous county list, and U.S. Census Bureau block assignment files (“BAFs”) – must be transmitted to the Secretary of State no later than April 20, 2022. The immediate transmission of this data is essential, as county boards of elections and their IT vendors require it to begin reprogramming their systems to ensure that all voters are assigned to the proper district and that all ballots contain the correct candidates and issues.
- If this Court determines that the time for candidates to change their residence under Ohio Const. Art. XI, Section 9(C), based upon the plan the Court may adopt, has not expired prior to the May 4, 2022 candidate filing deadline, then the Court must establish processes similar to those contained in Section 4 of Sub. H.B. 93 of the 134th General Assembly that require candidates to become a resident of the district the filer seeks to represent, submit an addendum to their declaration of candidacy,

¹ The shape files and U.S. Census Bureau block assignment files for the Redistricting Commission’s First, Second, Third, and Fourth Plans have already been filed with the Secretary of State’s Office.



declaration of candidacy and petition, nominating petition or declaration of intent to be a write-in candidate that indicates the filer’s new residence address, update their voter registration, and similar provisions related to signature verification, and transfer of filings between the appropriate county boards of elections.

9. Upon the Court’s request, my staff conducted a survey of the county boards of elections regarding which General Assembly district plan is programmed into their voter registration and election management systems. The full results of that survey are attached as **Exhibit B**. As anticipated, the majority of the county boards of elections programmed their voter registration systems to the Redistricting Commission’s February 24, 2022 plan (or “Third Plan”). If this Court orders the adoption of the Commission’s March 28, 2022 plan (the “Fourth Plan”), then the county boards will need to reprogram their systems to the Fourth Plan.

10. While the “current” General Assembly districts are those that were adopted in the 2011 redistricting process, since September 16, 2021, the Secretary has instructed the county boards of elections to reprogram their voter registration and voting and tabulating systems three times. Not all counties can reinstate the 2011 map in their systems because of the number of times these systems were reprogrammed as a result of the 2021-22 redistricting process and litigation. As a result, if this Court orders the use of that 2011 map, the county boards of elections will need to be provided the original 2011 electronic redistricting files, including shape files, legal descriptions, most populous county list, and BAFs. The Secretary does not know the location of those original files and it would be incredibly time-consuming to try and recreate them even if those files are located.

11. Similarly, if the Court orders the reapportionment of that 2011 map using the 2020 census data, the county boards of elections will need the shape files, legal descriptions, most populous county list, and BAFs for the reapportioned map from whomever performs that work.

Further affiant sayeth naught.

Amanda M. Grandjean

Amanda M. Grandjean

Sworn to in my presence and subscribed before me this 6th day of April 2022.



MacKenzie S. Clayton

Notary Public

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Affidavit of Amanda M. Grandjean

Exhibit A

2022 Ohio Elections Calendar- August 2022
(GA and State Central Committee)

Statutory Deadlines Possible August 2, 2022 Statewide Primary Election

2022		Reference
Apr. 24	Boards of elections must prepare and publish notices of the August 2 primary election and provide the notices to federal write-in absentee voters upon request (no later than 100 days before primary election)	R.C. 3511.16
May 04	Local questions and issues, including local options, must be certified or filed with the boards of elections by 4 p.m. (90 days before the primary election)	R.C. 731.28, .29, 3501.02, 4301.33, .331, .332, .333, .334, 4305.14
	Declarations of candidacy for partisan candidates for the offices of State Senator, State Representative, and Member of State Central Committee must be filed by 4 p.m. (90 days before primary election)	R.C. 3513.05
May 16	Boards of elections must certify the validity and sufficiency of partisan candidates' petitions for the offices of State Senator, State Representative, and Member of State Central Committee (78 days before primary election)	R.C. 3513.05
	Boards of elections must certify the validity and sufficiency of local option petitions (78 days before primary election)	R.C. 4301.33, .331, .332, .333, .334, 4305.14
May 20	Protests against partisan candidates' petitions must be filed by 4 p.m. for the offices of State Senator, State Representative, and Member of State Central Committee (74 days before primary election)	R.C. 3513.05
	Protests against local option petitions must be filed by 4 p.m. (74 days before primary election)	R.C. 4301.33, .331, .332, .333, .334, 4305.14
May 23*	Write-in candidates for August 2 primary election for the offices of State Senator, State Representative, and Member of State Central Committee must file declarations of intent by 4 p.m. (72 days before primary election)	R.C. 3513.041
May 24	Secretary of State must certify to boards of elections the form of official ballots for August 2 primary election for the offices of State Senator, State Representative, and Member of State Central Committee (70 days before primary election)	R.C. 3513.05
	Board of elections of most populous county in a multi-county subdivision must certify names of all candidates for the offices of State Senator, State Representative, and Member of State Central Committee to other boards of elections (70 days before primary election)	R.C. 3513.05
May 27	Protests against write-in candidates for the offices of State Senator, State Representative, and Member of State Central Committee must be filed by 4 p.m. (67 days before primary election)	R.C. 3513.041
Jun. 03	Boards of elections must schedule a program for instruction of precinct election officials (within 60 days before primary election)	R.C. 3501.27
Jun. 17	UOCAVA absentee ballots for August 2 primary election must be ready for use (46 days before primary election)	R.C. 3511.04
	Boards of elections must update and publish notices of August 2 primary election and provide the notices to federal write-in absentee voters upon request (no later than 46 days before primary election)	R.C. 3511.16
Jun. 21	Boards of elections must advertise in newspaper(s) the places, dates, times, qualifications, and methods for voter registration (six weeks before primary election)	R.C. 3503.12
Jul. 05*	Deadline for voter registration for August 2 primary election (30 days before primary election)	R.C. 3503.19
	Deadline to file corrections and challenges to precinct voter registration lists (30 days before primary election)	R.C. 3503.24
Jul. 06	Non-UOCAVA absentee ballots for August 2 primary election must be ready for use (first day after close of voter registration)	R.C. 3509.01
	Early in-person absentee voting begins (first day after close of voter registration)	R.C. 3509.01
Jul. 11	Secretary of State and boards of elections must send notice to candidates required to file pre-primary campaign finance reports (10 days before the pre-primary campaign finance report deadline)	R.C. 3517.11
Jul. 13	Committees advocating or opposing issues on August 2 primary election ballot must file by 4 p.m. to be recognized as a committee to appoint observers (20 days before primary election)	R.C. 3505.21
Jul. 15	Boards of elections must certify independent candidate petitions by this date	R.C. 3513.262
Jul. 19	Boards of elections must prepare precinct voter registration lists for primary election (14 days before primary election)	R.C. 3503.23
	Secretary of State and boards of elections must send notice to candidates required to file semiannual campaign finance reports (10 days before the semiannual campaign finance report deadline)	R.C. 3517.11
Jul. 21	Pre-primary election campaign finance reports must be filed by certain candidates, political action committees, caucus committees (legislative campaign funds), and political parties by 4 p.m. (12 days before primary election) detailing contributions and expenditures through July 13, 2022 (20 days before primary election)	R.C. 3517.10
Jul. 22	Deadline for political parties, groups of candidates and issue committees to file notice of observer appointments (11 days before primary election)	R.C. 3505.21
Jul. 23	Boards of elections must give public notice of August 2 primary election (10 days before primary election)	R.C. 3501.03

*Note: In some instances, the statutory deadline falls on a day when the offices of the Secretary of State and boards of elections are closed. In those instances, the deadlines are extended, pursuant to R.C. 1.14, to the next succeeding day when the appropriate office is open for regular business hours. The preceding dates reflect the extended deadline.

"UOCAVA" is an acronym for Uniformed & Overseas Citizens Absentee Voting Act to refer to those voters who are uniformed and/or overseas. "Non-UOCAVA" refers to voters who are not uniformed or overseas voters.

Statutory Deadlines Possible August 2, 2022 Statewide Primary Election

2022		Reference
Jul. 29	Semiannual election campaign finance reports must be filed by certain candidates, political action committees, caucus committees (legislative campaign funds), and political parties by 4 p.m. (last business day of July) detailing contributions and expenditures through June 30, 2022 (last day of June)	R.C. 3517.10
Jul. 30	Applications for absentee ballots to be mailed for August 2 primary election must be received by noon (3 days before primary election)	R.C. 3509.03, .08, 3511.02
Aug. 01	Amendments to observer appointments must be filed by 4 p.m. (day before primary election)	R.C. 3505.21
	Boards of elections must submit verification forms of handicapped accessible parking and handicapped accessible polling locations to the Secretary of State's Office (no later than the day before the primary election)	R.C. 3501.29
	Nominating petitions of independent candidates for offices for which a primary election may be held must be filed by 4 p.m. (one day before primary election)	R.C. 3513.257
Aug. 02	Primary Election held. Polls open from 6:30 a.m. to 7:30 p.m.	R.C. 3501.01, .32
	If voter, or voter's minor child is hospitalized because of accident or medical emergency, voter may apply for an absentee ballot until 3 p.m.	R.C. 3509.08
	Boards of elections must receive absentee ballots, returned in person or via a method other than U.S. Mail, by the close of polls	R.C. 3509.05, 3511.11
Aug. 12	Absentee ballots for August 2 primary election returned by U.S. Mail must be postmarked no later than August 1 and received by boards of elections by this date to be counted (10 days after primary election)	R.C. 3509.05, 3511.11
	UOCAVA absentee ballots for August 2 primary election must be received by boards of elections by this date to be counted (10 days after primary election)	R.C. 3511.11
Aug. 13	Boards of elections may begin official canvass of August 2 primary election ballots (11 days after primary election)	R.C. 3505.32
Aug. 17	Boards of elections must begin official canvass of August 2 primary election ballots no later than this date (15 days after primary election)	R.C. 3505.32
Aug. 23	Boards of elections must complete official canvass of August 2 primary election ballots no later than this date (21 days after primary election)	R.C. 3505.32
Aug. 30	Secretary of State and boards of elections must send notice to candidates required to file post-primary campaign finance reports (10 days before the post-primary campaign finance report deadline)	R.C. 3517.11
Sep. 9	Post-primary election campaign finance reports must be filed by candidates, political action committees, caucus committees (legislative campaign funds), and political parties by 4 p.m. (38 days after primary election) detailing contributions and expenditures through September 2, 2022 (seven days before the report is filed)	R.C. 3517.10

*Note: In some instances, the statutory deadline falls on a day when the offices of the Secretary of State and boards of elections are closed. In those instances, the deadlines are extended, pursuant to R.C. 1.14, to the next succeeding day when the appropriate office is open for regular business hours. The preceding dates reflect the extended deadline.

"UOCAVA" is an acronym for Uniformed & Overseas Citizens Absentee Voting Act to refer to those voters who are uniformed and/or overseas. "Non-UOCAVA" refers to voters who are not uniformed or overseas voters.

Affidavit of Amanda M. Grandjean

Exhibit B

2022-04-04 BOE Redistricting Plan Programming Status

County	What general assembly district map adopted by the Ohio Redistricting Commission is currently programmed in the board's voter registration system?	If the board did not reprogram the voter registration system to match the districts from the February 24, 2022 general assembly maps, how long will it take the board to complete this process?	What general assembly district information is currently programmed in the election management system (central tabulation system)?	Prior to removing the offices of Ohio Senate, Ohio House, and State Central Committee from the ballot (pursuant to Directive 2022-31), did the board create a copy or second database in its election management system?	In the copy or previous database of the election management system, which district information is programmed for the offices of Ohio Senate, Ohio House, and State Central Committee?
Adams	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Allen	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Ashland	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Ashtabula	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Athens	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Auglaize	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	January 22, 2022 (Second Map)
Belmont	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Brown	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Butler	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Carroll	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Champaign	Districts established prior to September 15, 2021	Our districts did not change on any of the proposed maps	Districts established prior to September 15, 2021	Yes	Districts established prior to September 15, 2021
Clark	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Clermont	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Clinton	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Columbiana	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Coshocton	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Crawford	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Cuyahoga	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Darke	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Defiance	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Delaware	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Erie	Districts established prior to September 15, 2021	It will probably take one week. We already reprogrammed much of our VR system to match the third set of maps; we just had one precinct to go. This particular precinct was difficult because half of it was in one district and half of it was in another. We were in the process of updating when the third set of maps was ruled not valid, so we stopped.	Districts established prior to September 15, 2021	No	
Fairfield	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)

County	What general assembly district map adopted by the Ohio Redistricting Commission is currently programmed in the board's voter registration system?	If the board did not reprogram the voter registration system to match the districts from the February 24, 2022 general assembly maps, how long will it take the board to complete this process?	What general assembly district information is currently programmed in the election management system (central tabulation system)?	Prior to removing the offices of Ohio Senate, Ohio House, and State Central Committee from the ballot (pursuant to Directive 2022-31), did the board create a copy or second database in its election management system?	In the copy or previous database of the election management system, which district information is programmed for the offices of Ohio Senate, Ohio House, and State Central Committee?
Fayette	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Franklin	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Fulton	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Gallia	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Geauga	February 24, 2022 (Third Map)		Districts established prior to September 15, 2021	Yes	February 24, 2022 (Third Map)
Greene	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Guernsey	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Hamilton	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Hancock	Districts established prior to September 15, 2021	Our districts did not change.	Districts established prior to September 15, 2021	Yes	Districts established prior to September 15, 2021
Hardin	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Harrison	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Henry	Districts established prior to September 15, 2021	N/A	Districts established prior to September 15, 2021	Yes	Districts established prior to September 15, 2021
Highland	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Hocking	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Holmes	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Huron	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Jackson	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Jefferson	Districts established prior to September 15, 2021	None It didn't change.	Districts established prior to September 15, 2021	Yes	Districts established prior to September 15, 2021
Knox	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Lake	Districts established prior to September 15, 2021	Not sure.	February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Lawrence	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Licking	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Logan	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Lorain	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Lucas	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)

County	What general assembly district map adopted by the Ohio Redistricting Commission is currently programmed in the board's voter registration system?	If the board did not reprogram the voter registration system to match the districts from the February 24, 2022 general assembly maps, how long will it take the board to complete this process?	What general assembly district information is currently programmed in the election management system (central tabulation system)?	Prior to removing the offices of Ohio Senate, Ohio House, and State Central Committee from the ballot (pursuant to Directive 2022-31), did the board create a copy or second database in its election management system?	In the copy or previous database of the election management system, which district information is programmed for the offices of Ohio Senate, Ohio House, and State Central Committee?
Madison	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Mahoning	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Marion	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Medina	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Meigs	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Mercer	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Miami	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Monroe	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Montgomery	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Morgan	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Morrow	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Muskingum	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Noble	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Ottawa	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	January 22, 2022 (Second Map)
Paulding	Districts established prior to September 15, 2021	1 day if needed	Districts established prior to September 15, 2021	Yes	Districts established prior to September 15, 2021
Perry	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Pickaway	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Pike	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Portage	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Preble	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Putnam	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Richland	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Ross	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Sandusky	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	Districts established prior to September 15, 2021
Scioto	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)

County	What general assembly district map adopted by the Ohio Redistricting Commission is currently programmed in the board's voter registration system?	If the board did not reprogram the voter registration system to match the districts from the February 24, 2022 general assembly maps, how long will it take the board to complete this process?	What general assembly district information is currently programmed in the election management system (central tabulation system)?	Prior to removing the offices of Ohio Senate, Ohio House, and State Central Committee from the ballot (pursuant to Directive 2022-31), did the board create a copy or second database in its election management system?	In the copy or previous database of the election management system, which district information is programmed for the offices of Ohio Senate, Ohio House, and State Central Committee?
Seneca	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	January 22, 2022 (Second Map)
Shelby	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Stark	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Summit	February 24, 2022 (Third Map)		Districts established prior to September 15, 2021	Yes	February 24, 2022 (Third Map)
Trumbull	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Tuscarawas	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Union	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Van Wert	Districts established prior to September 15, 2021	our districts did not change	Districts established prior to September 15, 2021	No	
Vinton	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Warren	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	January 22, 2022 (Second Map)
Washington	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Wayne	February 24, 2022 (Third Map)		Districts established prior to September 15, 2021	Yes	February 24, 2022 (Third Map)
Williams	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Wood	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)
Wyandot	February 24, 2022 (Third Map)		February 24, 2022 (Third Map)	Yes	February 24, 2022 (Third Map)